Expires 30/4/08

Development Control – Delegated Officer Report

Application Number: ADC/0082/08 **Recommendation – Permit Application**

Site: **31 St Richards Road Southwick Brighton West Sussex**

Proposal: **Application for certificate of lawfulness for proposed loft conversion with rear extension to roof**

The Application

The application site is a detached house located on the east side of St. Richards Road, Southwick. The property was built in 1959 with no conditions attached to the permission that removed development rights. A garage was built in the same year that is sited exactly 5 metres from the rear elevation of an original rear store projection.
This application is for a Certificate of Lawfulness for a proposed rear dormer addition. The dormer will be 6.5 metres in width, 2.8 metres in height, and 3.8 metres in depth and will sit off the rear wall and marginally below ridge level.

Relevant Planning Policies and Guidance

Town and Country Planning (General Permitted Development) Order 1995. 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.

Development Not Permitted

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

a) any part of the dwellinghouse would, as a result, exceed the height of the highest part of the existing roof;
b) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which fronts any highway;
c) it would increase the cubic content of the dwellinghouse by more than 40 cubic metres, in the case of a terrace house, or 50 cubic metres in any other case;
d) the cubic content of the resulting building would exceed the cubic content of the original dwellinghouse-

(i) in the case of a terrace house by more than 50 cubic metres or 10%, whichever is the greater
(ii) in any other case, by more than 70 cubic metres or 15%, whichever is greater;

e) the dwellinghouse is on article 1(5) land.

Planning Assessment

The proposed dormer will be located on the rear elevation, not fronting a highway, of a detached house located outside of article 1(5) land and will not exceed the height of the current building.
The dimensions of the dormer (6.5m x 2.8m x 3.8m) create a volume of 34.6 cubic metres, well below the 50 cubic metre threshold for detached houses as outlined by section c. The detached garage at the rear of the property is over 5 metres from the dwelling and its volume is thus not included in any calculations under the terms of the schedule. There are no other extensions to the property. The total volume of additions to 12 St. Richards Road would thus be that of the dormer, 34.6 cubic metres, and would constitute permitted development under Class B Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Recommendation

Issue Certificate of Lawfulness for proposed development

Reason

The proposal constitutes 'development' as defined by section 55 of the Town and Country Planning Act 1990 but is permitted by Class B Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Case Officer:.....

Date:...4/4/08.

PB 4/4/08