Development Management - Delegated Officer Report

Application Number: AWDM/0509/24 Recommendation – APPROVE

Site: 50 Anchor Close, Shoreham-by-Sea, BN43 5BY

Proposal: Application for a Lawful Development Certificate for proposed conversion of the roofspace with side facing dormers.

Date of site visit: N/A 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 application site is positioned on the east side of Anchor Close, and is an end of terrace, two storey dwelling with a side single storey pitched roof garage and drive leading to the garage. Each of the end of terrace properties of this run of 4no. dwellings have gabled frontage and rear sections. The 2no. middle of terrace in the run have no gable ends, but have rooflights within the front roofslopes, and one of them (no.48) has a flat roof rear dormer.

The terrace backs onto a recreational ground and play area.

Parking to the dwellings is directly in front of each of theme, with the end of terrace having attached garages and driveway.

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

Relevant Planning History:

AWDM/0508/24 Proposed single storey extension to rear of attached garage and conversion of existing garage to create additional habitable floorspace.
Approved 15.05.24

Proposal:

A Certificate of Lawfulness is sought for a:-

- Flat roof side dormers;
- Long side dormer on south roofslope measuring approx. 7.3m long x 2.5m deep x 2.6m high;
- Short blind dormer on north roofslope measuring approx. 3.5m long x 1.9m deep x 2.2m high;

Planning Assessment

Principle

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 flat roof of the side dormers do not exceed the highest part (ridge) 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: The side dormers will not be onto the principal elevation etc.

(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: The agent has submitted the calculations for the south dormer as being 22.15 m^3 and for the north dormer as being 8.38 m^3 Thereby totalling 30.54 m^3 which is less than the 40 m^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 plan.

(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 form state that's that 'The materials of the dormers will match the existing roof'.

(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: The proposal complies with the above.

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 submitted application forms confirm that the side windows within the south dormer will be obscure glazed and non-opening below 1.7m above floor level.

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: There will be no rooflights within the proposal.

(c) It would result in the highest part of the alteration being higher than the highest part of the original roof;

Analysis: The windows in the front (west) and rear (east) existing gable, 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: There new windows will be in the front and rear gable ends; the side windows will be will be obscure glazed and non-opening below 1.7m above floor level.

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: 19.06.2024

Authorised by: Peter Barnett Date: 19 June 2024