Expiry Date - 22/05/2024

Development Control – Delegated Officer Report

Application Number: AWDM/0420/24 Recommendation – APPROVE

Site: 37 Windsor Road Worthing West Sussex BN11 2LZ

Proposal: Application for a Lawful Development Certificate for Proposed Rooms in roof consisting of hip to gable, rear dormer with Juliet balcony and roof lights to east and west elevations and alterations to fenestration.

Date of site visit: 21/05/2024

Neighbours consulted: N

Additional neighbour notifications: N

Site and Surroundings

The site is located on the western side of Windsor Road in Worthing. The property is two stories in height and semi-detached, adjoined to the neighbour to the north.

Proposal

A Lawful Development Certificate for the conversion of the roof space to introduce one bedroom, a dressing room and a bathroom. To facilitate that there is proposed to be a hip to gable conversion and the introduction of a rear dormer to be half width.

To the principal elevation there would be the hip to gable extension increasing the width by 4.7m which would be visible from within the street scene with three roof lights also visible to the front. To the rear there would be the box dormer with a depth of 3.25m and a width of 4.5m. Within the rear elevation of the dormer is proposed to be two sets of windows and a Juliet balcony

Relevant Planning History:

AWDM/0421/24 - Demolition of existing rear conservatory. New rear extension and front porch – pending consideration

Consultations: N/A

Representations: N/A

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, Part 1 – Development within the curtilage of a dwellinghouse

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

Permitted Development

B. The enlargement of a dwellinghouse consisting of an alteration to its roof.

Development not permitted

B.1 Development not permitted by class B if –

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this schedule (changes of use);

Analysis: Not applicable

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

Analysis: No part of the proposal will result in works above the highest part of the roof.

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

Analysis: No works would extend beyond the plane of the roof slope on the principal elevation.

(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 cubic meterage would not exceed 50m3.

(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: None of the above apply.

(f) The dwellinghouse is on article 2(3) land;

Analysis: N/A.

(g) The dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses);

Analysis: N/A

(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

B.2 In the case of any land within the curtilage of the dwellinghouse which is within –

(a) an area of outstanding natural beauty;
(b) the Broads;
(c) a National Park; or
(d) a World Heritage Site,

Development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.

B.3 In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the 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 not permitted by class C if –

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

Analysis: Not applicable

(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;

Analysis: The rooflights do not protrude further than that permitted.

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

Analysis: All alterations have been hosted within the existing roof space.

(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: Not applicable

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

Analysis: Not applicable

The rooflights are considered to be compliant with this Class of the General Permitted Development Order.

Conclusion

The application has been considered under Class' B and C of Schedule 1 Part 2 for the roof conversion and rear dormer. It is considered that the development would be compliant with the aforementioned Class.

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 Council is satisfied that the extensions and alterations as described would have constituted 'permitted development' under the provisions of Class' B and C, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order (as amended) at the time the works were carried out.

Case Officer:	Finlay Gardner	Date: 22/05/2024
Authorised by:	Louise Prew	Date: 22/05/2024