Development Management - Delegated Officer Report

Application Number: AWDM/0086/23 Recommendation – APPROVE

Site: 7 Gordon Road, Lancing, BN15 9LP

Proposal: Application for Certificate of Lawfulness for proposed hip to gable; rear dormer; front rooflights; and front porch.

Date of site visit: N/A

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings:

The site is located on the south side of Gordon Road, Lancing, and is a semi-detached bungalow with a hipped roof. It also has a side lean-to extension plus a single storey rear extension. The street, and near area, contains predominantly bungalows.

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

Proposal:

A Certificate of Lawfulness is sought for a:-

- Hip to gable roof extension;
- A flat roof rear dormer extension;
- 3no. rooflights to front roofslope; and
- A front porch extension.

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 - Permitted development rights

Part 1 - Development within the curtilage of a dwellinghouse.

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 ridge height of the hip to gable roof extension will be the same height as the existing roof ridge and therefore does not exceed the height of the highest part of the existing roof; and the flat roof of the rear dormer is shown to be below 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 hip to gable will be to the side roof section, and the dormer will be to the rear roofslope, neither of which forms the principal elevation of the dwellinghouse and fronts a highway;

(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 submitted plans are notated that the hip to gable is 23.25$m^{3;}$ and the rear dormer is 24.25$m^{3;}$ making a total cubic content of 47.59m^3
Thereby the whole will not exceed the allowed 50m^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: There is no existing chimney on the existing bungalow and the loft conversion does not include any of the above.

(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 forms state that the loft works will be finished in materials to match the existing dwelling.

(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: There is no window being inserted within the side gable elevation;

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 plans are notated that the rooflights will be the max. 150mm from the roof slope.

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

Analysis: The rooflights or the dormer or the hip to gable will not be higher than the highest part 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.; or

Analysis: None of the above are shown on the plans

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

Analysis: 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: No windows are shown to be located on a roofslope forming a side elevation etc. therefore the above does not apply.

Class D – porches

Permitted development

D. The erection or construction of a porch outside any external door of a dwellinghouse.

Development not permitted

D.1 Development is not permitted by Class D 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 ground area (measured externally) of the structure would exceed 3 square metres;

Analysis: The submitted application forms state that the proposed front porch will be less than the allowable 3 square metres.

(c) any part of the structure would be more than 3 metres above ground level;

Analysis: The agents email dated 09.03.2023 states that the porch height will be 2.77m

(d) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway; or

Analysis: The above does not apply.

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

Analysis: Does not apply

Recommendation

Issue a Certificate of Lawfulness as the proposal is permitted development under Class B, Class C, and Class D within Schedule 2, Part 1, of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Reason for Recommendation

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

Case Officer:	Eve Hearsey	Date: 10.03.2023
Authorised by:	Peter Barnett	Date: 10 March 2023