

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Planning Officer recommendation:	JJ	05/06/2025
EIA Development - Notify Planning Casework Unit of Decision:	N/A	
Pre-commencement condition agreement:	N/A	
Team Leader authorisation / sign off:	AL	06/06/2025
Assistant Planner final checks and despatch:	ER	06/06/2025

Application: 25/00644/LUPROP

Town / Parish: Clacton Non Parished

Applicant: Ms Sue White

Address: 6 Southcliff Park Clacton On Sea Essex

Development: Application for Lawful Development Certificate for Proposed Use or Development for a garage conversion and the demolition of the existing lean-to, to be replaced with a single storey ground floor side extension.

1. Town / Parish Council

Clacton – non parished. No comments required for this type of application.

2. Consultation Responses

No consultations required to determine this type of application.

3. Planning History

No site-specific planning history.

4. Relevant Policies / Government Guidance

Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class A.

5. Officer Appraisal (including Site Description and Proposal)

Application Site

The application site comprises of a two-storey detached property located to the Northeast of Southcliff Park, Clacton-on-Sea. The site is within the Settlement Development Boundary.

Description of Proposal

Garage conversion and the demolition of the existing lean-to, to be replaced with a single storey ground floor side extension.

Assessment

For the purposes of determining this application for a certificate of lawful development for a proposed use, the main considerations are;

- Planning History;
- General Permitted Development Order Class A

Planning History

There is no site-specific planning history, therefore the application site benefits from permitted development rights.

General Permitted Development Order

The aim of this application is to establish whether or not this development would require planning permission. The certificate issued would state that the development is lawful and not at risk of being subject to enforcement action. To establish whether the proposed development is permitted development reference needs to be made to The Town and Country Planning (General Permitted Development) Order 2015.

The proposed garage conversion and side extension will be assessed under Class A.

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 G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

Not applicable. The property to which this application relates was built as a dwelling and has not resulted from a change of use under the provisions of the abovementioned classes.

- (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 proposal complies.

- (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 proposed extension complies as it has a maximum height of 3.58 metres and the existing dwellinghouse is two-storey. The garage conversion does not include any changes to the footprint of the property.

- (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 proposal complies. The extension is single storey and is line with the eaves of the existing lean-to to the rear. The garage conversion does not include any changes to the footprint of the property.

- (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. The extension is to the side and rear of the property; however, does not front a highway. The garage conversion does not include any changes to the footprint of the property.

- (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 complies. The property is a detached dwellinghouse, the proposed extension is single storey and located to the side and rear of the property, it has a maximum height of

3.58 metres and extends 4 metres beyond the rear wall. The garage conversion does not include any changes to the footprint of the property.

- (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. The property is a detached dwellinghouse, the proposed extension is single storey and located to the side and rear of the property, it has a maximum height of 3.58 metres and extends 4 metres beyond the rear wall. The garage conversion does not include any changes to the footprint of the property.

- (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. The extension is single storey. The garage conversion does not include any changes to the footprint of the property.

- (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. The extension is within 2 metres of the boundary however the maximum height of the eaves is 2.685 metres. The garage conversion does not include any changes to the footprint of the property.

- 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,
The extension has a maximum height of 3.58 metres.

- (ii) have more than one storey, or
The extension is single storey

- (ii) have a width greater than half the width of the original dwellinghouse; or
The original house has a width of 6.68 metres, the proposed extension is 2.695 metres wide.

The proposal complies with all the above. The garage conversion does not include any changes to the footprint of the property.

- 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 is for a garage conversion and single storey extension and does not include any of the above.

- (j) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)

Not applicable.

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

- (a) It would consist of or include the cladding of any part of the exterior of the dwellinghouse with, artificial stone, pebble dash, 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, Proposed Elevations – Rec'd 23/04/25, drawing NO. 0130-HA-00-00-DR-A-220-

- (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. This element of the criteria is not applicable.

- (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. This element of the criteria is not applicable.

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

Lawful Development Certificate - Submitted Plans & Drawings

This Lawful Development Certificate has been assessed against the accompanying plans and documents as listed below:

- Application Form - Rec'd 23/04/25
- Site Plan - Rec'd 23/04/25
- Proposed Block Plan - Rec'd 23/04/25
- Proposed Floor Plans - Rec'd 23/04/25
- Proposed Roof Plan - Rec'd 23/04/25
- Proposed Elevations - Rec'd 23/04/25
- Permitted Development Supplementary Notes - Rec'd 23/04/25

Ecology Informative

In accordance with the Council's general duty to conserve and enhance biodiversity, you are strongly encouraged to improve the biodiversity of the application site through appropriate additional planting and wildlife friendly features. Suggested enhancements could include:

<https://www.rhs.org.uk/wildlife/in-the-garden/encourage-wildlife-to-your-garden>

9. Notification of Decision

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	NO
Are there any third parties to be informed of the decision? If so, please specify:	NO
Has there been a declaration of interest made on this application?	NO