Development Management - Delegated Officer Report

Application Number: AWDM/0791/24 Recommendation – APPROVE

Site: 21 Queens Road, Lancing, BN15 8ED

Proposal: Application for a Lawful Development Certificate for a proposed loft conversion including 2no. side dormers, front and rear windows.

Date of site visit: 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:

No. 21 Queens Road, Lancing is a detached bungalow, positioned on a corner site with Queens Road to the front (east) and side (north) of the bungalow.

The area comprises predominantly detached bungalows

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

Relevant Planning History: None

Proposal:

A Certificate of Lawfulness is sought for:-

- 2no. side dormers, 1no. on the north elevation, the other on the south elevation;
- The north dormer will have 2no. high level windows, both obscure glazed with fixed glazing up to a height of 1.7m above floor level;
- The south elevation will have 2no, high level windows, both obscure glazed with fixed glazing up to a height of 1.7m above floor level. It will also have 2no. full glazed large windows with fixed glazing and obscure glazed;
- The resultant front (east) roof elevation will have 1no. high level window and a set (4no.) of full height glazed doors and windows with a glazed balustrade;
- The resultant rear (west) roof elevation, will have 1no. high level window and a set (2no.) full height glazed doors with a glazed balustrade;

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 as amended

Consideration

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

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 plans are notated and state that 'No part of the roof to exceed the ridge height (top of existing ridge tile).

(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 2no. side dormers will not extend beyond the plane of the existing roofslope which forms the principal elevation of the dwellinghouse and fronts a highway. The submitted application forms state:- ' No part of the dwellinghouse would result in the works extending beyond the front of the house.'

(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 submitted form state that the volume of the side dormers to be 49m^3 The 50 m^3 is thereby not exceeded.

(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 of the above

(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 that all materials to match existing.

(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 plans are annotated against the new windows shown to be included within the side elevations of the dormer, that they will be obscure glazed and fixed up to a height of 1.7m above 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: There are no rooflights shown on the plans.

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

Analysis: The annotation on the plans states that no part of the roof to exceed the ridge height (top of existing ridge tile).

(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 submitted 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: The plans are annotated to meet this condition.

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 of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended

Case Officer: Eve Hearsey Date: 16.08.2024

Authorised by: Peter Barnett Date: 16 August 2024