

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

REF NO: EP/125/19/CLP

LOCATION: 15 Warren Crescent
East Preston
BN16 1BH

PROPOSAL: Lawful development certificate for a proposed loft conversion by way of changing the roof from hipped to gable and addition of a dormer.

DESCRIPTION OF APPLICATION

Application for Certificate of Lawfulness for a Proposed Use- loft conversion by way of changing the roof from hipped to gable and addition of a dormer.

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, which pertains to the enlargement of a dwellinghouse consisting of an addition or alteration to

its 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

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

B.1 Development not permitted

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 fronts any highway;
- (c) it would increase the cubic content of the dwellinghouse by more than 40 cubic metres, in the case of a terrace house, or 50 cubic metres in any other case;
- (d) the cubic content of the resulting building would exceed the cubic content of the original dwellinghouse
 - (i) in the case of a terrace house by more than 50 cubic metres or 10%, whichever is the greater,
 - (ii) in any other case, by more than 70 cubic metres or 15%, whichever is the greater, or
 - (iii) in any case, by more than 115 cubic metres; or
- (e) the dwellinghouse is on article 1(5) 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.

Interpretation of Class B

B.3 For the purposes of Class B, "resulting roof space" means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

B.4 For the purposes of paragraph B.2(b)(ii), roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwellinghouse are not to be considered part of the enlargement.

C. Any other alteration to the roof of a dwellinghouse.

SUMMARY

The property is known as 15 Warren Crescent is a detached bungalow and is not listed or within a Conservation Area. The proposed extension would be of materials would be of materials to match that of the existing.

Examination of the site history has revealed no restrictions on Permitted Development.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 23/09/2019 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 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

Lawful development certificate for a proposed loft conversion by way of changing the roof from hipped to gable and addition of a dormer. This is shown on the following plans:

- Existing and Proposed Site Cross Sections - 1422/P012
- Proposed Floor Plans and Elevations - 1422P011

SECOND SCHEDULE

15 Warren Crescent, East Preston, BN16 1BH

EXTENT OF USE

Construction of a loft conversion by way of changing the roof from hipped to gable and addition of a dormer.

EP/125/19/CLP - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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