

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

**REF NO:** BR/53/20/CLP

**LOCATION:** 20 Wellington Road  
Bognor Regis  
PO21 2RR

**PROPOSAL:** Lawful development certificate for a proposed loft conversion to create new accommodation of 1 bedroom & shower room & alterations to install staircase.

**DESCRIPTION OF APPLICATION**

Lawful development certificate for a proposed loft conversion to create new accommodation of 1 bedroom & shower room & alterations to install staircase.

**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) (England) Order 2015 (as amended).

- Class C, which pertains to other alterations to the roof of a dwellinghouse.

and s55 of the Town and Country Planning Act 1990 (as amended)

Provided the 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

### CLASS C

Development not permitted

C.1 Development is not permitted by Class C if -

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA 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.

### Conditions

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 dwellinghouse 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 Town and Country Planning Act S55 Para 2 states' The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land'

(a) the carrying out for the maintenance, improvement or other alteration of any building of works which

(i) affect only the interior of the building, of

(ii) do not materially affect the external appearance of the building,

Internal alterations do not need planning permission under S55 of the Town and Country Planning Act.

**SUMMARY**

The property known as 20 Wellington Road is a semi detached dwelling and is not Listed, nor within a Conservation Area. Examination of the site history has revealed no restrictions on Permitted Development.

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| <b>RECOMMENDATION</b> |
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**PP NOT REQUIRED**

**The Arun District Council hereby certify that on 28/02/2020 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, would have been lawful within the meaning of section 192 of the Town & Country Planning Act 1990 because the proposal complies within the restrictions of Class C of the Schedule 2, Part 1 of the General Permitted Development Order and S55 of the Town and Country Planning Act 1990 (as amended).**

**FIRST SCHEDULE**

**Loft conversion, by way of the construction of a rear dormer, and insertion of Velux windows. The approved plan is as follows:**

- Floor Plans 118/01**
- Elevations and Site Plan 118/02**

**SECOND SCHEDULE**

**20 Wellington Road, Bognor Regis, West Sussex**

**EXTENT OF USE**

**Lawful development certificate for a proposed loft conversion to create new accommodation of 1 bedroom & shower room & alterations to install staircase.**

**BR/53/20/CLP - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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