Development Control – Delegated Officer Report

Application Number: AWDM/0060/24 Recommendation – APPROVE

Site: 45 Ham Road, Worthing, West Sussex BN11 2QU

Proposal: Application for a Lawful Development Certificate for proposed roof extension including a rear dormer.

Site visit: 13/02/2024

Site and Surroundings
The site is located to the west side of Ham Road within a residential area of Worthing. The property is mid-terraced, consisting of two floors with masonry rendered walls, timber floors and timber and tiled roof. There is a front and rear garden to the property. The access to the property is via the front elevation of the property on Ham Road, Worthing.

The property is not within a conservation area, is not a listed building and there are no protected trees on site

Proposal
The applicant has proposed the construction of a partial rear loft conversion to an office, small bathroom and rear extension. The conversion would measure 3.1m width x 2.3m high x 7.2m depth with a total volume of 25.7m³. It will have a setback of 0.2m from the eaves.

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
Permitted Development

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: 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 meters in the case of a terrace house, or
ii) 50 cubic meters in any other case.

Analysis: The cubic content of the enlargement does not exceed 40 cubic meters.

(e) it would consist of or 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: The development does not include any elements in i) or ii) 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).

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

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: The extension would be finished in materials to match the existing building.

(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 eaves of the original roof would be maintained and the proposed enlargement would be set up no less than 0.2m from the outside edge of the eaves. No part of the enlargement would extend beyond the outside face of any external wall of the original dwelling house.

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: All new windows are obscured glazing and feature openings above 1.7 meters above the floor.

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

Case Officer: Thomas Fayter Date: 13/03/2024

Authorised by: Louise Prew Date: 13/03/2024