Development Management – Delegated Officer Report

Application Number: AWDM/1041/19 **Recommendation – Issue Certificate**

Site: **11 Silverdale Drive, Sompting**

Proposal: **Application for a Lawful Development Certificate for proposed single storey rear extension and rear dormer (existing extension removed.)**

Site visit: N

Proposal, Site and Surroundings

The application site is a semi detached bungalow with existing single storey extension. It is proposed that the extension will be removed and a new flat roof addition is proposed 3 metres in depth with a roof lantern. Also proposed is a loft conversion with rear flat roof dormer.

The site does not lie within a Conservation Area nor is it affecting the setting of a Listed Building; there are no Tree Protection Orders in effect on the site.

It is noted that there are no relevant planning permissions which would affect or be affected by the proposed.

It is noted that there are no previous planning decisions with conditions restricting development or removing permitted development rights of the property.

Planning Assessment

Principle

The proposal will be viewed against the criteria of permitted development, as laid out within The Town and Country Planning (General Permitted Development) (England) Order 2015

Consideration

Schedule 2, Part 1, Development within the curtilage of a dwellinghouse Permitted Development

<u>Class A – Enlargement, improvement or other alteration of a dwellinghouse</u>

A.1 Development is not permitted by Class A if-

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

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

b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

Analysis: *Although an exact area percentage has not been ascertained, using aerial views and the provided plans we can estimate that the proposed development would not exceed 50% of the curtilage area.*

c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

Analysis: *The proposed development would not exceed the peak of the existing dwelling house roof and thus would be in keeping with the above criterion.*

d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

Analysis: *The proposed extension would be to a height where the proposed eaves are in line with the existing eaves in order to adhere to the constraints of the criterion*

e) the enlarged part of the dwellinghouse would extend beyond a wall which:
i) forms the principal elevation of the original dwellinghouse; or
ii) fronts a highway and forms a side elevation of the original dwellinghouse;

Analysis: *The proposed development is to the rear elevation, therefore would be in line with these criteria.*

f) subject to paragraph g) the enlarged part of the dwellinghouse would have a single storey and-
i) extend beyond the rear wall of the original dwellinghouse by more than 4m in the case of a detached dwellinghouse, or 3m in the case of any other dwellinghouse, or
ii) exceed 4m in height;

Analysis: *The proposed development would be single storey, and according to the scaled drawings provided (Drawing no.03 and Drawing no. 06 received 5th August 2019) would extend 3 metres from the rear wall and be a maximum of 2.75 metres in height.*

g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and-
i) extend beyond the rear wall of the original dwellinghouse by more than 8 m in the case of a detached dwellinghouse, or 6m in the case of any other dwellinghouse, or
ii) exceed 4m in height;

Analysis: *The proposed development would be single storey, and according to the scaled drawings provided (Drawing no.03 and Drawing no. 06 received 5th August 2019) would extend 3 metres from the rear wall and be a maximum of 2.75 metres in height.*

h) the enlarged part of the dwellinghouse would have more than a single storey and-
i) extend beyond the rear wall of the original dwellinghouse by more than 3m, or
ii) be within 7 m of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

Analysis: *These criteria are not relevant to this application given the scope of the proposed development, as the enlargement is a single storey extension.*

i) the enlarged part of the dwellinghouse would be within 2m of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3m;

Analysis: *Both the north and south sides of the proposed development are within 2 metres of the site boundary, however according to the scaled drawings provided (Drawing no.03 and Drawing no. 06 received 5th August 2019) the eaves height proposed would not exceed the 3 metre constraint set by this criterion.*

j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would-
i) exceed 4m in height;
ii) have more than a single storey; or
iii) have a width greater than half the width of the original dwellinghouse; or
(ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j).

Analysis: *These criteria are not relevant to this application given the scope of the proposed development, as the enlargement is a rear extension.*

k) it would consist of or include-
i) the construction or provision of a verandah, balcony or raised platform,
ii) the installation, alteration or replacement of a microwave antenna,

iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
iv) an alteration to any part of the roof of the dwellinghouse.

Analysis: *These criteria are not relevant to this application given the scope of the proposed development, as the enlargement is an extension, which does not alter the existing roof.*

A.2 In the case of a dwellinghouse on article 2(3) land:-

a) it would consist of cladding of any part of the exterior of the dwelling house with stone, artificial stone, pebble dash, render, plastic or tiles.
b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse;
c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwelling house.
d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).

Analysis: *These criteria are not relevant to this application given that the property is not situated on article 2(3) land.*

A.3 Development is permitted subject to:-

a) materials must be of a similar appearance to those used in the construction of the exterior of the existing dwelling;
b) any upper-floor windows located in a wall or roof slope forming a side elevation must be:-
    i) obscured-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.
c) Where the enlarged part of the dwelling house has more than one storey or forms an upper storey on an existing enlargement of the original dwelling house the roof pitch of the enlarged part must so far as practicable be the same as the roof pitch of the original dwellinghouse.

Analysis: *The proposed development would use materials matching to that on the existing property. The applicant has confirmed that they will comply with the planning portal guidance which states materials must be similar to existing. The remainder of these criteria are not relevant to this application given the scope of the proposed development, as the elevation is a single storey extension. The dormer is to the rear.*

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

B.1 Development is not permitted by Class B if:-

a) The dwellinghouse has been granted only by virtue of Class M, 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 proposed development would not result in any part of the enlargement becoming higher than the peak 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 dwelling house and fronts a highway;

Analysis: *This criterion is not relevant to this application given the scope of the proposed development, a dormer to the rear elevation.*

(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 dormer would not exceed 50 cubic metres.*

(e) it would consist of or include:-
i) a verandah, balcony or raised platform or
ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe;

Analysis: *These criteria are not relevant to this application given the scope of the proposed development, as the extension is a dormer and shall not include the above.*

(f) the dwellinghouse is not on article 2(3) land

Analysis: *The dwelling house is not sited within article 2(3) land.*

B.2 Development is permitted subject to:-

(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: *Materials proposed would be similar in appearance to that of existing materials*.

(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 0.2m 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 proposed development would maintain the existing eaves there is at least 0.2 metres between the eaves and the rear dormer.*

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: *These criteria are not relevant to this application given the scope of the proposed development, as the extension is a dormer to the rear elevation of the property.*

Recommendation

Issue a Certificate of Lawfulness for Proposed Development, the submission of a planning application for the works will not be required.

Reasons for Recommendation

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

Case Officer: Hannah Barker Date: 13th August 2019

Authorised by: Peter Barnett Date: 16 August 2019