Development Management - Delegated Officer Report

Application Number: AWDM/0559/25 Recommendation – APPROVE

Site: 3 Mill Hill Drive, Shoreham-by-Sea, BN43 5TJ

Proposal: Application for a Lawful Development Certificate for a proposed loft conversion with rear gable-end, side dormers to east and west roofslopes, front facing rooflight

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. 3 Mill Hill Drive is located on the north side of the road, and is a hipped roof bungalow on rising land and the property is also higher than the road, and has steps lead up to the entrance door. The properties on the south side of the road are lower than the road.

The street comprises a mix of house types and designs with two storey and single storey dwellings, predominantly detached on the north side of the road, but with some semi-detached on the south side.

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:-

- partial hip to gable roof extension on the rear (north);
- side dormers along the east and west roofslopes;
- rooflight in the front (south) roofslope; and
- window in the new rear gable end.

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 roof extension will continue the existing ridge height of the roof across, 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 not extend beyond the plane of the existing front roofslope which is the principal elevation etc.

(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 rear gable would be 15.6m^3 and the side dormers will be 33.5m^3 making the total volume 49.1m^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

(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 plans have a 'permitted development statement' printed on it with, amongst other things states that the materials used will be of similar appearance to 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, plus the plan notation states that the side dormers will be more than 20cm from the side eaves of the original 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 windows shown in the east side dormer, and there are 2no. withing the west facing side dormer. The plans state that the side-facing windows in

the west dormer will be obscure glazed and opening 1.7m above loft floor level. Which thereby accords with the requirements.

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 submitted plan states that the rooflight will not protrude more than 15cm beyond the surface of the rooftiles.

(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 windows shown in the east side dormer, and there are 2no. withing the west facing side dormer. The plans state that the side-facing windows in the west dormer will be obscure glazed and opening 1.7m above loft floor level. Which thereby accords with the requirements.

Recommendation

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

Case Officer:	Eve Hearsey	Date: 27.06.2025
Authorised by:	Peter Barnett	Date: 27 June 2025