DELEGATED APPLICATIONS ASSESSMENT SHEET

Application Number:
AWDM/0839/15

Recommendation – GRANT certificate

Site: **33 Sompting Road, Lancing**

Proposal: **Application for a Lawful Development Certificate for proposed hip to gable roof extension and rear dormer**

SITE AND SURROUNDINGS:

The application site is a detached bungalow situated on a sharp bend in Sompting Road

PROPOSAL:

This application is for a Certificate of Lawfulness where the planning merits of the proposal are not a consideration in this instance. The assessment is whether the submission of a planning application is required in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015

The proposal is:

Hip to gable roof extension and rear dormer

RELEVANT LEGISLATION:

The Town and Country Planning (General Permitted Development) (England) Order 2015

ASSESSMENT:

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); - not applicable

(b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof; - the proposed works do not exceed that highest part of the roofslope

(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;

Because of the nature of this property being situated on a bend that effectively encircles the property on 3 sides, this part of the Order requires careful

consideration.

The technical guidance previously published by the government states:

In most cases, the principal elevation will be that part of the house which fronts (directly or at an angle) the main highway serving the house (the main highway will be the one that sets the postcode for the house concerned). It will usually contain the main architectural features such as main bay windows or a porch serving the main entrance to the house. Usually, but not exclusively, the principal elevation will be what is understood to be the front of the house. There will only be one principal elevation on a house. Where there are two elevations which may have the character of a principal elevation (for example, on a corner plot), a view will need to be taken as to which of these forms the principal elevation.

In this instance, the southern, eastern and northern elevations of the property could all be said to front the highway. To some extent all of these elevations are at an angle to the road. The eastern elevation is the elevation that is closest to the road and only at a slight angle, but the southern elevation also faces the highway albeit across the communal garden of a block of flats to the south.

The northern elevation also fronts the highway as such but is screened by vegetation and looks across the rear amenity area. This elevation does not have any features that distinguish it as the principal elevation and can be discounted for that purpose.

As such, therefore, it is either the eastern or southern elevations that could be the principal elevation of the property. Although the eastern elevation, as described above, has the most direct relationship to the road, it contains 2 bedroom windows with no other openings. It is the narrower side of the house and without any openings could not be described as the main entrance to the house.

The southern elevation, however, contains the front door which according to the floor plans leads to an entrance lobby. The vehicular access to the property runs past this door with the garage beyond. It is also notable that the eastern elevation of the property is physically separated from the access by a close boarded fence.

It is considered, therefore, that the principal elevation of the property is the southern elevation. The plane of the roof of this elevation remains unchanged.

(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;
(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.

The proposal does not exceed these tolerances

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;
(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
(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.

Although the southern elevation has been determined as the principal elevation of the property, as the technical guidance states, this does not mean it is the front of the house. The front of the property can be considered as the eastern elevation which, in turn, means that the northern elevation is the side of the property.

The northern elevation contains the proposed dormer and therefore having regard to the provisions above it must be obscure glazed non opening below 1.7 metres above ground level. Although this was not indicated on the approved plans, a subsequent e-mail from the applicant's agent has confirmed that this will be the case.

The proposal does not conflict with any further requirements of Class C.

RECOMMENDATION:

Issue Certificate of Lawfulness for Proposed Development

REASONS FOR RECOMMENDATION:

The proposal as shown on drawing numbers 15/01/01, 15/01/02, 15/01/03, 15/01/11, 15/01/12 received 8 June 2015, and as described in the e-mail from Nick Monti received 29 July 2015 constitutes 'development' as defined by Section 55 of the Town and Country Planning Act 1990, but is permitted by Classes B and C Part 1 Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015.

DELEGATED

Case Officer Sign: Gary Peck Date: 29 July 2015

Authorising Officer Sign: [signature] Date: 30th July 2015