

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

REF NO: EP/111/19/CLP

LOCATION: 22 Angmering Lane
Rustington
BN16 2TA

PROPOSAL: Lawful development certificate for a proposed loft conversion with 6 No. velux windows

DESCRIPTION OF APPLICATION

Lawful development certificate for a proposed loft conversion with 6 No. Velux windows.

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.

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

Class C - other alterations to the roof of a dwellinghouse

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.

SUMMARY

The property is known as 22 Angmering Lane, Rustington, BN16 2TA, is a detached dwelling and is not a Listed Building or within a Conservation Area.

Whilst there is a known Permitted Development restriction relating to roof alterations at the site, Condition 2 of EP/94/05 relates only to the Northern roof slope, as opposed to the Eastern and Western elevations, therefore, this proposal is unaffected. The internal alterations relating to the loft conversion are not subject to planning control.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 29/08/2019 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 for the following reasons:

- The proposed development complies with the limitations of Schedule 2 Part 1 Class C of the General Permitted Development Order 2015.

FIRST SCHEDULE

Proposed loft conversion with 6 No. Velux windows. This is shown on the following plans:

- Location Plan 11
- Site Plan 10
- Proposed Ground Floor Plan 4
- Proposed First Floor Plan 5
- Proposed Elevations 8
- Proposed Roof Plan 9
- Proposed Section 6

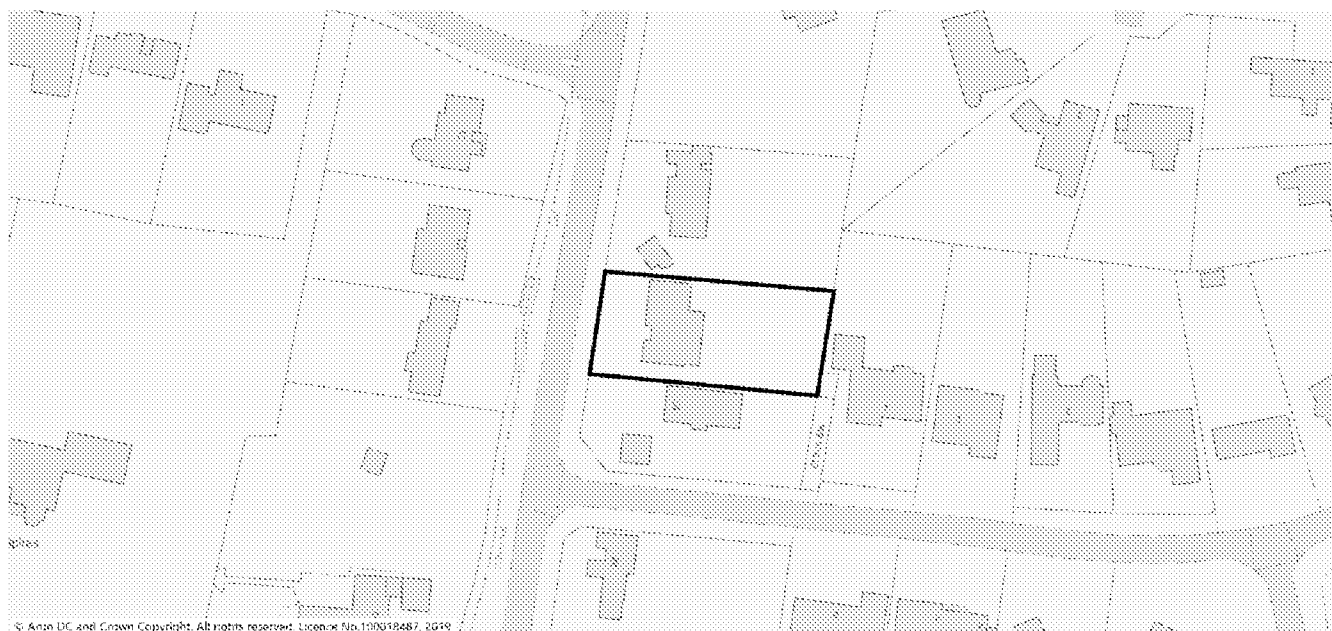
SECOND SCHEDULE

22 Angmering Lane, Rustington, BN16 2TA

EXTENT OF USE

Lawful development certificate for a proposed loft conversion with 6 No. Velux windows.

EP/111/19/CLP - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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