

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2168	Case Officer:	Caroline Grist
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Proposed garage conversion to form habitable area with replacement external doors to front elevation		
Site:	20 Monks Meadow, Ardingly, Haywards Heath, West Sussex, RH17 6DZ, , ,		
Validation Date	27 Aug 2025	Overall Expiry Date:	19 Sep 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	21 Oct 2025
Target Date:	22 Oct 2025	Recommending Officer Signature:	<i>Caroline Grist</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	22 Oct 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2168

**20 Monks Meadow, Ardingly, Haywards Heath, West Sussex, RH17 6DZ, ,
Proposed garage conversion to form habitable area with replacement external doors to front elevation
Mr And Mrs J Murray**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

No responses have been received from consultees.

PARISH COUNCIL OBSERVATIONS

No response received.

INTRODUCTION

The proposal is seeking a Lawful Development Certificate for a garage conversion at 20 Monks Meadow, Ardingly, Haywards Heath.

PLANNING HISTORY

DM/15/1511 - Residential development comprising of 36 no. residential dwellings, including access roads, associated infrastructure, landscaping and associated parking and garaging. Permission.

SITE AND SURROUNDINGS

20 Monks Meadow is an east facing, two storey, detached dwelling. It is constructed of brick, with a plain tile roof and upvc windows. The dwelling is characterised by a canopy porch and benefits from an integral garage.

The site is located within the built up area of Ardingly and the High Weald Area of Outstanding Natural Beauty.

APPLICATION DETAILS

The proposed garage conversion would create a utility room and a habitable room. It is proposed to retain the existing solid course and to have thermally insulated garage doors in the front elevation.

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 Part 1, Class A of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as detailed below:

Permitted Development

A. The enlargement, improvement or other alteration of a dwellinghouse

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 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 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 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 sub-paragraphs (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 sub-paragraphs (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) 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 dwellinghouse, 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 proposed use of the garage from vehicular parking space to a habitable room is not considered development under Section 55 of the Town and Country Planning Act 1990. However, the property's planning history has been checked and the use of the garage has been restricted by condition.

Condition 6 of DM/15/1511 states the following:

'No dwelling hereby approved shall be occupied until the car parking spaces associated to that dwelling has been constructed and made available in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.'

Reason: To ensure that there is adequate off road parking and to comply with Policy T4 of the Mid Sussex Local Plan and Policy DP40 of the Pre - Submission District Plan 2014 - 2031'.

The proposed garage conversion would therefore conflict with this condition, as the car parking space is required to be retained for its designated purpose.

It is noted that the proposed external alterations would appear to accord within permitted development criteria as listed above. However, in light of the above condition, planning permission would be required to convert the garage to habitable accommodation and therefore the works would not be deemed to be permitted development.

CONCLUSION

The proposed development is not deemed to be permitted development, by reason of condition no. 6 of planning permission DM/15/1511 which requires that car parking spaces, including garages, are retained at all times for their designated use. Therefore, an application for planning permission is required and a certificate cannot be issued.

Decision: Refusal

Case Officer: Caroline Grist