Development Management - Delegated Officer Report

Application Number: AWDM/0995/23 Recommendation – APPROVE

Site: 29 The Marlinespike, Shoreham-by-Sea, BN43 5RD

Proposal: Application for a Lawful Development Certificate for conversion of existing loft space into a bedroom together with the inclusion of a soil vent pipe on the east elevation.

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 link-attached, gable end bungalow, positioned on the south side of The Marlinespike, Shoreham, and has a small rear garden, and a larger front amenity area, including a drive to the attached garage. There are existing rooflights in the rear and front roofslopes. Many of the bungalows have been extended in some form, including roof dormers to front and rear roofslopes. The immediate neighbours of the application site have both a front and a rear dormer.

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

Relevant Planning History: None

Proposal:

A Certificate of Lawfulness is sought to:-

- Convert the roofspace to a bedroom with en-suite and dressing room;
- Provide an internal staircase to the proposed first floor;
- Provide 2no. small rooflights (or sun tunnels); 1no. medium size rooflight; and 1no. larger rooflight to rear roofslope;
- Provide 1no. medium rooflight; 1no. wide rooflight; and 2no. large rooflight to front roofslope.

Planning Assessment

Principle

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 confirms in an email dated 15.08.2023 that the rooflights will not protrude more than 150mm from the roofslope.

(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: There is an addition of a soil vent pipe which is covered under 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 are no windows shown on the side elevation.

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 is shown to be lower than the roof height.

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

Analysis: The land is not article 2(3)

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

Analysis: The above does not apply

Recommendation

Issue a Certificate of Lawfulness as the proposal is permitted development by 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 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: 25.08.2023

Authorised by: Gary Peck Date: 25 August 2023