# Development Management - Delegated Officer Report

**Application Number: AWDM/0325/25 Recommendation – APPROVE**

**Site: 43 Gordon Avenue, Shoreham-by-Sea, BN43 6WF**

**Proposal: Application for a Lawful Development Certificate for proposed conversion of roof space with rear dormers and front roof windows. Chimney removed.**

**Date of site visit:** Assessment has also been assisted using the Applicants plan; Earthlight mapping; and Google 3D of the site

**Neighbours checked: Y**

**Additional neighbour notifications: N**

**Site and Surroundings:**

No. 43 Gordon Road is an end of terrace, two storey, gable end dwelling, situated on the north side of the road. There is a rear, pitched roof, two storey outrigger, and a further single storey, mono-pitched roof behind the outrigger.

The road comprises predominantly two storey terraced dwellings interspersed with some semi-detached dwellings, and a few bungalows.

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

**Relevant Planning History:** None

**Proposal:**

A Certificate of Lawfulness is sought for proposed rooms in the roof consisting of a flat roof door on the rear side roofslope and a flat roof dormer on the rear roofslope of the main dwelling (both merging together to be 1no. 'L' shaped dormer); 3no. rooflights within the front roofslope; and removal of the chimney.

**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.

**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 rear flat roof dormer will be lower than the ridge line, therefore the height of the roof extension would not exceed 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 will be to the rear therefore the above does not apply.

(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 submitted plan has been notated and states that the cubic capacity of the main roof rear dormer would be 17.71$m^3$ and the outrigger dormer will be 18.21$m^3$ The combined total would be 35.93$m^3$ meaning that the 40 $m^3$ would not be exceeded.

(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:** There will be a Juliete balcony on the main roof dormer, which is a balcony in name only and not a physical balcony. The chimney will be removed which is covered by 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); 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 above does not apply.

**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 plan states that the materials will match the 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, and measuring the plan it shows more than 200mm from the eaves.

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 are no new windows shown to be included within the side elevations of the dormer.

**Class C – other alterations to the roof of a dwellinghouse**

**Permitted development**

**C. Any other alteration to the roof of a dwellinghouse.**

**Development not permitted**

**C.1 Development is not permitted by Class C 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:** The dwellinghouse has not been created through change of use by virtue of Part 3.

(b) The alteration would protrude more than 0.15 metres 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 notation of the submitted plan states that the rooflights will not protrude more than 150mm above the roofslope.

(c) It would result in the highest part of the alteration being higher than the highest part of the original roof;

**Analysis:** The rooflights etc., will not be higher than the highest part of the original roof, namely the ridge.

(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:** The chimney will be removed and this is covered under Class G below.

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

**Analysis:** The above does not apply

**Conditions**

**C.2** Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be— (a) obscure-glazed; and (b) 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.

**Analysis:** There are no new windows shown to be installed on the side elevations of the dormer.

**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 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 chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more;

**Analysis:** The chimney is being demolished therefore the above does not apply.

(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

**Analysis:** Not article 2(3) land

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

**Analysis:** The above does not apply.

## Recommendation

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

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| Case Officer: | Eve Hearsey | Date: 08.05.2025 |
| Authorised by: | Peter Barnett | Date: 8 May 2025 |