

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

REF NO: A/90/21/CLP

LOCATION: 26 Mill Road Avenue
Angmering
BN16 4HS

PROPOSAL: Lawful development certificate for the proposed extension of with of existing dormer.

DESCRIPTION OF APPLICATION

This application seeks to increase the length of an existing flat roof dormer window by 4.8m to a total length of 8.9m

RELEVANT SITE HISTORY

A/64/05/	Conservatory to rear of property and conservatory to rear of annex	ApproveConditionally 04-08-05
----------	--	----------------------------------

A/125/89	Lounge extension, three garages and granny annexe	App Cond with S106 12-12-89
----------	---	--------------------------------

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) (England) Order 2015 (as amended).

- Class B, which pertains to additions to the roof of a dwelling house.

Provided the works satisfy the relevant criteria, and that no restrictive conditions to development have been imposed on the site, the 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 dormer extension is considered to fall under Schedule 2 part 1 class B of the town and country planning (General Permitted Development) (England) Order 2015.

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

The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Development not permitted

B.1 Development is not permitted by Class B if

(a) permission to use the dwellinghouse as a dwellinghouse 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 dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

(c) 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;

(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 verandah, balcony or raised platform, or

(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

(f) the dwellinghouse 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 dwellinghouse;

(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 dwellinghouse; and

(c) any window inserted on 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.

The property known as 26 Mill Road Avenue is a detached property and is not listed or within a conservation area. The proposed extension would be of materials to match that of the existing.

After examining the sites history no restrictions to the properties permitted development rights have been found.

The dormer extension complies with relevant sections B.1 (a)(b)(c)(d)(e)(f) and B.2 (a)(b)(aa)(bb) and is considered permitted development and as such does not require the submission of an application for planning permission.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 5th May 2021 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 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

FIRST SCHEDULE

The proposed dormer extension 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;

- Block Plan DS/BROWN/03**
- Proposed plans and elevations DS/BROWN/01**

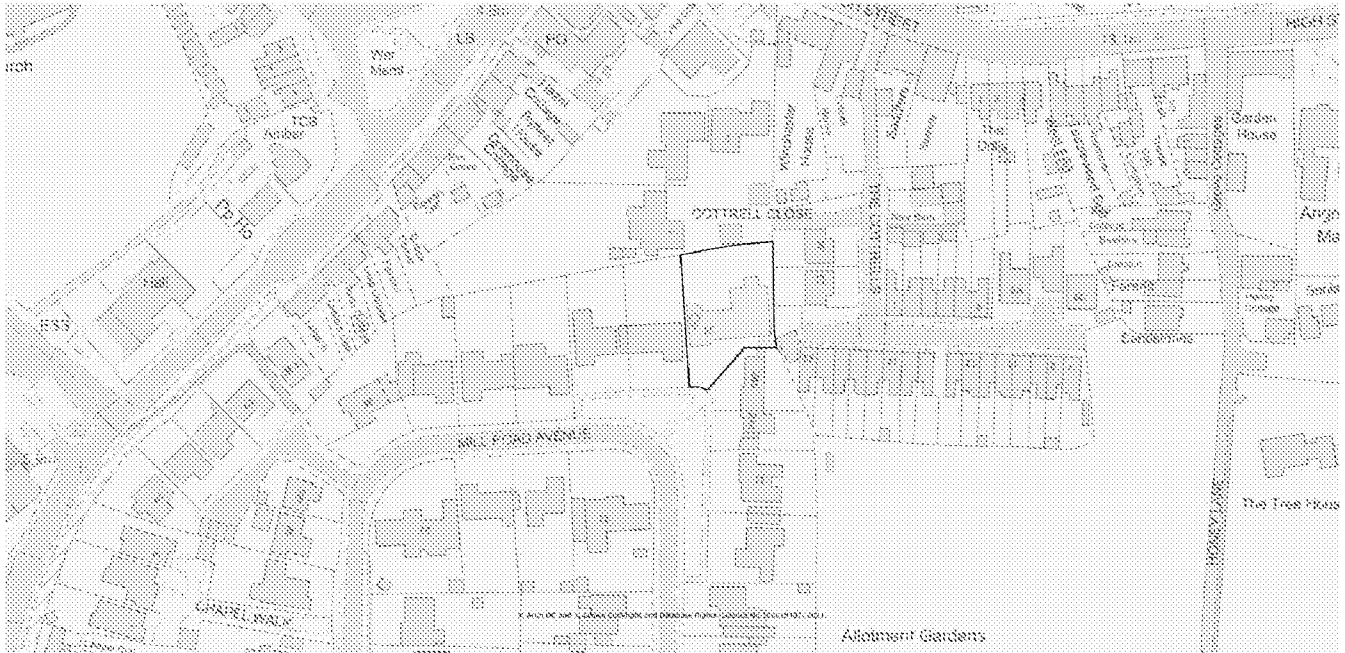
SECOND SCHEDULE

26 Mill Road Avenue, Angmering

EXTENT OF USE

First floor roof extension to existing flat roof dormer window by 4.8m to a total length of 8.9m, finished flat roof height and eaves level to be as existing.

A/90/21/CLP - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



Based on the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright.
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Arun District Council
100018487. 2015