DELEGATED APPLICATIONS

ASSESSMENT SHEET

APPLICATION NO./ ADDRESS: WB/10/0447/CLP 60 Parham Road

DATE OF SITE VISIT: 25 June 2010

NEIGHBOURS CHECKED : Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS (LIST ADDRESSES): N

SITE AND SURROUNDINGS:

The application site relates to a semi detached bungalow located on the western side of Parham Road, south of its junction with Greatham Road. The west side of the road enjoys an elevated position as the ground level slopes up from east to west. This is a predominantly residential area with a mix of designs but houses in the immediate locality are all bungalows.

DESCRIPTION OF DEVELOPMENT

The applicant has requested a Certificate of Lawfulness for proposed roof alterations and extension, and alterations to the rear elevation.

The roof alterations include the construction of a hip to gable enlargement, a dormer extension to the rear roof slope, roof light windows to the front roof slope and a side window within the new gable wall. New doors are proposed to the ground floor rear elevation to replace the existing window. The dormer window would measure approximately 3.9 metres in width. The side window is proposed as obscure glazed and non-opening up to 1.7 metres.

The applicant has confirmed the use of matching materials and that the rooflight windows would not protrude more than 150mm beyond the plane of the roofslope.

RELEVANT PLANNING HISTORY:

415/55	ERECTION OF 10 DETACHED BUNGALOWS AND 25 PAIRS OF SEMI-DETACHED BUNGALOWS. 71 & 73 FINDON ROAD, 1-5 ODD, 2-4 WANTLEY ROAD, 1, 5-11, 15-21 ODD, 2-28 EVEN GREATHAM ROAD, 33-43 ODD 49 "THE BUNGALOW" & "WAYBACK", 42-62 EVEN PARHAM ROAD	APPROVED WITH CONDITIONS	21-06-1955
570/54	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT. 33-43 ODD 48-62 EVEN PARHAM ROAD, 5-11 15-21 ODD 12-28 EVEN GREATHAM ROAD	APPROVED WITH CONDITIONS	05-10-1954
900/54	FURTHER OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT SHOWING FURTHER ALTERNATIVE LAYOUT OF ROADS. 71 & 73 FINDON ROAD, 1, 5-11, 15-21	APPROVED WITH CONDITIONS	21-12-1954

ODD, 2-28 EVEN GREATHAM ROAD, 33-47, 49 "THE BUNGALOW" & "WAYBACK", 48-52, 56-62 EVEN PARHAM ROAD 1-5 ODD, 2-4 EVEN WANTLEY ROAD

No record of the above decision notices have been found therefore there is no record of any removal of permitted development rights.

REPRESENTATIONS & RELEVANT CONSULTATION RESPONSES :

Two representations have been received from the occupier of 'Larkrise' Mill Lane to the rear of the site raising an objection on the grounds of loss of privacy.

PLANNING ASSESSMENT:

The issues raised in the representations are not a material consideration in determining an application for a certificate of lawfulness. The relevant test for such an application is whether the applicant has proven that the proposals are permitted development and so the application has been assessed against the provisions of The Town and Country Planning (General Permitted Development) (Amendment) (no.2) (England) Order 2008 which came into force on 1 October 2008.

The applicant has provided drawings showing the proposed alterations to support the claim that the development is permitted development and has confirmed the use of matching materials and that the rooflight windows would not protrude more than 150mm from the plane of the roofslope.

In the absence of any records to the contrary, it would appear that the house enjoys the benefit of permitted development rights and so the relevant classes of Part 1 of the Order, against which the application should be assessed, are Class A which relates to the enlargement, improvement or other alteration of a dwellinghouse, Class B which relates to the enlargement of a dwellinghouse consisting of an addition or alteration to its roof, and Class C which relates to any other alteration to the roof of a dwellinghouse.

It is considered that the proposed ground floor rear doors would be permitted development under Class A for the following reasons:

(a) No extension proposed and so the ground coverage would not exceed 50% of the total area of the curtilage excluding the original dwelling house (A1a)
(b) the height of the alteration would not exceed the highest part of the roof and eaves (A1 (b) and (c))
(c) the alteration is to the rear elevation and does not front the highway (A1 d)
(d) The alteration involves no enlargement to the property (A1e f g h)
(e) The works do not include a veranda, balcony, raised platform or antenna and the works shown to the vent pipe could be carried out under class G(A1 i)
(f) Matching materials would be used (A3 a)

It is considered that the proposed dormer window and side gable enlargement would be permitted development under Class B for the following reasons:

(a) The alterations would not exceed the height of the existing roof (B1a)

(b) The alterations would not extend beyond the roof plane of the principal elevation (B1b)
(c) The cubic volume of the additions do not exceed 50 cubic metres (B1c)
(d) There are no verandas balconies, raised platforms or chimneys proposed and the works to the vent pipe can be carried out under class G (B1d)
(e) The site is not within a conservation area (B1e)
(f) Matching materials are proposed (B2a)
(g) The edge of the dormer enlargement closest to the eaves would not be less than 20cm from the eaves of the original roof (B2b)
(h) The side window proposed would be obscure glazed and non-opening up to 1.7m above finished floor level (B2c).

The rooflight windows would be permitted development under Class C for the following reasons:

(a) The rooflight windows would not protrude more than 150mm beyond the original roof plane (C1a)
(b) The windows would be not be higher than the original roof (C1b)
(c) Other than the alterations to the vent pipe which can be carried out under class G, there are no other works identified in the plans to install, alter or replace any chimney, flue, soil or vent pipe. No solar equipment is proposed (C1c)
(d) There are no side roofslope windows proposed (C2).

In conclusion, it has been demonstrated that the proposed roof alterations and extension would be permitted development not requiring a planning application.

HUMAN RIGHTS:

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that the level of development proposed would not cause undue harm in terms of additional noise, disturbance and loss of privacy and that, on balance, existing residential quality of life would not be adversely affected as a result of the proposal. Accordingly it is considered that it is acceptable with regard to Article 8 and Article 1.

RECOMMENDATION:

Issue Certificate of Lawful Development for the proposed roof enlargement and alterations.

IS RECOMMENDATION CONTRARY TO LETTER(S) OF REPRESENTATION? Y

DELEGATED

Case Officer sign..... [redacted] .....Date.....19/7/10.....

Authorising Officer sign..... [redacted] .....Date.....20.7.10.....