

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

REF NO: LU/149/15/CLP

LOCATION: 75 East Ham Road
Littlehampton

PROPOSAL: Lawful development certificate for a proposed loft conversion & extension.

DESCRIPTION OF APPLICATION

Lawful development certificate for a proposed loft conversion & dormer extension.

DESCRIPTION OF SITE AND SURROUNDINGS

Two storey 3 bed terraced dwelling in a residential town centre location.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

None.

Comments on Representations received:

N/A

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A

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 criteria contained within The Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 1, Class B, which pertains to "additions etc to the roof of a dwellinghouse".

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 Town and Country (General Permitted Development) Order 2015 under Schedule 2, Part 1, Class B prescribes the degree of works in relation to the enlargement of a dwellinghouse consisting of an addition or alteration to its roof that can be undertaken without the need to apply for Planning Permission. The development the subject of this application will therefore be assessed against the criteria contained within this part of the order.

Class B, B.1 (a) cannot be applied in this instance as the dwellinghouse has not been the subject of a change of use under Class M, N, P or Q of Part 3 of the Town and Country (General Permitted Development) Order 2015.

Class B, B.1 (b) states that no part of the dwellinghouse, would as a result of the works, exceed the height of the highest part of the existing roof. The proposal would not exceed the highest part of the existing roof.

Class B, B.1 (c) the dormer the subject of this application does not extend beyond the plane of any existing roof slope which forms the principle elevation of the dwellinghouse and front a highway.

Class B, B.1 (d) (i) the proposed dormer will have a cubic content of approximately 39.03 metres cubed. Therefore, the dormer does not exceed the cubic content of the original roof space by more than 40 cubic metres.

Class B, B.1 (d) (i) and (ii) are not applicable in the determination of this application as it will not include the provision of a veranda, balcony, raised platform or the alteration or installation of a chimney, flue, soil or vent pipe.

Class B, B.2, (a) specifies that the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse. Therefore it will be necessary materials used in construction shall be similar to the existing and as such would be in compliance with this limitation.

Class B, B.2, (b) (i) (ii) the design of the dormer is deemed to be in accordance with the limitations imposed under this section of Class B.

Class B, B.2, (c) (i) (ii) specifies that any windows inserted into a roof slop forming a side elevation of the dwelling house shall be obscurely glazed and non-opening below 1.7 metres from floor level of the room in which the window is installed. Drawing No 1635/01/02/A show that the windows proposed on the western elevation of the dormer will be obscurely glazed and as such in accordance with this section of the general permitted development order.

Therefore, it is considered that the proposed dormer window in this instance would benefit from permitted development rights under Schedule 2, Part 1, Class B of The Town and Country (General Permitted Development) Order 2015.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 5th May 2015 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 for the following reasons;

- The proposal is in accordance with the limitations imposed under Schedule 2, Part 1, Class B of The Town and Country (General Permitted Development) Order 2015.

FIRST SCHEDULE

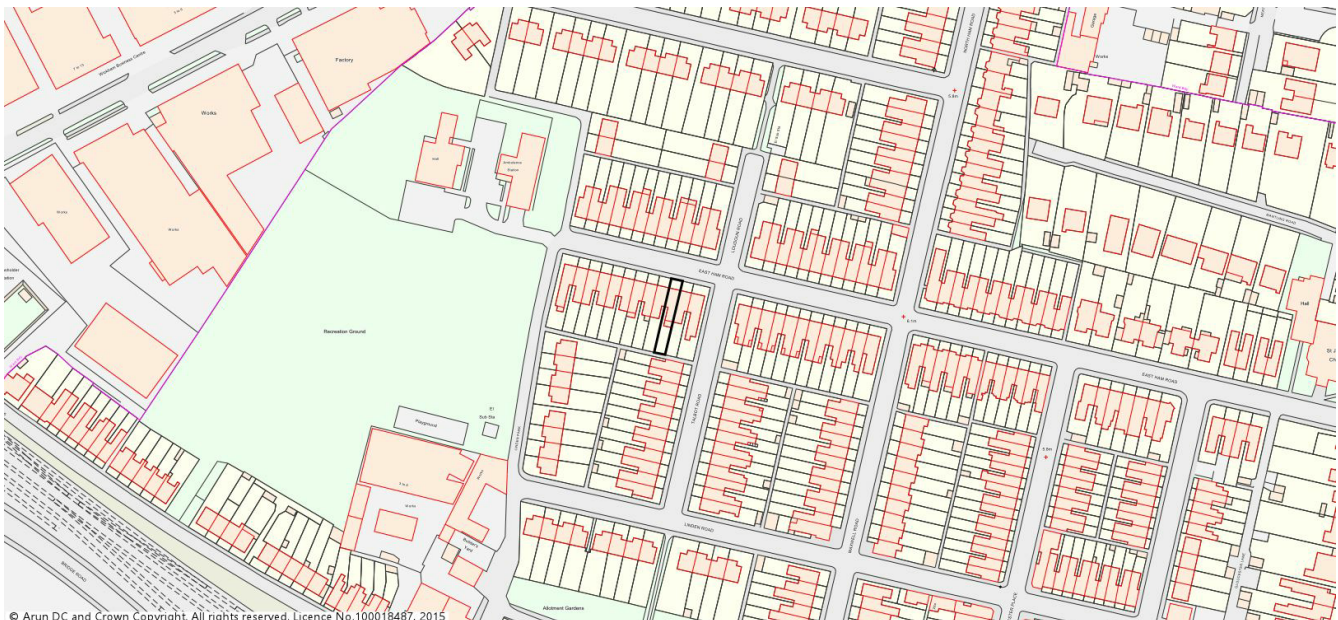
Loft conversion and creation of 39 cubic metre rear and side dormer as shown on drawing number 1635/01/02/A.

SECOND SCHEDULE

75 East Ham Road, Littlehampton, West Sussex, BN17 7BQ

EXTENT OF USE

Loft conversion and creation of rear and side dormer.



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