Expiry Date – 23/6 EOT agreed to 6/8

Development Control – Delegated Officer Report

Application Number: AWDM/0721/21 **Recommendation – Issue certificate**

Site: 1 Mill Avenue, Shoreham

Proposal: **Application for Certificate of Lawfulness for hip to gable roof extension with front rooflights and gable window.**

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 16.6

Site and Surroundings

This application relates to a semi detached house on the south side of Mill Avenue close to the junction with The Drive. The property as built has a cat slide side roof and has been extended with a side dormer. The side dormer has a sunken crown roof, see submitted photos.

The property is not in a conservation area and is not listed.

Proposal

It is proposed to raise the side gable of the main roof.

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

Development within the curtilage of a dwellinghouse

Class B – additions etc. to the roof of a dwellinghouse

Permitted development
A. 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) 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: N/A

(b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

Analysis: The ridge height is not exceeded.

(c) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

Analysis: The extension is to the side of the roof. The front rooflights do not project more than 150mm

(d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space 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 volume of the hip to gable extension and existing side dormer are less than 50 cubic metres.

(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; or
(f) the dwellinghouse is on article 2(3) land.; or
(g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).;
or
(h) the existing dwellinghouse has been enlarged in reliance on the permission granted by Class AA
(enlargement of a dwellinghouse by construction of additional storeys).

Analysis: N/A

Conditions
B.2 Development is permitted by Class B subject to the following conditions—
(a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

Analysis: Matching materials are to be used.

(b) the enlargement must be constructed so that —
(i) other than in the case of a hip-to-gable enlargement or an 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 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves;

Analysis: N/A

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 dwellinghouse;

Analysis: The extension does not extend beyond the side wall.

And

(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be—
(i) obscure-glazed, and
(ii) 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 side windows is shown to be obscurely glazed and non – opening below 1.7 metres.

Interpretation of Class B
B.3 For the purposes of Class B, “resulting roof space” means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.
B.4. For the purposes of paragraph B.2(b)(ii)—
(a) roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwellinghouse are not to be considered part of the enlargement; and
(b) “rear or side extension” includes an original part of, or a subsequent extension of, the dwellinghouse that extends from the rear or side of the principal part of the original dwellinghouse.

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

(e) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

Analysis: The agent has confirmed that the rooflights do not protrude more than 150mm and do not exceed ridge height. Other points do not apply.

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 side windows is shown to be obscurely glazed and non – opening below 1.7 metres.

Recommendation APPROVE subject to the following conditions:

1. The proposal as shown in drawings 19-161.2 Loc A received 5.8.21, 19-161.2 03 B received 30.7.21 and 19-161.2 04 B received 30.7.21 constitutes 'development' as defined by Section 55 of the Town and Country Planning Act 1990, but is permitted by Classes B and C of Part 1 Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

Case Officer signed:	MOK	Date: 5.8.2021
Authorised and signed by:	Peter Barnett	Date: 5 August 2021