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Adur District Council
Civic Centre
Ham Road
Shoreham-by-Sea
West Sussex
BN43 6PR

26 May 2015

Dear Sir

RE: Application for Certificate of Lawfulness for a proposed ground floor rear extension and ground floor side extension at 34 Saxons , Shoreham-by-Sea, BN43 5JE

Please accept this letter and accompanying documents (submitted via the Planning Portal) as an application for a certificate of lawfulness for the erection of a ground floor side extension and a ground floor rear extension to the existing dwelling at 34 Saxons in Shoreham-by-Sea.

The site

The application relates to an existing semi detached dwelling on the east side of Saxons in Shoreham-by-Sea. The site is surrounded by residential dwellings and is within the development boundary as identified in the Local Plan.

Planning history

None

The application

This application seeks a certificate of lawfulness to confirm that the proposed rear extension and side extension as shown on the accompanying drawings can be erected under permitted development rights.

Documents submitted

The application comprises this letter and the application forms and plans submitted online via the planning portal.

Application fee

A cheque for the amount of £86.00 being the requisite fee for a certificate of lawfulness application for a proposed householder development will be sent to Adur District Council under separate cover.

Evidence submitted

The extension to the rear would be permitted development under **Class A.** The extension to the roof would be permitted under **class B.** The sections below set out the restrictions and allowances of parts A and B. Below each section are our comments in **BLUE** which demonstrate compliance with the relevant section.

The General Permitted Development Order 2015 (GPDO) states:

Permitted Development
A. ***The enlargement, improvement or other alteration of a dwellinghouse.***
Development not permitted
A.1 Development is not permitted by Class A if—
(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);
Comment: N/A

(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 exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
Comment: The total area of the curtilage of the dwelling that would be covered by buildings would be less than 50%

(c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;
Comment: The extension proposed is lower than the ridge of the roof.

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;
Comment: The eaves of the proposed extension are lower than the existing eaves of the house.

(e) the enlarged part of the dwellinghouse would 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;

Comment: The proposed extension is solely to the rear and side of the house and does not front a highway.

(f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—
(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;
See G Below

(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—
(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,
Comment: The site is not on Article 2(3) land or an SSSI. The proposed rear extension has a single storey and is 4m deep

or
(ii) exceed 4 metres in height;
Comment: The proposed rear extension would not exceed 4m in height

(h) the enlarged part of the dwellinghouse would have more than a single storey and—
(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;
Comment: N/A

(i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;
Comment: The proposed rear ground floor extension would have eaves lower than 3m

(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—
(i) exceed 4 metres in height,
Comment: The proposed side extension would not exceed 4m in height

(ii) have more than a single storey, or
Comment: The proposed side extension would have a single storey

(iii) have a width greater than half the width of the original dwellinghouse;
Comment: The proposed side extension would be less than 50% of the width of the original house.

or
(k) it would consist of or include—
(i) the construction or provision of a verandah, balcony or raised platform,
Comment: The proposed rear ground floor extension does not propose a veranda, balcony or terrace.

(ii) the installation, alteration or replacement of a microwave antenna,
Comment: The proposed rear ground floor extension does not propose any antenna

(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe,
Comment: The proposed rear ground floor extension does not propose to install, replace or alter the chimney, flue or soil and vent pipe.

or
(iv) an alteration to any part of the roof of the dwellinghouse.
Comment: The proposed rear ground floor extension and side extension does not propose any alteration to the roof

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—
(a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
(b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
(c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.
Comment: The dwelling is not on article 2(3) land.

Conditions
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;
Comment: The proposed extensions will use materials to match the existing dwellinghouse.

(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.
Comment: N/A.

A.4—(1) The following conditions apply to development permitted by Class A which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g).

(2) Before beginning the development the developer must provide the following information to the local planning authority—
(a) a written description of the proposed development including—
(i) how far the enlarged part of the dwellinghouse extends beyond the rear wall of the original dwellinghouse;
(ii) the maximum height of the enlarged part of the dwellinghouse; and
(iii) the height of the eaves of the enlarged part of the dwellinghouse;
(b) a plan indicating the site and showing the proposed development;
(c) the addresses of any adjoining premises;
(d) the developer's contact address; and
(e) the developer's email address if the developer is content to receive communications electronically.
Comment: The required information was provided to the Council on the 17th February 2015.

NOTE: Paragraphs (3) - (9) are not relevant to this application and are omitted for brevity.

(10) The development must not begin before the occurrence of one of the following—
(a) the receipt by the developer from the local planning authority of a written notice that their prior approval is not required;
(b) the receipt by the developer from the local planning authority of a written notice giving their prior approval; or
(c) the expiry of 42 days following the date on which the information referred to in subparagraph (2) was received by the local planning authority without the local planning authority notifying the developer as to whether prior approval is given or refused.
Comment: Confirmation that Prior approval is not required by Adur District Council was provided by the LPA on the 30 March 2015 under reference ADWM/0235/15

(11) The development must be carried out—
(a) where prior approval is required, in accordance with the details approved by the local planning authority;
(b) where prior approval is not required, or where sub-paragraph (10)(c) applies, in accordance with the information provided under sub-paragraph (2),
unless the local planning authority and the developer agree otherwise in writing.

(12) The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the impact of the proposed development on the amenity of any adjoining premises.

(13) The development must be completed on or before 30th May 2019.

(14) The developer must notify the local planning authority of the completion of the development as soon as reasonably practicable after completion.

(15) The notification referred to in sub-paragraph (14) must be in writing and must include—
(a) the name of the developer;
(b) the address or location of the development, and
(c) the date of completion.

Comment: The applicant is aware of conditions 11-15 and these will be complied with during the construction and completion of the proposed development.

Summary

The proposed extensions and alterations to the rear and side of the of the dwellinghouse comply with the restrictions set out in Class A part 1 of schedule 2 of the GPDO 2015 and so are permitted development.

In the light of the above considerations, the Council is respectfully requested to issue a Certificate of Lawfulness for the proposed development.

I trust this is sufficient for your authority to determine this certificate of lawfulness application. Please do not hesitate to contact Luke Carter at Lewis & Co Planning if you require any further information or clarification.

Yours sincerely

Luke Carter
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