# Development Management - Delegated Officer Report

**Application Number: AWDM/1418/24 Recommendation – APPROVE**

**Site: 31 The Avenue, Shoreham-by-Sea, BN43 5GJ**

**Proposal: Application for a Lawful Development Certificate for a proposed rooms in roof consisting of hip to gable roof extension, rear dormer, front rooflights and single storey side extension.**

**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. 24 The Avenue is a semi-detached two storey dwelling situated on the north side of the road, and facing onto the road division between The Avenue and Buckingham Avenue. The area comprises predominantly two storey dwellings but there are also one or two bungalows within the avenue. The sizes of the dwellings vary also. The locality is on rising land, rising to the north, and the application site is higher than the road to the front

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 hip to gable roof extension, rear dormer and front roof lights plus a single storey side extension.

**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 A – enlargement, improvement or other alteration of a dwellinghouse**

**Permitted Development**

**A.The enlargement, improvement or other alteration of a dwellinghouse.**

**Development not permitted**

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 G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

**Analysis:** The above does not apply

(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 extension does not exceed 50% of the total area of the curtilage etc.

(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 side extension is single storey and therefore will not exceed the height of the existing dwelling.

(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 side extension is single storey and the eaves are therefore lower than the two storey house.

(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:** None of the above.

(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 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
(ii) exceed 4 metres in height;

**Analysis:** The enlargement will be a single storey side extension and will not exceed 4m in height, thereby the above does not apply.

(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 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
(ii) exceed 4 metres in height;

**Analysis:** Does not apply

(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 3 metres, or
(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;

**Analysis:** Does not apply, as single storey and a side extension.

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

**Analysis:** The extension is within 2m of the side boundary etc., but the height of the eaves are less than 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 4 metres in height,
(ii) have more than a single storey, or
(iii) have a width greater than half the width of the original dwellinghouse; or

**Analysis:** The extension is single storey, and extends beyond a side elevation, but it is not greater than half the width of the original dwellinghouse.

(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:** Does not apply.

(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

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—

(a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;

(b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or

(c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

(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 site is not on article 2(3) land

Conditions

A.3 Development is permitted by Class A subject to the following conditions—

(a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

**Analysis:** The Agent confirms in an email dated 27.12.2024 that the materials will match the existing.

(b) any upper-floor window located in 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; and

**Analysis:** There are 2no. new windows within the new roofslope relating to the ground floor side extension but are not relating to the upper floor, therefore (b) does not apply.

c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse,

the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

**Analysis:** None of the above applies.

**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 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 elevation plan has been notated and states that the cubic capacity of the rear dormer would be 12.56$m^3$ and the gable roof extension will be 5.41$m^3$ 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

(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 for the loft conversion are notated and say that the tiles will match the existing dwelling.

(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 application forms are notated to confirm that the dormer will be finished in matching roof materials and set back minimum of 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 or hip to gable.

**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 application forms confirm that the rooflights will not protruded more than 150mm from 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:** 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.

## Recommendation

Issue a Certificate of Lawfulness as the proposal is permitted development by Class A; 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 A; Class B; and Class C 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: 27.12.2024 |
| Authorised by: | Peter Barnett | Date: 2 January 2025 |