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The Chief Planning Officer
Horsham District Council,
Parkside,
Chart Way,
Horsham,
West Sussex
RH12 1RL

30th October 2024

Dear Sirs,

RE: 52 ASHDOWN ROAD WORTHING BN11 1DE

This letter in written in support of the application for a Certificate of Lawfulness of Proposed Development by Matthew Smith relating to the above site.

The applicant seeks confirmation of the lawfulness under permitted development rights of a *proposed rear blind dormer extension to the roofslope, raising of rear half gable to full gable and raising of side half gable to full gable*, at an existing dwelling house**.**

The application comprises this supporting letter, application forms, and existing and proposed plans and elevations including volume calculations. The plans and elevations submitted are:

- *24-J001-001 REVP2 Existing and Proposed floor plans and elevations*
- *24-J001-002 Site location plan and block plan*

This supporting letter shows that a Certificate of Lawfulness should be granted for the proposed works. The site is described, the proposed works are detailed and it is shown that the works comply with all relevant permitted development criteria as set out in *The Town*

and Country Planning (General Permitted Development)(England) Order 2015 (as amended).

THE SITE

Rose Cottage is an existing bungalow located on the north side of Garden Wood Close in West Chiltington. The late twentieth century dwelling is typical of the period with brown/brindle brick elevations beneath a brown concrete tiled roof.



Above: Rose Cottage as viewed from the south

The house is amongst similar dwellinghouses in a cul-de-sac of dwellings built mostly in the 1980's.

- Planning permission for the house was granted in 1984 under reference WC22-84.

- A further consent was then granted in 1987 under reference WC-7-87 for two rooflights to be added to the north and east elevations, with a condition that both rooflights remain obscured glass.

- In 1988 a further permission was granted under reference WC-10-88 for a conservatory to the side of the house, this conservatory is in situ and can be seen in the photograph above.

Rose Cottage is not a listed building and its extension will not affect any listed building. The site is not within a conservation area, so it is not on Article 2(3) Land where limits to permitted development rights apply. No Article 4 directions restricting permitted development rights have been introduced in this location.

PROPOSED WORKS

The proposed rear roof extension will increase and improve the internal floorspace within the dwelling.

The loft conversion will create space for two bedrooms with en-suite bathrooms.

The enlarged house will have five bedrooms with 3 en-suite shower rooms, two shared bathrooms, and large kitchen and dining room. The enlarged house will be occupied as either a family house (C3) or small house in multiple occupation (C4).

PERMITTED DEVELOPMENT CRITERIA

To show that the proposed rear extension and loft conversion comply with permitted development criteria, the works are analysed below against the relevant sections of *'The Town and Country Planning (General Permitted Development) (England) Order 2015'*.

The following sections set out how the extensions to the roof comply (comments in blue) with the specified criteria of 'Schedule 2 Part 1 Class B- *additions etc to the roof of a dwellinghouse'* follows.

The installation of rooflights will then be shown to be permitted development in line with the criteria of *'Schedule 2 Part 1 Class C – other alterations to the roof of a dwelling house'*.

'Schedule 2 Part 1 Class B- additions etc to the roof of a dwellinghouse'

Permitted development

B. The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Development not permitted

B.1 Development is not permitted by Class B if—

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

Comment: Rose Cottage was originally built as a dwellinghouse and has remained in use as such ever since.

(b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

Comment: The proposed elevations confirm no part of the dormer will be higher than the ridge of the existing roof.

(c) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

Comment: The proposed dormer is to the rear so will not extend beyond the roof plane of the principal elevation.

(d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—

(i) 40 cubic metres in the case of a terrace house, or

(ii) 50 cubic metres in any other case;

Comment: The resultant roof space created by the L-shaped dormer and gablet extensions, will be 46.31m3, within the 50m3 allowance for a detached house.

(e) it would consist of or include—

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

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

(f) the dwellinghouse is on article 2(3) land.

Comment: No verandah, balcony or raised platform will be created as part of the proposal. No microwave antenna will be installed or altered. No alteration is proposed to the property's chimney nor flues and pipes. As stated above the house is not on Article 2(3) land.

Conditions

B.2 Development is permitted by Class B subject to the following conditions—

(a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

Comment: The dormer will be finished in hanging tiles to match those of the existing main roof.

(b) the enlargement must be constructed so that—

(i) other than 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—

(aa) the eaves of the original roof are maintained or reinstated; and

(bb) 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 edge of the eaves; and

(ii) 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; and

Comment: The dormer to the main roof is set 200mm up the roofslope from the outside edge of the eaves.

(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be—

(i) obscure-glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Comment: All side facing windows and rooflights comply with this requirement.

Interpretation of Class B

B.3 For the purposes of Class B, “resulting roof space” means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

Comment: No previous enlargement of the original roof space has occurred.

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B.4 For the purposes of paragraph B.2(b)(ii), roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwellinghouse are not to be considered part of the enlargement.

'Schedule 2 Part 1 Class C – other alterations to the roof of a dwellinghouse

Permitted development

C. Any other alteration to the roof of a dwellinghouse.

Development not permitted

C.1 Development is not permitted by Class C if—

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

Comment: Rose Cottage was originally built as a dwellinghouse and has remained in use as such ever since.

(b) the alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;

Comment: The proposed rooflights to the front and side plane would project less than 150mm from the original roof plane.

(c) it would result in the highest part of the alteration being higher than the highest part of the original roof; or

Comment: The highest part of the original roof, the ridge, would not be exceeded by the rooflights.

(d) it would consist of or include—

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

(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

Comment: The installation of the rooflights would not consist of the alterations to chimney, nor flue nor pipes and no solar photovoltaics or thermal equipment would be installed.

Conditions

C.2 Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be—
(a) obscure-glazed; and
(b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.
Comment: No windows are proposed to a wall or roof slope forming a side elevation of the house.

SUMMARY

As the proposed roof extension and rooflights at 52 Rose Cottage, East Chiltington meet all relevant permitted development criteria, Horsham District Council are respectfully asked to issue a Certificate of Lawfulness for the Proposed Development without undue delay.

Yours faithfully

Luke Carter MRTPI
Director
Lewis & Co Planning