CERTIFICATE OF LAWFUL PROPOSED DEVELOPMENT REPORT

REF NO: **EP/139/11/CLP**

LOCATION: 40 North Lane
East Preston

PROPOSAL: Application for a Certificate of Lawfulness for propsed single storey side and rear ground floor extensions. Roof conversion, including a rear dormer.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed side extension measures approximately 5.4 metres in length by 3 metres in width. The proposed rear extension measures approximately 6.4 metres in width by 3 metres in depth. The side extension would be a flat roof structure standing 2.4 metres in height. The rear extension would be approximately 2.4 metres at eaves height and 3.65 metres at ridge height. The proposed roof extension will convert the existing hipped roof end to a sussex hip. A flat roof dormer measuring 5.9 metres in width by 2.58 metres in depth and 2.16 metre in height will be added to the rear roof slope. Two roof lights would be installed within the front roof slope.
SITE AREA	Approximately 380 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	N/A
TREES	N/A
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	The site is occupied by a semi-detached two-storey dwelling. There is a detached garage and outbuildings towards the northern edge of the site.
CHARACTER OF LOCALITY	Within Built-Up Area. Residential. No special designations.

RELEVANT SITE HISTORY

EP/113/11/CLP	Application for a Lawful Development Certificate for a proposed development for a single storey side & rear ground floor extension, roof conversion including a rear dormer	PP Required 09-11-2011

REPRESENTATIONS

Representations received:

None.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

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.

The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Article 3 Part 1 sets out the level of works that can be undertaken at a residential dwelling without the necessity of a planning application. The proposed single-storey rear extension will be assessed against the parameters defined in Class A - 'The enlargement, improvement or other alteration of a dwellinghouse.'

The proposed roof dormer and extension will be assessed against the criteria contained within Class B of the order 'The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.' In order to determine if they qualify as Permitted Development.

Finally, the provision of roof dormers would be assessed against the requirements of Class C of the order 'Any other alteration to the roof of a dwellinghouse.'

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

With regards to the roof extensions, Class B allows for the erection of roof extensions providing the following requirements are adhered to.

Class B (a) requires that no part of the extension exceeds the height of the existing roof, The proposed dormer is set below the roof ridge line whilst the hip to gable extension is of a matching height, satisfying this requirement.

Class B (b) restricts permitted roof works to not include any extension beyond the plane of the existing roof slope that forms the principal elevation of the dwellinghouse and fronts the highway. The proposed works are to the side and rear roof slopes and, therefore, meet this requirement.

Class B (c) allows for a maximum increase in roof volume of a detached dwelling, taking into account all additions to the original roof, to be no greater than a cumulative 50 cubic metres. There are no existing extensions to the original roof. The application states that the increase in roof volume as a result of the proposal would be 40.35 cubic metres and would therefore be within the parameters set out.

An additional requirement is that all windows formed in side roof slopes are obscure glazed and, all parts less than 1.7 metres above floor level are fixed permanently shut. The accompanying annotated plans show that the proposed first floor window on the newly formed sussex-hipped side elevation will comply with these requirements.

Class C (a) allows for roof lights to be installed provided they do not project more than 150mm from the plane of the roof slope. The application states that this requirement will be complied with.

In relation to the proposed side and rear extensions, Class A (a) states that the the cumulative amount of ground covered by any extensions should not exceed 50% of the total area of the curtilage (not including the original dwelling house). The original dwelling has not been added to although there is a detached garage building to the far end of the rear garden. The cumulative floor area of the garage and the proposed extensions will occupy under 50% of the area of the remaining curtilage.

Class A (b) informs that extensions must not exceed the height of the existing dwelling. The proposed single-storey extensions are both lower than the main roof of the dwelling.

Class A (c) states that the eaves height of the extension must not exceed those of the dwelling. The proposed extensions conform with this requirement.

Class A (d) informs that no extension should project beyond any wall that fronts a highway and forms a principle or side elevation of the dwelling. The proposed extensions will not project beyond any wall that fits this description.

Class A (e) asserts that an extension to a semi-detached dwelling (such as the proposal) should not project more than 3 metres from the rear wall of the original dwelling. The proposed rear extension projects the maximum distance of 3 metres and therefore, falling within the threshold. It also sets the maximum height of a single-storey extension as 4 metres. Both extensions will be below this height.

Class A (g) maintains that an extension within 2 metres of any site boundary should have an eaves height of no greater than 3 metres. The proposed rear extension would reach within 2 metres of the western boundary. The eaves height of this extension is 2.4 metres and, as such, is within limitations.

Class A (h) prohibits side extensions from being constructed if they have more than one storey, exceed 4 metres in height or if they have a width greater than half the width of the original dwelling. The proposed side extension is single-storey, is only 2.4 metres in height and, at 3 metres in width, is less than half the width of the original dwelling, which is approximately 6.5 metres.

It has been demonstrated above that the proposed extensions fall within the parameters set out in The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Article 3 Part 1 Classes A, B and C and, as such, planning permission is not required as the extensions qualify as Permitted Development.

It is therefore recommended that a certificate of lawful development is issued.

RECOMMENDATION

PLANNING PERMISION NOT REQUIRED

1 The Arun District Council hereby certify that on the 16th December 2011 the use 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:

The proposed extensions accord with the parameters set out in The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Article 3 Part 1 and, as such, do not require planning permission.

2 The proposal involves single-storey extensions to the side and rear of the dwelling, the enlargement of the roof, provision of a flat roof dormer to the rear roof slope and of two roof lights on the front roof slope.

3 The proposed side extension measures approximately 5.4 metres in length by 3 metres in width. It will measure approximately 2.4 metres in height.

The proposed rear extension measures approximately 6.4 metres in width by 3 metres in depth and is approximately 2.4 metres at eaves height and 3.65 metres at ridge height.

The proposed roof extension will convert the existing hipped roof end to a sussex hip. The eaves of the existing roof will not be extended and the roof ridge height will remain the same.

The flat roof dormer measures approximately 5.9 metres in width by 2.58 metres in depth and 2.16 metre in height will be added to the rear roof slope.

The increase in volume of the roof created by its extension and provision of the rear dormer will not exceed 50 cubic metres.

Two roof lights would be installed within the front roof slope. They will project no more than 150mm from the plane of the roof slope.

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