
Site Address: 102 Park Avenue, Waterloo, PO7 5DP
Proposal: Application for Certificate of Lawfulness relating to loft conversion to include rear dormer and velux windows to front.
Application No: APP/17/00805 Expiry Date: 03/10/2017
Applicant: Mr & Mrs Bream
Agent: Mr Page Case Officer: Bee Crawford
 GRP Architectural Design
Ward: Purbrook

Recommendation: **GRANT A CERTIFICATE OF LAWFUL USE**

1 Site Description

- 1.1 The application site is a two storey semi-detached property and detached garage. It has a grey slate tiled pitched roof and elevations of red multibrick, cream render and tile hanging. The property is at a higher level than the road which has a south/north incline. There is open vehicular access to the front leading to an area of block paving and shrubs, with a 1 metre high fence to the southern boundary and open to the northern boundary. The rear garden inclines towards the east and is mainly laid to lawn with a patio area and shrubs, enclosed to all boundaries with 1.8 metre high fencing.
- 1.2 The adjoining semi-detached property is to the north, a pair of two storey semi-detached properties are to the south and opposite and school playing fields are to the rear. The area is of medium density with two storey detached and semi-detached properties of similar and different age, style and design.

2 Planning History

There is no planning history for this property.

3 Proposal

- 3.1 Application for Certificate of Lawfulness relating to loft conversion to include rear dormer and rooflight windows to front roof slope.

4 Policy Considerations

- 4.1 The Town and Country Planning (General Permitted Development) (England) Order 2015.

5 Statutory and Non Statutory Consultations

None required.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 0

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

(i) Whether the development would require planning permission

7.2 The proposal has been assessed against the 'permitted development' allowances in The Town and Country Planning (General Permitted Development) (England) Order 2015.

7.3 The development has been assessed against Part 1 Class B.

7.4 Under Class B the loft conversion incorporating a rear dormer and three rooflights to the front roof slope meets the following tests:

(a) The permission to use the dwellinghouse as a dwellinghouse has not been granted only by virtue of Classes M, N, P or Q of Part 3 of the Schedule (changes of use)

(b) The dormer window and rooflights would not exceed the height of the highest part of the existing roof

(c) The dormer window and rooflights would not 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 50 cubic metres

(e) The dormer does not include:

(i) the construction or provision of a veranda, balcony or raised platform, or

(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe

(f) The application site is not on article 1(5) land

7.5 B2 - The plans submitted demonstrate that the conditions in B2 would be met.

7.6 A search of the planning records has not revealed any relevant history nor is the dwelling part of an Article 4 direction.

7.7 It is therefore considered that the addition of a dormer window to the rear roof slope and three rooflights to the front roof slope of the property would meet the requirements

of Part 1 Class B.

8 Conclusion

- 8.1 There is sufficient evidence as detailed in the submitted documentation to prove that the loft conversion incorporating a rear dormer and three rooflights to the front roof slope is permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015, Part 1 'Development within the curtilage of a dwelling house', Class B.1. The Lawful Development Certificate should therefore be granted.

9 RECOMMENDATION:

That the Head of Planning be authorised to Grant a Certificate of Lawful Development for application APP/17/00727 subject to the following conditions (a) as set out in the Town and Country Planning (General Permitted Development) (England) Order 2015, Part 1 'Development within the curtilage of a dwelling house', Class B.1.

a) the materials used in any exterior work (other than those used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwelling house.

b) the enlargement must be constructed so that other 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:

the eaves or the original roof are maintained or reinstated and 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 eaves and:

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.

Wording for decision notice

Havant Borough Council, as Local Planning Authority, certifies that on 25 July 2017 the development described in the First Schedule to this certificate in respect of land described in the Second Schedule and edged in red on the submitted Location Plan and Block Plan would have been lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason:

The proposed development falls within permitted development allowance as set out in Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015.

FIRST SCHEDULE:

This certificate relates to the following development: Proposed loft conversion incorporating rear dormer and three rooflights to the front as described in the written particulars, plans and other documents submitted with the application received on 25 July 2017 being;

Drg no. 17121 PL302 Location and block plan
Drg no. 17121 EX100 Existing ground floor plan
Drg no. 17121 EX101 Existing first and second floor plans
Drg no. 17121 EX102 Existing elevations plan
Drg no. 17121 PL300 Proposed first and second floor plans
Drg no. 17121 PL301 Proposed elevations plan

SECOND SCHEDULE:

This certificate relates to land at 102 Park Avenue, Waterloooville, PO7 5DP as shown edged red on the submitted location plan received 25 July 2017.