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Site Address: 20 Bellair Road, Havant, PO9 2RG  
Proposal: Certificate of lawfulness for proposed rear dormer extension and insertion of 3No. roof lights in front roof slope  
Application Type: Certificate of Lawfulness  
Application No: APP/22/00735 Expiry Date: 20/09/2022  
Applicant: Mr and Mrs Last  
Agent: Mr Andrews Case Officer: Graham Speller  
SDA Planning and Architecture  
Ward: St Faiths

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

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## **1 Site Description**

- 1.1 The site is located on the eastern side of Bellair Road and is occupied by a two storey detached dwellinghouse.
- 1.2 The surrounding area is residential in character with properties of varying styles and design, including flatted development.

## **2 Planning History**

01/65367/001 - Construction of a detached 4 bedroom house with access on to Connaught Road., PERM,19/07/2001  
00/65367/000 - Construction of a detached 5no. bedroom dwellinghouse with new access on to Connaught Road., WD,21/11/2000  
06/65367/002 - Pitched roof over existing flat roof to garage and canopy to front elevation., PERM,10/04/2006

## **3 Proposal**

- 3.1 Certificate of lawfulness for proposed rear dormer extension and insertion of 3No. roof lights in front roof slope

## **4 Policy Considerations**

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

## **5 Statutory and Non Statutory Consultations**

- 5.1 Not required.

## **6 Community Involvement**

- 6.1 Not required.

## **7 Planning Considerations**

- 7.1 There are no restrictions on the property in terms of removal of permitted development rights.

### **Rear dormer window**

- 7.2 The proposed dormer would fall within Class B – The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.
- 7.3 Under this Class, as the dwelling is detached, a total volume of 50 cubic metres is the maximum that can be carried out as an addition to its roof. The applicant's agent has annotated the plans as being 48.7 cubic metres.
- 7.4 The edge of the dormer closet to the original eaves is not less than 0.2 metres measured along the roof slope from the outside edge of the eaves.
- 7.5 The materials would match the existing.

### **3No. roof lights in front roof slope**

- 7.6 The proposed roof lights would fall within Class C – Any other alteration to the roof of a dwellinghouse.
- 7.7 The rooflights would not protrude more than 150mm from the plane of the front roof slope.
- 7.8 The proposals have been assessed against Classes B & C of the 'Permitted Development' allowances in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

## **8 Conclusion**

- 8.1 The proposed development falls within permitted development under Schedule 2, Part 1, Classes B & C of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Therefore, a Lawful Development Certificate can be issued.
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## **9 RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT A CERTIFICATE OF LAWFUL USE** for application APP/22/00735

### **FIRST SCHEDULE:**

This certificate relates to the following development:

Certificate of lawfulness for proposed rear dormer extension and insertion of 3No. roof lights in front roof slope as described in the written particulars, plans and other documents submitted with your application received on 26 July 2022.

### **SECOND SCHEDULE:**

This certificate relates to land at 20 Bellair Road, Havant, PO9 2RG as shown edged red on the submitted Location Plan received 26 July 2022.

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### **OTHER IMPORTANT INFORMATION:**

- (1) This Certificate is issued solely for the purpose of Sections 192 of the Town and Country Planning Act 1990 (as amended). It does not relate to any other application that may be required under any other part of the Town and Country Planning Act, the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6571.
- (2) It certifies that the development specified in the First Schedule taking place on land described in the Second Schedule would have been lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended) on the specified date and thus would not have been liable to enforcement action under part 7 of the 1990 Act on that date.
- (3) The certificate only applies to the extent of the development specified in the First Schedule taking place on land described in the Second Schedule and identified on the attached plan. Any development which is materially different from that described or which relates to other land may render the owner/occupier liable to enforcement action under section 172 of the 1990 Act.
- (4) The effect of the certificate is also qualified by the provision in section 192(4) of the 1990 Act (as amended), which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matter relevant to determining such lawfulness.
- (5) Your attention is drawn to the attached information regarding your right to appeal to the Department for Transport Local Government and the Regions, if you are aggrieved by the Council's decision.