

Mr and Mrs G Palmer
41 Coastal Road
East Preston
BN16 1SN

Your Ref: OWPC6564
Our Ref: K/22/15/CLP 16-07-2015
Please ask for:
Ross Leal

13th August 2015

Dear Sir/Madam

Town & Country Planning Act 1990 (as amended)

Town & Country Planning (Development Management Procedure) (England) Order 2015 - Article 39

Application for a Lawful Development Certificate for proposed extensions to ground floor & alterations

Broadbeach 39 Coastal Road Kingston

Thank you for your internet representation made on 13th August 2015 which has been recorded as '**an objection**' with the comments as follows:

We live next door to 39 Coastal Road and were among several objectors to the previous planning application on this property which was subsequently withdrawn. We note that the applicants have now submitted a request for a Certificate of Lawful Development to confirm that their latest plans (which are essentially the previous plans minus the addition of a third storey) are within the scope of Permitted Development.

However, we believe that the proposal should not be considered as Permitted Development because it contravenes Class A of Schedule 2 within the Town and Country Planning (General Permitted Development) (England) Order 2015 which relates to the "enlargement, improvement or other alteration of a dwelling house". Specifically, paragraph A.1 (k)(iv) of Schedule 2 states that: "Development is not permitted by Class A if it would consist of or include an alteration to any part of the roof of the dwellinghouse".

The flat roof at the front of the property is the smaller and lower of 2 flat roofs on the property and was part of the original property which was built in the late 1960s. This roof is approx. 2.6 metres in height and covers the porch, part of the interior entrance hall, and the front part of the integral garage including the garage door. The applicant proposes to raise the height of the part of this roof which is west of the porch to 3 metres as shown in the diagram of the "Proposed North Elevation". This clearly consists of an alteration to part of the roof, i.e. the application does not fall within the scope of Permitted Development.

Further clarification is provided by Class B of the Order which relates to "the enlargement of a dwelling house consisting of an addition or alteration to its roof". Class B.2 (k)(iv) states that Development is permitted under Class B subject to: "other than 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 part of dwellinghouse".

In other words, our understanding of the 2015 Order is that it would be within the scope of Permitted Development for the applicant to EITHER raise the height of the original first floor roof from 2.6 metres to 3 metres and to not join this up with an extension to the west side of the house; OR to develop a west side extension of a height of 2.6 metres and join this to the original roof - but NOT to do both of these as is being proposed. One of our main objections to the previous proposal was that a structure directly against, further forward than current, and protruding above our dividing wall would spoil the easterly aspect of our property. If the applicants had submitted a proposal which included either

one of the above options (but not both), we would not have had this concern and we would not have raised this objection.

Finally, if the applicants were to argue that the roof of the property should be defined as the flat roof covering the top of most of the property and that the smaller, lower roof should be discounted, this would imply that the principal elevation of the property is the two storey wall which comprises the other part of the front of the property. If this were adjudged to be the case, the proposal would then be to extend beyond a wall which forms part of the principal elevation which is also not allowed as Permitted Development by Class A.1 (e)(i) of the 2015 Order.

Therefore, whichever view is taken of this, we believe this is not Permitted Development according to the 2015 Order and that the certificate should be refused.

Your views will be considered before the application is determined and I shall write to inform you of any decision made.

Please be aware that if the application is to be determined by the Council's Development Control committee and your letter has been received at a late stage after the Agenda has been published you will not receive a separate letter notifying you of the date of the meeting and procedures for public speaking. In such circumstances it is recommended that you track the progress of the application on the Council's website or telephone the Council for further information. Please be advised that any comments you make that are not included within the Committee Agenda will be reported to the Members of the Development Control committee. Please also be aware that only a small number of all planning applications received go to the Development Control Committee. Most are determined under delegated powers by Officers in which case your comments will again be considered before the application is determined.

Please be aware that Planning Services operate an 'open file' policy and will publish details of your comments on the internet on the Arun District Council Planning section. Please ensure that you only provide information that you are happy will be made available in this way. If you supply information belonging to a third party, please ensure you have their permission to do so. If you do not wish your comments to appear on the 'open file' please confirm this in writing and I will arrange for it to be destroyed although this means that its contents will then be disregarded.

In the event of a subsequent written representations appeal, against a refusal of planning permission on a householder application, any representations made on the application will be automatically forwarded to the Secretary of State. Unlike all other types of appeal, there will be no further opportunity to comment at the appeal stage.

Yours faithfully

Karl Roberts
Director Planning & Economic Regeneration