

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

REF NO: LU/29/18/CLP

LOCATION: 30 Griffin Crescent
Littlehampton

PROPOSAL: Lawful development certificate for proposed alterations & extension to roof to form new rooms.

DESCRIPTION OF APPLICATION

It is proposed to continue the ridge line of the existing dwelling outwards and form a gable. There would be small hip at the top side of the new roof (a pollarded hip). To the rear a flat roofed dormer would be formed. This would have a mock pitch surround.

The dormer would be 6.2m wide by 2.85m deep to top of mock pitch. The dormer would extend 2.9m out from the roof plane. Base of the dormer would be 1m above existing eaves level. To the rear of the dormer there would be 2 separate pairs of glazed doors, each pair of doors would open inwards behind railings providing a Juliet type arrangement.

An existing chimney is to be removed and a flue provided which would extend 0.7m above main ridge level.

Two new velux roof lights would be provided in the front roof plane facing the highway.

The applicant has confirmed that:

- a) Facing materials to be used in the works that are the subject of the application are to be of a similar appearance to the equivalent existing materials used to form no 30 Griffin Crescent, and
- b) The proposed roof windows are not to project more than 0.15 metres above the plane of the existing roof surface.

The volume of the extended roof and the rear dormer are a total 39.52 cubic metres.

DESCRIPTION OF SITE AND SURROUNDINGS

One of a pair of semi-detached dwellings. Existing rear conservatory. Two car parking spaces to front/side. Red brick with small plain brown/red roof tiles. Hipped side to roof. (Adjoining dwelling has full two-storey side extension).

RELEVANT SITE HISTORY

The previous 2 CLP applications were never made valid and were therefore not proceeded with.

REPRESENTATIONS

Representations received:

No representations received.

Comments on Representations received:

N/A

CONSULTATIONS

Consultations responses received:

No consultees.

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 Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2015 (as amended). The criteria and conditions in the following Classes must be satisfied:

Class B - Enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Class C - Other alterations to the roof of a dwellinghouse.

Class G - Chimneys, flues etc. on 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 RELEVANT PARTS OF THE GPDO

Schedule 2, Part 1, Class B - The enlargement of a dwellinghouse consisting of an addition or alteration to its roof

B.1 Development is not permitted by Class B 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) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

(c) 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;

(d) 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;

(e) it would consist of or include:

- (i) the construction or provision of a verandah, balcony or raised platform, or
- (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

(f) the dwellinghouse is on article 2(3) land.

Conditions

B.2 Development is permitted by Class B subject to the following conditions:

(a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

(b) the enlargement must be constructed so that:

(i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension:

(aa) the eaves of the original roof are maintained or reinstated; and

(bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and

(ii) other than in 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 dwellinghouse; and

(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be:

(i) obscure-glazed, and

(ii) 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

Schedule 2, Part 1, Class C - Other alterations to the roof of a dwellinghouse

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.

Conditions

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.

Schedule 2, Part 1, Class G - Chimneys, flues etc. on a dwellinghouse

G.1 Development is not permitted by Class G 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 height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or
- (c) in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which:
 - (i) fronts a highway, and
 - (ii) forms either the principal elevation or a side elevation of the dwellinghouse.

THE PROPOSED DEVELOPMENT

The proposed development satisfies the criteria and conditions set out with Classes B, C and G.

The site is not located on article 2(3) land and is not a Listed Building.

There is no restriction on permitted development rights by means of a condition or Direction.

The proposed development is therefore considered to accord with the limitations of Schedule 2, Part 1, Class B, C and G of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and is considered to be 'permitted development', as such this proposal does not require an application for planning permission.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on 08 February 2018 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 for the following reasons:

The proposed rear dormer and roof alterations by virtue of size and location and materials

are in accordance with Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

The proposed roof lights in the front roof plane of the dwelling by virtue of their size, location and projection from the roof plane are in accordance with Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

The proposed flue by virtue of its height above the ridge line of the dwelling is in accordance with Schedule 2, Part 1, Class G of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

FIRST SCHEDULE

Continuation of the ridge line of the existing dwelling outwards to form a gable with small hip at the top/side of the new roof (a pollarded hip). To the rear form a flat roofed dormer a mock pitch surround flat roof. Dormer to 6.2m wide by 2.85m deep to top of mock pitch. The dormer to extend 2.9m out from the rear roof plane. Base of the dormer to be 1m above existing eaves level. To the rear elevation of the dormer 2 separate pairs of glazed doors, each pair of doors to open inwards behind railings providing a Juliet type arrangement.

Existing chimney to be removed and a flue provided which would extend 0.7m above main ridge level.

