Development Management - Delegated Officer Report

Application Number: AWDM/1194/25 Recommendation – APPROVE

Site: 2 Upton Avenue, Southwick, BN42 4WP

Proposal: Application for a Lawful Development Certificate for proposed loft conversion with hip to gable roof extensions, rear dormer and front rooflights.

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. 2 Upton Avenue, Southwick is a single storey, detached, hipped roof bungalow, positioned on the south side of the road. The property is raised up from the road, and the land falls from the highway. The rear garden land is lower than the bungalow

The bungalow has a single storey rear extension with a false pitched roof. There is a patio to the rear abutting the rear garage, and a privacy screen around the raised patio. The property has a small rear garden, and a hardsurfaced front amenity area.

The street and area is characterized by detached bungalows many with rear extensions, some have roof extensions.

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

Relevant Planning History:

AWDM/1413/18 Replacement rear extension with raised terrace and 1.8m high privacy screening. **Approved 22.11.2018**

Proposal:

A Certificate of Lawfulness is sought for a Loft extension comprising:-

- Hip to gable roof extension on part of the east and part of the west elevations;
- Flat roof rear dormer extension;
- 1no. rooflights within extended roof to front (north); &
- 1no. rooflight within existing front roof (north).

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: Neither of the hip to gable side extensions or the flat roof rear dormer extension will exceed the highest part of the existing roof, namely the existing ridge of the 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 principal elevation is to the front of the dwelling and the side hip to gable roof extensions together with the rear flat roof dormer, are set back from the principal elevation.

(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 plans are notated to show that the new gable ends together with the new rear dormer will total 42.88 m^3 The 50 m^3 is thereby not 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: None of the above are shown on the application.

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

Analysis: The dwellinghouse 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 storey).

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 plans state that the vertical tile hanging will match the existing property.

(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 submitted supporting statement confirms that the rear dormer will be set back 200mm from the eaves level of the existing roof.

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 a wall or roof slope forming a side elevation etc.

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 supporting statement states that the proposed roof lights will not protrude more than 150mm above the plane of the roof slope.

(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: None of the above are shown on the submitted plans

(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 etc.

Recommendation

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

Case Officer: Eve Hearsey Date: 12.11.2025

Authorised by: Peter Barnett Date: 12 November 2025