

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

REF NO: FG/86/20/CLP

LOCATION: 15 Langbury Lane
Ferring
BN12 6PU

PROPOSAL: Lawful development certificate for a proposed dormer window to side (West) elevation.

DESCRIPTION OF APPLICATION

The application seeks a Certificate of Lawful Proposed Development for the construction of a side dormer to the Western elevation.

RELEVANT SITE HISTORY

FG/84/20/HH Single storey side (east) extension & extension to roofspace to convert to habitable use including rear (south) dormer & side (east) dormer window, 4 No rooflights to front (north) & 1 No rooflight to side (east) elevation.

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

CLASS B

B.1 Development not permitted

Development is not permitted by Class B 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) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

(c) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

(d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than

- (i) 40 cubic metres in the case of a terrace house, or
- (ii) 50 cubic metres in any other case;

(e) it would consist of or include

- (i) the construction or provision of a verandah, balcony or raised platform, or
- (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

(f) the dwellinghouse is on article 2(3) 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

15 Langbury Lane, Ferring is a detached dwelling and is not a Listed Building or within a Conservation Area. There are no known Permitted Development Restrictions at the site.

The dormer complies with the relevant sections of Schedule 2, Part 1, Class B of the GPDO, and is permitted development and does not require the submission of an application for planning permission.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on the 22nd of July 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 proposed development is considered to be in accordance with Part 1, Schedule 2, Class B of the General Permitted Development Order.

FIRST SCHEDULE

Side Dormer. This is shown on the following plans:

- Site Plan - 15 Langbury Lane, Ferring.
- Proposed Floor Plans - FG/LL/03 - July 2020
- Proposed Elevations - FG/LL/04 - July 2020

For the avoidance of doubt this application only refers to the proposed works, as shown on the above

plans, to create a side dormer to the western elevation.

SECOND SCHEDULE

15 Langbury Lane, Ferring, West Sussex.

EXTENT OF USE

Side Dormer.

FG/86/20/CLP - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



Based on the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright.
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Arun District Council
100018487. 2015