Development Control – Delegated Officer Report

Application Number: AWDM/0091/16 **Recommendation –**

Site: **49 Gordon Road, Shoreham-by-Sea, West Sussex BN43 5YH**

Proposal: **Application for Lawful Development Certificate for proposed rear dormer and front roof lights and single storey rear extension**

Date of site visit: 22.03.2016

Neighbours checked: None undertaken

Additional neighbour notifications: N/A

Proposal, Site and Surroundings

The proposal seeks confirmation, within an application for Lawful Development Certificate for a Proposed use or development, that the proposed works are all permitted development as defined within the Town & Country Planning (General Permitted Development) (England) Order 2015.

The application property, no. 49 Gordon Road, Shoreham-by-Sea, is located within a residential area and compromises a two storey, end of terrace residential dwelling, of a typical Victorian design i.e. an indented rear two storey section.

Relevant Planning History:

AWDM/0207/16 Single storey side/rear infill extension. Current.

Consultations: None

Representations: None

Relevant Planning Policies

None relevant, as the application will be adjudged on fact not merit.

Planning Assessment

Principle

The proposal will be viewed against the criteria of permitted development, as laid out within The Town and Country Planning (General Permitted Development) (England) Order 2015

Consideration

Schedule 2, Part 1, Development within the curtilage of a dwellinghouse

Permitted Development
Class A – enlargement, improvement or other alteration of a dwellinghouse.
Rear single storey extension

A.1 Development is not permitted by Class A if-
a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of the Schedule (changes of use);

Analysis: The dwellinghouse is an existing dwellinghouse, and not as a change of use.

b) 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);

Analysis: The new ground cover by the proposed rear extension will be 3m x 3.1m = 9.3 square metres in area, and the agent has calculated that the total area covered by the original dwellinghouse is 113.6 square metres. The area of the plot is 4.5m x 37m = 166.5 square metres, making the proposal. The ground area of the proposed extension would therefore be less than 50%

c) 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;

Analysis: The proposed extension will be single storey and the existing dwellinghouse is two storey, thereby, the roof of the proposed rear extension will not be higher than the original dwellinghouse.

d) 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;

Analysis: The eaves of the proposed rear extension will be at single storey whilst the eaves of the existing dwellinghouse is two storey.

e) the enlarged part of the dwellinghouse would extend beyond a wall which:
i) forms the principal elevation of the original dwellinghouse; or
ii) fronts a highway and forms a side elevation of the original dwellinghouse;

Analysis: The single storey rear extension will be to the rear of the dwellinghouse which is not the principal elevation nor does it front a highway and form a side elevation of the original dwellinghouse.

f) subject to paragraph g) 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 4m in the case of a detached dwellinghouse, or 3m in the case of any other dwellinghouse, or
ii) exceed 4m in height;

Analysis: The proposed extension will be 3m in depth and 3.07m in height, it thereby does not exceed the height threshold.

g) until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, 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 8 m in the case of a detached dwellinghouse, or 6m in the case of any other dwellinghouse, or
ii) exceed 4m in height;

Analysis: The proposal does not extend more than 6m nor exceed 4m in height.

h) the enlarged part of the dwellinghouse would have more than a single storey and-
i) extend beyond the rear wall of the original dwellinghouse by more than 3m, or
ii) be within 7 m of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

Analysis: The proposed extension will not be more than a single storey, therefore i) and ii) do not need to be considered.

i) the enlarged part of the dwellinghouse would be within 2m of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3m;

Analysis: The extension will be within 2m of the boundary but the height of the eaves would not exceed 3m

j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would-
i) exceed 4m in height;
ii) have more than a single storey; or
iii) have a width greater than half the width of the original dwellinghouse; or

Analysis: The proposal will not exceed 4m in height; will only be single storey; and will not be greater than half the width of the original dwellinghouse as there is an existing narrow rear section which is part of the original dwellinghouse, and the proposal is to be the same width as this.

k) it would consist of or include-
i) the construction or provision of a verandah, balcony or raised platform,
ii) the installation, alteration or replacement of a microwave antenna,
iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
iv) an alteration to any part of the roof of the dwellinghouse.

Analysis: The single storey rear extension will not consist or include any of the above mentioned matters/items.

