Development Control – Delegated Officer Report

Application Number: AWDM/0694/18 Recommendation – APPROVE

Site: 12 Fennel Walk, Shoreham-by-Sea, BN43 6JD

Proposal: Application for a Lawful Development Certificate for proposed rear dormer at second floor level.

Date of Site Visit: 06.06.2018

Site and Surroundings:

The application relates to a steep roofed, two storey semi-detached dwelling situated near the end of the cul-de-sac that is Fennel Walk. Fennel Walk is constructed in the Radburn influence with roads and garages to the rear of the properties, and a grassed area with a footpath, which leads to the front of the properties. The land to the rear of the property is sloping down and the garden has steps in order to negotiate the slope of the garden to the bottom. There is a gate at the rear that leads out to garages and parking within a cul-de-sac access road.

As the front garden is fairly level and there are no car access, the garden is being used for the children's swings.

The property is not within a Conservation Area nor is it a Listed Building and there are no protected trees on site.

There is an existing rear dormer which marries in with the neighbouring rear dormer at no. 11, and comes very close to the edge of the roof the other side. The other neighbouring property, no. 13 has a rear dormer indeed, rear dormers are a common feature in the street.

There is an existing front dormer which marries in with the neighbouring front dormer at no. 11. The side of the dormer comes out to approx. 7 rooftiles from the edge of the roof.

No. 16, has a second floor rear dormer, and so does another property at the end of the road.

Proposal:

A Lawful Development Certificate is sought for a rear dormer at second floor level.

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 Permitted Development

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

B.1 Development is not permitted by Class B if:-

a) The dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 (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 height of the enlargement does not exceed the height of 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 dwelling house and fronts a highway;

Analysis: The roof extension does not project beyond the plane of an existing roof slope which forms the principal elevation of the dwelling house and fronts a highway. The dormer will be on the rear roofslope. While vehicular access is to the rear and there is no front entrance door (it being at the side), the front elevation is considered to be the principal elevation as it fronts Fennel Walk, from which the property address is taken. The rear of the building is partly obscured by garages and boundary walls/fences and does not have a 'principal' character;

(d) the cubic content of the resulting roofspace would exceed the cubic content of the original roof by more than:-
i) 40 cubic metres in the case of a terrace house, or
ii) 50 cubic metres in any other case.

Analysis: The cubic content of the proposed together with the existing dormers does not exceed 50 cubic metres

(e) it would consist of or include:-
i) a verandah, balcony or raised platform or
ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe;

Analysis: The development does not include any elements in i) or ii) above.

(f) the dwellinghouse is not on article 2(3) land

Analysis: The dwelling house is not on article 2(3) land.

B.2 Development is permitted subject to:-

(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 materials used for the roof enlargement would match those of the existing roof.

(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 eave, 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: None of the above applies.

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: The application does not contain any rooflights or windows outside of the proposed dormer

Conclusion Class B: The provision of a second floor dormer will be permitted development by virtue of Class B.

The proposed works constitute permitted development under Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Recommendation

Issue a Lawful Development Certificate for Proposed Development, the submission of a planning application for the works will not be required.

Reasons for Recommendation

The proposal constitutes 'development' as defined by Section 55 of the Town and Country Planning Act 1990, but is permitted by Class B of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Case Officer: Eve Hearsey Date: 25.06.2018

Authorised by: Peter Barnett Date: 26 June 2018