
2024/0711

128 Dodworth Road, Barnsley, S70 6HL

Proposed Lawful Development for loft conversion and rear dormer.

Site Description

The application relates to a semi-detached dwelling within the Dodworth Road area. The property is formed from stone and provides a tiled pitched roof. The dwelling features a small rear garden with access located from South Street to the west. The street scene is characterised by stone properties with some gable features to the front elevations.



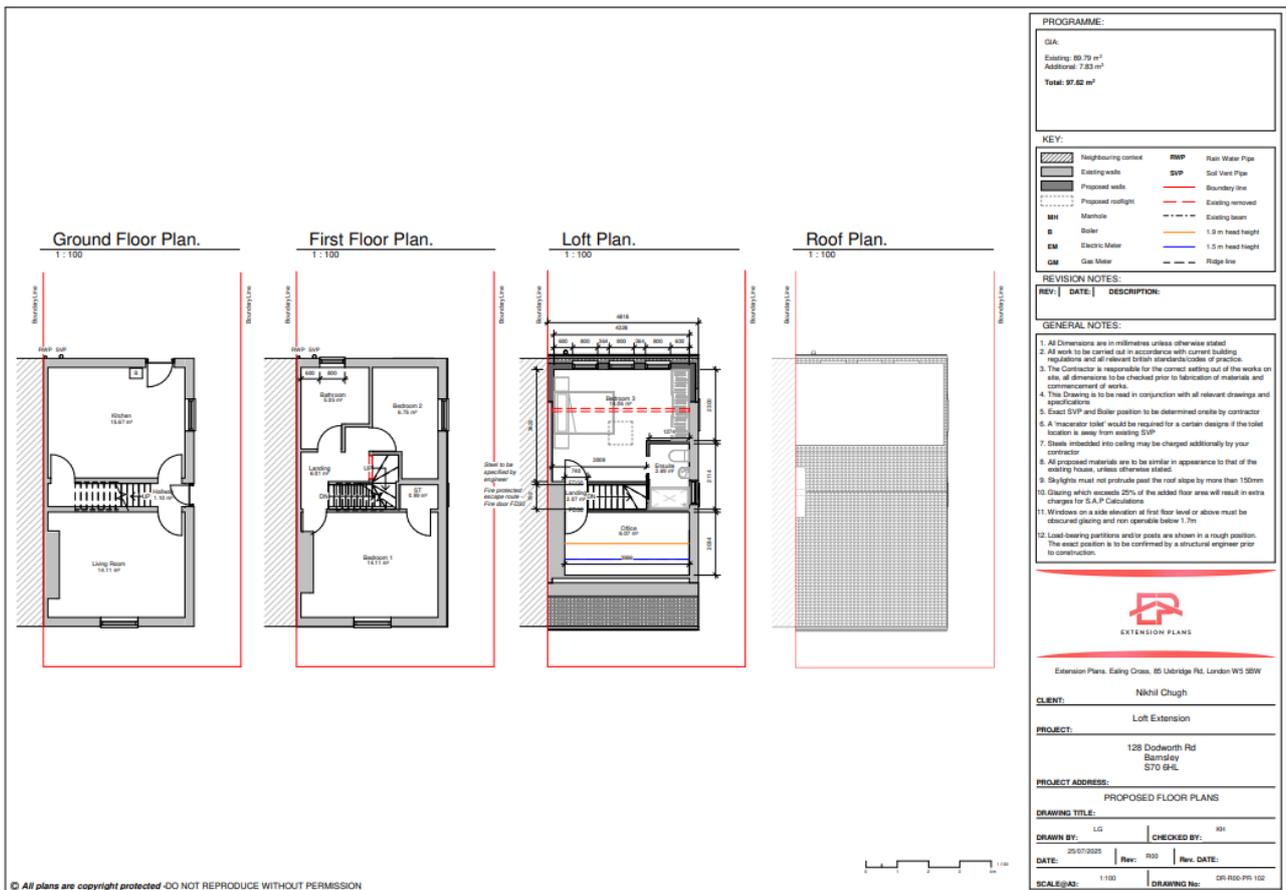
Proposed Development

The applicant has submitted an application for a Lawful Development Certificate for the proposed erection of a rear roof dormer window.

The proposed flat roofed dormer would provide an approximate height of 2 metres and an approximate projection of 2.6 metres. The dormer would be set back from the eaves and down from the ridge. An approximate width of 4.7 metres is proposed. The dormer would provide a cubic metre volume of approximately 12.2 metres. Materials to match the existing roof materials are proposed on the dormer cheeks and rear elevation.

The applicant has submitted the following plan in support of the application:

Proposed Floor Plans - Drawing Number DR-R00-PR-102 – Revision R00



Proposed Elevations - Drawing Number DR-R00-PR-104 – Revision R00



Policy Context

Section 192(1) the Town and Country Planning Act 1990 states that if any person wishes to ascertain whether any operations proposed to be carried out in, on, over or under land, would be lawful, they may make an application for the purpose to the Local Planning Authority describing the use or operations in question.

The enlargement of a dwellinghouse consisting of an addition or alteration to its roof is allowed without obtaining planning consent provided that it meets the criteria set out in Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Purely internal alterations are lawful pursuant to section 55(2)(a) of the Town and Country Planning Act 1990.

Principle of development

Permitted development

- B.** 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) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class **[F1G,] M**, **[F2MA,] N**, P **[F3, PA]** or Q of Part 3 of this Schedule (changes of use);
- (b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;
- (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;
- (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, or
 - (ii) 50 cubic metres in any other case;
- (e) it would consist of or include—
 - (i) the construction or provision of a verandah, balcony or raised platform, or
 - (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; **F4...**
- (f) the dwellinghouse is on article 2(3) land **[F5; F6...]**
- [F7(g)** the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses) **] [F8;** or
- (h) the existing dwellinghouse has been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys).]

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 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.

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.

[F9B.4 For the purposes of paragraph B.2(b)(ii)—

(a)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; and

(b)“rear or side extension” includes an original part of, or a subsequent extension of, the dwellinghouse that extends from the rear or side of the principal part of the original dwellinghouse.]

Consultations

No consultation

Representations

No neighbours were consulted for this application.

Assessment

The enlargement of a dwellinghouse consisting of an addition or alteration to its roof is allowed without obtaining planning consent provided that it meets the criteria set out in Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Purely internal alterations are lawful pursuant to section 55(2)(a) of the Town and Country Planning Act 1990.

Having checked these specifications along with other supplementary specifications, the proposals would comply with this legislation and requirements for permitted development. Therefore, the Certificate of Lawful Development should be granted.

RECOMMENDATION: Approve subject to conditions

Justification

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

It has not been necessary to make contact with the applicant to request amendments to the proposal.

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. It is considered that the

recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.

Conditions

1. The development hereby approved shall be carried out strictly in accordance with the plans
 - Proposed Floor Plans DwgNo:DR-R00-PR0102
 - Proposed Elevations DwgNo:DR-R00-PR-104
 - Proposed Sections DwgNo:DR-R00-PR-106

and specifications as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

2. The materials used on the dormer cheeks and rear elevation must match those used on the existing roof.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

3. Development is permitted by Class B subject to the enlargement being constructed so that the eaves of the original roof are maintained or reinstated.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.