Expiry Date – 2/8, EOT to 6/8

Development Control – Delegated Officer Report

Application Number: AWDM/0997/21 **Recommendation – Issue Certificate**

Site: 53 The Meadway, Shoreham

Proposal: **Application for a Lawful Development Certificate for Proposed rooms in roof consisting of hip to gable and rear dormer and Juliet balcony.**

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 27/7

Site and Surroundings

This application relates to a semi detached hipped roof bungalow on the south side of The Meadway built in the late 1940's. The bungalow has been extended into the loft with a rear dormer and front rooflight as well as at rear ground floor.

The property is not in a conservation area and is not listed.

Proposal

A certificate is sought for a development comprising raising of the side hip into a gable with window and the widening of the rear dormer. The existing dormer is altered to include a Juliet balcony. A rear pitched roof is to be removed to make way for the enlarged rear dormer.

Relevant Planning History

AWDM/1118/21 - Proposed extended rear dormer with juliet balcony, hip to side gable roof extension. Rear dormer and side gable to be clad with weatherboarding. Pending

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, Part 1, Development within the curtilage of a dwellinghouse
Permitted Development

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) 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: N/A

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

Analysis: The proposal does not exceed the ridge height.

(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 development is at the side and rear of the dwelling.

(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 volume does not exceed 50 cubic metres. (47.4).

(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;
(f) the dwellinghouse is on article 2(3) land.;
(g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).;
or
(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: e, f, g and h do not apply in this case.

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

Analysis: Matching Materials are shown to be used.

(b) the enlargement must be constructed so that—
(i) other than in the case of a hip-to-gable enlargement or an 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 0.2 metres 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 dwellinghouse; and

Analysis: The rear dormer proposed joins the original roof to a roof of a rear extension and so (aa), (bb) and (bb) ii do not apply.

(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be —
(i) obscure-glazed, and
(ii) 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 gable window is shown to be obscurely glazed and non-opening below 1.7 metres.

Interpretation of Class B
B.3 For the purposes of Class B, “resulting roof space” means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.
B.4. For the purposes of paragraph B.2(b)(ii)—
(a) roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwellinghouse are not to be considered part of the enlargement; and
(b) “rear or side extension” includes an original part of, or a subsequent extension of, the dwellinghouse that extends from the rear or side of the principal part of the original dwellinghouse.

Recommendation

Issue a Certificate of Lawfulness for Proposed Development.

Reasons for Recommendation

The proposal shown in drawing 01 and 05 received 8.6.2021 and 02 B received 5.8.2021 constitutes 'development' as defined by Section 55 of the Town and Country Planning Act 1990, but is permitted by Class B of Part 1 Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

Case Officer signed:	MOK	Date: 5.8.21
Authorised and signed by:	Peter Barnett	Date: 5 August 2021