Development Control – Delegated Officer Report

Application Number: ADC/0142/10 **Recommendation – Issue Certificate**

Site: **5 Fowey Close Shoreham-by-Sea West Sussex BN43 5HE**

Proposal: **Application for Certificate of Lawfulness for proposed rear dormers and side gable**

The Application

The site is located within a cul-de-sac on Shoreham Beach. A semi detached hipped roof bungalow surrounded by both detached and semi detached bungalows. The property is set back from the road with a front garden and hedge to the front boundary. There is a dropped kerb leading to a driveway and garage to the side.

The plans submitted with this application show a loft conversion with a hip to gable extension, two flat roof rear dormers and a flat roof front dormer. The front dormer requires planning permission and is currently being considered under application reference ADC/0141/10. The current application relates to the rear dormers and hip to gable extension only and is to determine whether a full planning application is required for the proposed extensions.

The larger of the two rear dormers is 4.7 metres wide, 2.2 metres high with a maximum depth of 2.9 metres. The smaller dormer is the same height and depth and is 3 metres wide. The ridge of the bungalow will be extended by 4 metres as a result of the hip to gable extension.

The only matter for consideration in this current application is whether planning permission is required in this case. The planning merits of the proposal are not for consideration.

Consultations and Representations

Third Parties:- No third party representations have been received.

Planning Legislation

Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008. Schedule 2 Part 1 Development within the curtilage of a dwellinghouse.

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

Planning Assessment

The proposed hip to gable extension and rear dormers are clearly 'development' as defined by section 55 of the Town and Country Planning Act 1990. The proposals constitute enlargement of a dwellinghouse consisting of an addition or alteration to its roof (Class B.)

The relevant Class B of Part 1 Schedule 2 of Article 3 of the Town and Country planning (General Permitted Development) Order 1995 (as amended in 2008) confers permission (termed 'Permitted development') for such enlargement. It contains a number of limitations: -

Class B

(a) The proposed hip to gable extension and dormers do not exceed the highest part of the existing roof of the bungalow.
(b) The roof extensions are to the side and rear and do not extend beyond a roof plane forming the principal elevation of the original dwelling and facing the highway.
(c) The cubic content of the resulting roof space is 48.42 cubic metres and is therefore within the maximum of the permitted 50 cubic metres. (calculations have been provided and checked.)
(d) The proposal does not include the alteration of a soil or vent pipe or addition of a veranda, raised platform or balcony.
(e) The dwellinghouse is not within the Conservation Area.

It also contains conditions: -

(a) The external materials shall match existing.
(b) The edge of the dormers will not be less than 20cm from the eaves of the original roof.
(c) There are no windows on the side elevation.

Recommendation

That a Certificate of Lawfulness be issued that an application for planning permission is not required.

Description: -Proposed Rear Dormers and Side Gable (Application for Certificate of Lawfulness) Block Plan, Location Plan, Drawing no. 02 received 22nd April 2010.

Land at: - 5 Fowey Close, Shoreham, West Sussex, BN43 5HE

Reason: -The proposed building works fall within the definition of 'development' as defined by section 55 of the Act.

The gable extension and rear dormers constitute enlargement of a dwellinghouse consisting of an addition or alteration to its roof (Class B).

They comply with the provisions of the relevant Class B, of Part 1 of Schedule 2 to Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended in 2008)

Case Officer [redacted] .....Date...20/5/10.....