

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2552	Case Officer:	Tracie Axford
Application Type:	Prior Notification - Larger Extensions		
Proposal:	Erection of a single storey rear extension extending beyond the rear wall of the original house by 4.00m, to a maximum height of 2.95m and the height of the eaves to 2.34m		
Site:	5 Hickmans Lane, Lindfield, Haywards Heath, West Sussex, RH16 2BQ, , ,		
Validation Date	9 Oct 2025	Overall Expiry Date:	4 Nov 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Prior Approval is Granted	Recommendation Date:	19 Nov 2025
Target Date:	20 Nov 2025	Recommending Officer Signature:	<i>Tracie Axford</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	19 Nov 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2552

**5 Hickmans Lane, Lindfield, Haywards Heath, West Sussex, RH16 2BQ, ,
Erection of a single storey rear extension extending beyond the rear wall of the original house by 4.00m, to a maximum height of 2.95m and the height of the eaves to 2.34m
Richard Tibbott**

SUMMARY OF REPRESENTATIONS

One representation letter has been received in respect of this application from a neighbouring property raising the following concerns:

- 1) 4m from the rear of the property is too long and would prefer it to be kept to 3.5m in keeping with the building
- 2) Would like the true determined boundary line to be followed for this development
- 3) Requests that the Party Wall Act 1996 is served as the development is within 3m of the boundary
- 4) Consideration is made regarding drainage

INTRODUCTION

The application seeks prior approval for a single storey rear extension at 5 Hickmans Lane, Lindfield RH16 2BQ.

SITE AND SURROUNDINGS

The application property is a single storey dwellinghouse located at the southern end of Hickmans Lane on the western side of the highway.

The application property has a brick exterior with a pitched roof and a veux window to the front elevation, The dwellinghouse is set back from the highway by a driveway and a front garden. A driveway to the side of the property leads to a single detached garage to the rear. The locality is characterised by a variety of detached and semi-detached properties of various styles.

APPLICATION DETAILS

The proposed rear will extend approximately 4.00m from the rear elevation, to a maximum height of 2.95m and the height of the eaves to 2.34m

LIST OF POLICIES

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 to 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 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, and
 - 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 one 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 subparagraphs (e) to (j)
 - (k) It would consist of or include -
 - i. The construction or provision of a veranda, 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.
 - (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 one 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) shall 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.
A.4.—(1) The following conditions apply to development permitted by Class A which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g).

(2) Before beginning the development the developer shall provide the following information to the local planning authority—

(a) a written description of the proposed development including—
i. how far the enlarged part of the dwellinghouse extends beyond the rear wall of the original dwellinghouse;
ii. the maximum height of the enlarged part of the dwellinghouse; and
iii. the height of the eaves of the enlarged part of the dwellinghouse;
iv. where the enlarged part will be joined to an existing enlargement of the dwellinghouse, the information in sub-paragraphs (i) to (iii) must be provided in respect of the total enlargement (being the enlarged part together with the existing enlargement to which it will be joined);
(b) a plan indicating the site and showing the proposed development and any existing enlargement of the original dwellinghouse to which the enlarged part will be joined;
(c) the addresses of any adjoining premises;
(d) the developer's contact address; and
(e) the developer's email address if the developer is content to receive communications electronically.
Together with any fee required to be paid.

(3) The local planning authority may refuse an application where, in the opinion of the authority—

(a) the proposed development does not comply with, or
(b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, the conditions, limitations or restrictions applicable to development permitted by Class A which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g).

(4) Sub-paragraphs (5) to (7) and (9) do not apply where a local planning authority refuses an application under sub-paragraph (3) and for the purposes of section 78 (appeals) of the Act such a refusal is to be treated as a refusal of an application for approval.

(5) The local planning authority must notify each adjoining owner or occupier about the proposed development by serving on them a notice which—

(a) describes the development by setting out the information provided to the authority by the developer under paragraph A.4(2)(a);
(b) provides the address of the proposed development;
(c) specifies the date when the information referred to in sub-paragraph (2) was received by the local planning authority and the date when the period referred to in sub-paragraph (10)(c) would expire; and
(d) specifies the date (being not less than 21 days from the date of the notice) by which representations are to be received by the local planning authority.

(6) The local planning authority must send a copy of the notice referred to in sub-paragraph (5) to the developer.

(7) Where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises.

(8) The local planning authority may require the developer to submit such further information regarding the proposed development as the authority may reasonably require in order to determine the application.

(9) The local planning authority must, when considering the impact referred to in sub-paragraph (7)—
(a) take into account any representations made as a result of the notice given under subparagraph (5);
and

(b) consider the amenity of all adjoining premises, not just adjoining premises which are the subject of representations.

(10) The development must not begin before the occurrence of one of the following—

(a) the receipt by the developer from the local planning authority of a written notice that their prior approval is not required;
(b) the receipt by the developer from the local planning authority of a written notice giving their prior approval; or

(c) the expiry of 42 days following the date on which the information referred to in subparagraph (2) was received by the local planning authority without the local planning authority notifying the developer as to whether prior approval is given or refused.

(11) The development must be carried out—

(a) where prior approval is required, in accordance with the details approved by the local planning authority;

(b) where prior approval is not required, or where sub-paragraph (10)(c) applies, in accordance with the information provided under sub-paragraph (2), unless the local planning authority and the developer agree otherwise in writing.

(12) The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the impact of the proposed development on the amenity of any adjoining premises.

(16) When computing the number of days in sub-paragraph (5)(d), any day which is a public holiday must be disregarded.

ASSESSMENT

The Town and Country Planning (General Permitted Development) (England) Order 2015, allows single storey rear extensions to a detached dwellinghouse by up to 8 metres in depth beyond the rear wall of the original dwellinghouse.

In order to benefit from this new permitted development right, before beginning the development, the developer is required to notify the Local Planning Authority (LPA) who is then required to notify the immediately adjoining owners/occupiers.

Where any owner/occupier of any adjoining premises objects to the proposal development, the prior approval of the LPA is required as to the impact of the proposed development on the amenity of any adjoining premises. As noted above, the only matter that the LPA can consider with this prior approval process is the impact on the amenity of any adjoining premises. "Amenity" is however not defined anywhere in the regulations.

With regards to this application, one letter was received from the attached neighbouring property.

The proposed extension is single storey and would be located up to the boundary. The plans show that the boundary line is not perpendicular to the rear elevation of the property and therefore the wall of the rear extension is at an acute angle to the rear elevation. It is also demonstrated that there will be no significant impact to light from this extension.

The other concerns raised in the letter relate to the boundary line between the two properties, the Party Wall Act 1996 and potential issues with drainage resulting from this extension. These items cannot be considered by the LPA as they are not concerned with the impact to amenity of the adjoining premises.

Therefore it can be considered that due to the location of the, and single storey nature of the, extension it is not considered to cause significant harm to the neighbouring amenities.

PLANNING BALANCE AND CONCLUSION

In conclusion, due to the scale, position and design of the proposed extension it is not considered to cause significant harm to the amenities of nearby properties in terms of its impact upon sunlight and daylight and privacy.

Decision: Prior Approval is Granted

Case Officer: Tracie Axford