Development Management - Delegated Officer Report

Application Number: AWDM/0769/24 Recommendation – APPROVE

Site: 45 Irene Avenue, Lancing, BN15 9NZ

Proposal: Application for a Lawful Development Certificate for proposed rooms in roof consisting of rear dormer with Juliet balcony, hip to gable and front rooflights.

Date of site visit: N/A: Assessment has also been assisted using the Applicants plan; Earthlight mapping; and Google 3D of the site

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings:

The application site is a two storey, semi-detached, hipped roof dwellinghouse, situated on the west side of Irene Avenue in Lancing, and faces The Globe Primary School.

The locality is characterised by semi-detached houses on the west side of the road, some of which have been extended to the rear and/or into the roof. Dwellings again appear further along north and south, on the east side of the road after the school and grounds

The site is not a Listed Building or within a Conservation Area.

Relevant Planning History:

AWDM/1260/16 Householder application for permitted development for prior approval for an extension 4m in depth from rear wall of the original house, maximum height 3.1m and maximum eaves height of 2.3m above ground level.
Prior Approval Not Required 22.09.2016

Proposal:

A Certificate of Lawfulness is sought for a:-

- Hip to gable roof extension shown to measure 8.056m wide x 4.175m deep x 3.510m high;
- Side facing window in new gable end;
- Flat roof rear dormer, with rooflight. Dormer shown to measure 5.500m wide x 3.095m deep x 2.513m high;
- Juliet balcony in rear elevation of dormer;
- 2no. rooflights to front roofslope.

Planning Assessment

Principle

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) The dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q.

Analysis: The dwellinghouse has not been created through change of use by virtue of Part 3.

b) The height of the roof extension would exceed the highest part of the existing roof;

Analysis: The flat roof of the rear dormer is below the highest part (ridge) of the existing roof; and the hip to gable extension will be the same height as the ridge of the existing roof.

(c) the roof extension would extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

Analysis: The rear dormer will not be onto the principal elevation etc. The hip to gable roof extension will not extend beyond the plan of the existing roofslope.

(d) the cubic content of the resulting roofspace would exceed the cubic content of the original roof by more than:-
i) 40 cubic metres in the case of a terrace house, or
ii) 50 cubic metres in any other case.

Analysis: The plans are notated with the cubic capacity of the roof extensions. The figures show that the rear dormer, will be 21.32m^3 and the hip to gable is shown on the plans to be 19.63m^3
The total cubic capacity thereby is shown to be 40.95m^3 which is less than the allowed 50m^3

(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;

Analysis: None are shown on the plans.

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

Analysis: The dwelling house is not on article 2(3) land.

(g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses); or

Analysis: The dwellinghouse has not been created by virtue of Part 20.

(h) the existing dwellinghouse has been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys).

Analysis: The above does not apply.

B.2 Development is permitted subject to the following conditions:-

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

Analysis: The submitted application forms state “All proposed materials to match existing property”.

(b) the enlargement must be constructed so that:-

i) other than in the case of a hip-to-gable 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 0.2m 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 dwelling house.

Analysis: The proposal complies with the above.

c) any window inserted on a wall or roof slope forming a side elevation of the dwelling house must be:-

i) obscure glazed and
ii) non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed.

Analysis: The new window shown on the plans to be included within the new side gable wall is notated to say it will be obscure glass plus fixed closed below 1.7m from internal floor level.

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 G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

Analysis: The dwellinghouse has not been created through change of use by virtue of Part 3.

(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;

Analysis: The plans have been notate to say that the proposed velux window not to project more than 150mm from the roofslope.

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

Analysis: The rooflights etc., will not be higher than the highest part of the original roof, namely the ridge.

(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.

Analysis: None of the above are shown on the proposed plans.

(e) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

Analysis: The above does not apply

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.

Analysis: There is new window in the side elevation of the new gable, and a notation on the plans states that the side facing window to be obscure glass plus fixed closed below 1.7m from internal floor level.

Recommendation

Issue a Certificate of Lawfulness as the proposal is permitted development by Class B; and Class C within Schedule 2 Part 1 of Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Reasons for Recommendation

The proposal constitutes 'development' as defined by Section 55 of the Town and Country Planning Act 1990 and is permitted by Class B; and Class C within Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

Case Officer: Eve Hearsey Date: 14.08.2024

Authorised by: Peter Barnett Date: 14 August 2024