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25 January 2024

Head of Planning Services  
Guildford Borough Council  
Millmead House,  
Millmead,  
Guildford,  
GU2 4BB

Dear Sir/Madam,

**APPLICATION FOR A CERTIFICATE OF LAWFULNESS UNDER SECTION 192 FOR THE PROVISION OF A SINGLE STOREY REAR EXTENSION AND SIDE STOREY SIDE EXTENSIONS UNDER SCHEDULE 2, PART 1 CLASS A, OF THE GENERAL PERMITTED DEVELOPMENT ORDER (GDPO) 2015 (AS AMENDED)**

I confirm that I am acting on behalf of the property owner Mr James, in relation to the property addressed Woodside, Beech Lane, Normandy, GU3 2JH.

Please find enclosed an application for a Certificate of Lawfulness for a proposed development in accordance with Section 192 of the Town and Country Planning Act 1990. The development involves the provision of two, single storey side extensions and a rear, single storey extension, which would all comply with Schedule 2, Part 1, Class A of the General Development Permitted Order 2015 (as amended).

In order for you to determine this application, submitted via the Planning Portal, the following documents are included within this application:

1. Application form
2. Location Plan scale 1:1250
3. Block Plan 1:500
4. Floor Plans and Elevations at 1:100
5. The relevant application fee.

## **1. INTRODUCTION**

- 1.1. This application seeks to establish that the construction of three single storey extensions, at the property known as Woodside is 'Permitted Development' as defined by Schedule 2, Part 1, Class A, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (as amended).
- 1.2. In this statement it will be explained why, for the purposes of GPDO 2015 (as amended), the proposed development constitutes 'Permitted Development' for which planning permission is not required. Below we explain the application proposal, history of the property, and how the proposal is able to comply with the terms of the GPDO 2015.
- 1.3. This letter follows the following structure:
  1. Introduction
  2. Application Property and Relevant Planning History
  3. Proposal
  4. Planning Assessment against GPDO 2015
  5. Summary

## **2. APPLICATION PROPERTY**

- 2.1 The application property, Woodside, is a modest detached brick bungalow lying on the western side of Beech Lane. The property is set back from the highway behind a landscaped front garden with a detached flat roof garage positioned to the northern side of the dwelling. Existing residential development lies to the south and north (either side of the property). Opposite the dwelling, to the east lies open fields.
- 2.2 The site lies outside of any defined settlement boundary and within the Green Belt and 5km SPA buffer zone. To the south of the site, beyond the adjacent dwelling lies Highfield Copse, a Site of Nature Conservation Importance and Ancient Woodland.
- 2.3 The property sits to the southern end a run of linear development to this southwestern side of the highway. The properties in the immediate vicinity comprise bungalows (single storey and

chalet style) of varying designs. Grass verges and natural vegetation predominate along the highway edges giving the locality a semi rural character.

2.4 The map extracted below shows the location of the application site in relation to the surrounding area:



Figure 1: Site location map (Source: Surrey Interactive Map)

2.5 The dwelling's primary 'front' elevation, containing the front door and main entrance is within the south eastern elevation. The photograph below shows the front elevation:



*Figure 2 - Photograph of front – south eastern elevation – source Google Streetview*

