

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: D0102.20

WARD : Upminster

Date Received: 16th March 2020

ADDRESS: 59 CANTERBURY AVENUE
UPMINSTER

PROPOSAL: Certificate of Lawfulness for dormer to side

DRAWING NO(S): 01/2020
02/2020
03/2020
04/2020
Site Location Plan
06/2020
07/2020
08/2020
05/2020

RECOMMENDATION : It is recommended that a **Certificate of Lawfulness be issued** in accordance with the details given at the end of the report

SITE DESCRIPTION

The application site is a residential semi-detached bungalow finished in a mixture of brick face and painted render. There is space for parking to the front of the site. The surrounding area is characterised by semi-detached bungalows of similar designs. The dwellinghouse is not a listed building and is not located in a conservation area.

DESCRIPTION OF PROPOSAL

A certificate of lawfulness is sought for a side dormer.

1. The proposed side dormer will add approximately 1.42 cubic meters to the roof space (1.38m wide, 1.82m deep, 1.13m high).

RELEVANT HISTORY

N/A

CONSULTATIONS/REPRESENTATIONS

N/A

RELEVANT POLICIES

Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015.

MAYORAL CIL IMPLICATIONS

This application is not CIL liable because the new floor space created does not exceed 100 square metres.

STAFF COMMENTS

* Due to the social distancing measures brought on by the Covid-19 pandemic, the officer was unable to conduct a site visit for the property. Site photos were therefore requested from the agent on 22/04/20 via email and were received on 05/05/20.

1. Whether the proposed works are permitted development by virtue of Schedule 2, Part 1, Class B (consisting of an addition or alteration to its roof) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Have permitted development rights been removed? - No

Is the property a dwellinghouse? - Yes

Is it detached? - No

Is it semi-detached or terraced? - Yes

Is it within a conservation area? - No

B.1 (a) Has permission to use the dwellinghouse as a dwellinghouse been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use) ? - No

(b) would any part of the dwellinghouse, as a result of the works, exceed the height of the highest part of the existing roof? - No

(c) would any part of the dwellinghouse, 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? - No

(d) would the cubic content of the resulting roof space exceed the cubic content of the original roof space by more than:-

(i) 40 cubic metres in the case of a terrace house? - No, or

(ii) 50 cubic metres in any other case? - No

Side Dormer - 1.38m (w) x 1.13m (h) x 1.82m (d) / 2 = 1.42m³

(e) would it consist of or include:-

(i) the construction or provision of a veranda, balcony or raised platform? - No, or

(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe? - No

(f) is the dwellinghouse on article 2(3) land (conservation area)? - No

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

(a) the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse

(b) is the enlargement 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 -? - Y

(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 shall, so far as practicable, be not less than 20 centimetres from the eaves, measured along the roof slope from the outside edge of the eaves? - Yes; 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? - Yes

(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse shall be ? - No

(i) obscure-glazed, 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.

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 (refer (c) above).

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 be considered part of the development.

KEY ISSUES/CONCLUSIONS

The proposed development is considered to be in accordance with the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 2015.

It is therefore recommended that a Certificate of Lawfulness be issued in this instance.

RECOMMENDATION

It is recommended that a **Certificate of Lawfulness be issued**

1. Cert of Lawfulness - Reason for Approval Class B

The operations come within the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015, thereby not requiring planning permission.

INFORMATIVES

1 Cert of Lawfulness Class B

The development is permitted by Class B subject to the following conditions-

(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;

(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; 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; 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; and

(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be-

(i) obscure-glazed, 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.

2 **Cert of Lawfulness Building Regs**

This certificate provides confirmation that the development is lawful. You should also check whether the development requires separate Building Regulation consent. Information is available on the Building Control webpages via <http://www.havering.gov.uk/Pages/Category/Building-control.aspx?l1=200252> and the team is available between 9am and 10am Monday to Friday via 01708 432700.

Authorising Officer: Habib Neshat
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11-05-2020
