

## Delegated Decision

### Sign off Sheet

|                                              |                                                                    |                                        |                   |
|----------------------------------------------|--------------------------------------------------------------------|----------------------------------------|-------------------|
| <b>Ref. No:</b>                              | DM/25/2004                                                         | <b>Case Officer:</b>                   | Anna Tidey        |
| <b>Application Type:</b>                     | Lawful Development Certificate -Proposed                           |                                        |                   |
| <b>Proposal:</b>                             | Proposed loft conversion and roof extension.                       |                                        |                   |
| <b>Site:</b>                                 | 75 Turners Mill Road, Haywards Heath, West Sussex, RH16 1NH, , , , |                                        |                   |
| <b>Validation Date</b>                       | 8 Aug 2025                                                         | <b>Overall Expiry Date:</b>            | 9 Sep 2025        |
| <b>Pre-Commencement Conditions Required:</b> |                                                                    | <b>Pre-Com Conditions Date Agreed:</b> |                   |
| <b>Recommendation:</b>                       | Permission                                                         | <b>Recommendation Date:</b>            | 3 Oct 2025        |
| <b>Target Date:</b>                          | 3 Oct 2025                                                         | <b>Recommending Officer Signature:</b> | <i>Anna Tidey</i> |

|                                                        |  |                               |   |
|--------------------------------------------------------|--|-------------------------------|---|
| <b>Date Legal Agreement Completed: (if applicable)</b> |  | <b>No of Representations:</b> | 0 |
|--------------------------------------------------------|--|-------------------------------|---|

|                              |                    |              |            |
|------------------------------|--------------------|--------------|------------|
| <b>Signed and Agreed By:</b> | <i>Steven King</i> | <b>Date:</b> | 3 Oct 2025 |
| <b>Comments:</b>             |                    |              |            |

## **MID SUSSEX DISTRICT COUNCIL**

**DM/25/2004**

**75 Turners Mill Road, Haywards Heath, West Sussex, RH16 1NH, , ,  
Proposed loft conversion and roof extension.  
Mr And Mrs M Hacon**

### **CONSULTATIONS**

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

### **SUMMARY OF REPRESENTATIONS**

None received.

### **INTRODUCTION**

This application seeks a Lawful Development Certificate for a proposed loft conversion and roof extension (side and rear dormers) at No 75 Turners Mill Road in Haywards Heath.

The submitted plans also show a front porch addition, but this is not included in the description of the development.

### **RELEVANT PLANNING HISTORY**

None found.

### **SITE AND SURROUNDINGS**

No 75 Turners Mill Road is a 2 bed detached residential bungalow located on the western side of Turners Mill Road within the built up area of Haywards Heath. The property has a gabled pitched roof with a front facing rooflight to serve the existing loft space. There is a single storey garage on the southern elevation of the property, which is otherwise unaltered. The property is constructed in brick with white windows. The front projecting gable has plain red vertical tile hanging. The main roof is finished with a plain brown tile.

The bungalow is located on a residential road of mixed property styles and is set above the road level with a sloped driveway and front off road parking space.

### **APPLICATION DETAILS**

The proposal includes a wrap around box dormer addition with a deeper side part and a more shallow rear section.

The side dormer is positioned approx. 0.38m from the front gable and measures 8.8m in depth along the side roof slope. The rear dormer has a full width of 8.3m with the deeper section measuring 5.1m wide.

The application plans have been annotated with the volume calculations for the additions. The total additional volume of the dormer additions is 49.32 cubic metres. The proposed wrap around dormers will have a flat roof which will contain an inset flat rooflight. The plans show that they will be inset from the eaves level by at least 0.45m.

The existing rooflight in the front facing roof slope, which serves the existing roof space will be retained. In addition the proposed plans show the provision of two new rooflights in the south eastern facing roofslope. A new 1.1m wide window will be inserted into the front facing gable at first floor level. This will serve the master bedroom at the front of the roof extension. Two further first floor bedrooms and a new shower room will also be provided in the loft additions. Side facing windows in the larger side dormer will serve the master bedroom ensuite and the shared shower room. These will measure 0.6m wide and are to be obscure glazed. Two rear facing windows, measuring 1.1m and 1.65m in width, will serve the new first floor bedrooms.

The dormer additions will allow the ground floor accommodation to be reconfigured to create an open plan kitchen and dining area, a new utility room, with a retained ground floor bedroom and a separate living room.

## **LEGAL FRAMEWORK**

As this is an application 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 Classes B and C of Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as detailed below:

### *Class B - additions etc to the roof of a dwellinghouse*

#### **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; or

(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.

### **Interpretation of Class B**

B.3 For the purposes of Class B, "resulting roof space" means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

B.4 For the purposes of paragraph B.2(b)(ii) -

(a) roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwelling house are not to be considered part of the enlargement.

(b) "rear or side extension" includes an original part of, or a subsequent extension of, the dwellinghouse that extends from the rear or side of the principal part of the original dwellinghouse.

### *Class C - other alterations to the roof of a dwellinghouse*

#### **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 the 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 site is not within Article 2(3) land or subject to an Article 4 Direction. The planning history of the site has been checked and the permitted development rights are understood to be intact.

The volume of the proposed dormer additions measures below the permitted allowance of 50 cubic metres. The proposal does not include a verandah, balcony or raised platform.

The proposed loft conversion will not be higher than the highest part of the existing roof, and as a result of the works, it would not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway.

The dormers are set back at least 0.2 metres from the eaves and the proposed alterations are being constructed with external materials to match the existing dwelling.

The proposed rooflights would not protrude more than 0.15 metres above the perpendicular of the roof slope and will not be positioned higher than the highest part of the original roof.

Whilst not included in the description of the development the proposed porch addition has a footprint of 2.97 square metres, ie, less than 3 sq m, which is within the permitted development rights for the addition of a porch under Class D of Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

## **CONCLUSION**

The proposed development which is the subject of this application is deemed to comply with the applicable permitted development criteria as set out within Classes B and C of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and therefore a Lawful Development Certificate can be issued.

Decision:       Permission

Case Officer: Anna Tidey