Expiry Date - 09/08/2010

Development Control – Delegated Officer Report

Application Number: ADC/0203/10 **Recommendation – Issue Certificate**

Site: **248 Upper Shoreham Road Shoreham-by-Sea West Sussex BN43 6BF**

Proposal: **Application for certificate of lawfulness for proposed rear dormer and side and front rooflights; and groundfloor rear extension with conservatory**

The Application

The application is to determine whether a planning application is required for the proposed flat roof rear dormer and single storey rear extension with conservatory. The application site is a semi detached hipped roof bungalow with a single detached garage to the side and front driveway.

The flat roof rear dormer is 2.4 metres wide, 1.8 metres high and 2.5 metres in depth. There are also 4 velux windows proposed in the front and side roof slopes. The rear extensions are 3 metres in depth with a maximum height of 3.1 metres, they span the width of the bungalow, 6.8 metres in total. The proposals will provide a bedroom, study and shower room in the loft space and a dining room and conservatory to the rear.

Consultations and Representations

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

Relevant 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 A: - The enlargement, improvement or other alteration of a dwellinghouse.

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

Planning Assessment

The proposed rear extensions are clearly 'development' as defined by section 55 of the Town and Country Planning Act 1990.

The rear extensions constitute the enlargement of a dwellinghouse (Class A) and the rear dormer constitutes enlargement if a dwellinghouse consisting of an addition or alteration to its roof (Class B).

The relevant Classes A and 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) confers permission (termed 'permitted development') for such enlargements. It contains a number of limitations: -

Class A1.

(a) The total area of ground covered by buildings within the curtilage of the dwellinghouse would not exceed 50% of the total area of curtilage.
(b) The height of the part of the dwellinghouse enlarged, improved or altered would not exceed the height of the highest part of the roof of the existing dwellinghouse.
(c) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would not exceed the height of the eaves of the existing dwellinghouse.
(d) The enlarged part of the dwellinghouse does not extend beyond a wall which (i) fronts a highway (ii) and forms either a principle elevation or a side elevation of the original dwellinghouse.
(e) (i) The enlarged part of the dwellinghouse is single storey and does not extend beyond the rear wall of the original house by more than 3 metres (semi-detached dwelling) (ii) and does not exceed 4 metres in height.
(f) (i) (ii) The rear extension is single storey.
(g) The eaves of the enlarged part of the dwellinghouse do not exceed 3 metres in height.
(h) (i) (ii) (iii) The enlarged part of the dwellinghouse will not extend beyond a wall forming a side elevation of the original dwelling house.
(i) (i) (ii) (iii) (iv) The development does not include the construction or provision of a veranda, balcony or raised platform, microwave antenna, chimney, flue or soil and vent pipe. A alteration to the roof is proposed however this is covered by Class B.

A.2 – The property is not within a Conservation Area.

It also contains conditions: -

(a) Other than those materials used in the construction of a conservatory the materials used are to match existing.
(b) (i) (ii) the velux windows are to be fitted with obscure glazing and to be fixed to be permanently non-openable.
(c) The extensions do not exceed single storey.

Class B1

(a) The proposed dormer does not exceed the height of the highest part of the existing roof.
(b) The dormer does not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway.
(c) The dormer is 6 cubic metres and therefore is well below the maximum of the permitted 50 cubic metres.
(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 dormer extension will not be less than 20cm for the eaves of the original roof.
(c) The side velux roof lights will be fitted with obscured glazing and will be non-openable.

Recommendation

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

Description: Application for Certificate of Lawfulness for proposed rear dormer and side and front rooflights and groundfloor rear extension with conservatory. Drawing no. 1697/P1 – Rev A received 14th June 2010, Drawing no. 1697/P2 Rev A – received 14th June 2010. Drawing no. 1697/P3 Rev A – received 14th June 2010.

Land at: 248 Upper Brighton Road, Shoreham-by-Sea, West Sussex BN43 6BF

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

The dormer extension constitutes enlargement of a dwellinghouse consisting of an addition or alteration to its roof (Class B.)

The single storey rear extension constitutes the enlargement, improvement or other alteration of a dwellinghouse (Class A)

They comply with the provision of the relevant Classes B and D 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 Hannah Barker

Date 25/6/10

PB 25/6