

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/3109	Case Officer:	Tracie Axford
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Loft conversion		
Site:	54 Eastern Road, Haywards Heath, West Sussex, RH16 3NL, , , ,		
Validation Date	8 Dec 2025	Overall Expiry Date:	31 Dec 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	29 Jan 2026
Target Date:	2 Feb 2026	Recommending Officer Signature:	<i>Tracie Axford</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	29 Jan 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/3109

**54 Eastern Road, Haywards Heath, West Sussex, RH16 3NL, , ,
Loft conversion
Mr Radley**

SUMMARY OF REPRESENTATIONS

None

SUMMARY OF CONSULTEES

None

PARISH COUNCIL OBSERVATIONS

Haywards Heath Town Council defers the decision to the planning officer

INTRODUCTION

This application is seeking a Lawful Development Certificate for a proposed hip to gable loft conversion with rear dormer and side window and front facing velux windows.

SITE AND SURROUNDINGS

The application property is an end terraced dwelling with a brick wall exterior and white fenestration. It is located on Eastern Road and is set back from the highway by a driveway with parking space for 2 cars . To the side of the property is the boundary with St Wilfrid's Primary school. The site is located within the built-up area boundary of Haywards Heath.

The character of the locality is defined by properties of varying design and scale. Properties are generally set back from the highway, with front gardens and/or driveways providing off-street parking.

APPLICATION DETAILS

The applicant is seeking a Lawful Development Certificate for a Proposed hip to gable loft conversion with rear dormer and side window and front facing velux windows.

LEGAL FRAMEWORK

This application is to establish whether the proposed development for the rear extension 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, Classes B and C of 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.

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 M, N, P or Q of Part 3 of this Schedule;
- (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 veranda, 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.

Conditions

B.2 Development is permitted by Class B subject to the following conditions—

- (a) the materials used in any exterior work shall 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 shall 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), roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwellinghouse are not to be considered part of the enlargement.

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 M, N, P 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; or
- (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.

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

The proposed roof enlargement with a rear dormer has been calculated to measure circa 37 cubic metres in volume which is less than the 50 cubic metre volume allowed for this type of dwelling.

The elevation drawings outline that the materials used for the loft conversion dormer will match those used in the existing dwelling. The enlargement of the recessed roof will be greater than 0.2m from the outside edge of the eaves with the flat roofed eaves of the original roof maintained.

The proposed rooflights will not 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 and would not result in the highest part of the alteration being higher than the highest part of the original roof. No part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse.

The proposed hip to gable loft conversion with rear dormer and side window and front facing velux windows therefore complies with the criteria set out in Classes B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

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 of Lawful Development can be issued.

Decision: Permission

Case Officer: Tracie Axford