Development Control – Delegated Officer Report

Application Number: AWDM/0097/22 Recommendation – APPROVED

Site: 27 Chester Avenue, Lancing, BN15 8PQ

Proposal: Application for Lawful Development Certificate for proposed loft conversion with hip to gable roof extension, front and rear rooflights.

Site visit: N/A

Site and Surroundings:

The application site is located on the west side of Chester Avenue, Lancing, and is a semi-detached bungalow. The site is also on a corner plot, therefore it fronts onto The Crescent and sides onto Chester Avenue.

The street scene comprises predominantly semi-detached bungalows and many of the properties have been extended in some format, mainly with rear and side extensions and some with roof dormers.

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

Proposal

A Certificate of Lawfulness is sought for a proposed loft conversion and roof extension, to include a hip to gable (east elevation); 3no. rooflights to front roofslope (south elevation); 3no. rooflights to the rear (north elevation); and window to side gable end (east elevation).

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 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 ridge height of the hip to gable roof extension will be the same height as the existing roof ridge and 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 dwellinghouse and fronts a highway;

Analysis: the hip to gable will be to the side roof section, and thereby is not on a principal elevation of the dwellinghouse 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 submitted 'Loft Conversion' document states that the cubic capacity would not exceed the allowed 50m^3 for the semi-detached bungalow and the plans show the workings for the cubic capacity as being 19.97m^3.

(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: The proposed development does not show any of the above elements.

(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).

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

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 plans have been notated that the tiles, including vertical tile hanging, will match the 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: There will be a window in the new side (east) gable end, and the notation on the plan states that the window will be obscurely glazed and fixed shut below 1.7m.

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 M, 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: The agent's email dated 08.02.2022 confirms that the proposed roof lights will not protrude more than 150mm above the plane of the roof slope.

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

Analysis: The rooflights etc., will not be higher than 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 show any of the above elements.

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 proposal conforms to the above as the 1no. window on the side elevation has a notation "Proposed obscure fixed side window".

Recommendation

A Certificate of Lawfulness for Proposed Development, be issued as the proposal conforms with Class B (The enlargement of a dwellinghouse consisting of an addition or alteration to its roof), and Class C (other

alterations to the roof of a dwellinghouse), within Schedule 2, Part 1, of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Reasons for Recommendation

The proposal has been considered against Class B and Class C of the Town and Country Planning Act 1990, and it is found to constitute development as defined by Section 55, and is deemed to be 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: 08.02.2022

Authorised by: Peter Barnett Date: 8 February 2022