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PLANNING STATEMENT AND STATEMENT OF LAWFULNESS

Proposed Hip-to-Gable Roof Enlargement, Rear Dormer Extension and Two Front Rooflights

117 Bury Street, Ruislip, HA4 7TF

Applicant: Mr Vladyslav Bodnarchuk

Agent: SM10 Studio Architecture Ltd

1. Introduction

This Planning Statement and Statement of Lawfulness has been prepared by SM10 Studio Architecture Ltd in support of an application under Section 192 of the Town and Country Planning Act 1990 for a Certificate of Lawfulness for Proposed Development at 117 Bury Street, Ruislip, HA4 7TF.

The proposed development comprises:

- the conversion of the existing hipped roof to a gable end;
- the construction of a rear dormer roof extension;
- the installation of two rooflights within the front roof slope; and
- the conversion of the resulting roof space to habitable accommodation.

The application seeks formal confirmation from the London Borough of Hillingdon that the proposed works constitute permitted development and would therefore be lawful if carried out in accordance with the submitted drawings.

The application relates solely to the proposed roof alterations. The proposed ground-floor side and rear extensions are being dealt with under a separate Householder Planning Application.

2. Site and Existing Property

The application site is situated at 117 Bury Street, Ruislip, HA4 7TF.

The property is a single-storey bungalow in residential use within Use Class C3. It has a hipped main roof and an existing single-storey rear projection.

The existing dwelling currently contains two bedrooms, together with a reception room, dining room, kitchen, bathroom and associated ancillary accommodation.

The surrounding area is predominantly residential and contains a variety of bungalows and houses that have been altered and extended over time. Roof conversions, including rear dormers, hip-to-gable enlargements and rooflights, form part of the established character of the surrounding area.

The adjoining bungalow at 115 Bury Street has previously been granted a Certificate of Lawfulness for a comparable roof conversion comprising a hip-to-gable enlargement, rear dormer, two front rooflights and a gable-end window under application reference 55706/APP/2009/2623.

3. Proposed Development

The proposal comprises the conversion of the existing roof space to provide additional residential accommodation for the applicant's growing family.

The proposed roof alterations include:

- conversion of the existing hipped roof to form a gable end;
- construction of a flat-roofed rear dormer extension;
- installation of two rooflights within the existing front roof slope;
- creation of two bedrooms within the loft;
- provision of a shower room/WC accessed from the loft landing; and
- associated internal alterations and staircase access.

The dormer would be positioned within the rear roof slope and would not project forward of the roof plane forming the principal elevation of the dwelling.

The dormer would be set back by at least 200mm from the original eaves, measured along the roof slope, excluding the extent of the existing eaves.

The proposed dormer cheeks and external surfaces would be finished in materials similar in appearance to those of the existing dwelling.

The proposed front rooflights would be installed flush or near-flush with the existing roof slope and would not project more than 150mm beyond the plane of the roof.

No balcony, veranda or raised platform is proposed.

4. Legislative Framework

The application is submitted under Section 192 of the Town and Country Planning Act 1990.

Section 192 allows an applicant to obtain a formal determination as to whether proposed operations would be lawful if carried out.

The relevant permitted-development rights are contained within Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

The relevant provisions are:

- **Class B:** additions or alterations to the roof of a dwellinghouse; and
- **Class C:** other alterations to the roof of a dwellinghouse.

The purpose of this application is therefore to establish whether the proposed development complies with the limitations and conditions of Classes B and C.

The assessment is a matter of fact and degree against the statutory provisions of the General Permitted Development Order. It is not an assessment of the planning merits of the proposal against discretionary development-plan policies.

5. Assessment Under Class B

5.1 Use of the property

The property is an existing dwellinghouse falling within Use Class C3.

It is not a flat or maisonette and the works relate to the enlargement of the roof of a dwellinghouse.

The proposed accommodation would remain ancillary to the use of the property as a single dwellinghouse.

5.2 Roof extension volume

Class B permits an enlargement of up to:

- 40 cubic metres for a terraced dwellinghouse; or
- 50 cubic metres for any other dwellinghouse.

The property is a bungalow that is not understood to form part of a terrace.

The submitted drawings calculate the proposed additional roof volume as follows:

- proposed rear dormer: approximately 23.43m³;
- proposed hip-to-gable enlargement: approximately 12.96m³; and
- total proposed additional roof volume: approximately 36.39m³.

The total additional roof volume would therefore remain below the applicable 50m³ permitted-development limit.

Any existing enlargement of the original roof space must be included within the cumulative volume assessment. No earlier roof enlargement has been identified that would cause the cumulative volume to exceed the permitted limit.

5.3 Height

No part of the proposed roof enlargement would exceed the height of the highest part of the existing roof.

The existing ridge height would be retained.

The proposal therefore complies with the relevant height limitation under Class B.

5.4 Principal elevation and highway

The rear dormer would be positioned entirely within the rear roof slope.

