

Recommendation Report for Lawful Development Certificate for a Proposed Use or Development

REF NO: AB/104/14/CLP

LOCATION: 20 Ford Road
Arundel

PROPOSAL: Application for a lawful development certificate for conversion of existing loft space into habitable accommodation, including a new hip-to gable roof extension, rear dormer and two roof lights to the front elevation.

DESCRIPTION OF APPLICATION

The application considers a number of alterations to a terraced dwellinghouse including a hip to gable roof enlargement, rear dormer and 2no. rooflights on the front elevation.

DESCRIPTION OF SITE AND SURROUNDINGS

The property is a two storey end of terrace property. It has brown brick elevations and a hipped tiled roof. Two chimneys are situated on the side (north-east) elevation. The property occupies a corner location between Ford Road and Kirdford Road and with its principle elevation facing Ford Road.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

None

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

LEGISLATIVE BACKGROUND

Section 192(2) of the Town and Country Planning Act 1990 states:-

If, on an application under this section, the local planning authority are provided with information satisfying them that the use or operations described in the application would be lawful if instituted or begun at the time of the application, they shall issue a certificate to that effect; and in any other case they shall refuse the application.

In this instance the proposed works will be assessed against 2 criteria contained within The Town

and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, Part 1.

- Class B, which pertains to the enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

-Class C, which refers to any other alteration to the roof of a dwellinghouse.

Provided the proposed works satisfy the relevant criteria, and that no restrictive conditions to development have been imposed on the site, the proposed works will constitute Permitted Development and would not require planning permission. If the works fail to accord with the criteria then planning permission will be required for them to take place.

CONCLUSIONS

3. ROOF ENLARGEMENT (HIP TO GABLE)

The Town and Country Planning (General Permitted Development)(Amendment)(No. 2)(England) Order 2008 Article 3 Schedule 2 Part 1 Class B (a) states that the roof enlargement should not exceed the height of the existing dwelling. The roof enlargement is at the same height as the main roof of the dwelling and so this criteria is met.

Class B (b) states that any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principle elevation of the dwellinghouse and fronts a highway. The principle elevation of the property is considered to be facing on to Ford Road by virtue of its front door. Since the hip to gable enlargement extends beyond the plane of the roofslope to the side of the property on to Kirdford Road, this is not the principle elevation and so this criteria has been met.

Class B (c) states that the roof enlargement should not exceed the cubic content of the original roof space by more than 50 cubic metres. The hip to gable enlargement measures approximately 17 cubic metres and so fulfils this criteria.

Class B (d) does not apply as it relates to constructing a veranda, balcony or raised platform; or installation, alteration or replacement of a chimney, flue or soil and vent pipe.

Class B (e) does not apply as the property is not located on article 1(5) land (i.e. Conservation Area).

A Condition of the build under B2(a) is that any materials used in the exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse. In this case, it is noted that the roof enlargement will be constructed from brickwork on the gable ends and clay roof tiles on the roof to match the dwelling and so this criteria is met.

The second Condition of the build under B2(b) refers to cases other than hip-to-gable enlargement and therefore does not apply to this roof extension.

The third Condition refers to any window inserted on 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 1.7m above the floor of the room in which the

window is installed. It is noted that a window in the side (north-east) elevation will be inserted but this has been marked on the plans as being obscured glazed and non-opening and so this Condition has been satisfactorily met.

The roof enlargement (hip to gable) is therefore considered to be "Permitted Development".

2. REAR DORMER

The Town and Country Planning (General Permitted Development)(Amendment)(No. 2)(England) Order 2008 Article 3 Schedule 2 Part 1 Class B (a) states that the rear dormer should not exceed the height of the existing dwelling. The dormer is set lower than the main roof of the dwelling.

Class B (b) informs that any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway. The principle elevation of the property is considered to be facing on to Ford Road. Since the rear dormer extends beyond the plane of the roofslope to the rear, it is not considered to be on the principle elevation and as such this criteria has been met.

Class B (c) states that the dormer should not exceed the cubic content of the original roof space by more than 50 cubic metres. The rear dormer measures approximately 15.7 cubic metres and so has met this requirement. With the hip to gable roof enlargement measuring 17 cubic metres, the total enlargement of the original roof space is 32.7 cubic metres and so is under the required 50 cubic metres. It is considered that this criteria has been met.

Class B (d) does not apply as it relates to constructing a veranda, balcony or raised platform; or installation, alteration or replacement of a chimney, flue or soil and vent pipe.

Class B (e) does not apply as the property is not located on article 1(5) land (i.e. Conservation Area).

A Condition of the build under B2(a) is that any materials used in the exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse. In this case, it is noted that matching tiles will be applied to the dormer face and cheeks and so this Condition is met.

Therefore, the rear dormer is therefore considered to be "Permitted Development".

3. 2no. ROOFLIGHTS TO FRONT

The Town and Country Planning (General Permitted Development)(Amendment)(No. 2)(England) Order 2008 Article 3 Schedule 2 Part 1 Class C (a) applies to this development form.

Class C1. development is not permitted if the alteration would protrude by more than 150mm beyond the plane of the slope of the original roof. The rooflights as shown on the side (north-east) elevation plan have no depth and so are under this measurement and subsequently satisfy this criteria.

Class C (b) states that the highest part of the alteration should not be any higher than the highest part of the original roof. The 2no. rooflights have been set lower than the ridge height of the

property and so this criteria is met.

Class C (c) (I)-(ii) states that it would involve the installation, alteration or replacement of a chimney, flue or soil and vent pipe or; the installation, alteration or replacement of solar photovoltaics or solar thermal equipment and these alterations do not apply.

