

Expiry: 5/10

Development Management - Delegated Officer Report

Application Number: AWD/0928/26

Recommendation – Approve

Site: 94 Eastern Avenue, Shoreham

Proposal: Application for Certificate of Lawfulness for proposed single storey 4m rear extension (already granted under AWD/0796/26) and loft conversion comprising rear dormer and hip-to-gable enlargements.

Date of site visit: N

Proposal, Site and Surroundings

The application relates to an end of terrace house. It is not a Listed Building or located in a Conservation Area.

This application follows a recent approval for a householder application for permitted development for prior approval for a single storey extension to the rear of the property measuring 4m from rear wall of the original dwelling, maximum height 3.7m and height of eaves of the extension 3m. (AWD/0796/26 refers).

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.

Expiry: 5/10

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 ground cover by extension will not exceed 50% of the total area of 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 height of the enlargement would not exceed the height of the highest part of the roof 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 of the enlargement would not exceed the height of the eaves of the existing dwellinghouse.

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 enlargement would not extend beyond a wall which forms the side elevation of the original dwellinghouse by fronting a highway or forms the principal elevation of the original dwellinghouse.

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: Paragraph g) applies.

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 dwellinghouse is not on article 2(3) land, the enlargement is single storey and would not extend beyond the rear wall of the original dwellinghouse by 6m or exceed 4m in height.

Expiry: 5/10

- h) 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 proposed extension will not be more than a single storey, therefore 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 enlargement is within 2m of the boundary of the curtilage of the dwellinghouse but the height of the eaves of the enlarged part would not exceed 3m.

- 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 enlargement would not extend beyond a wall forming a side elevation of the original dwellinghouse. It is to the rear of the building.

- 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: None of the above apply.

- (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;

Expiry: 5/10

- 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: It is stated in the supporting document that materials will be of a similar appearance to the existing and the extension is single-storey, which means b) and c) do not need to be considered.

A.4 (1) The following conditions apply to development permitted by Class A which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g).

(2) Before beginning the development the developer must provide the following information to the local planning authority —

- (a) a written description of the proposed development including —
 - (i) how far the enlarged part of the dwellinghouse extends beyond the rear wall of the original dwellinghouse;
 - (ii) the maximum height of the enlarged part of the dwellinghouse; and
 - (iii) the height of the eaves of the enlarged part of the dwellinghouse;
- (iv) where the enlarged part will be joined to an existing enlargement of the dwellinghouse, the information in sub-paragraphs (i) to (iii) must be provided in respect of the total enlargement (being the enlarged part together with the existing enlargement to which it will be joined).

Analysis: This information was provided under application AWDM/0796/26. No objections were received, and the prior approval of the LPA was therefore not required. The development could therefore be carried out.

Consequently, while the extension exceeds the depth permitted under Class A 1(f) it is permitted by Class A (g) and Condition A.4.

Expiry: 5/10

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: No part of the extensions exceeds the ridge height.

(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;

Analysis: It does not.

(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 PD Compliance sheet confirms the cubic content of the roof extensions would not be more than 40m³.

(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: N/A

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

Analysis: The development is not in a conservation area.

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

Analysis: N/A

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.

Expiry: 5/10

Analysis: Supporting PD sheet confirms materials will be of similar appearance.

(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 are retained and the dormer is set 355mm up from them. No part of the enlargement extends 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: A gable window is shown to be obscurely glazed and fixed shut.

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: N/A

- 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: Supporting PD sheet confirms rooflights would not project more than 0.15m.

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

Analysis: Roof lights set below roof ridge

- (d) it would consist of or include:-

Expiry: 5/10

- 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: N/A

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: A gable window is shown to be obscurely glazed and fixed shut.

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 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,

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 proposed flue does not exceed the main ridge height.

- C) or in the case of a dwellinghouse on article 2 (3) land, the chimney, flue or vent and soli would be installed on a wall or roof space which – (i) front a highway and (ii) forms either the principal elevation or a side elevation of the dwellinghouse

Analysis: The house is not in a conservation area.

- d) The dwellinghouse is built under Part 20 of this Schedule.

Analysis: N/A

Expiry: 5/10

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

Case Officer: MOK

Date: 28/8

Authorised by: Peter Barnett

Date: 28 August 2026