Expiry Date - 16/02/2021

# Development Control – Delegated Officer Report

**Application Number: AWDM/2118/20 Recommendation – APPROVE**

**Site: 70 Penhill Road Lancing West Sussex BN15 8HQ**

**Proposal: Certificate of Lawfulness for proposed hip to gable roof extension and rear dormer with Juliet balcony, front facing roof light and second floor side window**

**Site visit:** N

**Proposal, Site and Surroundings**

The property is a semi-detached house on the south side of Penhill Road. The site is not within a Conservation Area and the building is not Listed. There are no restrictive conditions on 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

**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 height of the enlargement does not exceed the height of the highest part 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:** the roof extension does not project beyond the plane of an existing roof slope which forms the principal elevation of the dwelling house and fronts a highway;

(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 cubic content of the enlargement does not exceed 50 cubic metres as noted on the supporting statement and plans (33.14m3).

(e) it would consist of or include the roof extension does not 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:** The development does include a Juliet balcony but this is considered to be permitted development. The proposed works do not consist of a verandah or raised platform or the installation, alteration or replacement chimney, flue or soil and vent pipe.

(f) the dwellinghouse is not 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).

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

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:** It is noted on the drawings and in the supporting statement that materials will match the existing dwelling.

(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 eave, 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 eaves of the original roof are maintained and the edge of the proposed rear dormer is not less than 0.2m from the eaves. The proposed dormer does not join any existing enlargement and does not extend beyond an outside face of any external wall of the original dwelling.

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:** It is noted on the drawing and on the supporting statement that the new window inserted in the gable will be fixed shut below 1.7m from finished floor level and will be obscured glazed.

**Class C – Alterations to the roof of a dwelling house**

C.1 Development is not permitted by Class C 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 alteration would protrude more than 0.15m 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 rooflight(s) would not project more than 150mm beyond the plane of the roofslope as noted on the drawings and the supporting statement.

c) The height of the highest part of the alteration would exceed the highest part of the original roof;

**Analysis:** The rooflight(s) would not exceed the highest part of the original roof;

(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:** The development does not include any elements in i) or ii).

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

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

C.2 Development is permitted subject to the condition that any window located on a roof slope forming a side elevation of the dwelling house must be:-

a) obscure-glazed, and
b) 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:** It is noted on the drawing and on the supporting statement that the new window inserted in the gable will be fixed shut below 1.7m from finished floor level and will be obscured glazed. There are no new windows inserted on a side roof slope

**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 B and C of Part 1 Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015.

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| Case Officer: | Elaine Rousseau | Date: 09/02/2021 |
| Authorised by: | Peter Barnett | Date: 9 February 2021 |

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