

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

REF NO: LU/274/15/CLP

LOCATION: 24 Toddington Park
Littlehampton

PROPOSAL: Lawful development certificate for a proposed loft conversion with rooflights.

DESCRIPTION OF APPLICATION

The application seeks a lawful development certificate for a loft conversion with roof lights in the front and rear roof elevations of the property.

DESCRIPTION OF SITE AND SURROUNDINGS

A modern detached dwelling on a cul de sac of similar detached properties off Toddington Lane in the area between the A259 and the railway in Littlehampton.

RELEVANT SITE HISTORY

LU/272/92 - No permitted development rights were removed from the properties in the original planning permission.

REPRESENTATIONS

Representations received:

None received

Comments on Representations received:

N/A

CONSULTATIONS

Consultations responses received:

None received

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 criteria contained within The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part

1, Class C - other 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.

CONCLUSIONS

The internal alterations necessary to facilitate this development would not constitute development under Section 55, Part (2), (a), (l) of the Town and Country Planning Act 1990.

The proposed roof lights would need to be in accordance with the Town and Country (General Permitted Development) Order 2015, Schedule 2, Part 1, Class C which prescribes the degree of works that can be undertaken in relation to other alterations to the roof of a dwellinghouse 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 C, C.1 (a) is not applicable as the dwelling house 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 C, C.1 (b) states that the alteration cannot 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. The proposed roof lights are shown to protrude 0.1m from the existing roof slope.

Class C, C.1 (c) is not applicable as the highest part of the alteration will not be higher than the highest part of the original roof.

Class C, C.1 (d) is not applicable as the proposed alteration does not consist of the installation, alteration or replacement of a chimney, flue or soil pipe or the installation of solar photovoltaic or solar thermal equipment.

Conditions

C.2 is not applicable as the proposed windows will not be located on a roof slope forming a side elevation of the dwellinghouse.

Therefore, it is considered that the proposed alterations to the roof of the original dwellinghouse are in accordance with the limitations of Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) Order 2015 and as such constitute permitted development.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 12th November 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 internal works to the building to convert the loft do not constitute development under s.55 of the Town and Country Planning Act 1990 as amended.

The installation of roof lights in the front and rear elevations of the dwellinghouse that project less than 150mm from the existing roof slope qualify as permitted development under The Town and Country Planning (General Permitted Development) (England) Order 2015, Part 1, Class C.

FIRST SCHEDULE

Conversion of loft and installation of 5 No. roof lights on the primary elevation and 2 No. roof lights on the rear elevation.

SECOND SCHEDULE

24 Toddington Park, Littlehampton, BN17 6JZ.

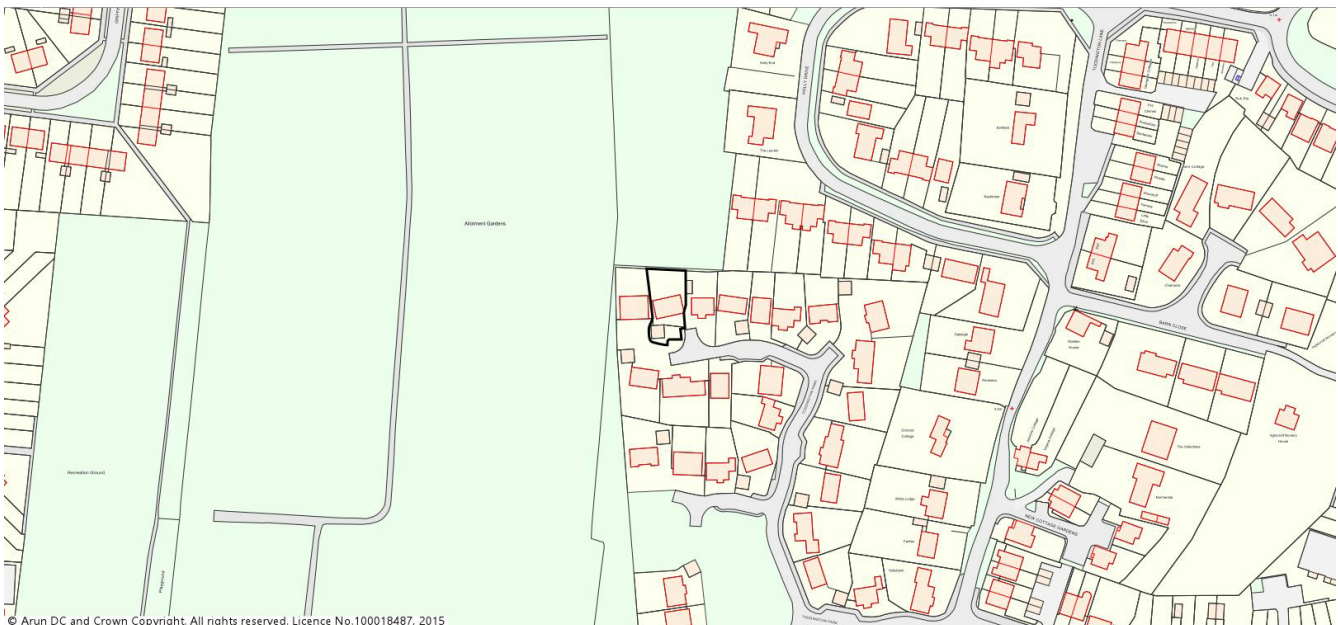
EXTENT OF DEVELOPMENT

Conversion of loft and installation of 7 No. roof lights in accordance with;

Dwg.no.1 1:500 Proposed Block Plan.

Dwg.No.4 1:100 Proposed Elevations and Section.

Dwg. No.5 1:100 Proposed Floor Plans.



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