

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/2180	Case Officer:	Catherine Cardin
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Proposed conversion of the existing garage within the existing residential property and the replacement of the existing front elevation windows		
Site:	90 Turners Mill Road, Haywards Heath, West Sussex, RH16 1NJ, , , ,		
Validation Date	4 Sep 2026	Overall Expiry Date:	1 Oct 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	9 Oct 2026
Target Date:	30 Oct 2026	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	9 Oct 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/2180

**90 Turners Mill Road, Haywards Heath, West Sussex, RH16 1NJ, , ,
Proposed conversion of the existing garage within the existing residential property and the
replacement of the existing front elevation windows
Mr And Mrs L Levoi**

PARISH COUNCIL OBSERVATIONS

As this is an application for a Lawful Development Certificate and is, therefore, a legal matter, the Town Council defers the decision to Mid Sussex District Council.

REPRESENTATIONS

None received.

INTRODUCTION

This is an application for a Lawful Development Certificate to establish whether the conversion of the existing garage, including the replacement of the garage door with a window and rendered walling, would constitute permitted development.

RECENT PLANNING HISTORY

CU/171/81- Extensions. Permission.
HH/235/91- Kitchen and bedroom extension. Permission.
DM/26/1718- Proposed front entrance porch. Permission.

SITE AND SURROUNDINGS

90 Turners Mill Road is a detached two-storey dwelling. The property is characterised by white render, white uPVC windows and a plain-tiled roof. The property has a catslide roof and has been extended previously.

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

APPLICATION DETAILS

Submitted plans show that the garage conversion would consist of the replacement of the garage door with a window on the front elevation. This would be finished in white uPVC and render 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 conversion of the existing integral garage would not involve any enlargement of the dwellinghouse. The external works would comprise the replacement of the existing garage door with a window and rendered walling. These works constitute an improvement or other alteration of the dwellinghouse and would not fall within any of the limitations specified under paragraph A.1.

The proposed white uPVC window and rendered walling would be of a similar appearance to the materials used on the exterior of the existing dwellinghouse and would therefore comply with condition A.3(a).

CONCLUSION

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