Planning Services, Adur District Council

Civic Centre,
Ham Road,
Shoreham-by-Sea,
West Sussex,
BN43 6PR

Tel : (01273) 263222 (calls may be recorded)
website : www.adur.gov.uk
e-mail : developmentcontrol@adur.gov.uk

ADUR DISTRICT COUNCIL

PLANNING DIVISION
No. A0d014369
DATE 20 APR 2009

Application for a Lawful Development Certificate for a Proposed use or development.

Town and Country Planning Act 1990: Section 192, as amended by section 10 of the Planning and Compensation act 1991.

Town and Country Planning (General Development Procedure) Order 1995

Publication of planning applications on council websites

Please note that with the exception of applicant contact details and Certificates of Ownership, the information provided on this application form and in supporting documents may be published on the council's website.

If you have provided any other information as part of your application which falls within the definition of personal data under the Data Protection Act which you do not wish to be published on the council's website, please contact the council's planning department.

Please complete using block capitals and black ink.
It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

1. Applicant Name and Address

Title:	MR	First name:	TONY
Last name:	HEATH		
Company (optional):			
Unit:		House number:	35
House suffix:			
House name:			
Address 1:	THE MARLINSPIKE		
Address 2:			
Address 3:			
Town:	SHOREHAM-BY-SEA		
County:	WEST SUSSEX		
Country:	UNITED KINGDOM		
Postcode:	BN43 5RD		

2. Agent Name and Address

Title:	MR	First name:	JAMES
Last name:	BRECKELL		
Company (optional):	JAMES BRECKELL ARCHITECTS		
Unit:	53	House number:	44
House suffix:			
House name:	TOWERPOINT		
Address 1:	NORTH ROAD		
Address 2:			
Address 3:			
Town:	BRIGHTON		
County:	EAST SUSSEX		
Country:	UNITED KINGDOM		
Postcode:	BN1 1YR		

3. Site Address Details

Please provide the full postal address of the application site.

Unit: | House number: 35 | House suffix:

House name:

Address 1: THE MARLINSPIKE

Address 2:

Address 3:

Town: SHOREHAM-BY-SEA

County: WEST SUSSEX

Postcode (optional): BN43 5RD

Description of location or a grid reference.
(must be completed if postcode is not known):

Easting: | Northing:

Description:

4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ☑ Yes ☐ No

If Yes, please complete the following information about the advice you were given. (This will help the authority to deal with this application more efficiently).

Please tick if the full contact details are not known, and then complete as much as possible: ☐

Officer name: MR. C. HONE

Reference:

Date DD/MM/YYYY: 30TH MARCH 2009
(must be pre-application submission)

Details of pre-application advice received?

EMAIL WITH SUPPORTIVE COMMENTS.

5. Lawful Development Certificate - Interest In Land

Please state the applicant's interest in the land?

Owner: ☑ Yes ☐ No Lessee: ☐ Yes ☐ No Occupier: ☐ Yes ☐ No

If Yes to Lessee or Occupier please give details of the owner and state whether they have been informed in writing of this application:

Name	Address	Have they been informed in writing of the application Yes	No
		☐	☐

if No to all the above, pleases give name and addresses of anyone you know who has an interest in the land:

Name	Address	Nature of interest in the land	Have they been informed of the application? Yes	No	if they have not been informed of the application please explain why not
			☐	☐	
			☐	☐	
			☐	☐	
			☐	☐	

6. Council Employee / Member

Is the applicant or agent related to any member of staff or elected member of the council? ☐ Yes ☑ No

If Yes, please provide details:

7. Grounds For Application

Information About The Existing Use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter, or extend are lawful

N/A

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application:

1.	DRAWING NO. 252/03 - EXISTING FLOOR PLANS, ELEVATIONS LOCATION HSUCK PLAN
2.	DRAWING NO. 252/04 - PROPOSED FLOOR PLANS, ELEVATIONS LOCATION PLAN & BLOCK PLAN
3.	EMAIL DATED 30th MARCH 2009
4.	
5.	

If you consider the existing, or last use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended), state which one:

C3 (DWELLING HOUSE)

Information About The Proposed Use(s)

If you consider the proposed use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended), state which one:

C3 (DWELLING HOUSE)

Is the proposed operation or use:

☐ Temporary ☑ Permanent

If temporary please give details:

Please state why you consider that a Lawful Development Certificate should be granted for this proposal:

SEE ATTACHED EMAIL DATED 30TH MARCH 2009.

8. Description Of Proposal

Does the proposal consist of, or include:

a) The carrying out of building or other operations? ☑ Yes ☐ No

If Yes to a, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions):

ALTERATION OF THE EXISTING ROOF FROM A HIPPED END TO A GABLE END AT THE REAR OF THE PROPERTY AND CONVERSION OF AN EXISTING COVERED SPACE INTO HABITABLE SPACE.

b) Change of use of the land or building(s)? ☐ Yes ☑ No

If Yes to b, please give a full description of the scale and nature of the proposed use, including the processes to be carried out, any machinery to be installed and the hours the proposed use will be carried out:

If Yes to b, please describe fully the existing or the last known use, with the date this use ceased:

Has the proposal been started? ☐ Yes ☑ No

9. Planning Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.
The burden or proof in a Lawful Development Certificate is firmly with the applicant and therefore sufficient and precise information should be provided.

