Development Management - Delegated Officer Report

Application Number: AWDM/0489/23 Recommendation – APPROVE

Site: 7 The Driveway, Shoreham-by-Sea, BN43 5GG

Proposal: Application for a Lawful Development Certificate for proposed rooms in roof consisting of hip to gable roof extension, rear dormer with Juliet balcony and front roof lights. Alterations to soil/vent pipe.

Date of site visit: Assessment has also been assisted using the Applicants plan; Earthlight mapping; and Google 3D of the site

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings:

The property is a two storey semi-detached, hipped roof, 1930's style dwelling, situated on the west side of The Driveway, Shoreham. The property also has a conservatory rear extension and detached pitched roof garage close to the mutual boundary with no. 5

The street is characterised by two storey, semi-detached dwellings with hipped roofs and Sussex hips, some have converted the loft space to additional living accommodation. No. 9 has a rear dormer and a side dormer with flat roofs connecting both. There are other loft conversions within the locality.

The site is not a Listed Building or within a Conservation Area.

Proposal:

A Certificate of Lawfulness is sought for a:-

- Hip to gable roof extension;
- A flat roof rear dormer with Juliette balcony;
- Front roof lights; and
- Window in new side gable
- Alteration, i.e. increasing the height, of the existing soil and vent pipe

NB: Rear extension has gained planning permission AWDM/0073/23 Proposed single storey rear (west) extension with roof lantern.) Approved 21.03.2023

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 addition or alteration to its roof

Development not permitted

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

a) The dwellinghouse has been granted only by virtue of Class G, M, MA, 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 ridge height of the hip to gable roof extension will be the same height as the existing roof ridge and therefore does not exceed the height of the highest part of the existing roof; and the flat roof of the rear dormer is below 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 dwellinghouse and fronts a highway;

Analysis: the hip to gable will be to the side roof section, and does not extend beyond the plane of the existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway; the rear dormer will not be onto the principal elevation etc.

(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 submitted application has a 'volume calcs' as part of the submission which states that the hip to gable would be 19 m^3 and the rear dormer would be 16.7m^3 Making the total cubic content 35.7m^3 The 50m^3 is thereby not exceeded.

(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 loft conversion includes an alteration to the soil and vent pipe which is covered below at Class G

(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); or

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

(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: The above does not apply.

B.2 Development is permitted subject to the following conditions:-

(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 submitted application form states with the Description of Proposal, and Grounds for Application, that 'materials to match etc.'

(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 proposal complies with the above.

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 agent confirms in his email dated 31.03.2023 that the window in the side elevation of the gable will be fixed shut and obscure glazed.

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 G, M, MA, 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 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 agent confirms in his email dated 31.03.2023 that the front rooflights will not protrude more than 150mm from the plane of the roof.

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

Analysis: The rooflights etc., will not be higher than 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: There will be alterations to the flue/soil pipe. These are covered by Class G. (See examination under Class G below)

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

Analysis: The above does 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: There is a window within the side gable end, and the agent confirms in his email dated 31.03.2023 that the window in the side elevation of the gable will be fixed shut and obscure glazed.

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 G, M, MA, 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 1 metre or more;

Analysis: The alteration to the soil/vent pipe on the side elevation will 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 roofslope which –
   i) Fronts a highway, and
   ii) Forms either the principal elevation or a side elevation of the dwellinghouse

Analysis: The dwellinghouse is not on article 2(3) land

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

Analysis: the above does not apply

Recommendation

Issue a Certificate of Lawfulness as the proposal is permitted development by Class B, Class C and Class G within Schedule 2 Part 1 of Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Reasons for Recommendation

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

Case Officer: Eve Hearsey Date: 14.06.2023

Authorised by: Peter Barnett Date: 14 June 2023