Expiry Date - 20/08/2019

Development Control – Delegated Officer Report

Application Number: AWDM/1018/19 Recommendation – APPROVE

Site: 35 Franklin Road Shoreham-By-Sea West Sussex BN43 6YE

Proposal: Application for a Lawful Development Certificate for proposed hip to gable roof extension with roof lights to rear elevation.

Site visit: N

Proposal, Site and Surroundings

The applicant has proposed a hip to gable roof extension; and installation of roof lights to the rear, south elevation, on a semi-detached dwelling in the town of Shoreham-By-Sea. The site does not lie within a Conservation Area nor is affecting the setting of a Listed Building. There are no Tree Protection Orders on or surrounding the site.

The installation of a front porch and pergola was permitted in 1979 under reference S/522/79/TP/8990 and a Building Regulation application was made under reference AWBC/0698/17 in 2017 for a single-storey rear extension (which fell within permitted development rights). These however, would not affect nor be affected by the proposed development.

It is noted that there are no previous planning decisions with conditions restricting development or removing permitted development rights of the property.

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, as amended.

Consideration

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

Class B The enlargement of a dwellinghouse consisting of an addition or alteration to its roof

B.1 Development is not permitted by Class B if:-

a) The dwellinghouse has been granted only by virtue of Class M, 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 proposed development would not result in any part of the extension being higher than the peak 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 dwelling house and fronts a highway;

Analysis: *The proposed development would be constructed at the side of the building and therefore would not extend beyond the principal elevation.*

(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: *Measurements taken from the scaled drawings show that the proposed development would only increase the roofspace by 16.30 m^3 (7.700 x 3.180 x 3.996 x 1/6) therefore would not exceed the limits set by the above criterion.*

(e) it would consist of or include:-
i) a verandah, balcony or raised platform or
ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe;

Analysis: *These criteria are not relevant to this application given the scope of the proposed development, as the extension would not include the above.*

(f) the dwellinghouse is not on article 2(3) land

Analysis: *The dwelling house is not sited within article 2(3) land.*

B.2 Development is permitted subject to:-

(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: *It has been stated within the application form that the materials would be similar in appearance to those of the existing building*

(b) the enlargement must be constructed so that:-

i) other than in the case of a hip-to-gable enlargement or an 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 proposed development is a hip to gable enlargement*

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: *These criteria are not relevant to the proposed application as the only windows proposed would be sited on a roof slope to the rear of the property.*

Class C – Alterations to the roof of a dwelling house

C.1 Development is not permitted by Class C if:-

a) The dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q.

Analysis: The dwellinghouse has not been created through change of use by virtue of Part 3.

b) The alteration would protrude more than 0.15m beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;

Analysis: *It has been stated within the application form that the proposed windows would not protrude more than 150mm from the existing roof plane.*

c) The height of the highest part of the alteration would exceed the highest part of the original roof;

Analysis: *The proposed windows would not exceed the peak of the original roof*

(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: *These criteria are not relevant to this application given the scope of the proposed development, as the alterations would not include the above.*

C.2 Development is permitted subject to the condition that any window located on a roof slope forming a side elevation of the dwelling house must be:-

a) obscure-glazed, and
b) 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: *These criteria are not relevant to this application given the scope of the proposed development, as the windows would be sited on a rear facing slope.*

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 proposal constitutes 'development' as defined by Section 55 of the Town and Country Planning Act 1990, but is permitted by Class B and C of Part 1 Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

Case Officer: *Benjamin Marshall* Date: 02th July 2019

Authorised by: Peter Barnett Date: 3 July 2019