

CERTIFICATE OF LAWFUL PROPOSED DEVELOPMENT REPORT

REF NO: P/75/11/CLP

LOCATION: Seaspray
14 East Front Road
Pagham

PROPOSAL: Application for a Certificate of Lawfulness for a proposed pitched roof to replace an existing flat roof.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 274 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Two, detached pitch roof garages to front boundary, close boarded timber fencing to side boundaries. Property fronts directly onto beach at rear.
SITE CHARACTERISTICS	Detached, single storey pitch roof dwelling with slate tiles and cream pebbledash on the elevations.
CHARACTER OF LOCALITY	Seaside location comprising a private, unmade road serving detached, single storey dwellings with direct access to the beach.

RELEVANT SITE HISTORY

P/45/90	New Garage	Approve Cond 11-06-1990
P/73/72	Garage	Permit'd Devel 07-06-1972

REPRESENTATIONS

Representations received:

N/A

Comments on Representations received:

N/A

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

DEVELOPMENT PLAN AND/OR 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.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The application seeks a Certificate of Lawfulness for a proposed pitch roof to replace an existing flat roof projection on a bungalow.

The proposed pitch roof would measure approximately 2 metres in height to the pitch, 6.5 metres in width and 1.8 metres in depth. The pitch roof would be sited on the rear elevation of the bungalow.

The proposed pitch roof extension is considered to fall under Class B of The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 as it constitutes, 'The enlargement of a dwelling house consisting of an addition or alteration to its roof'.

Class B.1 states that development is not permitted if-

- a) any part of the dwellinghouse 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, extend beyond the plane of the existing roofslope 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 roofspace by more than-
 - i) 40 cubic metres in the case of a terrace house, or
 - ii) 50 cubic metres in any other case;
- e) the dwellinghouse is on article 1(5) land.

The ridge line of the roof extension would not exceed the height of the existing roof. The roof extension would be on the rear (south) elevation and does not form the principal elevation fronting the highway. At 23.4 cubic metres, the cubic volume of the roof extension does not exceed 50 cubic metres. The bungalow is located in an Area of Special Character but is not located within a designated Conservation Area.

Class B.2 states that development is permitted subject to the following conditions-

a) the materials used in any exterior work shall be of similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

The roof extension will be constructed in matching external materials.

It is considered that the proposed pitch roof to replace an existing flat roof complies with the above sections of the General Permitted Development Order. The pitch roof extension is therefore deemed to be permitted development and does not require planning permission.

RECOMMENDATION

PLANNING PERMISSION NOT REQUIRED

- 1 The Arun District Council hereby certify that on the 31st October 2011 the pitch roof to replace an existing flat roof on the rear elevation of the dwelling hereby described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged boldly on the plan attached to this certificate was lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):-

The development as proposed falls under 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.

Section a) b) c) e) the pitch roof extension would not exceed the height of the highest part of the roof; any part of the dwellinghouse would not, as a result of these works, extend beyond the plane of any existing roofslope which forms the principal elevation of the house and fronts a highway; the cubic content would not exceed 50 cubic metres; the dwellinghouse is not on article 1(5) land.

The proposed pitch roof extension is deemed to be 'Permitted Development' and, as such, does not require planning permission.

- 2 The 'development' proposed is for a pitch roof to replace an existing flat roof on the rear (south) elevation as identified in the plans submitted with the application.
- 3 The pitch roof extension measures approximately 2 metres in height to the pitch, 1.8 metres in depth and 6.5 metres wide.
- 4 Seaspray, 14 East Front Road, Pagham, West Sussex, PO21 4SU.