Development Control – Delegated Officer Report

Application Number: AWDM/1546/16 **Recommendation – Issue**

Site: **33 Burnside Crescent, Sompting. Lancing, West Sussex BN15 9TJ**

Proposal: **Application for Lawful Development Certificate for proposed rooms in roof with rear dormer to west elevation, new window in existing side gable and two rooflights to front (east) elevation, single storey rear extension to west elevation, new entrance porch to north elevation.**

Date of site visit: N/A

Neighbours checked: None undertaken

Additional neighbour notifications: N/A

Proposal, Site and Surroundings

The proposal seeks confirmation, within an application for Lawful Development Certificate for a Proposed use or development, that the proposed works are all permitted development as defined within the Town & Country Planning (General Permitted Development) (England) Order 2015.

The application property, no. 33 Burnside Crescent, Sompting, is located within a residential area and compromises a semi-detached residential dwelling. The residential property is at an angle to the street, and it is in a relatively prominent position given that it sides onto a corner property which is located in Carnforth Road, thereby the side of the bungalow is viewed from the street across the rear garden of no.7 Carnforth Road.

Relevant Planning History:

AWDM/0134/16 Application for Certificate of Lawfulness for proposed rear dormer and single storey rear extension; side porch extension Permitted 31.03.2016

Consultations: None

Representations: None

Relevant Planning Policies

None relevant, as the application will be adjudged on fact not merit.

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
Class A – enlargement, improvement or other alteration of a dwellinghouse.

Rear single storey extension

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 or Q of Part 3 of the Schedule (changes of use);

Analysis: The dwellinghouse is an existing dwellinghouse, and not as a change of use.

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: The new ground cover by the proposed rear extension will be 3m x 6m = 18 square metres in area; the area of the plot is 28m (average) x 9.5m = 266sqare metres – existing dwellinghouse (some 6m x 9m = 54 sq.m) leaves an area of 212 square metres. The ground area of the proposed extension (18sq.m) would therefore be less than 50%

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 extension will be single storey, and the roof of the proposal will come some 3m lower than the existing ridge height, thereby, the roof of the proposed rear extension will not be higher than the original dwellinghouse.

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 eaves of the proposed rear extension are shown to key into the eaves on the side elevation and the back elevation, and thereby would not exceed the height of the existing eaves.

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 single storey rear extension will be to the rear of the dwellinghouse which is not the principal elevation; nor does it front a highway; it will though form a side elevation of the original dwellinghouse. However, as it is a negative on the other items, it complies with e)

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 extension will be 3m in depth and 3m in height, it thereby does not exceed the thresholds in f)

g) until 30th May 2019, 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 proposal does not extend more than 6m nor exceed 4m 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: The proposed rear extension will not be more than a single storey, therefore i) and ii) do not need to be considered.

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: The extension will be within 2.5m of the boundary and the height of the eaves is 2.3m, therefore both are within the relevant criteria to conform with i)

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 k)

Analysis: The proposal will not extend beyond the side wall, therefore i), ii), or iii) do not apply

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.
(Interpretation of "raised" in relation to a platform means a platform with a height greater than 0.3m)

Analysis: The single storey rear extension will have a raised platform to it, but it is not greater than 0.3m. It is considered that the fact that the extension will key into the existing roof, it is not resulting in an alteration.

A2 relates to dwellinghouse on article 2(3) land, which, amongst other things, is a designated Conservation Area or an AONB.

Analysis: The site is neither.

A3 moves onto the conditions of the permitted development i.e.

a) materials to match existing;
b) any upper-floor windows located in a wall or roof slope forming a side elevation must meet certain criteria;
c) relates to development which is more than a single storey.

Analysis: a) is the only one which applies, and the plans do not specify the materials, however, the accompanying letter states:-*"New change of appearance from face brickwork with white rendered front bay to white rendered external walls at ground and first floor levels, as the materials are similar in appearance (the front bay is white rendered) to those used in the construction of the house."*

As the existing bay of the dwellinghouse is rendered white, then the fact that the proposal, (and the remaining part of the dwelling) will become rendered and painted white, means that the extension will match the existing dwelling.