The original and 3 copies of a completed dated application form: ☑

The original and 3 copies of such evidence verifying the information included in the application as you can provide: ☑

The original and 3 copies of a plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North: ☑

The correct fee: ☑

10. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form and the accompanying plans/drawings and additional information.

Signed - Applicant

Or signed - Agent [redacted]

Date (DD/MM/YYYY):

8TH APRIL 2009 (date cannot be pre-application submission)

WARNING:
The amended section 194 of the 1990 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to deceive. Section 193(7) enables the Council to revoke, at any time, a certificate they may have been issued as a result of such false or misleading information.

11. Applicant Contact Details

Telephone numbers

Country code:	National number:	Extension number:

Country code: Mobile number (optional): [redacted]

Country code: Fax number (optional):

Email address (optional):

11. Applicant Contact Details

Telephone numbers

Country code:	National number:	Extension number:
	01273 669482	

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional): james@brechell.co.uk

13. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land? ☑ Yes ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? *(Please select only one)* ☐ Agent ☑ Applicant ☐ Other (if different from the agent/applicant's details)

If Other has been selected, please provide:

Contact name: Telephone number:

Email address:

James Breckell

From: Carlos Hone [Carlos.Hone@adur.gov.uk]
Sent: 30 March 2009 12:21
To: Breckell Architects
Subject: RE: 35 The Marlinspike

Dear James,

RE:35 The Marlinspike, Shoreham.

A0d0143b09

With regards to the set of drawings that you attached to your email of 24.03.09.
I have calculated that the drawings are scaled at 1:100 when printed at A3 and these comments are based on that assumption.

20 APR 2009

The hip to gable roof extension (9.5m base, by 3.2m height, by 4.6m ridge) would result in an addition of 23.3 m^3 in volume. To my calculations the east side dormer is 6.6m^3 and the west side 11.5m^3, which would result in a total volume of 41.4m^3 for the detached dwelling. The total limited permitted under the Town and Country (General Permitted Development) Order 1995 (as amended) would be 50 m^3 (Class B), so I would say that the roof extension would be permitted development and not require a planning application. The two additional velux windows proposed would be required to be a) obscurely glazed and b) fixed shut (unless over 1.7m above internal floor level).

With regards to the two dummy pitch roofs on the garage/dining room. I have scaled them off at a maximum height of 3.3m and maximum width of 3.8m. Class A of the amended GPDO states that side extensions cannot exceed 4m in height, or have more than one storey, or have a width greater than half the width of the original dwellinghouse. Under the provisions of Class A I would say that the dummy pitch roofs in themselves would not require permission. If the covered area (as it is now) did not have planning permission or was under 4 years old the formalisation into a dining room would still be covered under Class A and would be permitted development.

The above statements assume that all the extensions are built with materials that match the existing dwelling.

You will understand that the comments made in this email represent Officer level opinion only and are made without prejudice to any future decision the Council may make on this matter. Should you wish a legal determination on the above matters I recommend that you make an application for a Certificate of Lawfulness.

Yours sincerely

Carlos Hone

Carlos Hone - Planning Officer | Planning Regeneration and Wellbeing, Adur District Council
Location: Civic Centre, Ham Road, Shoreham-by-Sea. BN43 6PR
Internal: 63216 | External: 01273 263216 | E-mail: carlos.hone@adur.gov.uk

Please think before you print this and save paper

From: Breckell Architects [mailto:james@breckell.co.uk]
Sent: 24 March 2009 16:20
To: Carlos Hone
Subject: 35 The Marlinspike

Carlos,

This is the project that may be PD? The project is in 2 parts:

The most important part is the extension to the 1st floor on the rear elevation. The proposal is to make the existing hipped end a gabled end. This will increase the size of bedroom 5. Can you let me know if this part, in isolation would be PD? - if so, should I apply for a certificate of lawful development?

The 2nd part is a proposal to convert an existing covered space at ground floor into habitable space. The space is behind the garage at the rear and to make it look nice we would put a 'false pitched roof' over the front of the garage and at the rear. this part of the house is joined to the nieghbour and therefore am not sure whether this is PD aswell? Can you let me know if a planning application would be required?

If the 2nd part requires planning and the roof works are PD, then the family (who foster children and are desperate for bedroom space) will probably do the roof works in isolation.

There are some internal alterations aswell: moving walls etc, but this is only building regs matters!

Would appreciate your view and attach the existing and proposed drawings,

Regards

James

James Breckell Architects

Tower point 44
North road
Brighton
BN1 1YR
Tel 01273 66 94 82

www.breckell.co.uk

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08/04/2009