

Development Management - Delegated Officer Report

Application Number: AWDM/0140/26

Recommendation – APPROVE

Site: 17 Orchard Close, Southwick, BN42 4NJ

Proposal: Application for a Lawful Development Certificate for a loft conversion including a hip to gable roof extension with window within the gable; rear dormer extension with 2no. Juliet balconies; additional solar panel to front roofslope; and relocation of solar panels from east elevation to flat roof of dormer.

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. 17 is a two storey semi-detached hipped roof two storey dwelling, positioned at the end of the Close, and is on sloping land.

The Close comprises two storey semi-detached dwellings, a few of which have gabled their hips, and one close to the application site has provided a rear dormer (no. 11).

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

Relevant Planning History: None relevant.

Proposal:

A Certificate of Lawfulness is sought for proposed rooms in the roof consisting of:-

- Hip to gable roof extension south elevation;
- Window within new gable;
- Rear flat roof dormer extension to east elevation;
- 2no. Juliette balconies within new dormer;
- Additional solar panel to front roofslope (west); and
- Repositioning of 7 no. solar panels from east (rear) elevation to the dormer flat roof.

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 gable extension will continue the existing ridge height of the roof across, and the rear dormer will be lower than the ridge. Therefore the height of the roof extensions 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 shows that the cubic content calculation of the gable end would be 8.18m³ and the rear dormer will be 28.6m³ making the total 36.78m³. The 50 m³ 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 plans.

(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 are notated to confirm that the materials will match 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, the plans are notated to confirm that the dormer will be a minimum of 200mm away from the fascia 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: The window which will be within the new gable end is stated on the plans to be obscure glazing and no opening parts under 1.7m from the floor level.

PART 14

Renewable energy

Class A – installation or alteration etc of solar equipment on domestic premises

Permitted development

A. The installation, alteration or replacement of microgeneration solar PV or solar thermal equipment on—

(a) a dwellinghouse or a block of flats; or

(b) a building situated within the curtilage of a dwellinghouse or a block of flats.

Development not permitted

A.1 Development is not permitted by Class A if—

(a) the solar PV or solar thermal equipment would protrude more than 0.2 metres beyond the plane of the wall or, in the case of a pitched roof, the roof slope when measured from the perpendicular with the external surface of the wall or pitched roof slope;

Analysis: The plans are notated and state that solar PV on the west roofslope will not extend more than 200mm above the roofslope.

(b) in the case of solar PV or solar thermal equipment on a pitched roof, it would result in the highest part of the solar PV or solar thermal equipment being higher than the highest part of the roof (excluding any chimney);

Analysis: The solar PV will not be higher than the highest part of the roof, it will be below the ridge.

(ba) in the case of solar PV or solar thermal equipment on a flat roof, it would result in the highest part of the solar PV or solar thermal equipment being more than 0.6 metres higher than the highest part of the roof (excluding any chimney);

Analysis: The plans are notated to state that the solar PV's on the flat roof of the proposed dormer will not extend more than 600mm above the highest part of the flat roof.

(c) in the case of land within a conservation area or which is a World Heritage Site, the solar PV or solar thermal equipment would be installed on a wall which fronts a highway;

Analysis: The land is not within a conservation area or World Heritage Site.

(d) the solar PV or solar thermal equipment would be installed on a site designated as a scheduled monument; or

Analysis: The site is not a designated scheduled monument.

(e) the solar PV or solar thermal equipment would be installed on a building within the curtilage of the dwellinghouse or block of flats if the dwellinghouse or block of flats is a listed building.

Analysis: The dwellinghouse is not a listed building.

Conditions

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

(a) solar PV or solar thermal equipment is, so far as practicable, sited so as to minimise its effect on the external appearance of the building;

(b) solar PV or solar thermal equipment is, so far as practicable, sited so as to minimise its effect on the amenity of the area; and

(ba) in the case of solar PV or solar thermal equipment installed on a flat roof located on article 2(3) land, before beginning development the developer must apply to the local planning authority for a determination as to whether the prior approval of the local planning authority will be required with respect to the impact of the appearance of the solar PV or solar thermal equipment on that land;

(bb) in relation to an application under sub-paragraph (ba), paragraphs J.4(3) to J.4(12) of this Part apply as if “Class A” substitutes the reference to “Class J” in paragraph J.4(4); and

(c) solar PV or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.

Recommendation

Issue a Certificate of Lawfulness as the proposal is permitted development by Class B within Schedule 2, Part 1; together with Class A within Schedule 2 of Part 14 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 within Schedule 2 Part 1; together with Class A within Schedule 2 of Part 14 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended

Case Officer: Eve Hearsey Date: 22.05.2026

Authorised by: Peter Barnett Date: 27 May 2026