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

REF NO: **LU/3/24/CLP**

LOCATION: 14 Southfields Road
Littlehampton
BN17 6AE

PROPOSAL: Lawful development certificate for a proposed rear dormer and side gable to allow for a roof conversion.

DESCRIPTION OF APPLICATION

This application seeks a lawful development certificate for a hip to gable roof extension and a rear dormer.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations Received:

The Town Clerk

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) (England) Order 2015 as amended.

- Class B - additions etc to the roof of a dwellinghouse
- Class C - other alterations to the roof of a dwellinghouse

Provided the 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 proposed rear dormer and hip to gable roof extension are considered to fall under Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Development not permitted
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.

The proposed two roof lights in the front roof plane are considered to fall under Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Development not permitted
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.

CONCLUSIONS

The property known as 14 Southfields is a two storey semi-detached dwelling and is not listed or in a conservation area. There are no restrictions on permitted development rights.

The proposed external materials will be similar in appearance to those of the existing building, in accordance with section B.2. 1.no second floor window is proposed in the west facing side elevation, in compliance with section C.2, the window is obscure glazed and fixed closed below 1.7m.

The proposed hip to gable extension and dormer comply with relevant sections B.1(a)(b)(c)(d). The proposed rooflights comply with relevant sections C.1(a)(b)(c). The proposal 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 11 January 2024 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 Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015.

FIRST SCHEDULE

The proposed single storey rear extension is considered to fall under Schedule 2, Part 1, Classes B and C of the Town and Country Planning General Permitted Development Order 2015 (as amended). The development has been assessed against the following plans:

- Location and Block Plan 04
- Proposed Plans and Elevations 02

SECOND SCHEDULE

14 Southfields Road, Littlehampton, BN17 6AE

EXTENT OF USE

A hip to gable roof extension, a flat topped rear dormer and 2no. roof lights in the front roof plane.

LU/3/24/CLP - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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