Development Control – Delegated Officer Report

Application Number: AWDM/0305/22 Recommendation – APPROVED

Site: 7 Berriedale Close, Sompting, BN15 0JJ

Proposal: Application for Certificate of Lawfulness for proposed rear dormer

Site visit: N/A

Site and Surroundings:

No. 7 Berriedale Close is positioned at the south end of the cul-de-sac, and is a semi-detached bungalow. The close comprises semi-detached bungalows of similar designs, they all appear to have a bay window and a forward section with either a hipped roof over or a gable roof over. Many have undertaken extensions to the rear and or roof, including hip to gable or hip to Sussex hip

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

Proposal

A Certificate of Lawfulness is sought for a flat roof rear dormer only. The submitted plans show the dormer to measure 7.01m wide x 3.215m deep x 2.23m high

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 M, N, P, PA or Q.

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 flat roof of the 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 rear dormer 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 roof by more than:-
i) 40 cubic metres in the case of a terrace house, or
ii) 50 cubic metres in any other case.

Analysis: The proposed amended plan has a notation stating that the volume of the rear dormer is 25.08m^3 (it also includes the volume of the hip to gable roof extension as being 19.46m^3; and the volume of the front dormer as 4.94m^3. These extensions are subject to a planning application AWDM/0014/22 refers). The cubic capacity for the roof extensions in total is thereby 49.48m^3, which does not exceed the allowed 50m^3 for the semi-detached bungalow.

(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: The proposed development does not show any of the above elements.

(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).

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

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 submitted plans have been notated “matching materials to be used for the proposed loft conversion.”

(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 is for a rear dormer and a notation on the plan confirms that the dormer is to be set in a minimum of 200mm from the eaves and the plans show that the eaves will remain below the base of the dormer (aa); and it is confirmed that the plans show that no part of the dormer extends beyond the outside face of any external wall of the original dwellinghouse (bb).

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: The application is for a rear dormer only and does not show a window in either of the side elevation of the dormer and therefore c) does not apply.

Recommendation

A Certificate of Lawfulness for Proposed Development, be issued as the proposal conforms with Class B (The enlargement of a dwellinghouse consisting of an addition or alteration to its roof), within Schedule 2, Part 1, of

the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Reasons for Recommendation

The proposal has been considered against Class B of the Town and Country Planning Act 1990, and it is found to constitute 'development' as defined by Section 55, and is deemed to be 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: 01.04.2022

Authorised by: Peter Barnett Date: 1 April 2022