Development Control – Delegated Officer Report

Application Number: AWDM/1008/22 Recommendation – APPROVED

Site: 387 Upper Shoreham Road, Shoreham-by-Sea, BN43 5NF

Proposal: Application for a Lawful Development Certificate for proposed rooms in roof consisting of hip to gable extension with rear facing dormer and front roof lights. (Chimney removed).

Site visit: N/A

Site and Surroundings:

The application site is located on the south side of Upper Shoreham Road, Shoreham, and is a two storey semi-detached dwelling, with a hipped roof. There is a vehicular access and drive, which leads to a detached garage to the rear of the dwelling. The rear garden is quite long, and the front amenity area is mainly hardsurfaced for the parking of a car.

The street scene comprises a mix of house sizes and designs and many have extended their properties by way or roof and or ground floor extensions, and many have outbuildings.

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

Proposal

A Certificate of Lawfulness is sought for a proposed loft conversion incorporating a roof extension to include a hip to gable; 2no. rooflights to front roofslope; 1no. window in new side gable; and 1no. dormer within resultant rear roofslope.

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.

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 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 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 does not exceed the height of the highest part of the existing roof; and the flat roof of the dormer is below the highest part 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 does not extend beyond the plane of the existing roof slope 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 roofspace by more than:-
i) 40 cubic metres in the case of a terrace house, or
ii) 50 cubic metres in any other case.

Analysis: A volume calculation has been submitted which is notated with the calculations of the roof extensions and shows that the cubic capacity content for all would be:-

20.15 m^3 for the rear dormer
26.8 m^3 for the hip to gable
Total 46.95 m^3

The cubic content therefore does 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: The chimney is shown to be removed from the rear elevation and there will be an alteration to the soil/vent pipe. These are covered by Class G. (see following examination under Class G)

(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 dwellinghouse has not been enlarged etc. by construction of additional storeys.

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 plans are noted that materials match existing

(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 a window within the side gable end, and the agent confirms in his email dated 13.09.2022 that it will be obscure glazed and the opening window will be above 1.7m high, the plans have also been notated.

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 to state that the rooflights will not project more than 150mm above the plane of the roof.

(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.

(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 will be the removal of a chimney from the rear roofslope and there will be alterations to the flue/soil pipe. These are covered by Class G. (See following examination under Class G)

(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 is a window within the side (north) gable end, and there is an email from the agent dated 13.09.2022 which states that the window will be obscure glazed and only opening above 1.7m above the floor.

Class G chimneys, flues etc. on a dwellinghouse

Permitted development

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;

Analysis: The rear chimney will be removed and the alterations to the soil/vent pipe will be below the ridge height of the roof.

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 roofslope which –
   i) Fronts a highway, and
   ii) Forms either the principal elevation or a side elevation of the dwellinghouse

Analysis: The dwellinghouse is not on article 2(3) land

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 B, 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 B, 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: 14.09.2022

Authorised by: Peter Barnett Date: 14 September 2022