

## Delegated Decision

### Sign off Sheet

|                                              |                                                                    |                                        |                         |
|----------------------------------------------|--------------------------------------------------------------------|----------------------------------------|-------------------------|
| <b>Ref. No:</b>                              | DM/26/1145                                                         | <b>Case Officer:</b>                   | Catherine Cardin        |
| <b>Application Type:</b>                     | Lawful Development Certificate -Proposed                           |                                        |                         |
| <b>Proposal:</b>                             | Rear single storey extension                                       |                                        |                         |
| <b>Site:</b>                                 | 41 Brookway, Lindfield, Haywards Heath, West Sussex, RH16 2BP, , , |                                        |                         |
| <b>Validation Date</b>                       | 28 May 2026                                                        | <b>Overall Expiry Date:</b>            | 19 Jun 2026             |
| <b>Pre-Commencement Conditions Required:</b> |                                                                    | <b>Pre-Com Conditions Date Agreed:</b> |                         |
| <b>Recommendation:</b>                       | Permission                                                         | <b>Recommendation Date:</b>            | 7 Jul 2026              |
| <b>Target Date:</b>                          | 23 Jul 2026                                                        | <b>Recommending Officer Signature:</b> | <i>Catherine Cardin</i> |

|                                                        |  |                               |   |
|--------------------------------------------------------|--|-------------------------------|---|
| <b>Date Legal Agreement Completed: (if applicable)</b> |  | <b>No of Representations:</b> | 0 |
|--------------------------------------------------------|--|-------------------------------|---|

|                              |                    |              |            |
|------------------------------|--------------------|--------------|------------|
| <b>Signed and Agreed By:</b> | <i>Steven King</i> | <b>Date:</b> | 8 Jul 2026 |
| <b>Comments:</b>             |                    |              |            |

## **MID SUSSEX DISTRICT COUNCIL**

**DM/26/1145**

**41 Brookway, Lindfield, Haywards Heath, West Sussex, RH16 2BP, ,  
Rear single storey extension  
Mr Robert Green**

### **PARISH COUNCIL OBSERVATIONS**

Lindfield Parish Council has no objection to this application.

### **REPRESENTATIONS**

None received.

### **INTRODUCTION**

This is an application for a Lawful Development Certificate to construct a single storey rear extension.

### **RECENT PLANNING HISTORY**

No relevant history.

### **SITE AND SURROUNDINGS**

The application property is a two-storey semi-detached dwelling. The property is characterised by red brick, white uPVC fenestration and a pantile roof.

The property is located within the built-up area boundary of Lindfield. Neighbouring properties are located to the north, south and west. The public highway lies to the west.

### **APPLICATION DETAILS**

The proposed extension would measure 2.4 metres in width and 2.5 metres in depth. The extension would have a pitched roof with a maximum height of 3.4 metres and an eaves height of 2.3 metres. This would incorporate a door and window on the side (northern) elevation, a window on the rear (eastern) elevation and a skylight on the rear roof pitch. This would be finished in external materials to match the existing dwelling.

### **LEGAL FRAMEWORK**

This application is 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 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as detailed below:

*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);
- (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);
- (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;
- (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;
- (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;
- (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;
- (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;
- (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;
- (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;
- (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;...
- (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);
- (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 or
- (l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

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 subparagraphs (b) and (c).

## **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;
- (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
- (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.

## **ASSESSMENT**

The property's planning history has been checked and household permitted development rights are understood to be intact for the proposed development. The property is not located on Article 2(3) land.

The proposed rear and side extension complies with the limitations of Class A. The proposed enlargement would be situated within the curtilage of the dwellinghouse and the location and dimensions of the proposal complies with applicable criteria of Class A. The exterior materials of the proposed enlargement would be similar in appearance to the materials of the exterior of the existing dwellinghouse.

## **CONCLUSION**

In conclusion, the proposed development is deemed to comply with the applicable permitted development criteria as set out within Class A of Part 1 of 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: Catherine Cardin