Development Management - Delegated Officer Report

Application Number: AWDM/1410/25 Recommendation – APPROVE

Site: 102 Penhill Road, Lancing, BN15 8HG

Proposal: Application for a Lawful Development Certificate for proposed loft conversion including hip to gable rear extension, dormers to the north and south roofslopes, removal of chimney. Juliet balcony to west elevation and roof light to east roofslope

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. 102 Penhill Road lies on the west side of the road and is a two storey, 4no. bedroom, detached dwellinghouse with an existing single storey rear extension and a side porch. There is also a detached outbuilding at the rear of the rear garden. The rear garden of the property backs onto a parking compound off Beachcroft Place. The property has an integral garage, and parking at the front amenity area.

The street scene is characterised by residential properties in mix of detached, semi-detached and terraced dwellings. There are also blocks of flats of three stories

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

Relevant Planning History: None

Proposal:

A Certificate of Lawfulness is sought for a:-

❖ Loft extension comprising:-

- Rear (west), hip to gable;
- Side (south), 'L' shaped flat roof dormer;
- Side (north), flat roof dormer;
- Front (east), rooflight within existing hipped roof; and
- Removal of chimney.

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 flat roof dormer extensions and the new gable end, will be positioned lower than the existing ridge of the roof, 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 extensions will not be on the principal elevation but on the sides and rear and will not front a highway.

(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 application form states that the total volume of the dormers and roof extension (gable) to be 49m^3 The 50m^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: The rear gable will have a Juliette balcony, which does not contain an external platform, and thereby is not a balcony. The application will also see the removal of the chimney, and the plans show that the existing soil and vent pipe to be extended. Both of which are covered by G below.

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

Analysis: The dwellinghouse 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 storey).

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 application form states that the materials will match the existing appearance and colour of the original house.

(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 submitted application form states that there will be a minimum of 200mm of eaves to remain.

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 new windows shown to be included within the side elevations of the dormers, and the plans have been notated to state that 'all side windows to include obscure glazing and to be fixed up to a height of 1.7m above floor level (i.e. openable fanlights only).

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 form states that the rooflights will not protrude more than 150mm.

(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: The application will see the removal of the chimney, and the plans show that the existing soil and vent pipe to be extended. Both of which are covered by G below.

(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 new windows shown to be included within a side elevations of the dormers, and the plans have been notated to state that 'all side windows to include obscure glazing and to be fixed up to a height of 1.7m above floor level (i.e. openable fanlights only).

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 not permitted

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 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 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 chimney is being demolished therefore the above does not apply. The soil and vent pipe will not exceed the highest part of the roof by 1m

(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: Not article 2(3) land

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

Analysis: The above does not apply.

Recommendation

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

Case Officer:	Eve Hearsey	Date: 17.12.2025
Authorised by:	Peter Barnett	Date: 17 December 2025