Development Control – Delegated Officer Report

Application Number: AWDM/0446/20 Recommendation – APPROVE

Site: 20 The Marlinespike, Shoreham-by-Sea, BN43 5RD

Proposal: Application for Certificate for proposed rear dormer.

Site visit: Y on earlier, related planning application

Proposal, Site and Surroundings

The proposal seeks confirmation, within an application for a Lawful Development Certificate for a Proposed use or development, that the proposed works for a rear dormer will be permitted development as defined within the Town and County Planning (General Permitted Development) (England) Order 2015, as amended.

The application site is a semi-detached dormered bungalow on the Shoreham Beach estate. The street scene and surrounding area comprises predominantly bungalows, some with front and/or rear dormers of various sizes. Closer to the beach are bespoke design properties some with flat roofs; some two storey.

The site is not within a Conservation Area and the property is not a Listed Building

Representation: N/A

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 Permitted development rights

Part 1, Development within the curtilage of a dwellinghouse

Class B – additions etc. to the roof of a dwellinghouse

Permitted development

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) 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 is a rear dormer and 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 (the application forms states that the proposed dormer adds 33.3 cubic metres of additional roof space. The recent approved planning application ((AWDM/1883/19)) enlarged the front dormer by 9.8 cubic metres, taking the combined additional roof space to 43.2 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 not on article 2(3) land (Conservation Area)

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

Conditions

B.2 Development is permitted by Class B subject to the following conditions:-

(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 application forms indicate that the materials are to match the existing

(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 eave, 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: Complies with the above.

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: no window is shown to be in the wall on the side elevation of the proposed dormer extension

Recommendation

Issue a Certificate of Lawfulness for Proposed Development, the submission of a planning application for the works relating to Class B 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 Schedule 2, Part 1, Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Case Officer: Eve Hearsey Date: 29 April 2020

Authorised by: Peter Barnett Date: 30 April 2020