

Development Management – Delegated Officer Report

Application Number: AWD/0880/26

Recommendation – APPROVE

Site: 33 Manor Close Southwick West Sussex BN42 4NW

Proposal: Application for Certificate of Lawfulness for proposed single storey rear extension

Site visit: N

Proposal, Site and Surroundings

Terraced 2-storey building on the east side of Manor Close with a white render and tiled roof. This building is not a Listed Building or located in a Conservation Area.

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 ground cover by extension(s) 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: The enlargement is single storey and extends beyond the rear wall of the original dwellinghouse by no more than 3m and does not exceed 4m in height.

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 enlargement is single storey and extending beyond the rear wall of the original dwellinghouse by no more than 6m and not exceeding 4m in height.

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 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: Although the enlargement would be within 2m of the boundary of the curtilage of the dwellinghouse, 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.

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 replacement of the soil vent pipe will be considered under Class G of Part 1.

(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: It is stated on the plan that materials with similar appearance to the exterior of the existing dwellinghouse would be used, and the extension is single-storey, which means b) and c) do not need to be considered.

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

- 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: It is confirmed by email that the rooflights would not project more than 150mm beyond the plane of the roofslope.

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

Analysis: The rooflight(s) would not exceed 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.

Analysis: The replacement of the soil vent pipe will be considered under Class G of Part 1.

(e) 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.

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: No windows will be inserted on the roof slope forming a side elevation.

Class F – hard surfaces incidental to the enjoyment of a dwellinghouse **Permitted development**

F. Development consisting of—

- (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or
- (b) the replacement in whole or in part of such a surface.

Development not permitted

Development is not permitted by Class F 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 this Schedule (changes of use);

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

(b) 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.

Conditions

F.2 Development is permitted by Class F subject to the condition that where—
(a) the hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, and
(b) the area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres,
either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Analysis: The hard surface replaced and altered would not be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway.

Class G. The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

G.1 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 M, 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 height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or

Analysis: The height of the replaced soil vent piper would not exceed the highest part of the roof by 1 metre or more

(c) in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which—

(i) fronts a highway, and

(ii) forms either the principal elevation or a side elevation of the dwellinghouse.

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

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

Case Officer: Broderick Poon Date: 29/07/2026

Authorised by: Peter Barnett Date: 3 August 2026