

Development Management – Delegated Officer Report

Application Number: AWDM/048/26 Recommendation – APPROVE

Site: 6 Field Close, Lancing, West Sussex

Proposal: Application for Certificate of Lawfulness for proposed single storey rear extension with 1no. rooflight to replace existing conservatory; removal of 2no. chimneys, and replacement of 1no. window and 1no. door at the garage

Site visit: N

Proposal, Site and Surroundings

The site is a detached bungalow with detached garage to the side. This building is not a Listed Building or located in Conservation Area. The application seeks a Certificate of Lawfulness for a proposed single storey rear extension, 3m deep, with 1no. rooflight to replace an existing conservatory; the removal of 2no. chimneys, and the replacement of 1no. window and 1no. door in the garage.

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 A – Enlargement, improvement or other alteration of a dwellinghouse

A.1 Development is not permitted by Class A 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 the Schedule (changes of use);

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

b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

Analysis: The proposal includes a single storey extension to replace the existing conservatory some changes to openings in the existing garage and the removal of 2 chimneys. The development would not exceed 50% of the total area of the curtilage.

c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

Analysis: The extension is not higher than the highest part of the existing dwellinghouse.

d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

Analysis: The height of the eaves does not exceed those of existing.

e) the enlarged part of the dwellinghouse would extend beyond a wall which:

- i) forms the principal elevation of the original dwellinghouse; or
- ii) fronts a highway and forms a side elevation of the original dwellinghouse;

Analysis: The enlarged part of the dwellinghouse is to the rear.

f) subject to paragraph g) the enlarged part of the dwellinghouse would have a single storey and-

- i) extend beyond the rear wall of the original dwellinghouse by more than 4m in the case of a detached dwellinghouse, or 3m in the case of any other dwellinghouse, or
- ii) exceed 4m in height;

Analysis: The extension is less than the permitted 4 metres in depth.

g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and-

- i) extend beyond the rear wall of the original dwellinghouse by more than 8 m in the case of a detached dwellinghouse, or 6m in the case of any other dwellinghouse, or
- ii) exceed 4m in height;

Analysis: The proposal will not exceed the rear wall of the house by 8 metres and will not exceed 4 metres.

ah) the enlarged part of the dwellinghouse would have more than a single storey and-

- i) extend beyond the rear wall of the original dwellinghouse by more than 3m, or
- ii) be within 7 m of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;

Analysis: The proposal is single storey only, hence i) and ii) do not need to be considered.

- i) the enlarged part of the dwellinghouse would be within 2m of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3m;

Analysis: The proposal is within 2 metres of the boundary however the height of the eaves does not exceed 3 metres.

- j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would-
 - i) exceed 4m in height;
 - ii) have more than a single storey; or
 - iii) have a width greater than half the width of the original dwellinghouse; or
 - (ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j).

Analysis: The proposal does not involve enlargement to the dwellinghouse beyond a wall forming a side elevation of the original dwellinghouse, hence i), ii), iii) and ja) do not need to be considered. In this case the proposed extension does not attach to the existing garage and therefore is not considered under this criteria.

- k) it would consist of or include-
 - i) the construction or provision of a verandah, balcony or raised platform,
 - ii) the installation, alteration or replacement of a microwave antenna,
 - iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - iv) an alteration to any part of the roof of the dwellinghouse.

Analysis: The chimneys are to be removed.

- (l) 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.

A.2 In the case of a dwellinghouse on article 2(3) land:-

- a) it would consist of cladding of any part of the exterior of the dwelling house with stone, artificial stone, pebble dash, render, plastic or tiles.
- b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse;

- c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwelling house.
- d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).

Analysis: The dwelling is not on article 2(3) land.

A.3 Development is permitted subject to:-

- a) materials must be of a similar appearance to those used in the construction of the exterior of the existing dwelling;
- b) any upper-floor windows located in a wall or roof slope forming a side elevation must be:-
 - i) obscured-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.
- c) Where the enlarged part of the dwelling house has more than one storey or forms an upper storey on an existing enlargement of the original dwelling house the roof pitch of the enlarged part must so far as practicable be the same as the roof pitch of the original dwellinghouse.

Analysis: Materials are to match existing. The proposal is single-storey and does not involve inserting windows on upper floor. The insertion of windows in the existing garage does not include any enlargements of the building.

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) 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);
- (b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;
- (c) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;
- (d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—

- (i) 40 cubic metres in the case of a terrace house, or
- (ii) 50 cubic metres in any other case;
- (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;
- (f) the dwellinghouse is on article 2(3) land
- (g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)
- (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 two chimneys will be removed.

Conditions

B.2 Development is permitted by Class B subject to the following conditions—

- (a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (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 0.2 metres 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 dwellinghouse; and
- (c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be—
 - (i) obscure-glazed, and

(ii) 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.

Interpretation of Class B

B.3 For the purposes of Class B, “resulting roof space” means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

For the purposes of paragraph B.2(b)(ii)—

(a) roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwellinghouse are not to be considered part of the enlargement; and

(b) “rear or side extension” includes an original part of, or a subsequent extension of, the dwellinghouse that extends from the rear or side of the principal part of the original dwellinghouse.

Analysis: - None of the above applies, the chimneys are to be removed so do not exceed the highest point of the roof.

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);

(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;

(c) it would result in the highest part of the alteration being higher than 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

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

Analysis: - The chimneys are to be removed. Nothing will be installed on the roof.

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: - No windows are proposed on the roof.

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 Class A, B and C of Part 1 Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015.

Case Officer: Hannah Barker

Date: 24th August 2026

Authorised by: Peter Barnett

Date: 25 August 2026