<u>Conclusion for the single storey rear extension</u>

The single storey rear extension conforms with the criteria for permitted development, therefore
Issue the LDC for the single storey rear extension.

Class B – additions etc. to the roof of a dwellinghouse
Permitted development

Rear dormers

B1 Development is not permitted by Class B if-
a)permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

Analysis: The dwellinghouse is not as a result of a change of use.

b) any part of the dwellinghouse would, as a result of the works, exceeds the height of the highest part of the existing roof:

Analysis: The highest part of the of proposed dormer is shown to be some 400mm below the ridge of the dwellinghouse, the proposed dormer does not therefore exceed the highest part of the existing roof.

c)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;

Analysis: The proposed dormer will not be on the principal elevation and it will not front a highway.

d)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;

Analysis: The property is a semi-detached house and using the agents calculations, the proposed dormer will be 41.5 cubic metres.

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; or
f)the dwellinghouse is on article 2(3) land.

Analysis to e & f: none of i) or ii) apply, and amongst other things, article 2(3) land is a designated Conservation Area and/or AONB, the site is neither of these.

Conditions Analysis:

a) the plans show that the materials will match the existing construction;
b) the eaves of the original roofs will be maintained and the plans show 200mm will be retained; and no part of the enlargement will extend beyond the outside face of any of the external walls;
c) there will be a window on a side elevation of the dwellinghouse, and the Agent advises that it will be obscure glazed, with the opening top part to be 1.7m above the floor

<u>Conclusion for the rear dormers</u>

The application is considered on fact not merit, and the analysis has shown that the proposal is within the legislation guidance and is permitted development, therefore.

Issue LDC for the rear dormers.

Class C- other alterations to the roof of a dwellinghouse

Front roof lights

Analysis:

a) The dwellinghouse is not as a result of a change of use;
b) The agent has stated within the written submission that the rooflights will not protrude more than 150mm beyond the plane of the slope of the original roof;
c) neither of the roof lights will be higher than the highest part of the original roof;
d) the works will not consist of or include the installation, alteration of a chimney, flue or soil and vent pipe, or alteration or replacement of solar photovoltaics or solar thermal equipment.

Conditions, the works do include a window to be located on a wall forming a side elevation, and the Agent has advised that it will be obsure glazed, with the opening top part to be 1.7m above the floor (see c) in the previous breakdown above).

Conclusion for the front roof lights

The proposal conforms with the permitted development criteria of Class C, therefore:-
Issue LDC for the front rooflights.

Class D – porches

Permitted development
D. The erection or construction of a porch outside any external door of a dwellinghouse.

Development not permitted
D1 Development is not permitted by Class D if –

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

Analysis: The dwelling is not as a result of a change of use.

b) the ground area (measured externally) of the structure would exceed 3 square metres;

Analysis: The porch measures 3m x 1m, and thereby does not exceed 3 sq.m.

c) any part of the structure would be more than 3 metres above ground level; or

Analysis: the porch measures 2.9m in height therefore does not exceed 3m.

d) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway.

Analysis: Whilst the proposed porch is within 2m of the side boundary, that boundary is not the highway boundary.

Conclusion for the porch

The proposed porch conforms with the permitted development criteria of Class D - porches, therefore:-
Issue LDC for the porch.

Conclusion

The proposal as indicated on the submitted drawings is considered to comply with 'Class A, B, C, and D of the Town and Country Planning (General Permitted Development) (England) Order 2015, and is thereby permitted development and will not require the submission of a planning application by that named legislation.

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 proposed submitted plans constitute 'development' as defined by Section 55 of the Town and Country Planning Act 1990, but are permitted by Class D of Part 1 Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015.

Case Officer: Eve Hearsey Date: 23.12..2016

Authorised by: Peter Barnett Date: 23 December 2016