2.6 Relevant Planning History

2.7 The planning history of Woodside is set out in the table below:

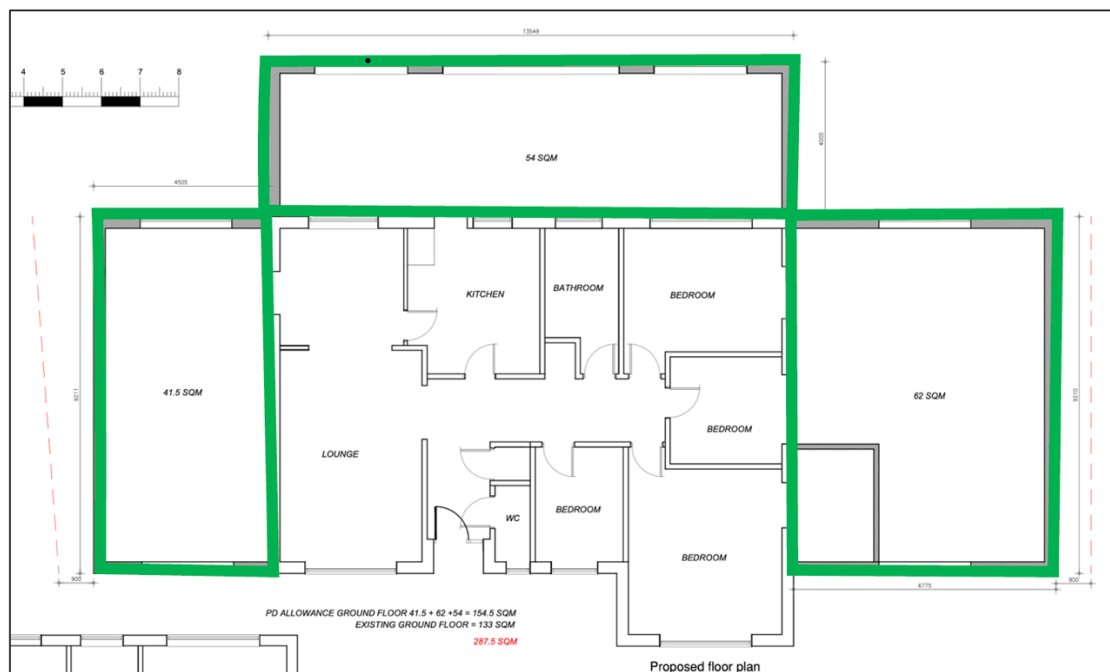
| Reference                  | Proposal  | Decision  |
|----------------------------|---|-----------|
| <b>23/P/01421</b>          | Erection of a single storey rear extension and first floor extension following demolition of existing conservatory and garage | Withdrawn |
| <b>GU/R 1136A/8/72/NOR</b> | Details for the erection of a new three bedroom bungalow with detached double garage and vehicular access                     | Approved  |
| <b>GU/R 462/4/72/NOR</b>   | O/A - to demolish "Woodside", Beech Lane, and erect a new 3 bedroom bungalow  | Approved  |
|                            |   |           |

*Figure 3 - Table of Planning history*

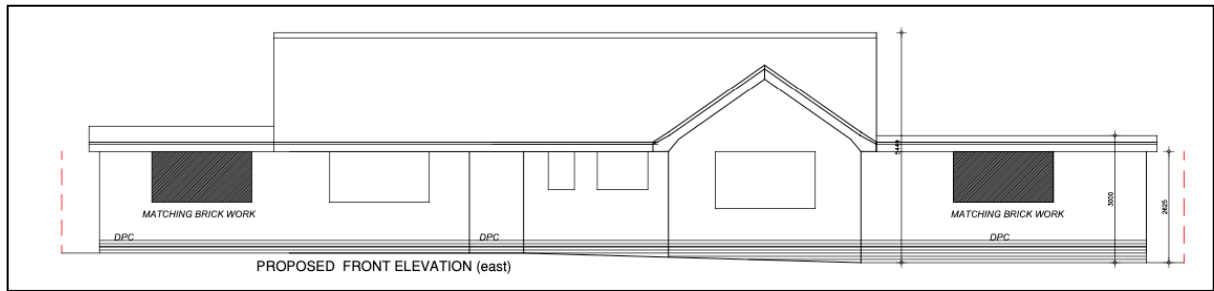
2.8 The scheme drawings which accompanied the above GU/R applications have been requested from the Council, but it is understood that the house as existing is as constructed following the grant of permission under GU/R 1136A/8/72/NOR. The only addition is the rear conservatory.

### 3 THE CERTIFICATE APPLICATION PROPOSAL

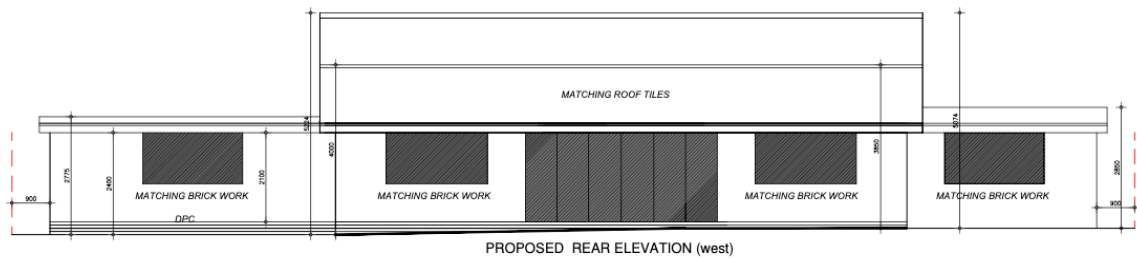
- 3.1. A Certificate of Lawfulness under Section 192 of the Town and Country Planning Act 1990 is sought for the provision of a three, single storey extensions one on each of the north (side) south (side) and west (rear) elevations. The extensions are to be constructed under Permitted development Rights - Class A of the GDPO 2015.
- 3.2. The two proposed south (side) extensions, which would be finished with a flat roof. The rear extension and north (side) would be formed under crown roof.
- 3.3. The extension to the rear of the dwelling would replace the existing conservatory while the garage to the side of the dwelling would be demolished to replace the proposed side extension to the northern elevation of the dwelling.
- 3.4. The extensions would not exceed 4m in height and thus accord with the relevant provision set out within Class A.
- 3.5. The proposed floor plans and elevations can be seen below. The three ground floor extensions are outlined in 'green' to indicate their position and extent.



