

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0595	Case Officer:	Andrew Horrell
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Proposed single storey side extension with internal remodelling and altering rear glazing		
Site:	36 Meadow Drive, Lindfield, Haywards Heath, West Sussex, RH16 2RR, , ,		
Validation Date	10 Mar 2025	Overall Expiry Date:	4 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	25 Apr 2025
Target Date:	5 May 2025	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	25 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0595

**36 Meadow Drive, Lindfield, Haywards Heath, West Sussex, RH16 2RR, ,
Proposed single storey side extension with internal remodelling and altering rear glazing
Mr Damien Apparicio**

REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Southern Water: Southern Water has no objections to this proposal.

Conservation Officer: The application site, 36 Meadow Drive, is an unlisted semi-detached house located to the south east of Lindfield Common, outside the boundary of the Conservation Area but within its setting. There are glimpsed views of the rear of the property and the adjacent properties along Meadow Drive from the Common and adjacent areas, within the Area. Meadow Drive is a development of similar properties dating from the second half of the 20th century. The houses are not of any particular architectural merit, and the development makes at best a neutral contribution to the setting of the Conservation Area.

The current proposal is for a single storey side extension and alterations to the fenestration to the rear elevation of the house. The proposed side extension is modest in size, and set well back from the front elevation of the building under a lean-to roof. Its impact on the appearance of the house in views from Meadow Drive and from the rear (from the direction of the Conservation Area) is likely to be minimal and acceptable. The alterations to the rear elevation of the house are likewise not considered contentious.

The proposal is therefore considered to preserve the setting of the Lindfield Conservation Area, meeting the requirements of District Plan Policy DP35.

PARISH COUNCIL OBSERVATIONS

INTRODUCTION

This application seeks a lawful development certificate for a single storey side extension, internal alterations and altering of the rear glazing.

SITE AND SURROUNDINGS

The application property is a semi-detached two-storey dwelling within a cul-de-sac off Gravelye Lane. The application property has a pitched roof and is constructed from brick and hanging tile with upvc doors and windows.

The site is within the built-up area of Lindfield.

APPLICATION DETAILS

The proposed side extension approximately measures 5.75m in depth, 1.65m in width with a height to eaves of 2.4m and an overall height of 3.4m. This will serve a utility room/WC. There is two rooflights. Alterations to the existing rear fenestration include the alteration of the kitchen rear window and the doors to the dining room.

Internal works include the removal of a wall to create an open plan kitchen/dining room and living room.

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:

Permitted Development

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 M, 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 the 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 subparagraphs (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).

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 dwelling, 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. The property is not subject to an Article 4 Direction or located on Article 2(3) land.

Consultee comments have been received from Southern Water and the Conservation Officer, given the nature of the application these comments cannot be taken into consideration.

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.

One of the conditions of Class A is that 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. The 'Permitted development rights for householders: Technical Guidance' (2019) written by the Ministry of Housing, Communities and Local Government provides more detail and states that condition A.3 (a) '*is intended to ensure that any works to enlarge, alter or improve a house result in an appearance that minimises visual impact and is sympathetic to existing development.*'.

It also advises that '*it may be appropriate to replace existing windows with new uPVC double-glazed windows or include them in an extension even if there are no such windows in the existing house. What is important is that they give a similar visual appearance to those in the existing house, for example in terms of their overall shape, and the colour and size of the frames.*'

The proposed doors and windows are visually similar to the existing doors and windows of the dwelling.

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 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: Andrew Horrell