

CERTIFICATE OF LAWFUL PROPOSED DEVELOPMENT REPORT

REF NO: BR/255/11/CLP

LOCATION: 8 Shelley Road
Bognor Regis

PROPOSAL: Loft conversion with provision of side and rear facing dormer

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks a certificate of proposed lawfulness for a loft conversion with the side and rear facing dormer windows.
SITE AREA	Approximately 198 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front has dwarf brick wall, rear has wall approximately 1.8m in height, east side boundary flank wall of garage, west side boundary wall approximately 1.8m in height.
SITE CHARACTERISTICS	Semi-detached property has three steps leading to main entrance, flat roof extension on rear, detached garage on eastern side with concrete driveway. The property has red brickwork with red tile hanging over front bay windows, white window frames and a red tiled roof.
CHARACTER OF LOCALITY	Residential comprising semi-detached and detached properties of various styles and designs.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

N/A

Comments on Representations received:

N/A

CONSULTATIONS

Consultations responses received:

N/A

Comments on Consultation responses:

N/A

DEVELOPMENT PLAN AND/OR 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.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The application seeks a Certificate of Lawfulness for a proposed side and rear facing dormer windows.

The proposed side and rear dormer are considered to fall under Class B of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 as, 'The enlargement of a dwelling house consisting of an addition or alteration to its roof'.

Class B.1 states that development is not permitted by Class B if:-

- (a) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;
- (b) 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;
- (c) 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;
- (d) 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
- (e) the dwellinghouse is on article1(5)land.

The proposed dormer windows do not exceed the highest part of the roof and would not be positioned on the principal elevation of the dwellinghouse fronting a highway. The combined volume of the dormers does not exceed 50 cubic metres. No balconies, raised platforms, chimney flue or soil and vent pipe are proposed and the site is not located within a Conservation Area.

Class B.2 states that development is permitted by Class B subject to conditions to ensure that external materials are of a similar appearance to those of the main dwellinghouse; the edge of the enlargement closest to the eaves of the original roofline shall not be less than 20 centimetres from the eaves of the original roof; and any window opening on a side wall or roofslope shall be obscure glazed and non-opening above 1.7 metres above the floor of the room in which the window is installed. The proposed development is in accordance with the above conditions.

It is therefore considered that the proposed side and rear facing dormer windows comply with the above sections of the General Permitted Development Order and are deemed to be permitted development and therefore planning permission is not required.

RECOMMENDATION

PLANNING PERMISSION NOT REQUIRED

- 1 The Arun District Council hereby certify that on the 13th October 2011 the loft conversion with side and rear facing dormer windows hereby described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged boldly on the plan attached to this certificate was lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):-

The development as proposed falls under Class B of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) Order 2008 in that it relates to the addition or alteration to the roof of a dwellinghouse.

Section a) the dwellinghouse would not, as a result of the works, exceed the height of the highest part of the roof.

Section b) the dwellinghouse would not, as a result of the works, extend beyond the plane of any existing roofslope which forms the principal elevation of the dwellinghouse and fronts a highway.

Section c) the cubic content of the resulting roofspace would not exceed 50 cubic metres.

Section d) the works do not consist of or include a verandah, balcony, raised platform or a chimney, flue or soil vent pipe.

Section e) the dwellinghouse is not on Article 1(5) land.

The proposed loft conversion with side and rear facing dormer windows is deemed to be "Permitted Development" and, as such, does not require planning permission.

- 2 The development proposed is for a loft conversion with side and rear facing dormer windows, as detailed in the plans submitted with the application.

- 3 The side facing dormer measures approximately 5.7m in width, depth of 3.35m and height of 2.35m.

The rear facing dormer measures approximately 5.1m in width, depth of 3.5m and a height of 2.35m.

- 4 8 Shelley Road, Bognor Regis, West Sussex, PO21 2SL.