Development Management - Delegated Officer Report

Application Number: AWDM/0117/24 Recommendation – APPROVE

Site: 121 Church Green, Shoreham-by-Sea, BN43 6JU

Proposal: Application for a Lawful Development Certificate for proposed side half gable roof extension to this end of terrace house, materials to match existing with volume under 40m^3 allowance, side window obscure glass.

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 hipped roof, two storey detached building but contains 4no. self-contained dwellings units within it, each taking a quarter of the building and each on two floors. Each of those dwelling units, is therefore a terraced dwelling.

The street scene of Church Green comprises predominantly two storey dwellings.

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

Relevant Planning History:

SU242/81/TP Erection of 189 dwellings with garages, parking spaces and including roads, footpaths and all ancillary works. **Approved 06.04.1982**

SU/26/84/TP/FP Revisions to layout and design of dwellinghouses on plots 60 to 125 (amendment to SU/242/81/TP). **Approved 13.03.1984**

Proposal:

A Certificate of Lawfulness is sought for a:-

- Hip to ½ gable roof extension;
- 3no. rooflights to the north facing roofslope; and
- 1no. window in new end ½ gable roof extension.

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 ridge height of the hip to ½ gable roof extension will be below the existing roof ridge and therefore does not exceed the height of the highest part of the existing roof.

(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: Although the hip to ½ gable will be to the roofslope next to the highway, it does not extend beyond the plane of the existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway.

(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: A volume calculation has been submitted with the application which shows that the proposed cubic content of the side half gable roof extension would be $16m^3$ which is less than the allowed $40m^3$

(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: None of the above are shown on the submitted plans.

(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 submitted application forms state that materials will match the existing.

(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: Although the plans are not notated to say the setback space, when measuring the plans, it can be seen that there will be more than 200mm set back from the eaves.

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: The Agent has confirmed in an email dated 04.03.2024 that the window in the side elevation of the ½ gable will be obscure glass with the opening window being more than 1.7m above the floor of the room in which the window is installed.

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 Agent has confirmed in his email dated 04.03.2024 that the proposed rooflights will not protrude more than 150mm above the plane of the roof slope.

(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: None of the above are shown on the submitted plans.

(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: The Agent has confirmed in an email dated 04.03.2024 that the window in the side elevation of the ½ gable will be obscure glass with the opening window being more than 1.7m above the floor of the room in which the window is installed.

Recommendation

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

Case Officer: Eve Hearsey Date: 05.03.2024

Authorised by: Peter Barnett Date: 6 March 2024