

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/3282	Case Officer:	Catherine Cardin
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Rear Dormer.		
Site:	4 Mocatta Way, Burgess Hill, West Sussex, RH15 8UR, , , ,		
Validation Date	6 Jan 2026	Overall Expiry Date:	28 Jan 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	2 Feb 2026
Target Date:	3 Mar 2026	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	<i>Steven King</i>	Date:	2 Feb 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/3282

**4 Mocatta Way, Burgess Hill, West Sussex, RH15 8UR, , ,
Rear Dormer.
Mrs Chloe Stevens**

REPRESENTATIONS

One letter of representation was received which neither objected or supported the application but raised the issue of a Party Wall Agreement.

TOWN COUNCIL OBSERVATIONS

The Committee of the 27th January noted that this was a legal decision to be made by the Mid Sussex Planning Officers.

INTRODUCTION

This is an application for a lawful development certificate to undertake a loft conversion with a dormer window to the rear at 4 Mocatta Way, Burgess Hill, RH15 8UR.

RELEVANT PLANNING HISTORY

BH/157/92- Outline application for the construction of 435 dwellings of which 50 dwellings are to be for low cost social housing, together with public play areas. the reservation of a site for a proposed leisure centre. the reservation of a site for a proposed secondary school. the reservation of a site for a doctors surgery. the construction of part of the western distribution road. Permission.

BH/071/94- Construction of 425 houses and associated infrastructure, together with public play areas. Permission.

BH/220/94- Residential development comprising 187 houses, bungalows and flats, all with associated garages, parking access roads and infrastructure and playspace. Permission.

BH/079/95- Residential development comprising 149 houses with associated garages, access roads and parking bays, sub station site. Permission.

13/00038/LDC- Single storey rear extension. Permission.

SITE AND SURROUNDINGS

4 Mocatta Way is a semi-detached two-storey property. The dwelling is characterised by red brick, white upvc windows and a plain roof. The property benefits from off-street parking to the front of the property to accommodate one car and an attached garage.

The property lies within the built-up area boundary of Burgess Hill. Neighbouring properties are located to the northwest, southeast and northwest. Highway is located to the west.

APPLICATION DETAILS

The proposed dormer extension will be located on the rear (eastern elevation). Plans show the dormer extension will be some 3.5 metres deep and some 4.4 metres long. The dormer will have a flat roof with a height of some 2.4 metres.

The plans show the proposed extension would include one window on the rear (northeastern) elevation.

All external materials will be similar in appearance to the existing dwelling.

LEGAL FRAMEWORK AND LIST OF POLICIES

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 B, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as detailed below:

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; ...
- (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.

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 height of the dormer extension would not exceed the height of the highest part of the existing roof. The extension would not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwelling. In addition, the proposal would not result in a roof space that would exceed the cubic content of the roof by more than 50 cubic metres as the volume of the proposed enlargement would be 19.2 cubic metres. The edge of the enlargement would be some 0.6 metres from the eaves, with the eaves of the original roof maintained. No windows are proposed on either of the side elevations. The exterior materials of the proposed works would be similar in appearance to the materials of the exterior of the existing dwellinghouse.

Other matters

A letter of representation raised concerns regarding a Party Wall Agreement for the proposal. A Party Wall Agreement is a private, civil matter between neighbours, and is not part of the planning regime.

CONCLUSION

In conclusion, the proposed development is deemed to comply with the applicable permitted development criteria as set out within Class B, Part 1, 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