

Delegated Application Report

Target Date: 14/11/19

Address: 15 Donnington Gardens

Application No: 191517/CLP

Proposal: Loft conversion with provision of a rear box dormer and two front roof lights

Case Officer: Sian Hickey

Introduction and Proposal

The application site is a two storey terraced dwelling with a pitched roof. The surrounding area is predominantly residential. The property is not a Listed Building and it doesn't fall within a Conservation Area.

The proposal is for a loft conversion with the provision of a rear box dormer and two roof lights to the forward roof slope. The dormer would extend across the full width of the rearward roof slope; it would have a maximum height of 2.2m, projecting to a maximum depth of 3.7m. The dormer would be set back from the existing eaves by a minimum of 0.2m. Materials have been selected to be of a similar appearance to those of the existing dwelling.

Plans Submitted

The agent supplied the following, received on 19/09/19:

Block Plan

Location Plan

Drawing No: 19-4748-01 – Existing Floor Plans

Drawing No: 19-4748-02 – Existing Elevation Plans

Drawing No: 19-4748-03 – Proposed Floor Plans

Drawing No: 19-4748-04 - Proposed Elevations

Drawing No: 19-4748-05 – Building regulations

Relevant Planning History

None

Summary of Consultations

No consultations were undertaken as it is not required for an application of this type.

Relevant Planning Policy and Guidance

National Planning Practice Guidance

The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO)

Permitted development rights for householders – Technical Guidance April 2017

Assessment

A Certificate of Lawfulness for a proposed development has been submitted as the applicant considers the proposal falls within the permitted development rights of the property.

The proposed loft conversion, rear dormer and two front roof lights must be assessed to ensure that it complies with the conditions of Classes B and C, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, which relate to 'additions etc to the roof of a dwellinghouse' or 'other alterations to the roof of a dwellinghouse'.

The relevant conditions of the GPDO for a loft conversion with the provision of a rear box dormer and two roof lights, which is not listed or in a conservation area, are as follows:

Dormer

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

B.1 (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use); **complies**

B.1 (b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof; **complies**

B.1 (c) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway; **complies**

B.1 (d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than (i) 40 cubic metres in the case of a terrace house; **complies** or (ii) 50 cubic metres in any other case; **n/a**

B.1 (e) it would consist of or include (i) the construction or provision of a veranda, balcony or raised platform, **complies** or (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; **complies** or

B.1 (f) the dwellinghouse is on article 2(3) land. **complies**

Conditions

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

B.2 (a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse; **complies, as per email from agent dated 05/11/2019**

B.2 (b) the enlargement must be constructed so that (i) other than in the case of a hip-to-gable enlargement or an 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; **complies** and (bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; **complies** 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 dwellinghouse; **complies** and

B.2 (c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be (i) obscure-glazed, **complies** and (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. **complies**

Interpretation of Class B

B.3 For the purposes of Class B, “resulting roof space” means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

B.4 For the purposes of paragraph B.2(b)(ii), roof tiles, guttering, fascias, barge boards, and other minor roof details overhanging the external wall of the original dwellinghouse are not to be considered part of the enlargement.

Roof lights

C.1 Development is not permitted by Class C if:

C.1 (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use); **complies**

C.1 (b) the alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof; **complies**

C.1 (c) it would result in the highest part of the alteration being higher than the highest part of the original roof; **complies** or

C.1 (d) it would consist of or include (i) the installation, alteration, or replacement of a chimney, flue or soil and vent pipe, **complies** or (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment. **complies**

Conditions

C.2 Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be:

C.2 (a) obscure-glazed; **complies** and

C.2 (b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. **complies**

Recommendation

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Classes B and C, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. It can be confirmed that the proposed operation would be lawful for planning purposes on the basis of the following drawings received on 19th September 2019:

Block Plan

Location Plan

Drawing No: 19-4748-01 – Existing Floor Plans

Drawing No: 19-4748-02 – Existing Elevation Plans

Drawing No: 19-4748-03 – Proposed Floor Plans

Drawing No: 19-4748-04 – Proposed Elevations

Drawing No: 19-4748-05 – Building regulations

The materials to be used in the construction of the external surfaces of the development have been confirmed shall match those used on the existing building.

Sufficient evidence has been provided to demonstrate that a Certificate of Lawfulness should be granted for the proposed loft conversion with the provision of rear box dormer and two roof lights. Therefore the Local Planning Authority can issue the applicant with a Certificate of Lawfulness for the proposed development.

Informatives

Building Regulations

Encroachment and Party Wall Act

Construction and Demolition



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