



Application for a Lawful Development Certificate for a Proposed use or development.
Town and Country Planning Act 1990: Section 192, as amended by section 10 of the Planning and Compensation act 1991.

Town and Country Planning (Development Management Procedure) (England) Order 2015

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Site Address

Number

Suffix

Property name

Address line 1

Address line 2

Address line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)

Northing (y)

Description

2. Applicant Details

Title

First name

Surname

Company name

Address line 1

Address line 2

Address line 3

Town/city

2. Applicant Details

Country	<input type="text"/>
Postcode	<input type="text" value="BS8 1DS"/>
Are you an agent acting on behalf of the applicant?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Primary number	<input type="text"/>
Secondary number	<input type="text"/>
Fax number	<input type="text"/>
Email address	<input type="text"/>

3. Agent Details

No Agent details were submitted for this application

4. Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations? Yes No

If Yes, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions)

The rear hipped end of the property's existing roof is to be reduced to form a new gable end and flat roof section. Two new skylights will be located on the flat roof section to provide natural light to two internal rooms currently without any. The location of these skylights is shown on the attached proposed plans and care would be taken to ensure that the top of each skylight would not 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. No part of the newly formed gable end, flat roof or skylights would be higher than the highest part of the original roof. The flat roof would be pitched slightly from the centre to allow rainwater run-off onto the lower parts of the original roof and then into the existing gutter system.

Does the proposal consist of, or include, a change of use of the land or building(s)? Yes No

Has the proposal been started? Yes No

5. Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The property is currently used and occupied as a single family dwelling as was permitted in consent 15/01357/F .

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

Select the use class that relates to the existing or last use. Please note that following changes to Use Classes on 1 September 2020, the list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

C3 - Dwellinghouses

Information about the proposed use(s)

5. Grounds for Application

Select the use class that relates to the proposed use. Please note that following changes to Use Classes on 1 September 2020, the list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

C3 - Dwellinghouses

Is the proposed operation or use

Permanent Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

The proposed works fall within the scope of the GPDO 2015 (as amended) Schedule 2 Part 1 Class C "other alterations to the roof of a dwellinghouse".

While we acknowledge that roof works often fall within Class B of the GPDO 2015, Class B would not be applicable in this case on the strict interpretation of the legislation. Class B applies only to "The enlargement of a dwellinghouse consisting of an addition or alteration to its roof" and the proposed works do not involve the enlargement of a dwellinghouse.

The GPDO technical guidance makes it clear that when considering any proposed development, the LPA must take into account "all of the relevant Parts of the Order and all the Classes within those Parts" and gives an example in which a proposed two storey extension at the rear of a house has a roof that joins onto the main roof of the original house. In the example the "relevant" Classes are Class A (which covers the enlargement of the house), Class C (which covers any alterations to the roof) and Class B (if the works also include the creation of a dormer window to enlarge the roof space).

The technical guidance further states that:

"changes to the roof of a house are not permitted development under Class A, but may be permitted development under Class B or C". Use of the word 'or' denotes that changes to a roof may fall within either one but not necessarily both Class B and Class C. This logic is applied regularly by LPAs where proposals to the roofs of houses that do not involve any enlargement of the roof will routinely only be considered within Class C and not Class B.

The guidance makes it clear therefore that first one must identify which of the Parts and Classes are 'relevant' and then "in order to be permitted development, a proposal must meet all the limitations and conditions under each Class relevant to the proposal".

In the case of this proposed development, there is no enlargement of the dwellinghouse proposed (quite the opposite in fact) so Class B is not relevant but there is an alteration to the roof proposed so Class C would be the only relevant Class. Therefore the LPA must consider whether the proposal meets all the limitations and conditions applicable within that relevant Class C when considering the application.

We believe that our application meets all the limitations and conditions of Class C (as set out below) and therefore is a permitted development.

C1(a) - not applicable

C1(b) - the skylights will protrude from the new flat section of roof, however they will not protrude more than 0.15 metres beyond the plane of the slope of the original roof.

C1(c) - no part of the proposed development will be higher than the highest part of the original roof, in fact it will all be significantly lower

C1(d) - not applicable

C1(e) - not applicable

C2 - not applicable as the new skylights will not be located on a roof slope forming a side elevation of the dwellinghouse.

6. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

Yes No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- The agent
 The applicant
 Other person

7. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

Yes No

8. Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

Yes No

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

9. Interest in the Land

Please state the applicant's interest in the land

- Owner
- Lessee
- Occupier
- Other

10. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Date (cannot be pre-application)

19/02/2021