Development Control – Delegated Officer Report

Application Number: AWDM/1274/16 **Recommendation – Issue**

Site: **6 Upton Avenue, Southwick, BN42 4WP**

Proposal: **Application for Lawful Development Certificate for proposed rooms in roof with dormer to west side elevation and rooflights to east side elevation**

Date of site visit: N/A

Neighbours checked: None undertaken

Additional neighbour notifications: N/A

Proposal, Site and Surroundings

The proposal seeks confirmation, within an application for Lawful Development Certificate for a Proposed use or development, that the proposed works are all permitted development as defined within the Town & Country Planning (General Permitted Development) (England) Order 2015.

The application property, no. 6 Upton Avenue, Southwick is located within a residential area and compromises a detached residential dwelling, and is located on the south side of Upton Avenue.

The street and general area, comprises predominantly detached bungalows, many of which have undertaken a roof extension by way of a dormer such as no. 8 to the east of the application site

Relevant Planning History:

AWDM/1276/16 Single storey rear extension to south elevation
Approved 06.10.2016

Consultations: None

Representations: None

Relevant Planning Policies

None relevant, as the application will be adjudged on fact not merit.

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

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

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

B1 Development is not permitted by Class B if-
a)permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

Analysis: The dwellinghouse is not as a result of a change of use.

b) any part of the dwellinghouse would, as a result of the works, exceeds the height of the highest part of the existing roof:

Analysis: The highest part of the of proposed dormer is shown to be some 500mm below the ridge of the dwellinghouse, the proposed dormer does not therefore exceed the highest part of the existing roof.
The hip to gable extension will be of the same height as the existing roof, it will not exceed it

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

Analysis: The proposed dormer will not be on the principal elevation and it will not front a highway.
The hip to gable will be to the rear of the property and will not front a highway.

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 property is a semi-detached house and using the agents calculations, the proposed dormer will be 21.46 cubic metres and the hip to gable will be 16.01 cubic metres, making a total of 37.47 cubic metres.

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; or
f) the dwellinghouse is on article 2(3) land.

Analysis to e & f: none of i) or ii) apply, and amongst other things, article 2(3) land is a designated Conservation Area and/or AONB, the site is neither of these.

Conditions Analysis:

a) the plans do not indicate that the materials will match the existing construction, but this could be drawn to the applicants attention;
b) the eaves of the original roofs will be maintained and the plans show 200mm will be retained; and no part of the enlargement will extend beyond the outside face of any of the external walls;
c) there will be 2no. windows within the dormer on the west roof slope and these will all be obscure glazed, A notation on the plans indicate that all the windows below 1.7m from each internal floor level will be non-opening and obscure glass.

Conclusion for the proposed roof alterations

The application is considered on fact not merit, and the analysis has shown that the proposal is within the legislation guidance and is permitted development, therefore.

Issue LDC for the side dormer.

Class C- other alterations to the roof of a dwellinghouse

Roof lights in east side elevation

Analysis C1:

a) The dwellinghouse is not as a result of a change of use;
b) The plans show that the rooflights will not protrude more than 100mm beyond the plane of the slope of the original roof;
c) neither of the roof lights will be higher than the highest part of the original roof;
d) the works will not consist of or include the installation, alteration of a chimney, flue or soil and vent pipe, or alteration or replacement of solar photovoltaics or solar thermal equipment.

Conditions C2

The development indicates 4no. rooflights within the side (east) elevation and the plans indicate that the 4no. of the rooflights will be obscure glazed and a notation on the plans identify that all windows below 1.7m from the internal floor level will be non-opening and obscure glazed.

As the rooflight over the stairs will be 2metres above any point on the stairs and the requirement of obscure glazing will be complied with, but there is no need to fix the window to be permanently non opening.

Conclusion for the front roof lights

The proposal conforms with the permitted development criteria of Class C, therefore:-

Issue LDC for the side rooflights.

Conclusion

The proposal as indicated on the submitted drawings is considered to comply with Classes B, and C of the Town and Country Planning (General Permitted Development) (England) Order 2015, and is thereby permitted development and will not require the submission of a planning application by that named legislation.

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

Case Officer: Eve Hearsey Date: 23.01.2017

Authorised by: Jo Morin Date: 26.01.2017