**Figure 4 - Proposed floor plans**



**Figure 5 - Proposed front elevation**



**Figure 6 - Proposed rear elevation**

3.6. The way by which the extensions will accord with Permitted Development Rights is explained in Section 4 below.

3.7. Planning Policy Constraints

3.8. The application site is located outside of any defined settlement and within the Green Belt.

3.9. Each of the components of the proposed development have been designed to accord with the requirements of the GPDO in terms of form, height, depth, siting and materials as established in the policy assessment section below.

3.10. Determining Issues

3.11. This application for a 'Lawful Development Certificate' is to confirm that the proposed extensions represent permitted development in accordance with the GPDO and does not require planning permission. No assessment of the planning merits is involved, but merely a legal interpretation of the planning legislation and in particular the General Permitted Development Order 2015 (as amended).

3.12. The General Permitted Development Order 2015 (as amended) outlines the criteria for which certain forms of development can be allowed within domestic residential plots without the need for planning permission.

#### 4 PLANNING ASSESSMENT AGAINST GPDO 2015

4.1 The proposed extensions are assessed below according to Schedule 2, Part 1, Class A of the GPDO 2015 (as amended)

4.2 Enlargement, improvement or alteration— Class A, Part 1, Schedule 2

Development is not permitted by Class A if—

(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);

- **The use has not been granted by the above provisions**

(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);

- **The proposed extensions would not exceed 50% of the total area of the curtilage of the original dwellinghouse**

(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 part of the proposed extension would not exceed the height of the highest part of the roof of the existing dwellinghouse**

(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 height of the eaves of the part of the dwellinghouse enlarged, improved or altered would not exceed the height of the eaves of the existing dwellinghouse**

(e) the enlarged part of the dwellinghouse would extend beyond a wall which—

(i) forms the principal elevation of the original dwellinghouse; or

- **the enlarged part of the dwellinghouse would not extend beyond the principal elevation of the original dwellinghouse**

(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

- **the enlarged part of the dwellinghouse would not extend beyond a wall which fronts a highway and forms a side elevation of the original dwellinghouse.**

(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, or

- **the extensions would not extend more than 4m beyond the rear elevation**

(ii) exceed 4 metres in height;

- **the proposals would not exceed 4 metres**

(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, or

- **the proposed extensions would not extend beyond the rear wall of the original dwellinghouse by more than 8 metres**

(ii) exceed 4 metres in height

- **the proposed extensions would not exceed 4 metres in height.**

(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, or



(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;

- **The proposed extensions would not be more than single storey.**

(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 enlarged part of the dwellinghouse would not have an eaves exceeding 3 metres.**

(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 a single storey, or

(iii) have a width greater than half the width of the original dwellinghouse; or

- **the enlarged part of the dwellinghouse would not exceed 4 metres in height or be more than single storey and would not have a width greater than half the width of the original dwellinghouse**

(ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in subparagraphs (e) to (j);

- **the proposed extensions would not exceed the limits set out in subparagraphs (e) to (j).**

(k) it would consist of or include—

(i) the construction or provision of a verandah, balcony or raised platform,

- **the proposed extensions would not include the provision of a verandah, balcony or raised platform**

(ii) the installation, alteration or replacement of a microwave antenna,

- **the proposed extensions would not include 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

- **the proposed extensions would not include the installation, alteration or replacement of a chimney, flue or soil and vent pipe**

(iv) an alteration to any part of the roof of the dwellinghouse.; or

- **the proposed single storey extensions would not include alterations to any part of the roof of the dwellinghouse**

(l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

- **the dwellinghouse is not built under part 20 of this schedule**

4.3 In addition to the above provisions, development must accord with the Conditions set out at A.3. These state development is permitted by Class A subject to the following conditions –

(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 existing dwellinghouse;

- **the materials to be used for the proposed extensions would be of similar appearance to those used in the construction of the exterior of the existing dwellinghouse**

(b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must 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

- **this condition does not apply because the proposed extensions are single storey extensions.**
- (c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.
- **this condition does not apply because the proposed extensions are for single storey extensions with a flat roof and a dummy pitch surround with a pitch to match the existing.**

## **5 SUMMARY**

- 5.1 In the light of the above analysis, the proposed development falls within the criteria of Class A of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and would be lawful.
- 5.2 Accordingly, we seek confirmation of this through the issue of a Certificate of Lawful Development under Section 192 of the Town and Country Planning Act 1990.

Yours faithfully,

PLANIT CONSULTING

**Janet Long MRTPI**