

Description

Lawful development certificate for proposed creation of single storey rear and side extension under permitted development. Enlargement of entrance porch (<3m2).

Relevant Planning History

None

Publicity

2 objections -

Objection 1 - loss of light, object to a two storey extension, technical guidance states wrap around extension not permitted development.

Objection 2 - loss of light, damage to property and garden.

Objection 3. No. 8 proposes to build a two storey extension and affect adjoining residential recreation areas

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - None

Unitary Development Plan and Policies

<SQLDCPolicyComRep>

Issues and Analysis

The dwelling is not Listed nor is it in a Conservation Area.

There is no enforcement and the proposed development would be on land wholly owned or controlled by the applicant.

Permitted Development rights have not been removed.

The proposal would not take up more than 50% of the area of the curtilage, not including the area of the dwelling.

Single storey extension at side and rear

The side extension would not be wider than half the width of the original dwelling.

The rear extension would not extend beyond the original rear wall of the dwelling by more than three metres.

The proposed development would not extend beyond a wall which forms the principal or a side elevation of the original dwelling and fronts a highway.

The overall height of the proposal would not exceed four metres and the height to the eaves would not exceed three metres.

The proposed extension would be of a wrap-a-round design which according to the Communities and Local Government Permitted Development for Householders - Technical Guidance, published in August 2010 would not be Permitted Development. The Council takes a differing view to this guidance insofar as if the original side wall of the dwellinghouse is not extended by more than half the width of the original dwelling (in the case of a flat side and rear elevation) it would be permitted development. In a Lawful

Development appeal - APP/L3625/X/09/2102574 an Inspector granted a Lawful Development Certificate for a single storey side and rear wrap-a-round extension. The Inspector said "The main principle to be considered is that the enlargement, improvement or other alteration of a dwellinghouse is permitted development subject to the limitations imposed at A1 (a) – (i). In this case the element of the proposed extension that wraps round the rear corner of the original dwelling does not breach those limitations and is not otherwise explicitly excluded. The other parts of the proposed extension fall within those limitations as indicated above. It can thus be regarded as an enlargement which is permitted development and the appeal must succeed".

Having regard to the above the proposal would be lawful as it falls within the limitations of Part 1 Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015.

Porch

The porch would have a height of 3.00m and as such would not exceed the height limit of 3.00m and would not exceed the area limit of 3m² and would not be within 2.00m of the highway.

Having regard to the above the proposal would be lawful as it would not exceed limitations under D.1 of Part 1 Class D of The Town and Country Planning (General Permitted Development) (England) Order 2015.

Response to objectors

Loss of light is not relevant when dealing with permitted development, damage to properties or gardens falls outside the remit of planning. The extension proposed is single storey not two storey. The point about wrap around extensions is dealt with in the body of the report.