Development Control – Delegated Officer Report

Application Number: ADC/0320/07 **Recommendation – Refuse Application**

Site: **1 Manor Way Lancing West Sussex BN15 0QU**

Proposal: **Conversion of loft including extension of roof from hip to gable end (application for Certificate of Lawfulness for proposed development)**

The Application

The application site is an existing semi detached bungalow within a cul-de-sac of similar properties within the built up area of Lancing. The Old Shoreham Road is located to the north of the site. The hipped roof of the bungalow is to be extended to a gable extension to provide a master bed room ensuite and study. The property as existing has a rear conservatory and a single garage which is within 5 metres of the dwelling house.

This application is for a Certificate of Lawfulness for the proposed loft conversion which involves the gable extension to the existing hipped roof. This application is a legal decision to determine whether planning permission is required for the proposed extension in this case.

Consultations and Representations

Third Parties: - No comments received

Relevant Planning Policies and Guidance

This application is a legal decision where the planning merits of the proposal are not taken into consideration, therefore there are no relevant planning policies to note in this case.

Planning Assessment

This application is a legal decision to determine whether the proposed gable extension to the roof of the existing semi detached bungalow is lawful and therefore does not require planning permission.

Part 1, Class B of the General Permitted Development Order 1995 refers to the enlargement of a dwellinghouse consisting of an addition or alteration to its roof and it is against this that the application should be considered.

The extension will not exceed the highest point of the existing roof, no part of the dwellinghouse would extend beyond the plane of any existing roof slope which fronts a highway. The volume of the gable extension would not exceed

50 cubic metres and the cubic content of the resulting building will not exceed the cubic content of the original dwelling house by 70 cubic metres.

As existing there is a rear conservatory extension which is shown on the submitted plans as being demolished, this on the site visit this conservatory was not demolished and work had commenced on the proposed loft conversion. No dimensions are given for the height of the conservatory, its width and depth are shown on the submitted floor plans. The floor area is 18.91 metres squared and with the minimum height of 2.8 metres the volume of the conservatory is 53 cubic metres. The volume of the proposed gable is 33.5 cubic metres and therefore the extensions to the dwelling are a total of 86.45 metres over the permitted 70 cubic metres. The single garage adjacent to the property is within 5 metres and is to remain, however for the purposes of Class B is not a factor affecting whether planning permission is required in this case.

Therefore the proposed gable extension to provide accommodation at first floor level at 1 Manor Way, Lancing is not lawful in this case and planning permission be required as the proposed development plus the existing conservatory exceed 70 cubic metres in volume..

Recommendation

The Adur District Council hereby certify that on the 29th May 2007 the matter described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged in red on the plan attached to this certificate, was not lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), and is REFUSED for the following reason: -

1. The proposed gable extension plus the existing conservatory exceed 70 cubic metres in volume therefore the proposal requires planning permission and does not constitute permitted development under Part 1, Class B of the General Permitted Development Order 1995.

First Schedule

Conversion of loft including extension of roof from hip to gable end.

Second Schedule

1 Manor Way, Lancing, West Sussex, BN15 0QU

Case Officer..... Date 24/7/07

CJ 24/7/07.