Development Management - Delegated Officer Report

Application Number: **AWDM/1466/15**

Recommendation – Issue Certificate

Site: **40 Burnside Crescent, Sompting**

Proposal: **Application for a Lawful Development Certificate for proposed rear dormer**

Date of site visit: 23 November 2015

Neighbours checked: n/a

Additional neighbour notifications: n/a

Proposal, Site and Surroundings

The application site comprises a detached bungalow located on the east side of Burnside Crescent which is a residential street comprising of similar detached and semi-detached bungalows in the immediate vicinity.

A Certificate of Lawfulness is sought for a dormer window in the rear roofslope. The dormer would measure approximately 6.1 metres in width, 2.5 metres in height and 3.2 metres in depth. A window is proposed within the side gable which the plans indicate to be obscure glazed and non-opening up to 1.7 metres above finished floor level. The plans also detail a front dormer window which is the subject of a separate application for planning permission (AWDM/1465/15).

Matching materials are proposed.

Relevant site history
The original approvals for the housing development including the application site S/60/55, S/57/56, S/53/57 contain no restrictive conditions limiting or removing permitted development rights.

Consultations
None relevant

Representations
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 planning history indicates that the house enjoys the benefit of permitted development rights.

Therefore the relevant test is whether the extensions and alterations meet the relevant criteria of Classes B and C Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

B.1 (a) The dwellinghouse has not been granted only by virtue of Class M, N, P or Q;

(b) The height of the roof extension would not exceed the highest part of the existing roof;

(c) the roof extension is to the rear and would not extend beyond the plane of the roofslope forming the principal elevation or fronting the highway;

(d) the cubic content of the resulting roofspace would not exceed the cubic content of the original roof by more than 50 cubic metres;

(e) the roof extension would not include a verandah, balcony or raised platform or the installation, alteration or replacement of a chimney, flue or soil and vent pipe other than as permitted under class G;

(f) the dwellinghouse is not on article 2(3) land

B.2 (a) the materials used in any exterior work would be of similar appearance to those used in the construction of the exterior of the existing house;

(b) the dormer extension would be set back at least 0.2 metres from the eaves;

(c) the side window would be obscure gazed and non-opening up to 1.7m above finished floor level;

C.1 (a) the dwellinghouse has not been granted only by virtue of Class M, N, P or Q;

(b) n/a

(c) it would not result in the highest part of the alteration being higher than the highest part of the original roof;

(d) it would not consist of or include the installation, alteration or replacement of a chimney, flue or soil and vent pipe other than as permitted under class G, or the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

C.2 The side window would be obscure gazed and non-opening up to 1.7m above finished floor level;

Recommendation

ISSUE CERTIFICATE for the reason:-

The existing development, as shown on Drawing numbers 01 entitled ‘Plans and Elevations as Existing’, 02 entitled ‘Plans and Elevations as Proposed’, 04 entitled ‘Block and Location Plan, deposited 8 October 2015, and in email of clarification dated 26 November 2015, complies with the provision for ‘permitted development’ by virtue of Classes B, C and G of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development (England) Order 2015

Is recommendation contrary to letter(s) of representation? N

Case Officer: Rebekah Smith Date: 8 December 2015

Authorised by: Peter Barnett Date: 9 December 2015