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# PLANNING STATEMENT AND EVIDENCE OF LAWFUL DEVELOPMENT

**Application for a Certificate of Lawfulness of Proposed Development**

**Section 192 of the Town and Country Planning Act 1990 (as amended)**

Property: 113 Suttons Avenue, Hornchurch, RM12 4LZ

Local Planning Authority: London Borough of Havering

Proposal: Hip-to-gable roof enlargement, rear dormer incorporating two windows, and three rooflight windows

## 1. Introduction

1.1 This statement supports an application for a Certificate of Lawfulness of Proposed Development pursuant to Section 192 of the Town and Country Planning Act 1990 (as amended) at 113 Sutton Avenue, Hornchurch, RM12 4LZ.

1.2 The application seeks confirmation that the proposed hip-to-gable roof enlargement, rear dormer incorporating two windows and three rooflight windows are permitted development under Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).

1.3 Existing and proposed drawings, together with roof volume calculations showing an additional volume of 39 cubic metres (39m³), will be submitted in support of the application.

1.4 This statement assesses the proposed operations against the relevant statutory restrictions and conditions. Any property-specific rights or planning-history matters identified below remain subject to verification by reference to the planning record.

## 2. Description of the Proposed Development

2.1 The proposed operations comprise an enlargement and alteration of the existing roof to create additional accommodation forming part of the existing dwellinghouse.

- Conversion of the existing hipped roof to a gable-ended roof.
- Construction of a rear dormer incorporating two rear-facing windows.
- Installation of three rooflight windows, in the positions shown on the proposed drawings.
- Associated internal alterations; no independent residential unit is proposed.

2.2 The scheme is intended to retain the existing maximum roof height, with external materials of a similar appearance to those used on the existing dwellinghouse.

2.3 The rear dormer will be set back 200mm, measured along the existing roof slope from the outside edge of the eaves. The existing rear eaves will be retained below the dormer.

## 3. Statutory Framework

3.1 Class B of Part 1, Schedule 2 to the GPDO grants permission for enlargement of a dwellinghouse consisting of an addition or alteration to its roof, subject to the limitations in paragraph B.1 and the conditions in paragraph B.2.

3.2 Class C permits other alterations to the roof of a dwellinghouse, including qualifying rooflights, subject to the Class C limitations and conditions.

3.3 An application under Section 192 establishes whether the proposed operations would be lawful if carried out as described. It is not a planning application requiring a merits-based assessment of design policy.

## 4. Compliance with Class B - Roof Enlargement

### 4.1 Roof height - paragraph B.1(b)

4.1.1 No part of the proposed roof enlargement will exceed the height of the highest part of the existing roof. The existing ridge height is intended to be maintained, as shown on the proposed elevations.

### 4.2 Principal elevation - paragraph B.1(c)

4.2.1 The dormer is proposed on the rear roof slope. The roof enlargement will not extend beyond the plane of an existing roof slope forming the principal elevation which fronts a highway.

### 4.3 Additional roof volume - paragraph B.1(d)

4.3.1 The GPDO provides a cumulative limit of 40m³ additional roof space for a terraced house and 50m³ for any other dwellinghouse.

4.3.2 The drawings and calculations to accompany the application identify an additional roof volume of 39m³, including the hip-to-gable and rear dormer elements. This is within either applicable numerical allowance, provided any previous roof enlargement since the original construction of the house has been included in the cumulative assessment.

### 4.4 Other excluded development - paragraph B.1(e)

4.4.1 The scheme does not include a veranda, balcony, raised platform, or works to a chimney, flue or soil and vent pipe as part of the proposed Class B enlargement.

### 4.5 Materials - paragraph B.2(a)

4.5.1 External materials to the gable enlargement, roof and dormer will have a similar appearance to those of the existing dwellinghouse, including their finish, colour and texture.

### 4.6 Eaves and dormer setback - paragraph B.2(b)

4.6.1 The original eaves beneath the rear dormer will be retained and the nearest edge of the dormer will be set back at least 0.2 metres (200mm), measured along the existing roof slope from the outside edge of the eaves, in accordance with the specified measurement method.

4.6.2 The hip-to-gable enlargement is subject to the express exception from the eaves-retention and 0.2m setback requirement. The development is intended not to extend beyond the outside face of any external wall of the original dwellinghouse, other than permitted roof details.

### 4.7 Side-facing windows - paragraph B.2(c)

4.7.1 Both dormer windows are proposed in the rear-facing elevation. No side-facing window is proposed as part of the Class B enlargement. Accordingly, the special obscure-glazing and opening restrictions for side-facing Class B windows are not engaged by the proposed dormer glazing.

## 5. Compliance with Class C - Rooflight Windows

5.1 The three rooflights are to be installed in the locations indicated on the proposed roof plans and elevations. To qualify under Class C, no rooflight may protrude more than 150mm beyond the plane of the relevant original roof slope, measured perpendicular to that slope, and no alteration may be higher than the highest part of the original roof.

5.2 Where any rooflight forms part of a side-facing roof slope, the relevant obscure-glazing and restricted-opening requirements will apply. The final rooflight specification and their exact positions should be confirmed against the Class C requirements in the submitted drawings.

## 6. Availability of Permitted Development Rights

6.1 The application proceeds on the basis that the building is a dwellinghouse entitled to rely on Schedule 2, Part 1 of the GPDO. Confirmation should be obtained that no relevant planning condition or Article 4 Direction restricts the rights, that the premises were not created in a manner excluding those rights, and that the site is not subject to an exclusion affecting Class B roof enlargement (including article 2(3) land).

6.2 Any past roof enlargements must be taken into account when confirming the cumulative permitted roof volume. The planning history and designation status have not been independently verified in preparing this statement.

## 7. Supporting Documents

7.1 In accordance with the London Borough of Havering lawful development certificate application checklist, the application will be accompanied by:

- Completed application form and appropriate fee.
- Location plan (normally 1:1250 or 1:2500) with the application site edged red and any other nearby land owned by the applicant edged blue.
- Site/block plan identifying the site and the direction of north.
- Existing and proposed floor plans and elevations, and relevant roof plans/sections, at identified scales.
- Roof volume calculations showing the proposed 39m³ increase.
- This Planning Statement and Evidence of Lawful Development.

7.2 The submitted drawings should clearly dimension the eaves setback and demonstrate the relationship between the existing and proposed roof ridge, gable enlargement, dormer and rooflight positions.

## 8. Conclusion

8.1 The proposed hip-to-gable enlargement and rear dormer at 113 Suttons Avenue would provide a calculated additional roof volume of 39m³, retain the existing maximum roof height, employ matching-appearance external materials and incorporate a 200mm dormer setback correctly measured along the original roof slope from the outer edge of the eaves.

8.2 Subject to verification of the availability of permitted development rights, cumulative roof volume, and the rooflight details shown on the drawings, the scheme is considered capable of complying with Classes B and C of Part 1, Schedule 2 to the GPDO.

8.3 The London Borough of Havering is respectfully requested to issue a Certificate of Lawfulness of Proposed Development under Section 192 of the Town and Country Planning Act 1990 confirming that the operations described and shown on the submitted drawings are lawful.