A2 relates to dwellinghouse on article 2(3) land, which, amongst other things, is a designated Conservation Area or an AONB.

Analysis: The site is neither.

A3 moves onto the conditions of the permitted development i.e.

a) materials to match existing;
b) any upper-floor windows located in a wall or roof slope forming a side elevation must meet certain criteria;
c) relates to development which is more than a single storey.

Analysis: a) is the only one which applies, and the plans indicate that the materials will match the existing.

Conclusion for the single storey rear extension

The analysis of the rear extension is based on the existing dwelling, and thereby the existing rear section being in existence since 1948. Earlier correspondence has shown that it was in existence since that time and there is no evidence to show that it was not the case.

The LDC can be issued for the single storey rear extension

Class B – additions etc. to the roof of a dwellinghouse
Permitted development
Rear dormers

B1 Development is not permitted by Class B if-
a)permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

Analysis: The dwellinghouse is not as a result of a change of use.

b) any part of the dwellinghouse would, as a result of the works, exceeds the height of the highest part of the existing roof:

Analysis: The highest part of the of proposed dormer no. 1 (the outside dormer) is shown to by approx. 50mm lower than the ridge of the dwellinghouse, dormer no. 2 (the inside dormer), is slightly lower than dormer no. 1 by approx. 150mm. Therefore the dormers do not exceed the highest part of the existing roof.

c)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;

Analysis: The proposed dormer will be to the rear roof slope and not fronting the highway.

d)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;

Analysis: The property is a terrace house and using the agents calculations, the proposed dormer no. 1 will be 21.62 cubic metres and dormer no. 2 will be 14.43 cubic metres, totalling 36.05 cubic metres.

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; or
f)the dwellinghouse is on article 2(3) land.

Analysis to e & f: none of i) or ii) apply, and amongst other things, article 2(3) land is a designated Conservation Area and/or AONB, the site is neither.

Conditions Analysis:

a) the plans show that the materials will be similar in appearance to the existing construction;
b) the eaves of the original roofs will be maintained and the plans show 200mm will be retained; and no part of the enlargement will extend beyond the outside face of any of the external walls;
c) there will not be a window on a wall or roofslope forming a side elevation of the dwellinghouse.

Conclusion for the rear dormers

There are other rear dormers in the near vicinity that have done similar works as those shown within this application, whilst not of the best design, the conclusion is based on fact not merit.

Issue LDC for the rear dormers

Class C- other alterations to the roof of a dwellinghouse

Front roof lights

Analysis:

a) The dwellinghouse is not as a result of a change of use;
b) The agent has stated within the written submission that the rooflights will not protrude more than 150mm beyond the plane of the slope of the original roof;
c) neither of the roof lights will be higher than the highest part of the original roof;
d) the works will not consist of or include the installation, alteration of a chimney, flue or soil and vent pipe, or alteration or replacement of solar photovoltaics or solar thermal equipment.

Conditions, the works do not include a window to be located on a roof slope forming a side elevation.

Conclusion for the front roof lights

Issue LDC for the front roof lights.

Conclusion

The proposal as indicated on the submitted drawings is considered to comply with 'Class A, B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015, and is thereby permitted development and will not require the submission of a planning application by that named legislation.

Recommendation

Issue a Certificate of Lawfulness for Proposed Development, the submission of a planning application for the works will not be required.

Reasons for Recommendation

The proposed works shown on:-

Drawing No: **2016/003-05 Rev. A** Title: **Site/Location Plans**
Received: **28.01.2016**

Drawing No: **2016/003-01 Rev. A** Title: **Existing Floor Plans**
Received: **28.01.2016**

Drawing No: **2016/003-03 Rev. B** Title: **Proposed Floor Plans**
Received: **28.01.2016**

Drawing No: **2016/003-02 Rev. A** Title: **Existing Elevations & Section**
Received: **28.01.2016**

Drawing No: **2016/003-4 Rev. A** Title: **Proposed Elevations & Section**
Received: **28.01.2016**

constitute 'development' as defined by Section 55 of the Town and Country Planning Act 1990, but are permitted by Classes A, B and C of Part 1 Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015.

Case Officer: Eve Hearsey Date: 16.03.2016

Authorised by: Jo Morin Date: 23.03.2016