Expiry Date - 07/03/2011

Development Control – Delegated Officer Report

Application Number: ADC/0008/11 Recommendation – Issue Certificate

Site: 12 Colville Avenue Shoreham-by-Sea West Sussex BN43 5WN

Proposal: Application for Certificate of Lawfulness for proposed rooms in roof (with side rooflights and front and rear windows) and single-storey rear extension

The Application

The application is to determine whether a planning application is required for the proposals to this detached chalet-style bungalow. The dwelling is located within the built up area of Shoreham on the east side of Colville Avenue. It has a rear garden of 160sqm.

The dwelling has not previously been modified or extended. The proposals under consideration consist of the formation of rooms in the roof space, and a single storey rear extension with dummy pitch roof.

The submitted plans show that there would be no additions to the roof form other than the insertions of two side roof lights, one on the northern roof slope serving the landing, and one on the southern roof slope serving the bathroom. It is stated on the application form and the plans that the rooflights will be obscurely glazed and fixed shut. The rooflights would project less that 150mm from the roof plane.

The rear extension would be the whole width of the existing rear face of the building (8.5m) and would project into the rear garden by 3.6m. The extension would be 2.7m in height to the eaves level with the overall height being 3.5m. It would be a rendered finish with tiled dummy pitch roof.

Relevant Planning Legislation

Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008. Schedule 2 Part 1 Development within the curtilage of a dwellinghouse.

Class A:- The enlargement, improvement or other alteration of a dwellinghouse.

Class C:- Any other alteration to the roof of a dwellinghouse.

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

Planning Assessment

The proposals are clearly 'development' as defined by section 55 of the T&CP Act 1990.

The rear extension constitutes the enlargement, improvement or other alteration of a dwellinghouse (Class A), and the rooflights constitute other alterations to the roof of a dwellinghouse (Class C), with the loss of the chimney constituting an alteration of a chimney (Class G).

The relevant Class A, Class C and Class G of Part 1 of Schedule 2 to Article 3 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended in 2008) confers permission (termed 'permitted development') for such enlargements and alterations. They contain a number of limitations:-

Class A

(a) The total area of ground covered by buildings, extensions etc would exceed 50% of the total area of the curtilage – The rear garden area is 160sqm whereas the rear extension would be 30.6sqm, less than 50%.
(b) The height of the extension must not exceed the highest part of the existing building – The proposals meet this requirement as the main building is 5.9m in height and the extension would be 3.5m high.
(c) The height of the eaves must be no higher that those on the existing dwelling – The proposed eaves would tie in to the same level as the existing.
(d) N/A – does not extend towards the highway
(e) (i) The extension must not extend more than 4m if on a detached building – proposed extension would be only 3.6m.
(ii) The extension must not exceed 4m in height – proposed extension would be 3.6m in height.
(f) N/A – Extension would be single-storey.
(g) The height of the eaves must not exceed 3m if within 2m of the boundary – the extension would be within 2m of the boundary and would have an eaves height of 2.7m.
(h) N/A – Proposed extension is not at the side.
(i) (i) N/A – proposals would not consist of a veranda, balcony or raised platform.
(ii) N/A – not a microwave antenna.
(iii) N/A – The proposed rear extension does not relate to a chimney.
(iv)N/A – does not relate to the roof

Class A also contains conditions:-

(a) The external materials shall be of similar appearance to the existing dwelling – the proposals are considered to meet this requirement.
(b) N/A – No upper floor windows in the proposed rear extension.
(c) N/A – rear extension would not be more than one storey.

Class C

(a) The alteration would protrude more than 150mm beyond the roof plane – the proposed roof lights are stated to be less than this dimension on the application.
(b) The highest part of the alteration would be higher that the highest part of the original roof - The proposals meet this requirement.
(c) (i) It would consist or include the alteration of a chimney – The proposals do consist of the alteration to the chimney which are covered by Class G (see below).
(ii) N/A – The proposals do not consist of the installation of solar panels.

Class C also contains conditions:-

Any window located on a roof slope forming the side elevation shall be:

(a) Obscurely glazed – The proposed roof lights are stated to be obscurely glazed on the plans and will only serve a stairway landing and bathroom.
(b) Non-opening unless above 1.7m from the internal floor level – The bathroom window is stated to be non-opening, whilst the stairwell window is above 1.7m in height from the adjacent stairs.

Class G

(a) N/A – the chimney is being removed.
(b) N/A – the dwelling is not on article 1(5) land.

Recommendation

That a Certificate of Lawfulness be issued that an application for planning permission is not required.

Description: Proposed rooms in roof, with side rooflights and front and rear windows, and single-storey rear extension.

Land at: 12 Colville Avenue, Shoreham-by-Sea shown outlined in red on the 1:1250 site location plan.

Reason: The proposed building works fall within the definition of ‘development’ as defined by section 55 of the Act.

It complies with the provisions of the relevant Class A, C and G of Part 1 of Schedule 2 to Article 3 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended in 2008).

Case Officer Carlos Hone Date

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