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

REF NO: **A/139/22/CLP**

LOCATION: 31 Palmer Road
Angmering
BN16 4LJ

PROPOSAL: Lawful development certificate for a proposed side hip to gable extension on the West Elevation, roof lights are proposed for the North and South Elevations.

DESCRIPTION OF APPLICATION

This application seeks to construct a hip to gable side roof extension, including the installation of 2 No. front rooflights, 5 No. rear rooflights and 1 No. first floor side window.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations Received:

CONSULTATIONS

Consultations Responses Received:

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 the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2015 (as amended).

- Class B - additions etc to the roof of a dwellinghouse.

- Class C - other alterations 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.

CONCLUSION

The proposed 'Hip to gable side roof extension and first floor side window' are considered to fall under Schedule 2-part 1 class B of the town and country planning (General Permitted Development) (England) Order 2015.

The proposed 'rooflights' are considered to fall under Schedule 2-part 1 class C of the town and country planning (General Permitted Development) (England) Order 2015.

CLASS B
Class B - additions etc to the roof of a dwellinghouse

Permitted Development
The enlargement of a dwelling/house consisting of an addition or alteration to its roof.

B.1 Development is not permitted by Class B if
(a) permission to use the dwelling/house as a dwelling/house has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);
(b) any part of the dwelling/house would, as a result of the works, exceed the height of the highest part of the existing roof;
(c) any part of the dwelling/house would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwelling/house and fronts a highway;
(d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than
(i) 40 cubic metres in the case of a terrace house, or
(ii) 50 cubic metres in any other case;
(e) it would consist of or include
(i) the construction or provision of a veranda, balcony or raised platform, or
(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or
(f) the dwelling/house is on article 2(3) land.

Conditions
B.2 Development is permitted by Class B subject to the following conditions
(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 dwelling/house;
(b) the enlargement must be constructed so that
(i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension
(aa) the eaves of the original roof are maintained or reinstated; and
(bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and
(ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side

extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwelling/house; and
(c) any window inserted on a wall or roof slope forming a side elevation of the dwelling/house 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.

CLASS C

C.1 Development is not permitted by Class C if-
(a) permission to use the dwelling/house as a dwelling/house has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);
(b) the alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;
(c) it would result in the highest part of the alteration being higher than the highest part of the original roof; or
(d) it would consist of or include-
(i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

C.2 Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwelling/house must be-
(a) obscure-glazed; and
(b) 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."

The property known as 31 Palmer Road, is a semi-detached bungalow and is not listed or within a conservation area. The proposed extension would be of materials to match that of the existing.

There are no PD restrictions.

The proposed hip to gable roof extension and first floor side window comply with relevant sections B.1(b,c,dii) & B.2(a,ci,cii). As such, they are considered permitted development and do not require the submission of an application for full planning permission.

The proposed rooflights comply with relevant section C.1(b). As such, they are considered permitted development and do not require the submission of an application for full planning permission.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 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 in black on the plan attached to this certificate, was lawful within the meaning of section 192 of the Town & Country Planning Act 1990 by reason of compliance with the relevant criteria within Schedule 2 Part 1 Class B & C of the Town and Country Planning (General Permitted Development) (England) Order 2015.

FIRST SCHEDULE

The proposed development is considered to fall under Schedule 2 Part 1 of the GDPO.

The development hereby approved shall be carried out in accordance with the following approved plans:
- PROPOSED ELEVATIONS 765-DPA-06.
- PROPOSED FLOOR PLANS 765-DPA-04.

SECOND SCHEDULE
31 Palmer Road, Angmering, West Sussex, BN16 4LJ.

EXTENT OF USE
This application seeks to construct a hip to gable side roof extension, including the installation of 2 No. front rooflights, 5 No. rear rooflights and 1 No. first floor side window. The hip to gable roof extension would be approx. 4.6m in width, 9.3m in depth, and 3.3m in height.

A/139/22/CLP - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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