

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

REF NO: P/37/13/CLP

LOCATION: 4 The Green
Pagham

PROPOSAL: Application for certificate of lawfulness for a proposed use - loft conversion with rear dormer

DESCRIPTION OF APPLICATION

The proposed rear dormer measures approximately 6m in width, depth of 4.1m and a height of 2.9m (35.67m³).

DESCRIPTION OF SITE AND SURROUNDINGS

Semi-detached bungalow with conservatory on rear. The property has light brown brickwork with a red tiled roof and white window frames.

The surrounding properties are semi-detached bungalows of similar style and design.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Comments on Representations received:

CONSULTATIONS

Consultations responses received:

Comments on Consultation responses:

LEGISLATIVE BACKGROUND

Principle

Section 192(2) of the Town & Country Planning Act 1990 states:

If, on an application under this section, the Local Planning Authority are provided with information satisfying them that the development 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.

CONCLUSIONS

The application is for a rear dormer extension. It measures approximately 6m in width, depth of 4.1m with a height of 2.9m.

The proposed development is considered to fall under Schedule 2 Part 1 Class B of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 in that it relates to "the enlargement of a dwellinghouse consisting of an addition or alteration to its roof".

By virtue of Section B.1 Development is permitted 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;
- (b) any part of the dwellinghouse would, as a result of the works, exceed beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;
- (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;
- (d) 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
- (e) the dwellinghouse is on Article 1(5) land.

By virtue of Class B.1 (a),(b)(c)(i) and (d)(i)(ii)(e) the rear domrre is deemed to be "Permitted Development" and, as such, does not require planning permission.

RECOMMENDATION

PP NOT REQUIRED

The Arun District Council hereby certify that on the 3rd May 2013 the development described in the Second Schedule to this certificate and edged 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 is considered to fall under Schedule 2 Part 1 Class B of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 in that it relates to "the enlargement of a dwellinghouse consisting of an addition or alteration to its roof".

By virtue of Class B.1:

- (a) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;
- (b) any part of the dwellinghouse would, as a result of the works, exceed beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and

fronts a highway;

(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;**

(d) 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**

(e) the dwellinghouse is on Article 1(5) land.

The semi-detached dwellinghouse is not within Article 1(5) land, the rear dormer would not exceed the height or extend beyond the plane of the existing roof slope. The cubic content of the rear dormer is approximately 35.67m³.

By virtue of Class B.1 (a), (b) (c)(i), d)(i)(ii) and e) the rear dormer is deemed to be "Permitted Development" and, as such, does not require planning permission.

FIRST SCHEDULE

The development proposed is for a rear dormer as detailed on the submitted plans.

SECOND SCHEDULE

4 The Green, Pagham, Bognor Regis, West Sussex, PO21 4RZ.

EXTENT OF USE

The proposed rear dormer measures approximately 6m in width, depth of 4.1m and a height of 2.9m (35.67m³).



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