Two new velux roof lights to be provided in the front roof plane facing the highway. Velux roof lights not to project more than 0.15 metres above the plane of the existing roof surface.

Facing materials to be used in the works that are the subject of the application to be of a similar appearance to the equivalent existing materials used to form no 30 Griffin Crescent.

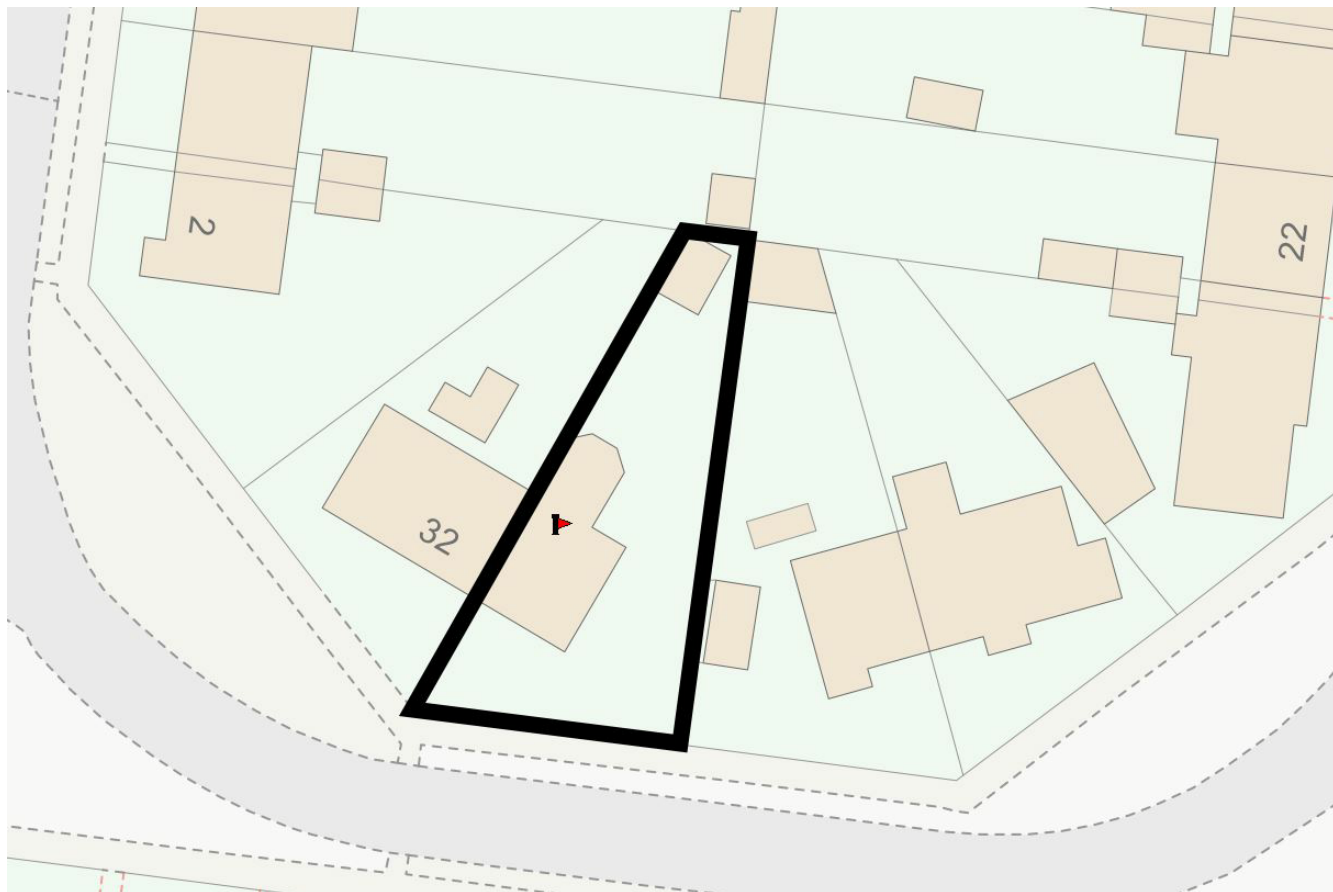
The volume of the extended roof and the rear dormer to be no more than a total 39.52 cubic metres.

All within the limitations of Schedule 2, Part 1, Classes B, C and G of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) as detailed on submitted drawings and volume calculation:

Unnumbered & Undated Drawing - Plans, Elevations & Section, Site & Location Plan - Received with Application
Volume Calculation - Received with Application
Agent Email Dated 22 March 2018

SECOND SCHEDULE

30 Griffin Crescent, Littlehampton, West Sussex BN17 7LJ



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