Development Control – Delegated Officer Report

Application Number: AWDM/1846/19 Recommendation – APPROVE

Site: 79 The Crescent, Southwick, BN42 4LB

Proposal: Application for Certificate of Lawfulness for proposed hip to gable roof extension to east elevation, rear dormer, 2no. front facing rooflights and east facing 2nd floor window

Site visit: Y with AWDM/1846/19 – 24.01.2020

Proposal, Site and Surroundings

The application site is a two storey semi-detached dwelling positioned on the north side of The Crescent, Southwick. The dwelling has a pebble dashed finish and has a hipped roof. It has a two storey, square bay with gable roof over on the front elevation, which is a match for its neighbour; indeed, two storey bays are a common feature within the street.

Currently, the property has an existing single storey side extension.

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, Permitted development rights
Part 1, Development within the curtilage of a dwellinghouse

<u>Class B – additions etc to the roof of a dwellinghouse</u>

The enlargement of a dwellinghouse consisting of an addition or alteration to its roof is permitted.

B.1 Development is not permitted by Class B if:-

(The following are the list and responses to the corresponding list of “not permitted if” statements)

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 height of the enlargement 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 dwelling house and fronts a highway.
Analysis: The roof extension does not project beyond the plane of an existing roof slope which forms the principal elevation of the dwelling house 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 cubic content of the enlargement does not exceed 50 cubic metres as noted on the plans.

(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 development does not include any elements in i) or ii) above.

(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: It is noted on the plans that materials will match the existing dwelling.

(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 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: The eaves of the original roof are maintained and the edge of the enlargement closest to the eaves of the original roof is not less than 0.2m from the eaves. No part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse.

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 new window inserted in the gable end is noted as being obscured glazed and fixed.

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) 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: The rooflights would not project more than 150mm beyond the plane of the roofslope.

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

Analysis: The rooflights would not exceed 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 include any elements in i) or ii).

Conditions
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: There new window to be inserted into a side elevation is shown as being obscure glazed and fixed shut.

Class G – chimneys, flues etc on a dwellinghouse

Permitted development
G. The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

Development not permitted
G.1 Development is not permitted by Class G 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 height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1metre or more;
Analysis: The altered soil/vent pipe, does not exceed the highest part of the roof.

c) in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which:-
i) fronts a highway, and
ii) forms either the principal elevation or a side elevation of the dwellinghouse.
Analysis: The land is not within article 2(3) land

Recommendation

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

Reasons for Recommendation

The proposal constitutes 'development' as defined by Section 55 of the Town and Country Planning Act 1990, but is permitted by Class B, C, and G of Part 1 Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

Case Officer:	Eve Hearsey	Date: 29.01.2020
Authorised by:	Peter Barnett	Date: 29 January 2020