Expires 18/9/07

Development Control – Delegated Officer Report

Application Number: ADC/0437/07 **Recommendation – Permit Application**

Site: **15 Dolphin Mews Dolphin Road Shoreham-by-Sea West Sussex**

Proposal: **Proposed loft conversion to include rear facing dormer (28.5m3) (Application for certificate of lawfulness for proposed use)**

The Application

The application site is a mid-terraced house located on the east side of Dolphin Mews, Shoreham. The property was built under SU/11/98/TP with no conditions attached removing any of the standard permitted development rights. It features a rear conservatory with a volume of 36.8 cubic metres.
This application is for a Certificate of Lawfulness for a proposed rear dormer addition. This dormer will be 2.6 metres in height, 4.7 metres in depth and 4.3 metres in width built off the rear wall and marginally below the ridge line. Prior to the construction of this dormer the applicant states that the rear conservatory will be removed.

Relevant Planning Policies and Guidance

Town and Country Planning (General Permitted Development) Order 1995. Schedule 2, Part 1. Development within the Curtilage of a Dwellinghouse.

Class B: The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Development Not Permitted

B.1 Development is not permitted by Class B if-

a) any part of the dwellinghouse would, as a result, exceed the height of the highest part of the existing roof;
b) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which fronts any highway;

c) it would increase the cubic content of the dwellinghouse by more than 40 cubic metres, in the case of a terrace house;
d) the cubic content of the resulting building would exceed the cubic content of the original dwellinghouse-
    (i) in the case of a terrace house by more than 50 cubic metres or 10%, whichever is the greater
e) the dwellinghouse is on article 1(5) land.

Planning Assessment

The proposed dormer will be located on the rear elevation, not fronting a highway, of a terrace house located outside of article 1(5) land and will not exceed the height of the current building. The dimensions of the dormer (4.7m x 2.6m x 4.3m) create a volume of 26.2 cubic metres, well below the 40 cubic metre threshold for terraced houses as outlined by section c. The combined volumes of the dormer and the rear conservatory would however exceed the 50 cubic metre total threshold for extensions, hence the applicants willingness to remove the conservatory first. Subject to the removal of the conservatory first, the total volume of additions to 15 Dolphin Mews would be that of the dormer, 26.2 cubic metres and would constitute permitted development under Class B Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Recommendation

Issue Certificate of Lawfulness for proposed development

Reason

The proposed 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 Country Planning (General Permitted Development) Order 1995 (as amended).

Case Officer:.....

Date: 24/8/07

28.8.07