

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

REF NO: LU/372/18/CLP

LOCATION: 23 Battin Lane
Littlehampton

PROPOSAL: Lawful development certificate for a proposed loft conversion

DESCRIPTION OF APPLICATION

Lawful development certificate for a proposed loft conversion.

DESCRIPTION OF SITE AND SURROUNDINGS

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Comments on Representations received:

CONSULTATIONS

Consultations responses received:

Comments on Consultation responses:

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) (No. 2) (England) Order 2015 (as amended).

- Class C, which pertains 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 proposed loft conversion is considered to fall under Schedule 2 Part 1 Class C of the Town and Country Planning Permission (General Permitted Development Order) (England) Order 2015.

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, PA 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 proposed Velux windows are on the front, rear and side elevations, however the submitted plans have confirmed that the window on the side elevation will be obscured glazed and fixed close as the are below 1.7m from the floor level.

The property known as 23 Battin Lane, Littlehampton, BN17 7AZ.

There are no known Permitted Development restrictions relating to loft conversions at the site.

The proposed loft conversion complies with relevant sections from Class C 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 20.12.2018 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 development complies with limitations of Schedule 2 Part 1 Class C of the General Permitted Development Order 2015.

FIRST SCHEDULE

Construction of a proposed loft conversion. This is shown on the following plans:

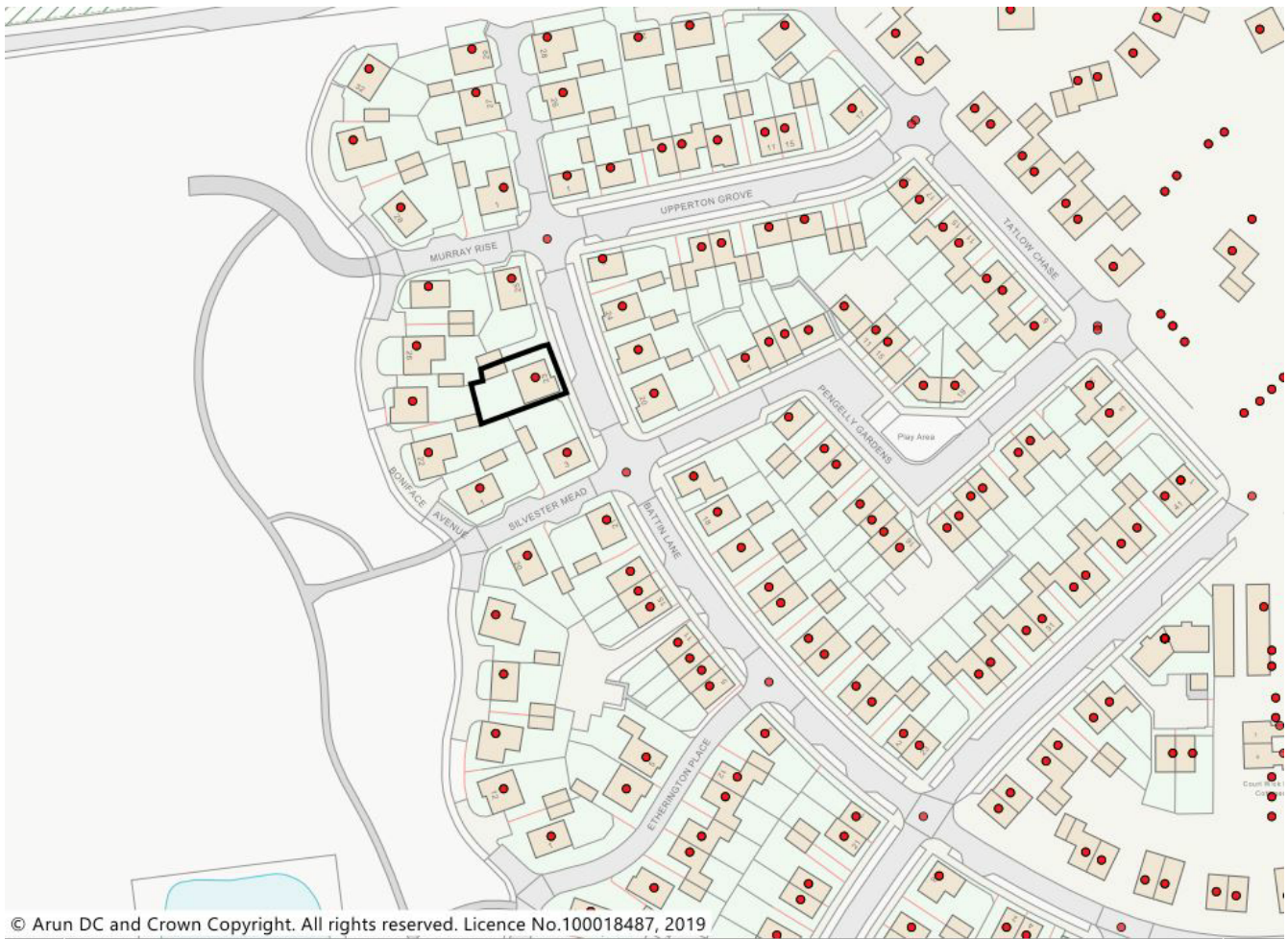
- Block plan B01
- Proposed floor plans A104
- Proposed loft plan A105
- Proposed elevations A102
- Sections A106

SECOND SCHEDULE

23 Battin Lane, Littlehampton, BN17 7AZ

EXTENT OF USE

Loft conversion.



Based on the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Arun District Council 100018487.