

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

REF NO: LU/26/21/CLP

LOCATION: 7 Foxglove Way
Littlehampton
BN17 6UN

PROPOSAL: Lawful development certificate for the Proposed installation of 9 Trina 325W black mono (small 1690 x 996) solar panels in one string on rear of property.

DESCRIPTION OF APPLICATION

This application seeks the addition of solar panels to roof of rear elevation, measuring approximately 1690mm in length by 996mm wide by 35mm deep.

RELEVANT SITE HISTORY

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) (England) Order 2015 (as amended).

- Class C, which pertains to alterations 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.

CONCLUSION

The solar panels are considered to fall under Schedule 2 part 1 class C of the Town and Country Planning (General Permitted Development) (England) Order 2015.

C.1 Development is not permitted by Class C if-

- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);
- (b) the alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;
- (c) it would result in the highest part of the alteration being higher than the highest part of the original roof; or
- (d) it would consist of or include-
 - (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

C.2 Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be-

- (a) obscure-glazed; and
- (b) 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."

The property known as 7 Foxglove Way is a detached property and is not listed or within a conservation area.

Examination of the site history has revealed no restrictions to Permitted Development rights.

The proposed solar panels comply with relevant sections of class c within the GPDO and is considered permitted development and as such does not require the submission of an application for full planning permission.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 2nd February 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, was lawful within the meaning of section 192 of the Town & Country Planning Act 1990 'by reason of compliance with the relevant criteria within Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

FIRST SCHEDULE

The proposed development is considered to fall under Schedule 2 Part 1 of the GDPO

The development hereby approved shall be carried out in accordance with the following approved plans;

- Side elevation
- Rear elevation
- Specification
- Location Plan

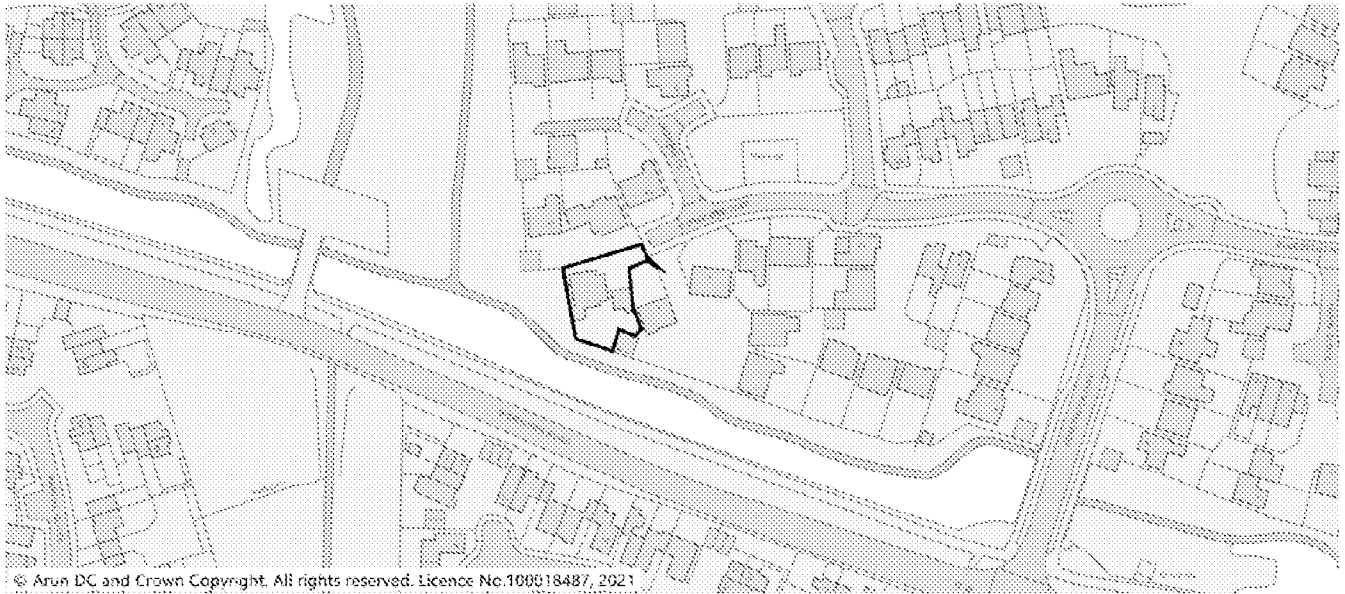
SECOND SCHEDULE

7 Foxglove Way, Littlehampton BN17 6UN

EXTENT OF USE

The addition of 9 panels to rear roof measuring approximately 1690mm in length by 996mm wide by 35mm deep.

LU/26/21/CLP - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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