Development Control – Delegated Officer Report

Application Number: AWDM/0979/20 Recommendation – APPROVE

Site: 26 Hammy Way, Shoreham-by-Sea, BN43 6GG

Proposal: Application for Lawful Development Certificate for proposed rooms in roof with hip to gable enlargement to south, with 1no. dormer to east and west, 2no rooflights to west and 1no. rooflight to east.

Site visit: 08.07.2020

Proposal, Site and Surroundings

The proposal seeks confirmation, within an application for a Lawful Development Certificate for a Proposed use or development, that the proposed works for hip to gable roof extension and side dormers are all permitted development as defined within the Town and County Planning (General Permitted Development) (England) Order 2015, as amended.

The property is a detached bungalow situated on the south side of Hammy Way. The bungalow is 'chalet' style i.e. it has a gabled front and the ridge runs front to back (north to south). There is a small front garden and a drive to the west of the property leading to a detached garage which is positioned behind the existing dwelling at the rear.

The street scene comprises predominantly detached and semi-detached bungalows, many of which have dormers to the front; sides; and/or to the rear. Indeed the neighbouring property at no. 28 has a side dormer facing onto the east roofslope of the application site.

The site is not within a Conservation Area and the property is not a Listed Building

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 Permitted development rights

Part 1, Development within the curtilage of a dwellinghouse

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

Permitted development

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

Analysis: The cubic content of the enlargement does not exceed 50 cubic metres (the application shows a calculation of 12.83m3 for the hip to gable enlargement; 22.4m3 for the west dormer; and 17.95m3 for the east dormer, making a total of 49.51m3, when the existing roof volume to be replaced is omitted (3.68m3).

(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 not on article 2(3) land (Conservation Area)

Analysis: The dwelling house is not on article 2(3) land.

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 similar appearance to those used in the construction of the exterior of the existing house;

Analysis: The application forms state that the materials are to match those existing

(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 eave, 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: Complies with the above – the plans identify that the dormers are the minimum of 200mm back from the existing eaves.

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: There are windows in both of the proposed dormers which will be in the side elevation; the plans show that all the windows will be obscure glazed and any openings will be 1.7m above the floor. There will also be rooflights installed in the roofslopes which will be side facing and these are notated on the plans as being obscure glazed and non-opening.

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);
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 notation on the plans show that the rooflights will not protrude above 0.15 metres

(c) it would result in the highest part of the alteration being higher than the highest part of the original roof;
Analysis: None of the new rooflights will be above 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: None of (i) or (ii) well be undertaken

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
Analysis: The notation on the plans states that the side facing windows and the new rooflights are to be obscure glazed

(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 plans are notated that any opening is to be 1.7m above the floor

Recommendation

Issue a Certificate of Lawfulness for Proposed Development, the submission of a planning application for the works relating to Class B and Class C will not be required.

Reasons for Recommendation

The proposed hip to gable enlargement to the south; the 1no. dormer to the east; the 1no. dormer to the west; and the rooflights to the east and west roofslopes constitutes 'development' as defined by Section 55 of The Town and Country Planning Act 1990, but is permitted by Schedule 2, Part 1, Class B and Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Case Officer: Eve Hearsey Date: 11.08.2020

Authorised by: Peter Barnett Date: 14 August 2020