Development Management - Delegated Officer Report

Application Number: AWDM/0370/24 Recommendation – APPROVE

Site: 183 Brighton Road, Lancing, BN15 8JB

Proposal: Application for a Lawful Development Certificate for proposed loft conversion with rear hip to gable roof extension and side dormers.

Date of site visit: Assessment has also been assisted using the Applicants plan; Earthlight mapping; and Google 3D of the site

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings:

The property is a detached, two storey, hipped roof, dwelling, positioned on the north side of Brighton Road, Lancing. The property has an existing single storey rear extension and a rear outbuilding.

The nearby residential properties are two and single storey, with hipped and gable roofs. Many have had roof extensions with side dormers, and front dormers.

The site is not a Listed Building or within a Conservation Area.

Relevant Planning History:

AWDM/0371/24 Refurbishment of property by way of a ground floor front infill extension and raising rear side walls for a parapet wall. First floor horizontal cladding on all elevations. Front (south), hip to gable roof extension, dormers to both side roofslopes, Juliet balcony with full glazed doors to south new gable. Together with internal and external alterations to implement the use. **Current**

Proposal:

A Certificate of Lawfulness is sought for a:-

- Hip to gable roof extension to rear (north);
- 1no. window in new rear gable end serving bedroom;
- 1no. dormer extension to side (east) roofslope;
- 1no. window in new east dormer serving bedroom;
- Triangular window in each south end of new dormers;
- Enlarged rooflight in south hip;
- 1no. dormer extension to side (west) roofslope;

- 2no. windows in new west dormer serving shower room and landing;

Planning Assessment

Consideration

Schedule 2, 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

Development not permitted

B.1 Development is not permitted by Class B if:-

a) The dwellinghouse has been granted only by virtue of Class G, M, MA, 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 hip to gable will be to the same height as the existing ridge and does not exceed it. The side dormers will be below the ridge line.

(c) The roof extension would extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

Analysis: the hip to gable will be to the rear roof section, and does not extend beyond the plane of the existing roof slope which forms the principal elevation of the dwellinghouse or fronts a highway; the side dormer will not front a highway, and will not be onto the principal elevation etc.

(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 submitted supporting document, and a notation on the plans, states that each side dormer will be 14.8m^3 and the rear hip to gable extension would be 10.4m^3 making the total proposed volume to be 40m^3.
The allowed 50m^3 is thereby not exceeded.

(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;

Analysis: The soil and vent pipe will be altered, however this is covered by Class G below.

(f) the dwellinghouse is on article 2(3) land

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

(g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses); or

Analysis: The dwellinghouse has not been created by virtue of Part 20.

(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: The above does not apply.

B.2 Development is permitted 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 Agent's email dated 09.05.2024 confirms that the roof tiles on the extended hip will match the appearance of the existing roof tiles. They also attach photos of the property showing the existing weatherboarding. The boarding on the proposed dormers will thereby be of similar appearance to the existing house.

(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 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 dwelling house.

Analysis: The submitted support statement confirms that the dormer and gable will be set back 200mm from the rear eaves. The extension will also not extend beyond the outside face of any external wall of the original dwelling house.

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 is a notation on the submitted plans regarding the new windows in the side elevation of the dormers which states that all of the windows will be obscure glazed, opening above 1.7m from finished floor level.

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 G, M, MA, 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 submitted support document confirms that the rooflights will not project more than 150mm above the roof.

(c) It would result in the highest part of the alteration being higher than the highest part of the original roof;

Analysis: The rooflights etc., will not be higher than the highest part of the original roof, namely the ridge.

(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: The soil and vent pipe will be altered, however this is covered by Class G below.

(e) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

Analysis: The above does not apply

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

(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: There is a notation on the submitted plans regarding the new windows in the side elevation of the dormers which states that all of the windows will be obscure glazed, opening above 1.7m from finished floor level.

Class G – chimneys, flues etc. on a dwellinghouse

Permitted development

G. The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

Development not permitted

G.1 Development is not permitted by Class G if—

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, 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 height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or

Analysis: The height of the soil and vent pipe will not exceed 1m above the roof of the building.

(c) in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which—

(i) fronts a highway, and

(iii) forms either the principal elevation or a side elevation of the dwellinghouse.; or

Analysis: The dwellinghouse is not on article 2(3) land

(d) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

Analysis: The dwellinghouse has not been created by virtue of Part 20.

Recommendation

Issue a Certificate of Lawfulness as the proposal is permitted development by Class B, Class C, and Class G within Schedule 2 Part 1 of Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Reasons for Recommendation

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

Case Officer: Eve Hearsey Date: 10.05.2024

Authorised by: Peter Barnett Date: 10 May 2024