

Planning Statement

Application for a Lawful Development Certificate (proposed): rear dormer and loft conversion

Site	6 Shenstone, Lindfield, Haywards Heath, West Sussex RH16 2PU
Applicant	Mr and Mrs Hughes
Agent	Buchan Rum Architects Ltd, 9 Savill Road, Lindfield RH16 2NY
Local planning authority	Mid Sussex District Council
Application type	Lawful Development Certificate for a proposed use or development (section 192, Town and Country Planning Act 1990)
Proposal	Loft conversion with a dormer on the rear roof slope, forming a second-floor bedroom, ensuite and store, under Schedule 2, Part 1, Class B of the GPDO 2015 (as amended)
Date	October 2026

1. Introduction

This statement supports an application for a Lawful Development Certificate (LDC) for a proposed development at 6 Shenstone, Lindfield. The application asks the Council to confirm that a loft conversion with a dormer on the rear roof slope would be permitted development under Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (“the GPDO”).

An LDC application is decided on the facts and the law alone. The only question is whether the proposal falls within Class B and meets its limitations and conditions. The planning merits of the proposal, including design policy DP26 of the Mid Sussex District Plan and the Mid Sussex Design Guide SPD, are not relevant to the decision.

A rear dormer formed part of the wider householder application DM/26/1485, refused on 20 August 2026. That refusal was a planning judgement on the scheme as a whole. It does not remove or restrict the permitted development rights that attach to the dwellinghouse, and it has no bearing on this application.

2. Site and existing building

No. 6 Shenstone is a detached two-storey dwellinghouse on the bend of Shenstone, a close of detached houses off Hickmans Lane, within the built-up area of Lindfield. The house has a hipped main roof with a two-storey hipped front wing, and a catslide roof with a flat-roofed, tile-hung dormer over the integral double garage. Solar PV panels are currently fitted to the rear roof slope.

The rear roof slope faces the rear garden and the neighbouring property. It does not form the principal elevation of the house and does not front a highway (drawing 23_140_PL_00_106).

The site:

- is not within a conservation area, and the house is not a listed building
- is not on article 2(3) land: it is outside any National Landscape (AONB), National Park or World Heritage Site
- is not subject to an Article 4 Direction
- has no planning condition removing permitted development 3. Lawfulness of the existing dwellinghouse

The property has been in continuous use as a single dwellinghouse (Use Class C3) since it was built [in the 1960s/70s as part of the Shenstone estate], and there has been no material change of use. The dwelling was built under planning permission and has since been altered under the following permissions:

- CU/049/74 – Extension – permitted 20.03.1974
- CU/293/75 – Construction of a shower room – permitted 03.11.1975
- CU/260/79 – Single-storey extension of dining room – permitted 10.10.1979

To the applicant's knowledge, no enforcement notice has been served and there has been no breach of planning control. In any event, the building and its use have been in place for far longer than the periods in section 171B of the Town and Country Planning Act 1990, and are immune from enforcement action. The house is therefore a lawful dwellinghouse to which the rights in Schedule 2, Part 1 of the GPDO apply.

The house was built as a dwellinghouse. It was not created through a change of use under Classes G, M, MA, N, P, PA or Q of Part 3 of the GPDO, and was not built under Part 20.

4. The proposal

The proposal is a flat-roofed box dormer on the rear roof slope, shown on drawings 23_140_PL_102 and 23_140_PL_120. It forms a second-floor bedroom with an ensuite and storage, reached by a new stair from the first-floor landing. In summary:

- **Size:** [6.05m] wide × [2.35m] high × [2.4m] deep, measured externally.
- **Height:** the flat roof sits [c. 0.2m] below the ridge of the main roof.
- **Position:** set up the roof slope [c. 0.4m] from the eaves, measured along the roof plane, and within the hips on either side.
- **Materials:** tile hanging to the cheeks and face, and a [single-ply membrane] flat roof with fascia to match the existing front dormer.
- **Windows:** one window, in the rear face of the dormer. There are no windows in the side cheeks.

The existing PV panels will be removed from the rear roof slope to make way for the dormer. Removing them is not development. No rooflights, balconies or roof terraces are proposed.

5. Assessment against Class B

Class B permits “the enlargement of a dwellinghouse consisting of an addition or alteration to its roof”. The table below assesses the proposal against each limitation in paragraph B.1 and each condition in paragraph B.2.

5.1 Limitations (paragraph B.1)

Limitation	Proposal	Complies
Permission to use the building as a dwellinghouse granted only under Part 3, Classes G, M, MA, N, P, PA or Q	Built as a dwellinghouse under planning permission	Yes
No part of the enlarged roof may exceed the height of the highest part of the existing roof	Dormer roof [c. 0.2m] below the main ridge	Yes
No part may extend beyond the plane of an existing roof slope that forms the principal elevation and fronts a highway	Dormer is on the rear roof slope, which is not the principal elevation and does not front a highway	Yes
Additional roof space must not exceed 50m ³ for a detached house, including previous enlargements of the original roof	[17.1m ³] (see section 5.3). No previous enlargements of the original roof	Yes
No verandah, balcony or raised platform	None proposed	Yes
No installation, alteration or replacement of a chimney, flue or soil and vent pipe	The dormer abuts the existing chimney stack but does not alter it. Any soil and vent pipe will be installed under Class G	Yes
Not on article 2(3) land	Not in a conservation area, National Landscape, National Park or World Heritage Site	Yes
Dwellinghouse not built under Part 20	Not applicable	Yes

5.2 Conditions (paragraph B.2)

Condition	Proposal	Complies
Materials used in any exterior work must be of a similar appearance to those of the existing house	Tile hanging and fascia to match the existing tile-hung front dormer and roof	Yes

The edge of the enlargement closest to the eaves must be at least 0.2m from the eaves, measured along the roof slope	[c. 0.4m] from the eaves, measured along the roof slope	Yes
No part of the enlargement may extend beyond the outer face of any external wall	Dormer sits wholly within the roof slope and does not overhang the walls	Yes
Any side-facing window must be obscure-glazed and non-opening unless the opening part is more than 1.7m above the floor of the room	No side-facing windows are proposed	Yes

5.3 Volume

The volume has been measured externally, as the government's technical guidance on householder permitted development advises. The dormer forms a triangular prism within the roof slope, so its volume is width × height × depth ÷ 2:

$$[6.05\text{m}] \times [2.35\text{m}] \times [2.4\text{m}] \div 2 = [17.1\text{m}^3]$$

This is about a third of the 50m³ allowance for a detached house. The existing flat-roofed dormer on the front catslide formed part of the original house and so is not counted.

A separate householder application for the side and front dormers is being made. If those dormers are permitted and built before the Class B works, their volume would count towards the 50m³ allowance. Even then, the combined total would remain within the limit.

6. Conclusion

The application property is a lawful dwellinghouse with its permitted development rights intact. The proposed rear dormer and loft conversion meet every limitation and condition of Schedule 2, Part 1, Class B of the GPDO:

- it is on the rear roof slope, which is not the principal elevation and does not front a highway
- it does not exceed the height of the existing roof
- it adds 17.1m³, well within the 50m³ allowance for a detached house
- it is set back from the eaves, uses matching materials and has no side-facing windows, balcony or chimney alterations

The proposal is therefore lawful, and we respectfully ask that a Lawful Development Certificate be granted.

Drawings

Drawing	Title
23_140_PL_00_106	Existing and proposed location and block plans

23_140_PL_010	Existing plans and elevations
23_140_PL_102	Proposed plans
23_140_PL_120	Proposed elevations