



- 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 (i) The alterations to the front fenestration would fall within Class A – enlargement, improvement or other alteration of a dwellinghouse.

This element would constitute permitted development under Class A as it complies with the conditions set out in this Class.

- 7.2 (ii) The proposed rear dormer roof extension would fall within Class B – additions etc to the roof of a dwellinghouse.

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 the roof.

The proposed rear dormer roof extension would have a total volume of 48.72 cubic metres.

The agent has confirmed that the edge of the rear dormer roof extension closest to the eaves of the original roof is not less than 0.2 metres from the eaves measured along the roof slope from the outside edge of the eaves.

The agent has also confirmed that the materials will be similar to the exterior of the existing dwellinghouse (which was not the case on the refused planning application (APP/21/00301)).

In addition, the agent has confirmed that the additional window in the first floor north gable will be obscurely glazed and none opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. (Note; the first floor window in the south elevation is existing and therefore not under consideration).

This element would constitute permitted development under Class B as it complies with the conditions set out in this Class.

- (iii) The front rooflight would fall within Class C – any other alterations to the roof of a dwellinghouse.

The agent has confirmed the front rooflight would not protrude more than 0.15 meters

This element would constitute permitted development under Class C as it complies with the conditions set out in this Class.

7.3 The proposal has been assessed against the 'Permitted Development' allowances in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

7.4 The development has been assessed against Classes A, B & C.

## **8 Conclusion**

8.1 The proposed development constitutes permitted development under Schedule 2, Part 1, Classes A, B & C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposed development is considered lawful and as such planning permission from the Local Planning Authority is not required.

Therefore, a Lawful Development Certificate can be issued.

---

## **9 RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT A CERTIFICATE OF LAWFUL USE** for application APP/21/00619

### **FIRST SCHEDULE:**

This certificate relates to the following development:

Application for certificate of lawfulness relating to loft conversion to existing bungalow. as described in the written particulars, plans and other documents submitted with your application received on 10 June 2021.

### **SECOND SCHEDULE:**

This certificate relates to land at 4 Valetta Park, Emsworth, PO10 7HJ as shown edged red on the submitted Location Plan received 10 June 2021.

---

## **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.