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PLANNING STATEMENT FOR LAWFUL DEVELOPMENT

Riverside House, 2 Fitzalan Road, Arundel, BN18 9JS

INTRODUCTION

This planning statement is submitted in support of an application for a lawful development certificate relating to the proposed development at Riverside House, 2 Fitzalan Road, Arundel, BN18 9JS.

BACKGROUND TO THE PROPOSALS

Photographs 1 and 2 below shows the original dwelling seen from the main entrance to the site.



Photograph 1. Front (South-East) and side (North-East) elevations.



Photograph 2. Side (North-East) elevation.



Photograph 3. Rear (North-West) elevation.

SURROUNDING CONTEXT

The site is set on Fitzalan Road. The property is two storeys high, the ground and first floors have terraces to the North-West. The application site is bounded by residential properties and a builder's yard opposite.

The site is not within a Flood Risk Zone and there is no known contamination or source of contamination on the site.

THE PROPOSALS

The proposal involves the enlargement of existing building by construction of two additional storeys.

PERMITTED DEVELOPMENT

It is contended that the proposed enlargement of the house is permitted development and therefore does not require planning permission because it satisfies the relevant criteria of the Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020.

The relevant criteria are contained in Schedule 2, Part 1 Class AA of the Order concerning “*enlargement of a dwellinghouse by construction of additional storeys*” and are set out below together with in each case the reason why the proposed extension is compliant.

AA. The enlargement of a dwellinghouse consisting of the construction of—

- (a) up to two additional storeys, where the existing dwellinghouse consists of two or more storeys; or
- (b) one additional storey, where the existing dwellinghouse consists of one storey, immediately above the topmost storey of the dwellinghouse, together with any engineering operations reasonably necessary for the purpose of that construction.

AA.1 Development is not permitted by Class AA if—

- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, O, P, PA or Q of Part 3 of this Schedule (changes of use);
- (b) the dwellinghouse is located on—
 - (i) article 2(3) land; or
 - (ii) a site of special scientific interest;
- (c) the dwellinghouse was constructed before 1st July 1948 or after 28th October 2018;
- (d) the existing dwellinghouse has been enlarged by the addition of one or more storeys above the original dwellinghouse, whether in reliance on the permission granted by Class AA or otherwise;
- (e) following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres;
- (f) following the development the height of the highest part of the roof of the dwellinghouse would exceed the height of the highest part of the roof of the existing dwellinghouse by more than—
 - (i) 3.5 metres, where the existing dwellinghouse consists of one storey; or
 - (ii) 7 metres, where the existing dwellinghouse consists of more than one storey;
- (h) the floor to ceiling height of any additional storey, measured internally, would exceed the lower of—
 - (i) 3 metres; or
 - (ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing dwellinghouse;
- (i) any additional storey is constructed other than on the principal part of the dwellinghouse;
- (j) the development would include the provision of visible support structures on or attached to the exterior of the dwellinghouse upon completion of the development; or
- (k) the development would include any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or existing foundations.

AA.2—(1) Development is permitted by Class AA subject to the conditions set out in sub-paragraphs (2) and (3).

(2) The conditions in this sub-paragraph are as follows—

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- (a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (b) the development must not include a window in any wall or roof slope forming a side elevation of the dwelling house;

- (c) the roof pitch of the principal part of the dwellinghouse following the development must be the same as the roof pitch of the existing dwellinghouse; and
- (d) following the development, the dwellinghouse must be used as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.

THE PRINCIPLE OF DEVELOPMENT

The proposal would introduce additional accommodation within the existing dwellinghouse.

DESIGN

The proposed development has been sensitively designed to form a logical continuation of the existing built development in a manner which would be consistent with the rhythm, height, scale and proportions of the rest of the house.

The proposed development would be constructed of materials similar to those existing.

Overall, the proposal would result in a high-quality development which complies with all the relevant design criteria.

IMPACT ON NEIGHBOURING RESIDENTIAL AMENITY

The development has carefully been designed to minimise the impact on neighbouring properties.

The proposal would not have a detrimental impact on neighbouring residential amenity.

CYCLING AND REFUSE STORAGE

The current cycle and refuse storage arrangements to the existing building will be maintained.

CONCLUSIONS

The proposed enlargement complies with the relevant local, regional and national planning policies in seeking to secure effective use of developed land and represents sustainable development. The improvements produced from the proposed enlargement offer both aesthetic and social gains. The development offers an opportunity to maximise the use of space on the site.

The proposal satisfies all the relevant criteria of the Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020, is permitted development and thus does not require planning permission.

The erection of the proposed storeys would therefore be lawful and a positive Certificate of Lawful Development should be granted.