It would not extend beyond the plane of the existing roof slope forming the principal elevation of the dwelling and fronting Bury Street.

The hip-to-gable enlargement would be formed at the side of the existing roof and would not project forward of the principal roof slope.

5.5 Roof form and excluded features

The proposal would not include:

- a veranda;
- a balcony;
- a raised platform; or
- the installation, alteration or replacement of a chimney, flue or soil and vent pipe as part of the Class B enlargement.

5.6 Designated land

Class B roof enlargements are restricted on Article 2(3) land, including conservation areas, National Parks, Areas of Outstanding Natural Beauty, the Broads and World Heritage Sites.

The application site is not understood to be located on Article 2(3) land.

5.7 External materials

The external materials of the proposed enlargement would be similar in appearance to those of the existing dwelling.

The dormer cheeks and face would be finished using tiles or other matching materials compatible with the existing roof.

Windows would be white-framed units to match the appearance of the existing dwelling.

The proposal therefore complies with condition B.2(a).

5.8 Setback from the eaves

The rear dormer would be set back by at least 200mm from the original eaves of the dwelling, measured along the plane of the roof slope.

The proposal therefore complies with condition B.2(b).

5.9 Side-facing windows

No unrestricted side-facing window is proposed within the roof enlargement.

Where any side-facing glazing is subsequently introduced, it would be obscure glazed and non-opening below 1.7 metres above internal floor level, in accordance with the requirements of Class B.

6. Assessment Under Class C

The proposed works also include two rooflights positioned within the front roof slope.

Class C permits alterations to the roof of a dwellinghouse subject to specified limitations and conditions.

The proposed rooflights:

- would not project more than 150mm beyond the plane of the existing roof slope;
- would not result in any part of the alteration being higher than the highest part of the existing roof;
- would be positioned within the front roof slope;
- would not comprise a balcony, veranda or raised platform; and
- would not contain side-facing glazing.

The rooflights therefore comply with the limitations and conditions of Class C.

7. Relevant Neighbouring Precedent

The adjoining property at 115 Bury Street was granted a Certificate of Lawfulness for Proposed Development under reference 55706/APP/2009/2623.

That development comprised:

- conversion of the roof from hip to gable;
- construction of a rear dormer;
- installation of two front rooflights;
- conversion of the roof space to habitable use; and
- installation of a new gable-end window.

The Council determined that the development constituted permitted development under the roof enlargement and roof alteration provisions then in force.

The delegated report recorded a total roof enlargement of approximately 47.18m³ and confirmed that:

- the permitted-development volume allowance was not exceeded;
- the dormer did not project forward of the principal roof slope;
- the enlargement remained below the highest part of the roof;
- the dormer was set back at least 200mm from the roof margins;
- external materials were similar in appearance; and
- the property's permitted-development rights had not been removed.

Although each Certificate of Lawfulness must be determined independently against the legislation applicable at the time of the application, the adjoining development provides relevant contextual evidence of a comparable roof form at the immediately neighbouring bungalow.

The present proposal at 117 Bury Street is smaller in volume than the roof enlargement previously certified at No. 115.

8. Residential Use and Internal Accommodation

The proposed loft conversion would provide two additional bedrooms and a shower room/WC.

The resulting accommodation would remain part of the same single dwellinghouse and would be occupied by the applicant and their family.

No separate dwelling, independent access, subdivision or change of use is proposed.

The internal arrangement of the resulting roof space does not alter the permitted-development status of the external roof works.

Matters relating to structural safety, staircase design, fire protection, insulation, ventilation, drainage and means of escape will be addressed separately through the Building Regulations process.

9. Other Consents

A Certificate of Lawfulness confirms only the planning status of the proposed development.

The proposed works will also require compliance with other relevant legislation and consents, including, where applicable:

- the Building Regulations;
- the Party Wall etc. Act 1996;
- structural design and calculations;
- requirements relating to drainage and ventilation; and
- any relevant covenants or private property rights.

These matters do not alter the assessment of the proposal under Classes B and C of the General Permitted Development Order.

10. Conclusion

The proposed development comprises a hip-to-gable roof enlargement, rear dormer extension and two front rooflights at 117 Bury Street, Ruislip.

The proposal:

- relates to an existing C3 dwellinghouse;
- would provide approximately 36.39m³ of additional roof volume;
- would remain below the applicable 50m³ volume limit;
- would not exceed the height of the existing roof ridge;
- would not project forward of the principal roof slope;
- would not include a balcony, veranda or raised platform;
- would use materials similar in appearance to the existing dwelling;
- would retain the required setback from the original eaves;
- would incorporate rooflights projecting no more than 150mm from the roof slope; and
- would remain in use as part of a single dwellinghouse.

The proposed development therefore complies with the limitations and conditions of Classes B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

It is respectfully requested that the London Borough of Hillingdon issues a Certificate of Lawfulness confirming that the proposed development would be lawful.