Expiry Date - 19/12/2011

Development Control – Delegated Officer Report

Application Number:
AWDM/0689/11

Recommendation – Refuse Application

Site: **26 Springate Road Southwick Brighton West Sussex**

Proposal: **Application for certificate of lawfulness for proposed side gable and front and rear dormers**

The Application

The application property is a semi detached bungalow in Springate Road. It fronts an access road which runs north off the main part of the road. The application is seeking a Certificate of Lawfulness for the installation of a hip-to-gable roof extension and front and rear flat-roofed dormers.

The front dormer measures 5.7m wide, 2m high and 2.2m deep (volume 12.54 cubic metres), the rear dormer measures 8.1m wide, 2.25m high and 2.3m deep (volume 20.95 cubic metres) and the hip to gable extension measures 6.2m wide, 2.95m high and 3.3m deep (volume 10.06 cubic metres).

Consultations and Representations

Consultations/Comments

None

Relevant Planning Policies and Guidance

Not applicable

Planning Assessment

The roof extensions fall under Class B of Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (which came into force on 1st October 2008). The provisions of Class B which are relevant to this case are as follows:

(a) no part of the extension will exceed to highest part of the roof
(b) the front dormer **will** extend beyond the plane of the roofslope which forms the principal elevation and fronts a highway (NB WSCC

Highways have confirmed that the access road in front of the property is maintainable highway).

(c) The volume of the extensions does not exceed 50 cubic metres (being approximately 43.55 cubic metres)

(d) No verandas or balconies, etc are proposed and no pipes or chimneys are proposed

(e) The bungalow is not on Article 1(5) land

Recommendation

(A) The Adur District Council hereby certify that on (date of decision) the matter described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged in red on the plan attached to this certificate, was not lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), and is REFUSED for the following reason: -

The proposed front dormer constitutes 'development' as defined by Section 55 of the Act and is not 'permitted development' under Class B of Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) because it will extend beyond the plane of the roofslope which forms the principal elevation and fronts a highway (as confirmed by West Sussex County Council Highways Department)

First Schedule

Side gable, front and rear dormers

Second Schedule

26 Springate Road, Southwick

Informative: The rear dormer and side gable constitute 'permitted development' under Class B of Part 1 of the Town and Country Planning (General Permitted Development Order) 1995 (as amended).

Case Officer Peter Barnett Date 22 November 2011

22/11