

Development Management – Delegated Officer Report

Application Number: AWDM/0418/26

Recommendation – APPROVE

Site: 21 Downland Avenue, Southwick

Proposal: Application for Certificate of Lawfulness for proposed loft conversion with rear dormer

Site visit: N

Proposal, Site and Surroundings

This is a semi-detached inter war 2-storey house on the north side of Downland Avenue. This is not a Listed Building or located in a Conservation Area.

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: N/A

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

Analysis: The height of the enlargement does not exceed the height of 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 dwelling house and fronts a highway;

Expiry: 27/5

Analysis: The roof extension does not project beyond the plane of an existing roof slope which forms the principal elevation of the dwelling house 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 cubic content of the enlargement is measured to be 39 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: The supporting statement refers to soil and vent. See Class G below.

(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:-

(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 supporting statement confirms matching materials throughout.

(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 eaves of the original roof are maintained and the proposed enlargement would be set up 400mm from the outside edge of the eaves. No

Expiry: 27/5

part of the enlargement would extend beyond the outside face of any external wall of the original dwelling house.

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: Supporting statement confirms obscure glazing and non-opening below 1.7 metres from finished floor level.

Class C – Alterations to the roof of a dwelling house

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 supporting statement confirms rooflights will not protrude more than 150mm from roofslope.

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

Analysis: The rooflight(s) would not exceed the highest part of the original roof;

(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: N/A

(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.

Expiry: 27/5

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: Supporting statement confirms side window will be obscure and non-opening below 1.7 metres or non-opening.

Class G – chimneys, flues etc on a dwellinghouse

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 G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

Analysis: N/A

- (b) the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more;

Analysis: The supporting statement confirms they will not exceed the highest part of the roof.

- (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: The house is not in a conservation area (Article 2(3) land).

Recommendation

Issue a Certificate of Lawfulness for Proposed Development, the submission of a planning application for the works will not be required.

Reasons for Recommendation

The proposal 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: MOK

Date: 8/6

Authorised by: Peter Barnett

Date: 8 June 2026