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APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR PROPOSED DEVELOPMENT

Site: 4 Parkside, East Grinstead, West Sussex

Applicant: Mr F Neza

Proposal: Proposed 6 metre single-storey rear extension and loft conversion incorporating rear dormer roof extension and rooflights

Local Planning Authority: Mid Sussex District Council

Prior Approval Reference: DM/26/2004

1. Introduction

This Planning Statement has been prepared in support of an application for a Certificate of Lawfulness for Proposed Development pursuant to Section 192 of the Town and Country Planning Act 1990.

The application seeks confirmation that the proposed works shown on the accompanying drawings constitute permitted development under Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The proposed works comprise two principal elements:

a single-storey rear extension projecting 6.0 metres from the rear of the dwelling, for which the Larger Home Extension prior approval procedure has already been completed under Mid Sussex District Council reference DM/26/2004; and
a loft conversion incorporating a rear dormer roof enlargement together with rooflights to the front roof slope.

The drawings expressly identify the 6 metre rear extension and the associated prior approval reference.

This application therefore seeks formal confirmation of the lawfulness of the proposed development under the relevant permitted development provisions.

2. Existing Property

The application property is a residential dwelling situated at 4 Parkside, East Grinstead, West Sussex.

The existing drawings demonstrate the established form and arrangement of the dwelling prior to the proposed works. The property has an existing pitched principal roof together with an existing conservatory adjoining the dwelling.

The submitted location and site/block plans identify the application property, its curtilage and the relationship of the proposed rear extension and dormer to the surrounding development.

3. Proposed Development

At ground-floor level, the proposal comprises a 6.0 metre single-storey rear extension providing an enlarged kitchen, dining and family-room arrangement.

The extension has previously been considered through the Larger Home Extension prior approval procedure and benefits from prior approval under reference DM/26/2004.

The proposed extension incorporates a flat roof finished in single-ply membrane. The submitted elevations confirm that the proposed flat roof would be no higher than the existing eaves height.

At roof level, a loft conversion is proposed comprising a substantial rear dormer together with three rooflights to the front roof slope.

The dormer is set back from the original eaves and is externally finished with plain tile hanging of a similar appearance to the existing roof covering. The front rooflights are designed so as not to project more than 150 mm beyond the existing roof plane.

4. Permitted Development – Single-Storey Rear Extension

The rear extension falls to be considered under Schedule 2, Part 1, Class A of the GPDO.

Class A permits the enlargement, improvement or other alteration of a dwellinghouse, subject to the limitations and conditions contained within that Class.

The proposed extension projects 6.0 metres beyond the rear of the dwelling. The Larger Home Extension procedure applicable under Class A has already been undertaken, resulting in prior approval reference DM/26/2004. The proposed drawings continue to identify the extension as the 6 metre rear extension authorised through that process.

The extension is single storey and the drawings show the proposed flat roof remaining no higher than the existing eaves height. External brickwork is specified to match the existing dwelling.

The proposal therefore accords with the relevant Class A limitations and conditions, including the requirement for exterior materials to be of a similar appearance to those of the existing dwelling.

The Government's technical guidance confirms that Class A provides permitted development rights for rear extensions and provides the Larger Home Extension procedure for qualifying single-storey rear extensions.

5. Permitted Development – Rear Dormer Roof Enlargement

The proposed rear dormer falls to be considered under Schedule 2, Part 1, Class B of the GPDO.

Class B permits additions and alterations to the roof of a dwellinghouse which enlarge the dwelling, subject to the limitations and conditions of that Class.

The proposed dormer is entirely to the rear roof slope and does not project beyond a roof slope forming the principal elevation and fronting the highway.

The submitted drawings calculate the additional dormer volume as:

$$4.56 \text{ m}^2 \times 9.987 \text{ m} = 45.54 \text{ m}^3.$$

The resulting additional roof volume is therefore below the 50 m³ Class B allowance applicable to a detached or semi-detached dwellinghouse, subject to there being no other previous enlargement of the original roof space which is required to be included within that allowance. Government guidance confirms that the relevant limit is 40 m³ for a terrace house and 50 m³ in any other case.

The dormer does not exceed the height of the highest part of the existing roof.

The edge of the proposed dormer closest to the eaves is shown set back 200 mm from the eaves measured along the roof slope. This accords with the requirements of paragraph B.2(b), which requires a minimum 0.2 metre setback from the original eaves, so far as practicable, measured along the roof slope.

The proposed dormer cheeks and rear face are finished in plain tile hanging, with the drawings confirming that the proposed tiles will be of a similar appearance to the existing house roof tiles.

Accordingly, the proposed dormer satisfies the relevant limitations and conditions of Class B.

6. Front Rooflights

Three rooflights are proposed within the front roof slope.

These works fall to be considered under Schedule 2, Part 1, Class C of the GPDO.

The drawings specifically confirm that the rooflights will not project more than 150 mm beyond the existing roof plane.

This accords with Class C.1(b), which limits the projection of an alteration from the plane of the original roof slope to 0.15 metres.

The rooflights would not project above the highest part of the original roof.

The proposed rooflights therefore constitute permitted development under Class C.

7. Relationship Between the Rear Extension and Roof Enlargement

The application has been designed so that the respective elements of development comply with the permitted development provisions applicable to them.

The rear extension is identified on the submitted drawings as the 6 metre rear extension benefiting from prior approval DM/26/2004, while the roof enlargement is separately designed and dimensioned to comply with Class B.

Government technical guidance confirms that where a proposal contains different forms of householder permitted development, the relevant works must satisfy the requirements of each applicable Class.

The submitted plans, elevations, roof plan and sections therefore provide the Council with sufficient information to assess the Class A, Class B and Class C components of the proposed development.

8. Conclusion

The proposed development comprises:

a 6.0 metre single-storey rear extension, previously subject to the Larger Home Extension prior approval procedure under reference DM/26/2004;
a rear dormer roof enlargement providing approximately 45.54 m³ of additional roof space; and
three rooflights within the front roof slope projecting no more than 150 mm beyond the roof plane.

The rear extension falls within the provisions of Class A, the rear dormer within Class B, and the proposed rooflights within Class C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The submitted drawings demonstrate compliance with the relevant dimensional, siting, volume, materials and design limitations and conditions.

It is therefore respectfully requested that Mid Sussex District Council issue a Certificate of Lawfulness for Proposed Development confirming that the development shown on the submitted drawings would be lawful and would not require express planning permission.