Application No.: ADC/0705/07 **Recommendation – Issue Certificate**

Site: **12 Mill Hill Gardens, Shoreham-by-Sea, West Sussex**

Proposal: **Proposed Rooms in the Roof with Rear Dormer and Front Roof Lights (Application for Certificate of Lawfulness)**

The Application

The application site contains the western end of a semi detached pair of dwellings with brick walls and a clay tile hip ended roof located at the southern end of Mill Hill Gardens (a short cul-de-sac containing similar development), within the built-up area of Shoreham-by-Sea. The bungalow has a large front garden, shares a communal drive that provides access to a detached rear garage with No.13, and an even larger rear garden.

This application is for a Certificate of Lawfulness where the planning merits of the proposal are not a consideration in this case. The assessment is simply whether planning permission is required in accordance with the General Permitted Development Order 1995. It is proposed that the loft of the bungalow will be converted to provide living space in the form of a master bedroom with an attached ensuite. A flat roofed dormer with two windows is proposed in the rear roof plane of the dwelling, whilst two velux windows are proposed in the front roof plane.

The rear dormer is 5.4 metres wide, has a maximum depth of 2.9 metres and a maximum height of 2.1 metres which reaches up to and matches the existing ridge height of the bungalow. There have been no previous extensions to the dwelling, and although the detached garage is located within the curtilage (5m) of the dwelling house, the volume of such structures are not taken into consideration when assessing permitted development rights for roof conversions.

Relevant Planning Legislation

Town and County Planning (General Permitted Development) Order 1995 Schedule 2 Part 1. 'Development within the Curtilage of a dwelling house.'

Class B: **The Enlargement of a dwelling house consisting of an addition or alteration to its roof.**

Planning Assessment

The proposed dormer is located to the rear of the dwelling and would therefore not extend beyond the plane of any existing roof slope which fronts a highway. The dormer would also not exceed the highest point of the roof.

The total volume of the dormers is calculated to be just under 19 cubic metres, the permitted development rights for extensions to the roof in this case allow extensions to add up to 50 cubic metres. Calculations have been presented which accompany the application and these have been checked. The total volume for the proposed dormer is 18.72 cubic metres.

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 County Planning (General Permitted Development) Order 1995 (as amended)*

Case Officer: ..... Date: 29/11/07.