expires 29/12/09

Development Control – Delegated Officer Report

Application Number: ADC/0430/09 Recommendation - Permit

Site: **26 Western Close Lancing West Sussex BN15 8RU**

Proposal: **Application for a Certificate of Lawfulness for a proposed roof conversion (with part rear gable and flat roofed side dormers) and a single-storey side extension**

The Application

The application is to determine whether a planning application is required for the proposals to this detached hip-roofed bungalow. The property is located within the built up area of Lancing on the SE side of Western Close.

The proposals consist of a loft conversion and roof dormers on the north-east and south-west roof planes, a part gable to the rear south-east, and a ground floor single-storey extension with dummy-pitch roof on the north-east side. The bungalow has previously been extended with a hipped roof NE side extension, an entrance porch also to the NE side, a rear conservatory, and a SW side lean-to extension, all of which have been erected under 'permitted development' rights.

The proposed roof extensions have been calculated by the agent on the submitted plans to total 42.36 cubic metres in volume. Scaling from the plans the proposed extensions would be:-

NE side dormer - 5.6m wide, by 3.1m deep, by 2.3m high;
SW side dormer - 5.6m wide, by 3.1m deep, by 2.3m high;
Rear gable end - 4.4m base, by 1.7m high, by 2.0m deep; a total of 42.5 cubic metres.

With the NE side ground-floor extension – 2.9m wide, by 3.0m high, by 0.8m deep.

Relevant Planning Legislation

Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008. Schedule 2 Part 1 Development within the curtilage of a dwellinghouse.

Class A: - The enlargement, improvement or other alteration of a dwellinghouse.

Class B:- The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Planning Assessment

The proposals are clearly 'development' as defined by section 55 of the T&CP Act 1990.

The side extension constitutes the enlargement of a dwellinghouse (Class A) and the dormers and rear gable constitute enlargement of a dwellinghouse consisting of an addition or alteration to its roof (Class B).

The relevant Classes A and B of Part 1 of Schedule 2 to Article 3 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended in 2008) confers permission (termed 'permitted development') for such enlargements. It contains a number of limitations:-

Class A.

(a) The total area of ground covered by additions and outbuilding (excluding the original dwelling) would exceed 50% of the total area of the curtilage. The total area taken up by extensions and outbuildings is 61.5sqm whilst the remainder front and rear garden area totals 143sqm.

(b) Must not exceed the highest part of the roof of the existing dwellinghouse. The proposals meets this requirement.

(c) The height of the eaves must match that of the original dwelling. The proposed dummy-pitch roof has an eaves which matches that of the original bungalow.

(d) Must not extend beyond a wall which fronts a highway and forms the principal elevation or side elevation of the dwelling. The proposal is at the side (NE) and the principal elevation is to the NW along with the highway.

(e) N/A

(f) N/A

(g) Must not have an eaves level over 3m if the extension is within 2m of the boundary. The top of the eaves level would be 2.6m in height.

(h) If extending at the side of the dwelling it must not exceed 4m in height, have more than one storey, or have a width greater than half the width of the original dwelling. The proposal complies in all three instances.

(i) N/A

It also contains conditions:-

(a) The external materials shall be of similar appearance to those used in the construction of the existing dwellinghouse. The proposals would be brick built with a uPVC window, and tiled dummy pitch roof, and therefore complies.

(b) N/A

(c) N/A

Class B.

(a) Must not exceed the highest part of the existing roof of the house – the proposed dormers meet this requirement (see below for vent pipe).
(b) Must not extend beyond a roof plane forming the principal elevation of the original dwelling and facing the highway – the proposal meets this requirement as they are at the sides and at the rear.
(c) The cubic content of the resulting roofspace would exceed that of the original roofspace by more than 50 cubic metres – the proposals meet this requirement as they total 42.5 cubic metres.
(d) Must not include the alteration of a soil and vent pipe - the proposal does not meet this requirement as it includes an extension to the existing pipe (but see below).
(e) N/A (as it is not in a Conservation Area)

It also contains conditions:-

(a) The external materials shall be of similar appearance to the existing dwelling – the proposal is considered to meet this requirement as the plan states that the tile hanging will match the colour of the existing roof tiles. As regards the flat roof, Government guidance states that this should not normally be regarded as being of dissimilar appearance where the roof surface cannot be viewed from ground level.
(b) The edge of the enlargement shall not be less than 20cm from the eaves of the original roof – it meets this requirement as it is 1.0m from the eaves.
(c) The side windows have been stated that they will be obscurely glazed and only be openable above the 1.7m limit.

The soil and vent pipe extension falls within the separate Class G and complies with the only relevant limitation G.1 (a) that its height must not exceed the highest part of the roof by more than 1 metre, as it will terminate within the en-suite bathroom in the NE side dormer.

Recommendation

That a Certificate of Lawfulness be issued that an application for planning permission is not required.

Description: Proposed roof conversion with part-hipped rear gable and flat roofed side dormers, and single-storey side extension (to create two bedrooms with ensuite shower room, and ground floor bathroom).

Land at: 26 Western Close, Lancing, shown outlined in red on the plan

Reason:- The proposed building works fall within the definition of 'development' as defined by section 55 of the Act.

The side extension constitutes the enlargement of a dwellinghouse (Class A) and the dormers and rear gable constitute enlargement of a dwellinghouse consisting of an addition or alteration to its roof (Class B).

They comply with the provisions of the relevant Classes A and B Part 1 of Schedule 2 to Article 3 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended in 2008).

Case Officer
Date: