

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0474	Case Officer:	Hamish Evans
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Proposed loft conversion		
Site:	4 The Chestnuts, Lindfield, Haywards Heath, West Sussex, RH16 2AS, , ,		
Validation Date	24 Feb 2025	Overall Expiry Date:	25 Mar 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	1 Apr 2025
Target Date:	21 Apr 2025	Recommending Officer Signature:	Hamish Evans

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	1 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0474

**4 The Chestnuts, Lindfield, Haywards Heath, West Sussex, RH16 2AS, ,
Proposed loft conversion
Mr Edwards**

SUMMARY OF REPRESENTATIONS

No third-party letters of representation have been received.

SUMMARY OF CONSULTEES

None received.

Parish COUNCIL OBSERVATIONS

Lindfield Parish Council

No comment.

INTRODUCTION

The proposal is seeking a Lawful Development Certificate for a loft conversion with one hip to gable enlargement, a rear dormer and four front roof lights at 4 The Chestnuts Lindfield RH16 2AS.

Relevant Planning History

None relevant.

SITE AND SURROUNDINGS

The site is located within the Lindfield built up area boundary and within a predominantly residential area. The existing dwelling is a two-storey semi-detached residential property. It is characterised by bare brown brick and brown clay hanging tile walls, brown clay roof tiles and white uPVC window and door frames. The Chestnuts is located to the south of the site and residential properties are located to the north, west and east of the site. The residential properties within the locality are of a varied design and scale and are characterised by a variety of external materials.

APPLICATION DETAILS

The proposed rear dormer measures some 8.8 metres in width, 2.0 metres in depth and a total height of 2.8 metres. The proposed dormer will have a volume of some 24.6 cubic metres and it is set back some 0.4 metres from the eaves of the existing dwelling. The proposed hip to gable enlargement measures some 4.3 metres in depth, 2.4 metres in width and a total height of 3.0 metres. As such the hip to gable extension's total proposed volume is some 5.2 cubic metres. The proposal includes four rooflights to the front facing roof slope, two would measure some 0.8 metres in width and 1.1 metres in height and the other two would measure some 0.5 metres in width and 0.8 metres in height. They would not protrude more than 0.15 metres beyond the roof plane of which they would be located. The proposed works will be characterised by external materials that match those used in the existing dwelling.

LIST OF POLICIES

As this is an application to establish whether the proposed development would benefit from permitted development rights and will be a legal decision, planning merits cannot be taken into account when considering this application.

The proposal will be tested against the relevant criteria of Part 1, Classes B and C of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as detailed below:

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) 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);
- (b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;
- (c) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;
- (d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—
 - (i) 40 cubic metres in the case of a terrace house, or
 - (ii) 50 cubic metres in any other case;
- (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; or
- (f) the dwellinghouse is on article 2(3) land.
- (g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).; or
- (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).

Conditions

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

- (a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (b) the enlargement must be constructed so that—
 - (i) other than in the case of a hip-to-gable enlargement or an 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 0.2 metres 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 dwellinghouse; and
- (c) any window inserted on 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.

Interpretation of Class B

B.3 For the purposes of Class B, "resulting roof space" means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

B.4 For the purposes of paragraph B.2(b)(ii) -

(a) roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwelling house are not to be considered part of the enlargement.

(b) "rear or side extension" includes an original part of, or a subsequent extension of, the dwellinghouse that extends from the rear or side of the principal part of the original dwellinghouse.

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);

(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;

(c) it would result in the highest part of the alteration being higher than 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; or

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

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.

ASSESSMENT

The site is not within Article 2(3) land or subject to an Article 4 Direction. The planning history of the site has been checked and the permitted development rights are understood to be intact.

The rear dormer measures below the allowed 50 cubic metres. The proposal does not include a verandah, balcony or raised platform. The proposed loft conversion will not be higher than the highest part of the existing roof, and as a result of the works, it would not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway. The rear dormer is set back at least 0.2 metres from the eaves and the proposed alterations are being constructed of similar materials to the existing dwellinghouse. The increase in the height of the roof will not be higher than the highest part of the existing roof.

The proposed rooflights would not protrude more than 0.15 metres above the perpendicular of the roof slope, they won't be higher than the highest part of the original roof. The proposal does not include the installation of a chimney, flue, soil and vent pipe, solar photovoltaics or solar thermal equipment.

CONCLUSION

The proposed development is deemed to comply with the applicable permitted development criteria as set out within Classes B and C of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and therefore a certificate can be issued.

Decision: Permission

Case Officer: Hamish Evans