Lewis & Co Planning

town planning consultants

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[redacted]

Adur District Council
Civic Centre
Ham Road
Shoreham-by-Sea
West Sussex
BN43 6PR

ADUR & WORTHING PLANNING SERVICES	
PLAN	AWDM/ 1353/13
DATE VALID	28 OCT 2013

23 October 2013

Dear Sir

RE: Application for Certificate of Lawfulness for a proposed ground floor rear extension and roof extension at 56 Gordon Road, Shoreham-by-Sea

Please accept this letter and accompanying documents (submitted via the Planning Portal) as an application for a certificate of lawfulness for the erection of a ground floor extension and roof extension to the rear of the existing dwelling at 56 Gordon Road in Shoreham-by-Sea.

The site

The application relates to an existing semi detached dwelling on the south side of Gordon Road in Shoreham-by-Sea. The site is surrounded by residential dwellings and is within the development boundary as identified in the Local Plan.

Planning history

None

The application

This application seeks a certificate of lawfulness to confirm that the roof extension and rear ground floor extension on the accompanying drawings can be erected under permitted development rights.

Documents submitted

The application comprises this letter and the planning application forms and plans submitted online via the planning portal.

Application fee

A cheque for the amount of £86.00 being the requisite fee for a certificate of lawfulness application for a proposed householder development will be sent to Adur District Council under separate cover.

Evidence submitted

The extension to the rear would be permitted development under **Class A.** The extension to the roof would be permitted under **class B.** The sections below set out the restrictions and allowances of parts A and B. Below each section are our comments in **BLUE** which demonstrate compliance with the relevant section.

The General Permitted Development Order (GPDO) states:

PART 1
DEVELOPMENT WITHIN THE CURTILAGE OF A DWELLINGHOUSE
Class A

Permitted development

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

Development not permitted

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

(a)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);

Comment: The total area of the curtilage of the dwelling that would be covered by buildings would be less than 50%

(b)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;

Comment: The extension proposed is lower than the ridge of the roof.

(c)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;

Comment: The eaves of the proposed extension are at the same level as the existing eaves of the rear extension to be replaced.

(d)the enlarged part of the dwellinghouse would extend beyond a wall which—

(i)fronts a highway, and

(ii)forms either the principal elevation or a side elevation of the original dwellinghouse;

Comment: The proposed extension is solely to the rear of the house.

(e)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 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or

Comment: The proposed extension would not exceed 3m depth

(ii)exceed 4 metres in height;

Comment: The proposed extension would not exceed 4m in height

(f)the enlarged part of the dwellinghouse would have more than one storey and—

(i)extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(ii)be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

Comment: The proposed extension would not have more than 1 storey.

(g)the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

Comment: The proposed rear ground floor extension would have eaves lower than 3m

(h)the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—

(i)exceed 4 metres in height,

(ii)have more than one storey, or

(iii)have a width greater than half the width of the original dwellinghouse;

Comment: The proposed rear ground floor extension would be solely to the rear of the dwelling

or

(i)it would consist of or include—

(i)the construction or provision of a veranda, balcony or raised platform,

Comment: The proposed rear ground floor extension does not propose a veranda, balcony or terrace.

(ii)the installation, alteration or replacement of a microwave antenna,

Comment: The proposed rear ground floor extension does not propose any antenna

(iii)the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

Comment: The proposed rear ground floor extension does not propose to install, replace or alter the chimney, flue or soil and vent pipe.

(iv)an alteration to any part of the roof of the dwellinghouse.

Comment: The proposed rear ground floor extension does not propose any alteration to the roof

A.2. In the case of a dwellinghouse on article 1(5) land, development is not permitted by Class A if—

(a)it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;

(b)the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or

(c)the enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse.

Comment: The dwelling is not on article 1(5) land.

Conditions

A.3. Development is permitted by Class A subject to the following conditions—

(a)the materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

Comment: The proposed rear ground floor extension would use materials to match those of the parent building.

(b)any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall 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; and

Comment: The proposed new window in the side elevation of the rear extension will be on the ground floor.

(c)where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

Comment: The proposed extension would not have more than 1 storey.

Class B

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)any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

Comment: The proposed roof extension to the roof would be lower than the existing main ridge of the roof.

(b)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;

Comment: The proposed roof extension would not project forward of the front roof slope.

(c)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;

Comment: The proposed extension to the roof would have a cubic volume of 39.9m3.

(d)it would consist of or include—

(i)the construction or provision of a veranda, balcony or raised platform, or

Comment: The proposed extension to the roof does not propose a veranda, balcony or terrace.

(ii)the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

Comment: The proposed extension to the roof does not propose to install, replace or alter the chimney, flue or soil and vent pipe.

(e)the dwellinghouse is on article 1(5) land.

Comment: The dwelling is not on article 1(5) land.

Conditions

B.2. Development is permitted by Class B subject to the following conditions—

(a)the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

Comment: The proposed rear dormer extension to the roof will use materials that are of a similar appearance to other materials on the existing building.

(b)other than in the case of a hip-to-gable enlargement, the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 centimetres from the eaves of the original roof; and

Comment: The proposed rear dormer extension will be a minimum of 25cm from the eaves as measured up the slope of the roof. This is annotated on the drawings.

(c)any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse shall 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.

Comment: The proposed side facing window will be obscure glazed in its entirety and will be fixed shut to a minimum height of 1.7m from floor level.

Interpretation of Class B

B.3. For the purposes of Class B "resulting roof space" means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

Summary

The proposed extensions and alterations to the rear of the building comply with the restrictions set out in Classes A and B of part 1 of schedule 2 of the GPDO (as amended) and so is permitted development.

In the light of the above considerations, the Council is respectfully requested to issue a Certificate of Lawfulness for the proposed development.

I trust this is sufficient for your authority to determine this certificate of lawfulness application. Please do not hesitate to contact Luke Carter at Lewis & Co Planning if you require any further information or clarification.

Yours sincerely

Luke Carter
BA(hons) DipTP MRTPI
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