

Delegated Application Report**Target Date:** 01/10/19**Address:** 23 Marchwood Avenue**Application No:** 191284/CLP**Proposal:** Part Garage Conversion**Case Officer:** Sian Hickey**Introduction and Proposal**

The application site is a semi-detached bungalow with an attached garage on the corner of Marchwood Avenue and Phillimore Road. The property is not Listed and it doesn't fall within a Conservation Area. The surrounding area is predominantly residential.

The proposal is to convert part of the existing garage space at the rear into a study and replace the existing external door and window.

Plans Submitted

The agent supplied the following, received on 6th August 2019:

Location Plan

Drawing No: 1509-02 – Proposed Floor Plan

Drawing No: 1509-03 – Proposed Section

Drawing No: 1509-01 – Existing Floor Plan

Relevant Planning History

920475 – Single storey side extension - Refused

930375 - Single storey side and rear extensions and porch - Permitted

Summary of Consultations

No consultations were undertaken as it is not required for an application of this type.

Relevant Planning Policy and Guidance

National Planning Practice Guidance.

The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).

Permitted development rights for householders – Technical Guidance April 2016

Assessment

A Certificate of Lawfulness for a proposed development has been submitted as the applicant considers the proposal falls within the permitted development rights of the property.

The proposal must be assessed to ensure that it complies with the conditions of Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, which relates to the 'enlargement, improvement or other alteration of a dwellinghouse'.

The relevant conditions of the GPDO for a garage conversion, which is not listed or in a conservation area, are as follows:

A.1 Development is not permitted by Class A if:

A.1 (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use); **complies**

A.1 (b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse); **complies**

A.1 (c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse; **complies**

A.1 (d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse; **complies**

A.1 (e) the enlarged part of the dwellinghouse would extend beyond a wall which (i) forms the principle elevation of the original dwellinghouse; **complies** or (ii) fronts a highway and forms a side elevation of the original dwellinghouse; **complies**

A.1 (f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and – (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, **complies** or (ii) exceed 4 metres in height; **complies**

A.1 (g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and – (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, **complies** or (ii) exceed 4 metres in height; **complies**

A.1 (h) the enlarged part of the dwellinghouse would have more than a single storey and – (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, **complies** or (ii) be within 7 metres of

any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse; **complies**

A.1 (i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres; **complies**

A.1 (j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would – (i) exceed 4 metres in height, **complies** (ii) have more than a single storey, **complies** or (iii) have a width greater than half the width of the original dwellinghouse; **complies** or

A.1 (k) it would consist of or include – (i) the construction or provision of a verandah, balcony or raised platform, **complies** (ii) the installation, alteration or replacement of a microwave antenna, **complies** (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, **complies** or (iv) an alteration to any part of the roof of the dwellinghouse. **Complies.**

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if:

A.2 (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles; **n/a**

A.2 (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; **n/a** or

A.2 (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse. **n/a**

Conditions

Development is permitted by Class A subject to the following conditions:

A.3 (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the dwellinghouse; **n/a**

A.3 (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be (i) obscure-glazed, **n/a** and (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; **n/a** and

A.3 (c) where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse. **n/a**

Recommendation

Evidence has been provided to demonstrate that a Certificate of Lawfulness should be granted for the proposed part garage conversion.

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. It can be confirmed that the proposed operation would be lawful for planning purposes on the basis of the drawings received on 6th August 2019:

Location Plan

Drawing No: 1509-02 – Proposed Floor Plan

Drawing No: 1509-03 – Proposed Section

Drawing No: 1509-01 – Existing Floor Plan

Therefore the Local Planning Authority can issue the applicant with a Certificate of Lawfulness for the proposed development.

Informatives

Building Regulations

Construction and Demolition



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