

APPLICATION NO: LU/280/11/CLP
TOWN AND COUNTRY PLANNING ACT 1990
SECTION 191 AND 192
(as amended by section 10 of the Planning and Compensation Act 1991)
TOWN AND COUNTRY PLANNING DEVELOPMENT MANAGEMENT PROCEDURE
ORDER 2010
CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

The Arun District Council hereby certify that on the 6th October 2011 the use hereby described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged boldly on the plan attached to this certificate was lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason:

Development is not permitted by Class B if;

(a) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

The flat roof sections of the rear dormer would be set below the ridge height of the existing roof and the gable section would be matching in height. As such the proposal complies with Part a.

(b) 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;

The proposed projections from the roof slope would be to the rear elevation, therefore compliant with part b.

(c) 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;

The dwelling is a detached property with the proposed dormer resulting in an addition to the roof space of 47 cubic metres, therefore falling within the above requirements of part c.

(d) it would consist of or include;

- (i) the construction or provision of a veranda, balcony or raised platform, or
- (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or
- (e) the dwellinghouse is on article 1(5) land.

The proposal is also compliant with part d given the form of development.

The proposed development would also comply with the Conditions of development within Class B.2 of the Order.

Signed

On behalf of Arun District Council



Karl Roberts
Assistant Director Planning Services &
Housing Strategy

Date of Decision: 14th October 2011

Date Decision Issued 14th October 2011

Case Officer: Mr P Cleveland

First Schedule

The 'development' proposed is for a dormer roof extension to the rear roof slope as detailed in the plans as submitted with the application.

Extent of Use

The dormer will measure approximately 12.65m in width x 3.2m in overall depth x 2.5m in height.

Second Schedule

12 Peregrine Road, Littlehampton, West Sussex, BN17 6DT

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

NOTES RELATING TO CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

TOWN & COUNTRY PLANNING ACT 1990

This certificate is issued solely for the purpose of section 192 of the Town & Country Planning Act 1990 (as amended).

It certifies that the use specified in the First Schedule taking place on the land described in the Second Schedule was lawful, on the specified date and therefore, was not liable to enforcement action under section 172 of the 1990 Act on that date.

This Certificate applies only to the extent of the use described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations began, in any of the matters relevant to determining such lawfulness.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on highway land).

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