DELEGATED APPLICATIONS ASSESSMENT SHEET

Application Number:
AWDM/0944/15

Recommendation – Issue Certificate

Site: **121 Downsway, Southwick**

Proposal: **Application for a Lawful Development Certificate for proposed hip to gable roof extension with rear dormer and Juliet balcony**

SITE AND SURROUNDINGS:

The application property is a semi-detached house on the western side of Downsway, amidst a row of similarly proportioned dwellings on that side of the road although some have projecting gables to the front. To the rear, the gardens stand on higher ground than the open green to the rear and hence enjoy commanding view across to the sea.

PROPOSAL:

This application is for a Certificate of Lawfulness where the planning merits of the proposal are not a consideration in this instance. The assessment is whether the submission of a planning application is required in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015

The proposal is:

Application for a Lawful Development Certificate for proposed hip to gable roof extension with rear dormer and Juliet balcony

RELEVANT LEGISLATION:

The Town and Country Planning (General Permitted Development) (England) Order 2015

ASSESSMENT:

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);
(b) any part of the dwellinghouse would, as a result of the works, exceed the height of 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;
(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;
(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.

The proposed development meets the above requirements from the information submitted. (The proposed balcony is a Juliet balcony without an external platform and has been held not to require planning permission).

Conditions
B.2 Development is permitted by Class B subject to the following conditions—
(a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
(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 0.2 metres 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 dwellinghouse; and
(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must 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.

The proposed development does not fail to meet the above requirements from the information submitted.

The proposal does not conflict with any further requirements of Class C.

RECOMMENDATION:

Issue Certificate of Lawfulness for Proposed Development

REASONS FOR RECOMMENDATION:

The proposal for a hip to gable roof extension with rear dormer and juliet balcony as shown on drawing numbers: 01, 02 rev A, 05 constitutes 'development' as defined by Section 55 of the Town and Country Planning Act 1990, but is permitted by Classes B and C Part 1 Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015.

DELEGATED

Case Officer Sign: Gary Peck Date: 24 July 2015

Authorising Officer Sign: Date: 29th July 2015.