

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	ER	17/03/2023
Planning Manager / Team Leader authorisation:	AN	21/03/23
Planning Technician final checks and despatch:	ER	22/03/2023

Application: 22/02100/LUPROP **Town / Parish:** Frinton & Walton Town Council

Applicant: Mrs Sarah Stannard

Address: 4 Greenway Frinton On Sea Essex

Development: Proposed conversion of garage into living area (Kitchen/Diner).

1. Town / Parish Council

FRINTON & WALTON
TOWN COUNCIL Noted.

2. Consultation Responses

Not required

3. Planning History

22/02100/LUPRO Proposed conversion of garage Current
P into living area (Kitchen/Diner).

4. Relevant Policies / Government Guidance

Not required

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The site comprises of a two storey detached dwelling with integral garage.

Description of Proposal

This application seeks the issuing of a Lawful Development Certificate for the proposed development of a conversion of existing garage to form new dining room.

A lawful use certificate is, 'a certificate issued by a local planning authority, on application, stating that an existing (LDC 191) or proposed use (LDC 192), or other forms of development, can be considered as lawful for planning purposes'.

Main considerations are;

- Planning History;
- General Permitted Development Order
- Conclusion.

Planning History

The application dwelling was erected under a scheme approved in 1966 under planning reference FRW/29/66. This permission did not remove permitted development rights for the conversion of garages or alterations to existing houses.

CLASS A - The enlargement, improvement or other alteration of a dwellinghouse

- (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);

Not applicable.

- (b) 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);

The total area covered by the proposal and existing buildings will not exceed 50% of the total area.

- (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;

The height of the proposal will not exceed the height of the highest part of the roof of the existing dwelling.

- (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;

The eaves height of the proposal will not exceed that of the existing.

- (e) The enlarged part of the dwellinghouse would extend beyond a wall which
(i) fronts a highway, and
(ii) forms either the principal elevation or a side elevation of the original dwellinghouse;

The proposal complies with the above.

- (f) 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, or
(ii) exceed 4 metres in height;

The proposal will not exceed 4m in depth.

- (g) until 30th May 2019, 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, or
(ii) exceed 4 metres in height;

The proposal complies with the above.

- (h) The enlarged part of the dwellinghouse would have more than one storey and would
(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

The proposal complies.

- (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;

The proposal complies.

- (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,
- (ii) have more than one storey, or
- (ii) have a width greater than half the width of the original dwellinghouse; or

The proposal complies.

- k) It would consist of or include
 - (i) the construction or provision of a veranda, balcony or raised platform,
 - (ii) the installation, alteration or replacement of a microwave antenna,
 - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - (iv) an alteration to any part of the roof of the dwellinghouse.

The proposal does not include the construction or provision of a veranda, balcony or raised platform or the installation, alteration or replacement of a microwave antenna, chimney, flue, or soil and vent pipe.

A.2

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

- (a) It would consists of or include the cladding of any part of the exterior of the dwellinghouse with, artificial stone, pebble sash, render, timber, plastic or tiles;
- (b) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) The enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse.

The application site is not situated on article 2(3) land.

A.3 Conditions

- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

The proposed materials will match those used in the host dwelling as stated on the submitted plan.

- (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be
 - (i) obscure-glazed, 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; and

The proposal is single storey.

- (c) where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

The proposal is single storey.

Conclusion

It is therefore concluded that the proposed garage conversion is permitted development and therefore a Certificate of Proposed Lawful Development can be issued.

6. **Recommendation**

Lawful Use Certificate Granted

7. **Conditions**

- 1 The proposed development constitutes permitted development by virtue of the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

8. Informatives
Not required