Condition C.2 refers to any window located on a roof slope forming the side elevation of the dwellinghouse. Since the 2no. rooflights are situated on the front elevation of the property this condition does not apply.

The 2no. rooflights in the front elevation of the property are therefore considered to be "Permitted Development".

It is therefore recommended that a Certificate of Lawful Development is issued.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 8th October 2014, the development described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged black on the plan attached to this certificate was lawful within the meaning of section 192 of the Town and Country Planning Act 1990 for the following reason:-

The proposed extensions and alterations to the dwellinghouse accords with parameters set out in the Town and Country Planning (General Permitted Development)(Amendment)(No. 2)(England) Order 2008 Article 3 Schedule 2 Part 1 Classes B and C and, as such, do not require planning permission.

FIRST SCHEDULE

The development is described as follows:-

A hip to gable roof enlargement

This roof enlargement will be on the side (east) elevation and measures approximately 8m in length, approximately 4m in width and approximately 3.2m in height. It will have tile hanging gable ends and clay roof tiles to match existing.

A rear dormer

The dormer is situated on the rear elevation of the property and measures approximately 4.7m in length, approximately 3m in depth and approximately 2.4m in height. It will have tile hanging on its face and cheeks to match existing.

2no. rooflights.

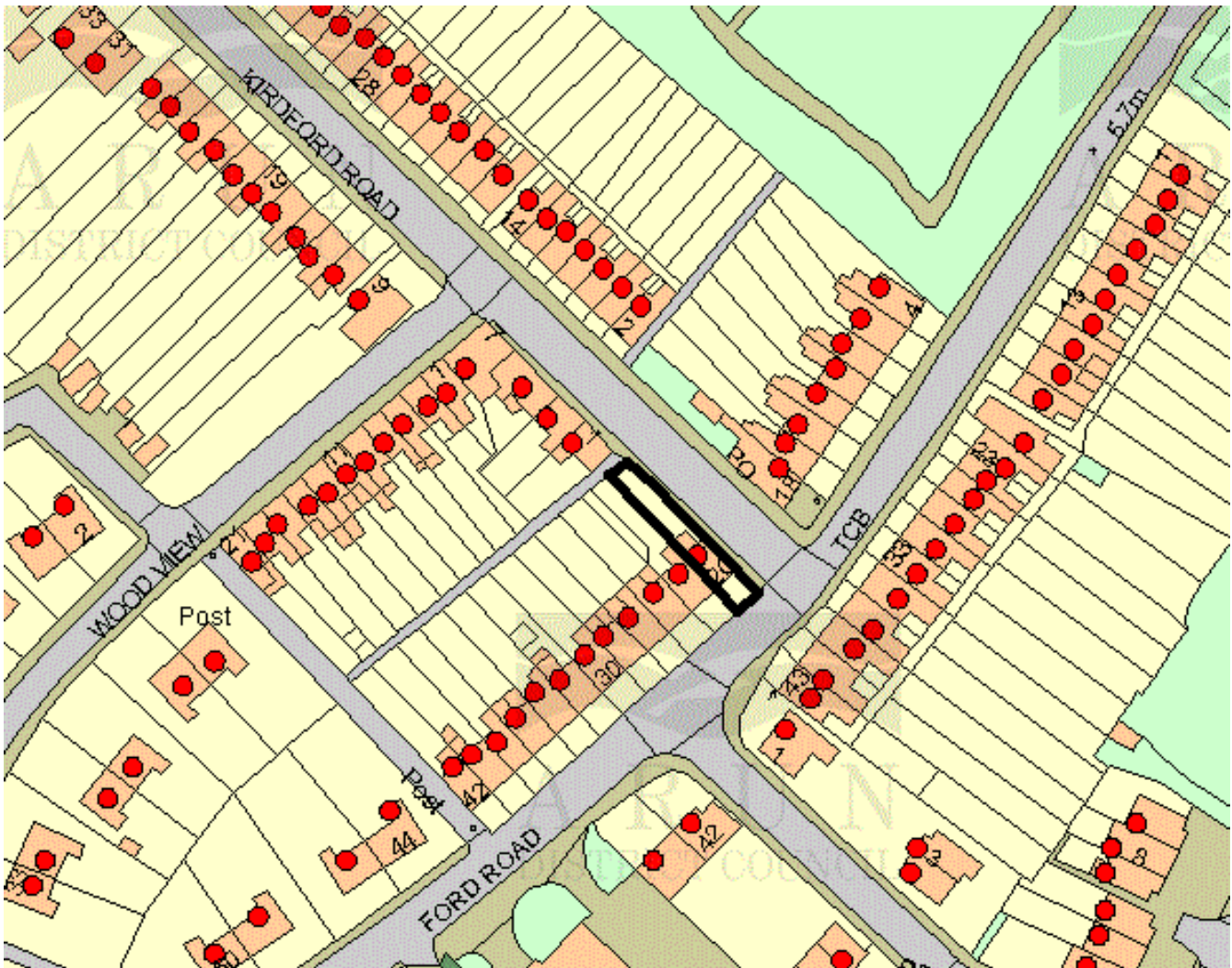
The 2no. rooflights are situated on the front elevation of the property and each measure approximately 0.6m in length and approximately 0.9m in height.

SECOND SCHEDULE

20 Ford Road, Arundel, West Sussex, BN18 9EQ.

EXTENT OF USE

The "development" involves a hip to gable roof enlargement, a rear dormer and 2no. rooflights on the front roofslope of the property.



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