

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: D0201.24

WARD: St Andrew's **Date Received:** 24th May 2024

ADDRESS: 62 Upminster Road
Hornchurch

PROPOSAL: Certificate of Lawfulness for a Hip to gable loft conversion with rear dormer, gable window and roof lights to front

DRAWING NO(S): PL.1 Revision B
PL.2 Revision B
PL.3 Revision B
PL.4 Revision B
PL.5 Revision B
PL.6 Revision B
PL.7 Revision B
PL.8 Revision B
PL.9 Revision B
PL.10 Revision B
PL.12 Revision B

RECOMMENDATION: It is recommended that a **Certificate of Lawfulness be issued** in accordance with the details given at the end of the report

SITE DESCRIPTION

Residential, gabled roof, two storey semi-detached dwelling finished in painted render. The application dwelling is not a listed building or within a conservation area.

DESCRIPTION OF PROPOSAL

A Certificate of Lawfulness is sought for a hip to gable loft conversion with rear dormer and roof lights to the front.

- 1.The proposed hip to gable adds 19.52 cubic metres (8.89m wide, 3.1m high and 4.25m deep).
- 2.The proposed rear dormer window would measure approximately 5.54m wide, 3.84m deep and 2.68m high. The proposed dormer results in an additional volume of 28.51 cubic metres.

The cumulative volume of the proposed hip to gable conversion and rear dormer window would be

approximately 48.03 cubic metres.

3. Two roof lights are proposed on the front elevation.

4. Flank window in gable wall to be obscured glazed and non-opening below 1.7m of the finished floor level.

RELEVANT HISTORY

Building Control records issued the habitation certificate for this dwelling was in 1927.

P0793.16	Single storey rear extension	
	Apprv with cons	18-08-2016

CONSULTATIONS/REPRESENTATIONS

N/A.

RELEVANT POLICIES

Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015.

MAYORAL CIL IMPLICATIONS

Not CIL Liable.

STAFF COMMENTS

In accordance with the current criteria for site visits, an in-person site visit was not undertaken. Site photos were provided by the agent in support of the application. In determining this planning application photos, Google StreetView TM, aerial view images and submitted drawings were used to assess the site constraints.

The proposed development falls within Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015, as the development would consist of an enlargement to the dwelling house consisting of an addition or alteration to its roof (hip to gable roof, rear dormer window and roof lights).

The proposed roof enlargement which includes the hip to gable roof alteration and a rear dormer window to the semi-detached property would have a volume of 48.03 cubic metres and therefore would not exceed 50 cubic metres.

The case officer has only one side elevation to assess the proposal and the side elevation from No.64 was requested. The agent confirmed via e-mail on the 16th July 2024 that:

"The silhouette represents the outline of 64, as the hung tiles would not be visible due to the dormer at 64". An informative has been added to the decision notice regarding the face and cheeks of the dormer being tile hung.

An additional informative being added stating that the roof of original dwelling should not be increased to ensure the proposal complies with permitted development.

Furthermore, the proposed roof lights would not protrude more than 0.15 metres beyond the plane of the slope of the original roof and would not be higher than the highest part of the roof.

It is considered that the proposal falls within Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015.

For the reasons outlined above, it is recommended that a Certificate of Lawfulness be issued in this instance. Development is permitted by Classes B and C subject to the following conditions being adhered to under the informative section of this report.

KEY ISSUES/CONCLUSIONS

The proposed development is considered to be in accordance with the provisions of Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) Order 2015 and it is therefore recommended that a Certificate of Lawfulness be issued in this instance.

RECOMMENDATION:

It is recommended that **a Certificate of Lawfulness be issued** in accordance with the following details

1 Cert of Lawfulness - Reason for Approval Class B

The operations come within the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015, thereby not requiring planning permission.

2 Cert of Lawfulness - Reason for Approval Class C

The operations come within the provisions of Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015, thereby not requiring planning permission.

INFORMATIVES

1 Cert of Lawfulness Class B Class B Informative

The development is permitted by Class B subject to the following conditions-

- (a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (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 0.2 metres 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 dwellinghouse; and
- (c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be-
 - (i) obscure-glazed, and
 - (ii) 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.

2 Cert of Lawfulness Class C

Class C Informative

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 shall 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.

3 Rear Dormer Window Finish

Rear Dormer Window Finish Informative

The applicant should note that the face and cheeks of the rear dormer window shall be tile hung to match the appearance of the main roof of the dwelling.

4 Height of the rear dormer window

Height of the rear dormer window

The applicant should note that the roof of the rear dormer window shall not project above the ridge of the original dwelling house to comply with permitted development guidelines.

5 Party Wall

Party Wall Informative

This planning permission does not remove the need to obtain any separate consent of the owner of the adjoining property prior to commencing building works on, under, above or immediately adjacent to their property (e.g. foundations or guttering). The Party Wall Etc. Act 1996 contains requirements to serve notice on adjoining owners of property under certain circumstances, and a procedure exists for resolving disputes. This is a matter of civil law between the two parties, and the Local Planning Authority are not involved in such matters.

A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government.

<https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

6 Cert of Lawfulness Building Regs Building Regs

This certificate provides confirmation that the development is lawful. You should also check whether the development requires separate Building Regulation consent. Information is available on the Building Control webpages and the team is available between 9am and 10am Monday to Friday via 01708 432700.

Authorising Officer:



Habib Neshat

29th July 2024