Expiry Date - 16/01/2020

Development Control – Delegated Officer Report

Application Number: AWDM/1803/19 Recommendation – APPROVE

Site: 102 Downsway Southwick Brighton West Sussex

Proposal: Application for a Lawful Development Certificate for proposed rear dormer.

Site visit: N

Proposal, Site and Surroundings

The applicant has proposed the creation of a rear dormer to the north-east elevation, on a terraced dwelling in the ward of Hillside. The site does not lie within a Conservation Area nor is affecting the setting of a Listed Building. There are no Tree Protection Orders in effect on or surrounding the site that would be affected by the proposal.

It is noted that there are no previous planning decisions with conditions restricting development or removing permitted development rights of the property

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.

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 proposed development would not result in any part of the dormer being higher than the peak 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: *This criterion is not relevant to this application given the scope of the proposed development, as the extension is a dormer to the rear elevation.*

(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: *Measurements taken from the scaled drawings show that the proposed development would only increase the roofspace by 21.58m^3 (2.985 x 7.886 x1.834 x 0.5) therefore would not exceed the limits set by the above criterion.*

(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: *These criteria are not relevant to this application given the scope of the proposed development, as the extension is a dormer and would not include the above.*

(f) the dwellinghouse is on article 2(3) land

Analysis: *The dwelling house is not sited within 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: *It has been stated within the proposed plans that the materials would be similar in appearance to that of existing materials*

(b) the enlargement must be constructed so that:-

i) other than in the case of a hip-to-gable enlargement or an 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 eaves, 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: *The proposed development would maintain the existing eaves and be positioned (according to dwg. 2019/154 , dated 10.2019) at least 200 mm back from them, and not extending past the outside face of the original dwelling's rear wall.*

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: *These criteria are not relevant to this application given the scope of the proposed development, as the extension is a dormer to the rear elevation.*

Recommendation

Issue a Certificate of Lawfulness 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 Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

Case Officer: *Benjamin Marshall* Date: 18th December 2019

Authorised by: Peter Barnett Date: 18 December 2019