

Planning Statement
in Support of an Application for a
Lawful Development Certificate

**Proposed alteration of glazed conservatory to solid
wall/roof structure**

50 St Thomas Drive

Pagham

Bognor Regis

West Sussex

PO21 4UA

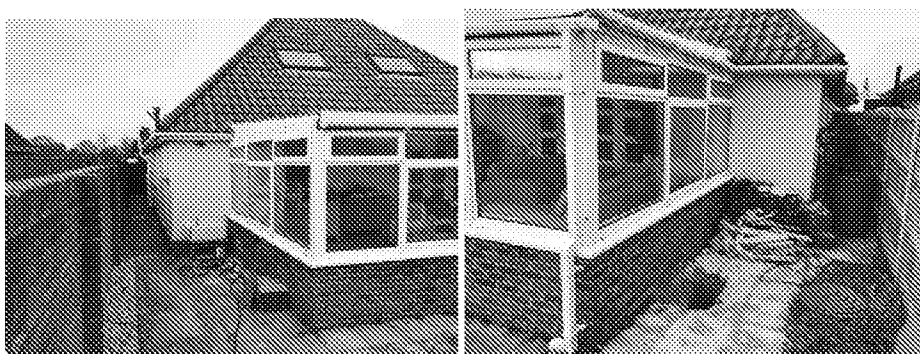
1. Introduction

- a. This planning statement is submitted in support of an application for a Lawful Development Certificate relating to the proposed alteration at 50 St Thomas Drive, Pagham, West Sussex. PO21 4UA.
- b. Photograph one shows the existing conservatory from the southern perspective on the rear elevation of the property. Planning permission exists on the structure (P/64/84/B granted 10.07.1984) The proposed change will mirror these dimensions.



Photograph 1: South facing rear elevation of existing conservatory.

- c. Photographs two and three below show the west and east side elevations respectively. The proposed change will mirror the dimensions and roof pitch.



Photographs 2 & 3: West and east elevations of existing conservatory.

2. Planning Status of 50 St Thomas Drive

- a. The existing structure under proposed change is not article 2 (3) land as defined in part 1 of Schedule 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015; ie it is not within; -
 - i. A Conservation Area
 - ii. An Area of Outstanding Natural Beauty
 - iii. An Area Specified by the Secretary of State for the purposes of Section 41(3) of the Wildlife and Country Side Act 1981
 - iv. The Boards
 - v. A World Heritage Site
- b. 50 St Thomas Drive is not included on the statutory List of Buildings of Special Architectural or Historic Interest authorised by the Secretary of State and maintained by historic England

3. The Proposed Alterations

- a. The proposed alteration is to replace the existing glazed sides and Perspex roof with solid structures. The external dimensions of the solid structure will not be altered from the existing conservatory; Width 8220mm, depth 3680mm, highest roof point 2675mm & lowest roof point.
- b. The new structure is proposed to have two sky lights (1000mm x 2500mm) and one set of bi-fold doors (3000mm x 1981mm) with 3 doors measuring 1000mm each). There will be no windows in addition to these.

4. Permitted Development

- a. It is contended the proposed alteration from conservatory to a solid structure is permitted development and therefore does not require planning permission because it satisfies the relevant criteria of the General Permitted Development Order.
- b. The relevant criteria are contained in Schedule 2, Part 1 Class A of the Order concerning “the enlargement, improvement or other alteration of a dwellinghouse” and are set out below together with in each case the reason why the proposed alteration is compliant.

A.1

- (a) permission to use the dwellinghouse as a dwellinghouse has **not** been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);
- (b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would **not** exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- (c) the height of the part of the dwellinghouse enlarged, improved or altered would **not** exceed the height of the highest part of the roof of the existing dwellinghouse;
- (d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would **not** exceed the height of the eaves of the existing dwellinghouse;
- (e) the enlarged part of the dwellinghouse would **not** extend beyond a wall which —

- (i) forms the principal elevation of the original dwellinghouse; or
 - (ii) fronts a highway and forms a side elevation of the original dwellinghouse;
- (f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey but **would not** —
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
 - (ii) exceed 4 metres in height;
- (g) until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and **would not** —
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
 - (ii) exceed 4 metres in height;
- (h) the enlarged part of the dwellinghouse **would not** have more than a single storey and **would not** —
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
 - (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;
- (i) the enlarged part of the dwellinghouse **would not** be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part **would not** exceed 3 metres;
- (j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, but **would not** —
 - (i) exceed 4 metres in height,
 - (ii) have more than a single storey, or
 - (iii) have a width greater than half the width of the original dwellinghouse; or
- (k) it **would not** consist of or include —
 - (i) the construction or provision of a verandah, balcony or raised platform,
 - (ii) the installation, alteration or replacement of a microwave antenna,
 - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (iv) an alteration to any part of the roof of the dwellinghouse.

A.2 The proposed extension **is not** situated on article 2(3) land.

A.3 Development is permitted by Class A subject to the following conditions —

(a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse. The external materials of the proposed extension would match those of the existing house.

(b) any upper-floor window located in 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; and

(c) where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse. As the proposed extension will not contain any upper floor windows and is of single storey construction, conditions (b) and (c) above do not apply.

A.4 This condition concerns development which is permitted by Class A which exceeds the limits in paragraph A.1 (f) but is allowed by paragraph A.1 (g). It is not relevant to the proposed extension which is the subject of this Lawful Development Certificate because the proposed extension would not exceed the limits specified in paragraph A.1(f) i.e. it would not extend beyond the original rear wall of the dwellinghouse by more than 4 metres and it would not exceed 4 metres in height.

5. Conclusion

- a. The proposed change from glazed to solid structure does not alter the dimensions or function of the original planning consent (P/64/84/B granted 10.07.1984).
- b. The proposed alteration satisfies all the relevant criteria of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, is permitted development and thus does not require planning permission. The change from glazed walls/roof to solid would therefore be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended) and a positive Certificate of Lawful Development for the proposed alteration should be granted.