

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2782	Case Officer:	Jessica Szollosi
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Proposed loft conversion with gable end.		
Site:	4 Sunte Park, Haywards Heath, West Sussex, RH16 1AP, , , ,		
Validation Date	29 Oct 2025	Overall Expiry Date:	26 Nov 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	11 Dec 2025
Target Date:	24 Dec 2025	Recommending Officer Signature:	<i>Jessica Szollosi</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	11 Dec 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2782

**4 Sunte Park, Haywards Heath, West Sussex, RH16 1AP, , ,
Proposed loft conversion with gable end.
Alisdair Fraser**

SUMMARY OF REPRESENTATIONS

One representation letter was received expressing concerns regarding the rear Velux windows impacting privacy to the property at 6 Sunte Park.

SUMMARY OF CONSULTEES

None.

PARISH COUNCIL OBSERVATIONS

Haywards Heath Town Council deferred the decision to the planning officer.

INTRODUCTION

This application is seeking a Lawful Development Certificate in terms of Section 192 of the Town and Country Planning Act 1990, as amended, for a proposed hip to gable loft conversion with front and rear Velux windows and two additional window on the west elevation of the dwelling.

RELEVANT PLANNING HISTORY

AP/16/0021 - Change of use of a 2.6ha redundant paddock and the proposed construction of 8 no. 2-storey residential dwellings comprising 6 no. detached open market dwellings and 2 no semi-detached affordable dwellings with associated garaging/parking and gardens plus formation of approximately 1.25ha of landscaped public open space containing a restored 3m-wide 'grand-avenue' driveway to Sunte House from Gander Green with a new public footpath connection running alongside and new surface water flood management - Appeal granted

SITE AND SURROUNDINGS

The application property is a semi-detached dwelling with a brick and tile-hung exterior and grey fenestration. It is located at the corner of Sunte Park and Gander Green. The front of the property is set adjacent to the public highway and the west elevation of the property is set back from the highway fronting garden space. The site is located within the built-up area boundary of Haywards Heath and Lindfield.

The character of the locality is defined by two-storey detached properties, with the application property being a two-storey semi-detached property of similar design. 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 two rear-facing Velux windows, one front-facing Velux window and the addition of two side windows on the west elevation of the property.

LEGAL FRAMEWORK

This application is to establish whether the proposed development for the hip to gable loft conversion would benefit from permitted development rights and is therefore 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 has been calculated to measure circa 41.4 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 will be of similar appearance and design with tile-hung cladding and grey uPVC windows on the gable end on the west elevation of the dwelling. The windows on the west elevation will be obscure glazed and opening 1.7m from loft floor level. The proposal does not extend beyond the original roof plane which forms the principle elevation of the dwelling and fronts a public highway.

The proposed Velux windows will not protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured 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 one front and two rear Velux windows and two additional side 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: Jessica Szollosi