Expiry Date - 05/12/2018

Development Control – Delegated Officer Report

Application Number: AWDM/1508/18 Recommendation – APPROVE

Site: 2 Mulberry Close Shoreham-By-Sea West Sussex BN43 6TF

Proposal: Lawful Development Certificate for proposed rooms in roof with side dormer to south elevation, 4no. roof lights to north elevation and a window to each gable on front and rear (east and west) elevations.

Site visit: No

Proposal, Site and Surroundings

The dwelling is a detached chalet style bungalow with one roof light and what appears to be storage only currently in the roof. Nos.1 and 3 are similar dwellings on either side and Mulberry Close is characterised by these type of detached bungalows.

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:

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: Complies with criteria in B.1 (b).

(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: Complies with criteria in B.1 (c).

(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.

(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: Complies with criteria in B.1 (e).

(f) the dwellinghouse is not on article 2(3) land

Analysis: The dwelling house is not on article 2(3) land.

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: Complies with criteria in B.2 (a).

(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 orignal 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: Complies with criteria in B.2 (b).

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: Complies with criteria in B.2 (c).

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: Complies with criteria in C.1 (b).

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

Analysis: Complies with criteria in C.1 (c).

(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: Complies with criteria in C.1 (d).

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: Complies with criteria in C.2 (a) and (b).

NB. The front and rear windows to the gables are not included in any Classes and therefore they are considered to be Permitted Development.

Recommendation

Issue a Lawful Development Certificate for Proposed Development, the submission of a planning application for the works will not be required.

Reasons for Recommendation

The proposed rooms in roof with side dormer to south elevation, 4no. roof lights to north elevation and a window to each gable on front and rear (east and west) elevations constitute 'development' as defined by Section 55 of the Act and are 'permitted development' under Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)

Case Officer: Sarah Foster Date: 05.12.18

Authorised by: Peter Barnett Date: 5 December 2018