
Site Address:	18 Aldermoor Road, Waterloooville, PO7 5ND		
Proposal:	Proposed hip to gable roof alteration with dormer window.		
Application No:	APP/15/00942	Expiry Date:	02/11/2015
Applicant:	Mr & Mrs North	Team:	Team 1
Agent:	Mr Page	Case Officer:	Karen Wooden
	GRP Architectural Design		
Ward:	Stakes		

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

1 Site Description

- 1.1 The site address is a two storey, semi detached dwelling located in a residential area of Waterloooville. The dwelling is set back from the highway by approx 6m and has a detached garage to the south east, which is accessed via a shared driveway.
- 1.2 The attached neighbouring property benefits from a similar dormer to the proposal.

2 Planning History

- 2.1 None relevant to this application.

3 Proposal

- 3.1 Section 192 application for a Lawful Development Certificate to establish whether the proposed hip to gable dormer to the rear roof slope of the property is classed as permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015.

4 Legislation

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

5 Statutory and Non Statutory Consultations

- 5.1 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: 6

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 B1 the addition of the dormer window to the rear roof slope of the property meets the following tests:

(a) The dormer window will not exceed the height of the highest part of the existing roof

(b) The dormer window will not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway

(c) 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

(d) 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

(e) The application site is not on article 2(3) land

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

7.6 A search of the planning history has not revealed conditions that restrict 'permitted development' rights, nor is the dwelling part of an Article 4 direction.

It is therefore considered that the addition of a dormer window to the rear roof slope of the property would meet the requirements of Part 1 Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015

8 Conclusion

8.1 It is considered that there is sufficient evidence as detailed in the submitted documentation to prove that the addition of the dormer to the rear roof slope of the property is considered to be classed as permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 within the curtilage of a dwellinghouse, Class B.1.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to Grant a Certificate of Lawful Development for application APP/15/00942.

Havant Borough Council, as Local Planning Authority, certifies that on 23 August 2015 the

development described in the First Schedule to this certificate in respect of land described in the Second Schedule and edged red on the plan attached to this certificate 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 dormer window to the rear roof slope of the property within the curtilage of 18 Aldermoor Road, WaterlooVille is permitted development by virtue of 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:

The addition of a dormer window to the rear roof slope of the property as described in the written particulars, and Plan No's PL300, PL301, PL302 and PL303 submitted with your application received on 24 August 2015.

SECOND SCHEDULE:

This certificate relates to land at 18 Aldermoor Road, WaterlooVille, as shown edged red on drawing number PL303.

OTHER IMPORTANT INFORMATION:

- (1) This Certificate is issued solely for the purpose of Section 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 section 172 of the 1990 Act on 23 August 2015.
- (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.