

2037 32 Brendon Way

Certificate Statement

This report has been prepared to support an application for a Certificate of Lawfulness of Proposed Use or Development for the construction of a rear dormer loft extension at 32 Brendon Way, Rustington, BN16 3PN.

Site and Existing Building

32 Brendon Way is a mid-late 20th century end of terrace two storey dwelling. The house is not listed. The site is not in Green Belt, Open Countryside, or within a conservation area.

Proposals

The proposals comprise a rear dormer extension.

Certificate of Lawfulness

This application seeks a Certificate of Lawfulness for all alterations and extensions proposed.

Compliance with Class B

B. The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

It is considered that the proposed enlargement consisting of an addition or alteration to its roof would be 'Permitted Development' by reference to Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015, as follows:

B.1 (a) *permission to use the dwellinghouse as a dwellinghouse has **not** been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);*

*(b) **no** part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;*

*(c) **no** 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 **not** 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 **not** 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;*

*(f) the dwellinghouse is **not** on article 2(3) land.*

*(h) the existing dwellinghouse has **not** been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys).*

Conditions

In addition, the development will comply with the following conditions—

B.2 (a) *the materials used in any exterior work **will** be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;*

- (b) the enlargement **will** 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;

Interpretation of Class B

B.3 For the purposes of Class B, “resulting roof space” means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

B.4 For the purposes of paragraph B.2(b)(ii), roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwellinghouse are not to be considered part of the enlargement.

Conclusion

The proposed additions and alterations to the roof conform to the criteria set out within Schedule 2, Part 1, Class B of the GPDO and a positive certificate should be issued.

Should the case officer be in any doubt, we request that we are given the courtesy of being contacted in a timely fashion to enable us to submit a response to be made before the application is determined.

Compliance with Class C

C. Any other alteration to the roof of a dwellinghouse.
(With the exception of Class G, see below)

It is considered that the proposed alterations to the roof would be ‘Permitted Development’ by reference to Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015, as follows:

- (a) *Permission to use the dwellinghouse as a dwellinghouse **has not** 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 **will not** 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 **will not** result in the highest part of the alteration being higher than the highest part of the original roof; or*
- (d) *it **will not** 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*

Conclusion

The proposed rooflights conform to the criteria set out within Schedule 2, Part 1, Class C of the GPDO and a positive certificate should be issued.

Should the case officer be in any doubt, we request that we are given the courtesy of being contacted in a timely fashion to enable us to submit a response to be made before the application is determined.

Compliance with Class G

G. Chimney, flues etc

It is considered that the proposed alterations to the roof would be 'Permitted Development' by reference to Class G of the Town and Country Planning (General Permitted Development) (England) Order 2015, as follows:

*G.1 Development is **not** permitted by Class G 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 (change of use)

*(b) the height of the chimney, flue or soil and vent pipe **would** exceed the highest part of the roof by 1 metre or more; or*

(c) in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which-

(i) fronts a highway, and

(ii) forms either the principal elevation or a side elevation of the dwellinghouse.

Conclusion

The proposed soil pipe conforms to the criteria set out within Schedule 2, Part 1, Class G of the GPDO and a positive certificate should be issued.

Should the case officer be in any doubt, we request that we are given the courtesy of being contacted in a timely fashion to enable us to submit a response to be made before the application is determined.