Development Control – Delegated Officer Report

Application Number: AWDM/1976/22 Recommendation – REFUSE

Site: 6 Malthouse Close, Sompting, BN15 0EF

Proposal: Application for a Certificate of Lawfulness for a proposed rear dormer.

Site visit: N/A

Site and Surroundings:

The application site is located on the north side of Malthouse Close, Sompting, and is a 2 ½ storey end of terrace dwelling with a gable roof. It has an existing rear conservatory extension, and an existing rear dormered first floor, and a rooflight to the rear roofslope.

The street scene comprises a mix of semi-detached and terraced houses many of which have extended their properties by way of roof and/or ground floor extensions. The neighbouring property to the west, no. 8, has the same lower rear dormer, plus an additional higher rear dormer as per the current proposal.

The site is not within a Conservation Area and is not a Listed Building.

Desk top study:

Requests to the Agent to submit calculations for the existing dormer and further information about other existing low dormers in the Close have not been successful. Therefore a desk top investigation into the Close and low dormers has been undertaken on his behalf. It would appear that the existing rear dormer measures approx. 4.2m wide x 1.2m deep x 1m high = approx. $5m^3$.

On viewing Google Maps, it is noted that no.'s 10 and 12 have existing front dormers, which are positioned on a lower slope to the general slope. It would appear that the lower slope sections on the dwellings in the Close had dormers built in on the original build as no.'s 6 & 8 have but there's being rear dormers.

Other dwellings in the Close though do not have a lower slope on the roof but have the first floor windows cutting into the roof as if they are dormers, no's 14, 18, 22, 26 etc.

It is thereby concluded that the lower dormers are part of the original build of the Close.

Proposal

A Certificate of Lawfulness is sought to provide an additional rear dormer, which will sit directly above the existing rear dormer. It measures approx. 4.8m wide x 3m deep x 2.4m high (Cubic capacity = approx. 17.28 cu. m.)

Planning Assessment

Principle

The proposal will be viewed against the criteria of permitted development, as laid out within The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Consideration

Schedule 2, Part 1, Development within the curtilage of a dwellinghouse.

Class B – additions etc. to the roof of a dwellinghouse

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) The dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use)

Analysis: The dwellinghouse has not been created through change of use by virtue of Part 3.

b) The height of the roof extension would exceed the highest part of the existing roof;

Analysis: The height of the flat roof of the rear dormer is below the highest part of the existing roof.

(c) the roof extension would extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

Analysis: the roof extension (dormer) will be to the rear roof section, and does not extend beyond the plane of the existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

(d) the cubic content of the resulting roofspace would exceed the cubic content of the original roofspace by more than:-
i) 40 cubic metres in the case of a terrace house, or
ii) 50 cubic metres in any other case.

Analysis: No volume calculation has been submitted for the proposed rear dormer plus the existing dormer.

Doing a desk top measurement the existing rear dormer is some 5 m^3, and the proposed rear dormer is some 17.28 m^3 making a total of approx. 22.28 m^3 thereby being below the 50 m^3

(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;

Analysis: None of the above applies to this application.

(f) the dwellinghouse is on article 2(3) land

Analysis: The dwelling house is not on article 2(3) land.

(g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses); or

Analysis: The dwellinghouse has not been created by virtue of Part 20.

(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).

Analysis: The dwellinghouse has not been enlarged etc. by construction of additional storeys.

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

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

Analysis: The notation on the plans state that all materials to match existing.

(b) the enlargement must be constructed so that:-

i) other than in the case of a hip-to-gable 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 0.2m 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 dwelling house.

Analysis: The proposal complies with the above.

c) any window inserted on a wall or roof slope forming a side elevation of the dwelling house must be:-

i) obscure glazed and
ii) non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed.

Analysis: There is an existing window within the existing side gable, but this is shown on the submitted plans as being bricked up.

Recommendation

Issue a Certificate of Lawfulness s the proposal is permitted development by Class B within Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended

Reasons for Recommendation

The proposal constitutes ‘development’ as defined by Section 55 of the Town and Country Planning Act 1990, and is permitted by Class B of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

Case Officer: Eve Hearsey Date: 28.06.2023

Authorised by: Peter Barnett Date: 28 June 2023