

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

REF NO: FG/124/14/CLP

LOCATION: 6 East Mead
Ferring
Worthing

PROPOSAL: Application for a lawful development certificate for a proposed conversion of loft space into habitable accommodation and creation of a box dormer extension to the rear of the dwelling.

DESCRIPTION OF APPLICATION

The dormer measures 2.535 metres in height by 3.386 metres in depth and 9.755 metres in length. The total additional volume it would create within the roof space would be 41.68 cubic metres.

DESCRIPTION OF SITE AND SURROUNDINGS

The site is occupied by a semi-detached bungalow dwelling. No significant alterations or additions have been made to the original building.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

None.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

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 proposal will be assessed against criteria contained within The Town and

Country Planning (General Permitted Development) 1995 (as amended) Part 1, Class B which defines the scale of works that can be carried out in relation to roof extensions without the need to obtain planning permission.

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.

CONCLUSIONS

The level of work that can be made to a roof of a detached dwelling, such as No. 10 Ormesby Crescent without the need to first obtain planning permission, is governed by criteria set out in The Town and Country Planning (General Permitted Development) 1995 (as amended) Part 1 Class B (in regards to the proposed dormer extension) and Class C of the same order (in regards to the provision of roof lights). Consequently, the proposal will be assessed against criteria within these parts of the order to ascertain whether planning permission is required or not.

There are no Permitted Development Restrictions attached to this property and, as such, full householder Permitted Development Rights are enabled.

Criterion B.1 (za) states that development is not permitted if the use of the building as a dwellinghouse has been granted only by virtue of Class 1A or MB of part 3 of the schedule. The building was built as a dwellinghouse and is therefore exempt from this restriction.

a) states that a roof extension should not exceed the height of the existing roof. The flat roof top of the proposed dormer is set below the ridge height of the existing roof, as such, this criterion is satisfied.

(b) informs that, for a roof extension to be deemed permitted development, it must not extend beyond the plane of any roof slope fronting a highway. The proposed dormer is to be installed within the rear roof slope, therefore, this criterion is complied with.

(c) states that the maximum increase in volume (from that of the roof space in the original dwellinghouse) for a semi-detached dwelling is 50 cubic metres. This is a cumulative value which takes any existing roof extensions into account. To date, the roof of the original dwelling has not been extended in any way. Measurements taken from the accompanying section plans confirm that the increase in the volume of the roof will be 41.68 cubic metres and, as such, this criterion is accorded with.

Other criteria within B1 are not relevant to this application.

B.2 sets out further conditions under which a roof extension will be allowed without the need for planning permission

B.2(a) instructs that external materials used for a roof extension should be of a similar appearance to those of the existing building in order for it to qualify as permitted development. The applicant has confirmed that the colour and texture of the tile hanging utilised for the dormer walls will be similar to that of the existing roof tiles.

(b)(i)(aa) and (bb) maintain that the eaves of the original roof are maintained or reinstated and that the enlargement closest to the eaves of the original roof shall be not less than 20cm from them. The eaves of the original roof will be maintained and the bottom of the dormer will be approximately 50cm above them, thereby satisfying this criteria.

(b)(ii) states that no part of the enlargement shall extend beyond the outside face of any external wall of the original dwellinghouse. The proposed dormer will be set back from the external walls of the dwellinghouse and, as such, by in accordance with this criterion.

(c) relates to side facing windows and, therefore, is not relevant to this application.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on the 5th of September 2014 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 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 works comply with relevant criteria within The Town and Country Planning (General Permitted Development) 1995 (as amended) Part 1 Class B.

FIRST SCHEDULE

The dormer measures 2.535 metres in height by 3.386 metres in depth and 9.755 metres in length. The total additional volume it would create within the roof space would be 41.68 cubic metres.

SECOND SCHEDULE

6 East Mead, Ferring, West Sussex, BN12 5EA

EXTENT OF USE

Dormer extension within the rear roof slope.



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