Expiry Date - 12/11/2024

Development Control – Delegated Officer Report

Application Number: AWDM/1193/24 **Recommendation – APPROVE**

Site: **21 Foxley Lane Worthing West Sussex BN13 3AB**

Proposal: **Application for a Lawful Development Certificate for a Proposed Dormer window to Side (East) elevation. To serve Landing and Bathroom**

Site visit: Y – 13/06/24 - in relation to previous application at this site

Site and Surroundings

The site is located to the south side of Foxley Lane within a residential area of High Salvington. The property comprises of a detached chalet bungalow with rendered elevations, mock Tudor detail and a tiled barn hip roof. Land slopes from road level down to the south and the property is set back from the road behind a garden and driveway leading to a garage at the rear. The property has previously been extended with a single storey rear extension. There is a large mature garden to the rear which slopes down from the house.

The property is not within a conservation area and is not a listed building. There are two protected trees within the rear garden.

Proposal

A Lawful Development Certificate is sought for a dormer window to the east side elevation.

The proposed dormer would measure 3.7m wide x 2.25m high x 1.8m deep with a total volume of approximately 7.5m^3. The dormer would be tile hung to match the existing roof and the windows to the side would be obscure glazed and fixed shut below 1.7m from internal finished floor level.

Relevant Planning History

AWDM/1192/24 - Proposed First Floor Rear extension over Existing Ground Floor extension and means of escape Roof Light to West Side elevation (Revisions to Approval AWDM/0616/24 – Pending Consideration

AWDM/0616/24 - Proposed First Floor Rear Extension over Existing Ground Floor Extension, Dormer Window to East Side Elevation and Roof Lights to East and West Side Elevations – Approved (Not Yet Built)

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

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 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;

(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 enlargement 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 on article 2(3) land

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

(g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

Analysis: The dwellinghouse has not been created by virtue of Part 20.

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 dormer would be finished in materials to match the existing building.

(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 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 eaves of the original roof would be maintained and the proposed enlargement would be set up no less than 0.2m from the outside edge of the eaves. No part of the enlargement would extend beyond the outside face of any external wall of the original dwelling house.

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 dormer windows to the side elevation would be obscure glazed and non-opening below 1.7m above the floor of the room in which the window is installed.

Recommendation

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

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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.

Case Officer: Amanda Haslett Date: 07/11/24

Authorised by: Jo Morin Date: 08.11.2024