

2096 125 Orchard Road

Certificate Statement

This report has been prepared to support an application for a Certificate of Lawfulness of Proposed Use or Development at 125 Orchard Road, Burgess Hill, West Sussex, RH15 9PJ.

Site and Existing Building

125 Orchard Road is a semi-detached three-bedroomed dwelling. The house is not listed. The site is not in Green Belt, Open Countryside, or within a conservation area.



Block plan



Principal (north west) elevation



Rear (south east) elevation

Proposals

The proposals comprise a rear dormer extension and the addition of two roof windows to facilitate a loft conversion to habitable space. Proposed materials will include:

- Brown hanging tiles for the walls
- Felt flat roof
- White upvc windows

Certificate of Lawfulness

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

Technical Guidance

Relevant extracts from The Ministry of Housing, Communities and Local Government: *Permitted development rights for householders: technical guidance*¹, published 13 April 2016 and updated 10 September 2019:

Class B – additions etc to the roof

This provides permitted development rights for the enlargement of a house consisting of an addition or alteration to its roof.

Under Class B the following limits and conditions apply:

B.1 Development is not permitted by Class B if –

(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 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.

(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

(f) the dwellinghouse is on article 2(3) land

Conditions

B.2 Development is permitted by Class B subject to the following conditions –

¹ <https://www.gov.uk/government/publications/permitted-development-rights-for-householders-technical-guidance>

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

(b) the enlargement shall 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 shall, so far as practicable, be 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*

Class C – other alterations to the roof

This provides permitted development rights for any other alteration to the roof of a house.

Such alterations will not involve any enlargement of the house, but would, for example, cover the installation of roof lights/windows.

Under Class C the following limits and conditions apply:

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, PA or Q of Part 3 of this Schedule (change 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*

Conclusion

The proposals at 125 Orchard Road conform to the criteria set out within Schedule 2, Part 1, Classes B & C 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.