Expiry Date – 17/12

Development Control – Delegated Officer Report

Application Number: AWDM/1753/20 **Recommendation – Issue Certificate**

Site: 108 Crabtree Lane, Sompting

Proposal: **Application for Certificate of Lawfulness for proposed rear dormer and 2no. front roof lights**

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: Applicant's photos

Site and Surroundings

This application relates to a mid terraced house on the north side of Crabtree Lane. The property is not in a conservation area and is not listed.

Planning permission has recently been granted to retain a first floor extension nearing completion.

There are no relevant planning permissions which would affect or be affected by the proposal and nor are there previous planning decisions with conditions restricting development or removing permitted development rights of the property.

Proposal

A certificate is sought for a rear dormer. The application drawings were revised to correctly reflect the first floor extension and to amend the size of the rear dormer accordingly.

Relevant Planning History

AWDM/1599/20 - Retention of first floor extension to rear (north) elevation. Granted 1.12.2020

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

Consideration

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

Class B The enlargement of a dwellinghouse consisting of an addition or alteration to its roof

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

a) The dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q.

Analysis: It is a purpose built interwar dwelling.

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

Analysis: the dormer does not exceed the ridge height of the original dwelling. .

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

Analysis: It does not.

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

Analysis: The rear dormer measures 20 cubic metres.

(e) it would consist of or include:-
i) a verandah, balcony or raised platform or
ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe;

Analysis: A soil pipe is proposed. This is permitted development under Class G and dealt with below.

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

Analysis: The house is not in a conservation area.

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

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: It has not been extended under Class AA

B.2 Development is permitted subject to:-

(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 drawings state matching materials.

(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 0.2m 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 proposed development would maintain some of the existing eaves and be positioned (according to dwg. 1457/P011, amended 24/11/2020) at least 250 mm back from them, and not extending past the outside face of the original dwelling house's rear wall.*

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: Mid terraced house. Rear dormer only

<u>Class C – Alterations to the roof of a dwelling house</u>

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

a) The dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q.

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

b) The alteration would protrude more than 0.15m beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;

Analysis: The agent has confirmed via email that the two front rooflights proposed would be not protrude more than 150mm.

c) The height of the highest part of the alteration would exceed the highest part of the original roof;

Analysis: The rooflights do not exceed the ridge height.

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

Analysis: It does not.

(e) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

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

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

a) obscure-glazed, and
b) 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: Mid terraced property.

Class G – chimneys, flues etc on a dwellinghouse
Permitted development
G. The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.
Development not permitted
G.1 Development is not permitted by Class G if—
(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);
(b) the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by1 metre or more; or
(c) in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which—
(i) fronts a highway, and
(ii) forms either the principal elevation or a side elevation of the dwellinghouse.; or
(d) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

Analysis: A flue is shown to be added to the rear face of the dormer. This does not extend 1 metre above the ridge.

Recommendation

Issue a Certificate of Lawfulness for Proposed Development.

Reasons for Recommendation

The proposal shown in drawing 1457/P011 A received 24.11.2020 and agent's email dated 3.12.2020 constitutes 'development' as defined by Section 55 of the Town and Country Planning Act 1990, but is permitted by Classes B, C and G of Part 1 Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015.

Case Officer signed: MOK Date: 3.12.2020

Authorised and signed by: Peter Barnett Date: 3 December 2020