expires 15/6

Development Control – Delegated Officer Report

Application Number: ADC/0153/09 **Recommendation - Application Permitted**

Site: **40 Parkside Shoreham-by-Sea West Sussex BN43 6HA**

Proposal: **Proposed roof conversion with addition of part-hipped side gable and rear dormer (application for certificate of lawfulness)**

The Application

The application site is the northern half of a pair of semi-detached dwellings located on the eastern side of Parkside, Shoreham. The property has a two storey rear extension which was built in 2002. Permission has also recently been applied for a wooden cabin in the rear garden (ADC/0123/09).

This application seeks a Certificate of Lawfulness to extend the roof by converting the presently fully hipped roof to a part gable with barn hip. A rear dormer window is also proposed as are three velux rooflights.

Consultations and Representations

Consultations/Comments

None

Third Parties

1 letter of objection received from the occupier of 38 Parkside raising the following points:

- Under the impression that previous substantial extensions would have taken up all, or most, of permitted development rights.
- This proposal will lead to overdevelopment and radically alter the roof profile to the detriment of the character and appearance of the street
- Velux rooflight to front is an unnecessary feature which further detracts from the harmony of design of properties in Parkside.

{NB This application is for a Certificate of Lawfulness where the planning merits of the proposal cannot be taken into account}

Relevant Planning Policies and Guidance

Not applicable

Planning Assessment

This proposal falls under Class B of Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (which came into force on 1st October 2008). The provisions of Class B which are relevant to this case are as follows:

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

(b) 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;

(c) 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;

(d) it would consist of or 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; or

(e) the dwellinghouse is on article 1(5) land.

Conditions

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

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

(b) other than in the case of a hip-to-gable enlargement, the edge of the enlargement closest to the eaves of the original roof shall, so far as

practicable, be not less than 20 centimetres from the eaves of the original roof; and

(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse shall 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.

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.*

In this case,

(a) none of the works will result in the dwelling exceeding the highest part of the existing roof;

(b) none of the works extend beyond the plane of the front roofslope

(c) the volume of the roof extensions, including the roof of the existing two storey rear extension which is built into the original roof, amounts to less than 50 cubic metres (being approx 35 cubic metres)

(d) no balcony is proposed, nor any chimney, etc

(e) the dwelling is not on Article 1(5) land

Conditions: The architect has confirmed that the extension will be completed in materials of the same type and colour as those on the existing dwelling and no windows are proposed on the side elevation.

The roof extension will thus meet the provisions of Class B of Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 and is therefore permitted development.

Recommendation

The Adur District Council hereby certify that on (date of decision) the matter described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged in red on the plan attached to this certificate, was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), and is APPROVED for the following reason: -

The proposed roof extension constitutes 'permitted development' under Class B of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended) provided the extend materials used are of similar appearance to those used on the exterior of the existing house.

First Schedule

Roof conversion with addition of part-hipped side gable and rear dormer.

Second Schedule

40 Parkside, Shoreham-by-Sea, West Sussex, BN43 6HA

Case Officer [redacted]

Date 21/5/09

[redacted] HS.