

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0412	Case Officer:	Tom Coll
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Proposed loft conversion		
Site:	17 Eastern Road, Haywards Heath, West Sussex, RH16 3NG, , , ,		
Validation Date	20 Feb 2025	Overall Expiry Date:	19 Mar 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	3 Apr 2025
Target Date:	17 Apr 2025	Recommending Officer Signature:	<i>Tom Coll</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	4 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0412

**17 Eastern Road, Haywards Heath, West Sussex, RH16 3NG, , ,
Proposed loft conversion
Mr C Williams**

REPRESENTATIONS

None received.

TOWN COUNCIL OBSERVATIONS

The Town Council replied to consultation by making No Comment on this application.

INTRODUCTION

This is an application for a Lawful Development Certificate to undertake a loft conversion with a rear facing dormer, relocation of a window on the side aspect of the building, installation of a new window at the front of the building, and installation of roof light on both side roof slopes.

RECENT PLANNING HISTORY

There is no relevant planning history for the property.

SITE AND SURROUNDINGS

17 Eastern Road is a detached, two-storey dwelling. It set amongst other detached dwelling on the northwestern side of Eastern Road.

The property is constructed of brick, a plain tile roof and has white uPVC windows. The dwelling has pebble dash render at the first-floor elevation. The dwelling is set back from the highway, and benefits from off road parking to the front of the property.

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

APPLICATION DETAILS

The proposed dormer extension would be located on the rear (western elevation). Plans show the dormer extension would be some 2.5 metres deep and be some 7.75 metres long. The dormer would have a flat roof with a maximum height of some 2.5 metres. The northern end of this dormer would create a hip to gable aspect for the dormer only giving a total maximum width of 5.7metres at the end.

All external materials would 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 and C, 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.

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.; or
- (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.

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 this 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 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 (the proposed enlargement would be some 40.86 cubic metres in total). The edge of the dormer extension enlargement would be some 0.3 metres from the eaves, with the eaves of the original roof maintained.

Plans show that the proposed side facing window on the top side (northeastern) elevation on the roof extension would be obscure glazed. No comment is made on the plans of obscured glazing for the rooflights on the SW and NE elevations and no annotation is made to the window being relocated on the NE elevation. However, the agent has confirmed in writing that these window will also obscure glazed and non-opening.

The exterior materials of the proposed works would match 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 Classes B and C of 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: Tom Coll