

## **SECTION A – MATTERS FOR DECISION**

### **Planning Applications Recommended For Approval**

<b><u>APPLICATION NO:</u> P2020/0124</b>	<b><u>DATE:</u> 17/02/2020</b>
<b>PROPOSAL:</b>	Certificate of Lawfulness (proposed) for a single storey rear extension
<b>LOCATION:</b>	48 The Greenway, Llandarcy, Neath.
<b>APPLICANT:</b>	Mr D Morris
<b>TYPE:</b>	Proposed Lawful Development Certificate
<b>WARD:</b>	Coedfranc West

### **BACKGROUND**

This application is reported to Planning Committee under the Council's delegated arrangements because the application has been submitted by an employee within the Planning and Public Protection service.

This is a Certificate of Lawfulness application seeking a legal determination as to whether planning permission is required for proposed development (s192 of 1990 Act), specifically a single storey rear extension

### **ASSESSMENT**

Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) provides permitted development rights for householders to undertake certain minor, uncontentious improvements and alterations to their properties without the need to make a planning application.

When considering whether a development proposal benefits from permitted development rights, all the relevant parts and classes of Schedule 2 to the Order need to be taken into account. Further technical details can be found on the [Welsh Government website](#).

The definition of the "principal elevation" is a key concept which is used to identify the elevation of the original dwellinghouse which by virtue of its design or setting, or both, is the main or "principal" elevation. In this case, the front elevation of this property is slightly angled, however it is clear that for the most part the principal elevation faces onto "The Greenway". Accordingly, the proposed extension will be located on the

opposite side of the dwelling, therefore being on the rear of the dwelling house.

Looking at other specified criteria within Schedule 2, the submitted plan clearly shows that the proposed extension will not adjoin any of the existing outbuildings, nor will it take up more than 50 percent of the total area of the curtilage, neither will the proposed extension touch or overhang the neighbouring boundaries. The extension is also single storey in design, therefore both the eaves and the ridge of the extension will not exceed the eaves and ridge height of this two storey dwelling to which it will adjoin.

This property is located within the Llandarcy Conservation Area, and in order to protect the special character of Conservation Areas (Article 1(5) land) additional restrictions are placed on 'Class A' development. The proposal, however, meets all above criteria.

While the extension will be sited within 2m of the boundary, and will project out from the main back wall of the dwelling a distance of 2.7m, given its limited projection and having a maximum eaves height of 2.7m, and maximum ridge height of 3.6m, the extension will not exceed specified height limits.

## CONCLUSION

Having regard to the above assessment, the proposal accords with the criteria within Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales). Accordingly, it is deemed as Permitted Development which does not require the benefit of planning permission.

## RECOMMENDATION

That a Certificate of Lawfulness of Proposed Use or Development (CLOPUD) is issued for the proposed development.