

Delegated Application Report**Target Date:** 27/09/18**Address:** 84 Basingstoke Road**Application No:** 181355/CLP**Proposal:** Two flat roof rear box dormers**Case Officer:** Sian Hickey**Introduction and Proposal**

The application site is a two storey mid-terraced dwelling with a pitched roof. The dwelling benefits from a two storey rear gable, with a single storey projection beyond. The application site is within an Article 4 area controlling the change of use from C3 dwelling house to C4 HMO. The surrounding area is predominantly residential. The application site is not a Listed Building and it doesn't fall within a Conservation Area.

The proposal is for two flat roof rear box dormers. The dormers would have a width of 3.5m with a maximum height of 2.5m. Two windows would be located to the rear elevations of the dormers. The dormers would be set back from the existing eaves by a minimum of 0.2m. The materials to be used are of a similar appearance of those used in the construction of the exterior of the existing dwellinghouse.

Plans Submitted

The agent supplied the following, received on 02/08/18:

Drawing No: BR:101 – Site Location and Block Plan

Drawing No: BR:002 – Existing Floor Plans

Drawing No: BR:103 – Proposed Floor Plans

Drawing No: BR:104 – Elevations as Existing

Drawing No: BR:105 – Elevations as Proposed

Relevant Planning History

181360/HPA – Two single storey rear extensions – to be determined

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)

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 two flat roof rear box dormers must be assessed to ensure that they comply with the conditions of Class B, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, which relates to 'additions etc to the roof of a dwellinghouse'.

The relevant conditions of the GPDO for rear box dormers, which is not listed or in a conservation area, are as follows:

Rear box dormers

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

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, **n/a** 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. **n/a**

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.

Conclusion

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Class B, 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 drawings received on 02/08/18:

Drawing No: BR:101 – Site Location and Block Plan

Drawing No: BR:002 – Existing Floor Plans

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Sufficient evidence has been provided to demonstrate that a Certificate of Lawfulness should be granted for the rear box dormers. Therefore the Local Planning Authority can issue the applicant with a Certificate of Lawfulness for the proposed development.

Recommendation:

GRANT Certificate

Informatives

1. The applicant's attention is drawn to the requirement for submission of a Building Regulations application for the proposed development. Please contact Building Control on 0118 937 2449 for advice.
2. During the course of construction, the developer should take care to ensure that no part of this development (foundations, eaves, guttering, etc.) would encroach on, under or across the boundary line with the adjoining property, as the requisite Notice has not been served on the owner of that property. This permission does not confer any right of access onto land that is not under the developer's control. The developer should also be mindful of the obligations and requirements of the Party Wall Act (1996) details of which can be found at:
<http://www.communities.gov.uk/publications/planningandbuilding/partywall>
3. The construction (and demolition) of the development will be subject to environmental health law.
4. Work on a loft or roof may affect bats. The applicant will need to consider protected species when planning work of this type. A survey may be needed, and if bats are using the building, a licence may be required. To view specific information regarding bats use the following link:
<https://www.gov.uk/wildlife-licences>



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