DELEGATED APPLICATIONS ASSESSMENT SHEET

APPLICATION NO./ADDRESS: 41 Ashwood Close WB/11/0129/CLP

DATE OF SITE VISIT: 14.04.11

NEIGHBOURS CHECKED: N – no neighbours consulted.

ADDITIONAL NEIGHBOUR NOTIFICATIONS: N

PROPOSAL, SITE AND SURROUNDINGS:

The application property comprises a detached, gabled-ended, chalet-style bungalow located adjacent to the 'turning head' at the eastern end of Ashwood Close and backing onto the elevated section of Ham Road where it bridges over the railway. The property has previously been extended by a single-storey extension across the rear with a shallow lean-to roof extending from the main rear roof slope.

A Certificate of Lawfulness is sought for a proposed rear dormer.

RELEVANT PLANNING HISTORY:

03/1022/FULL – Extension to roof to east elevation to provide additional accommodation REFUSED October 2003.
04/00168/FULL – Erection of a dormer roof extension on rear elevation WITHDRAWN April 2004.
07/0079/FULL – First floor extension with dormer at rear elevation REFUSED March 2007.

RELEVANT SAVED PLANNING POLICIES: Not Applicable.

REPRESENTATIONS AND RELEVANT CONSULTATION RESPONSES:

None.

PLANNING ASSESSMENT:

In this instance the relevant consideration is a matter of fact and law, rather than the planning merits of the proposal.

The main considerations being whether the proposal constitutes: (i) development, (ii) *'de minimis'* (ie. so minor or trifling in its extent or effect that a planning application would not be warranted, or (iii) 'permitted development' under the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (As Amended 1 October 2009).

Permitted development entitlements for extensions and alterations were not removed under the original permissions dating from 1959 (484/59).

The proposed rear dormer can be treated as an enlargement to the dwellinghouse consisting of an addition or alteration to its roof and is subject to the provisions of Class B of the GDPO.

The proposed rear dormer would not exceed the height of the highest part of the existing roof.

The proposed rear dormer would not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway.

As originally submitted, the edge of the dormer was less than 20 centimetres from the eaves of the original dwelling and in consequence the dormer was not permitted under Class B. An amended drawing 923/3/04B was submitted on 7 June 2011 which shows the edge of the dormer would be at least 20cm from the eaves of the original roof.

The accompanying notes to Class B state that for the purposes of Class B "resulting roof space" means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not. Therefore, in this case the enlargement to the original roof space created by the lean-to roof adding in 1999 should be included in the calculation of the resulting roof space. In this case the cubic content of the resulting roof space (comprising the rear dormer and the lean-to roof of the single-storey rear extension as amended 7 June 2011) is 38.7cubic metres and does not exceed 50 cubic metres.

The drawing is annotated to show that dormer would be tile hung to match the existing roof. Thus, the materials would be of a similar appearance to those used in the construction of the existing dwelling.

The proposals constitute 'permitted development' under the provisions of Class B, Part 1, Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (As Amended).

RECOMMENDATION: ISSUE CERTIFICATE

REASONS FOR RECOMMENDATION:

The proposed development complies with the provisions for 'permitted development' by virtue of Class B, Part 1, Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (As Amended).

DELEGATED

Case Officer [redacted]
Sign..... Date..10.6.11.....

Authorising Officer [redacted]
Sign..... Date..13.6.11.....