Development Control – Delegated Officer Report

Application Number: AWDM/1336/17 **Recommendation – Issue**

Site: **100 Blacksmiths Crescent, Sompting, BN15 0BY**

Proposal: **Application for Lawful Development Certificate for proposed rear dormer; single-storey rear conservatory and front rooflights.**

Date of site visit: 14.11.2017

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 conservatory is permitted development as defined within the Town & Country Planning (General Permitted Development) (England) Order 2015.

The application property, no. 100 Blacksmiths Crescent, Sompting is located within a residential area and compromises a two storey semi-detached dwelling.

Relevant Planning History:

S/46/80/TP/58066 Garage to side of property (incorporating covered way) **Approved 08.08.1980**

AWDM/1335/17 - Conversion of garage and covered way to Bedroom and Shower room - current

Consultations: None

Representations: N/A

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, Part 1, Development within the curtilage of a dwellinghouse Permitted Development
Class A – enlargement, improvement or other alteration of a dwellinghouse.

Rear single storey extension

A.1 Development is not permitted by Class A 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 the Schedule (changes of use);

Analysis: The dwellinghouse is an existing dwellinghouse, and not as a result of a change of use.

b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

Analysis: The new ground cover by the proposed rear extension will be 2.5m x 6.5m = 16.25 square metres in area, which will be less than 50%

c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

Analysis: The proposed extension will be single storey with a mono-pitched roof to a height of approx. 2.9m and the existing dwellinghouse is two storey, thereby the roof of the proposed rear extension will not be higher than the original dwellinghouse.

d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

Analysis: The eaves of the proposed rear extension will be approx. 2.4m high and the eaves of the existing dwellinghouse will be much higher at two storey.

e) the enlarged part of the dwellinghouse would extend beyond a wall which:
i) forms the principal elevation of the original dwellinghouse; or
ii) fronts a highway and forms a side elevation of the original dwellinghouse;

Analysis: The single storey rear extension will be to the rear of the dwellinghouse which is not the principal elevation nor does it front a highway and form a side elevation of the original dwellinghouse.

f) subject to paragraph g) the enlarged part of the dwellinghouse would have a single storey and-
i) extend beyond the rear wall of the original dwellinghouse by more than 4m in the case of a detached dwellinghouse, or 3m in the case of any other dwellinghouse, or

ii) exceed 4m in height;

Analysis: The proposed extension will be 2.5m in depth and 2.9m in height, it thereby does not exceed the height or depth threshold.

g) until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and-
i) extend beyond the rear wall of the original dwellinghouse by more than 8 m in the case of a detached dwellinghouse, or 6m in the case of any other dwellinghouse, or
ii) exceed 4m in height;

Analysis: The Prior Approval procedure has not been followed here.

h) the enlarged part of the dwellinghouse would have more than a single storey and-
i) extend beyond the rear wall of the original dwellinghouse by more than 3m, or
ii) be within 7 m of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

Analysis: The proposed extension will not be more than a single storey, therefore i) and ii) do not need to be considered.

i) the enlarged part of the dwellinghouse would be within 2m of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3m;

Analysis: The extension will be within 2m of the side boundary but the eaves at approx. 2.4m, the height of the eaves would not exceed 3m

j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would-
i) exceed 4m in height;
ii) have more than a single storey; or
iii) have a width greater than half the width of the original dwellinghouse; or

Analysis: The proposal will not extend beyond a wall forming a side elevation of the original dwellinghouse, therefore i), ii) and iii) do not have to be considered.

k) it would consist of or include-
i) the construction or provision of a verandah, balcony or raised platform,
ii) the installation, alteration or replacement of a microwave antenna,
iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
iv) an alteration to any part of the roof of the dwellinghouse.

Analysis: The single storey rear extension will not consist or include any of the above mentioned matters/items.

A2 relates to dwellinghouse on article 2(3) land, which, amongst other things, is a designated Conservation Area or an AONB.

Analysis: The site is neither.

A3 moves onto the conditions of the permitted development i.e.

a) materials to match existing (other than materials used in the construction of a conservatory);
b) any upper-floor windows located in a wall or roof slope forming a side elevation must meet certain criteria;
c) relates to development which is more than a single storey.

Analysis: a) is the only one which applies, and the plans indicate that the materials will match the existing.

Conclusion for the rear extension

The LDC can be issued for the single storey rear extension (conservatory).

Class B – additions etc. to the roof of a dwellinghouse
Permitted development
Rear dormer

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 rear dormer is shown to by approx. 200mm lower than the ridge of the dwellinghouse, Therefore the dormer does not exceed the highest part of the existing roof.

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 be to the rear roof slope and not fronting the 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 26.73 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.

Conditions Analysis:

a) the plans show that the materials will match those of the existing;
b) the eaves of the original roofs will be maintained and the plans show that more than 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 not be a window on a wall or roofslope forming a side elevation of the dwellinghouse.

Conclusion for the rear dormers

Issue LDC for the rear dormers

Class C- other alterations to the roof of a dwellinghouse

Front roof lights

Analysis:

a) The dwellinghouse is not as a result of a change of use;
b) The rooflights will not protrude more than 150mm beyond the plane of the slope of the original roof;
c) none 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, the works do not include a window to be located on a roof slope forming a side elevation.

Conclusion for the front roof lights

Issue LDC for the front roof lights.

Conclusion

The proposal as indicated on the submitted drawings is considered to comply with 'Class A, 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 are permitted by Class A, B & C of Schedule 2, Part 1 of Town and Country Planning (General Permitted Development) (England) Order 2015 (as Amended) as identified on:-

Plan Title: 1:1250 Date Received 05.09.2017
Plan Title: 1:500 Date Received 05.09.2017
Plan Title: Existing Plans & Elevations Drawing No. EAD/0042/17/01
Date Received 05.09.2017
Plan Title: Proposed Plans & Elevations Drawing No. EAD/0042/17/04
Date Received 05.09.2017

Case Officer: Eve Hearsey Date: 01.12.2017

Authorised by: Peter Barnett Date: 1 December 2017