

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2834	Case Officer:	Stefan Galyas
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Hip to gable roof extension, loft conversion including the formation of a dormer in rear roof slope and the insertion of 4 nos rooflights in the front roof slope.		
Site:	65 Penn Crescent, Haywards Heath, West Sussex, RH16 3HP, , , ,		
Validation Date	20 Nov 2024	Overall Expiry Date:	18 Dec 2024
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	9 Jan 2025
Target Date:	15 Jan 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	9 Jan 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2834

**65 Penn Crescent, Haywards Heath, West Sussex, RH16 3HP, , ,
Hip to gable roof extension, loft conversion including the formation of a dormer in rear roof slope
and the insertion of 4 nos rooflights in the front roof slope.
Mrs Christiana Muoghalu**

REPRESENTATIONS

None received

TOWN/ PARISH COUNCIL OBSERVATIONS

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

RELEVANT PLANNING HISTORY

There is no recent history of planning applications relating to the site.

SITE AND SURROUNDINGS

The Certificate of Lawfulness relates to 65 Penn Crescent, a semi-detached two storey dwelling featuring a hipped roof with a catslide roof pitch to the side (northern) elevation. The property has previously been extended to the rear elevation through the form of a two-storey flat roofed projection and a mono-pitch verandah. There is garden amenity space both to the front and rear of the property with a side access leading to a single storey garage outbuilding. The existing dwelling is composed of brick exterior walls, a tiled roof and white coloured windows and doors. Matching external materials are utilised at the adjoining semi which also uses a cat slide roof pitch to its side (southern) elevation.

APPLICATION DETAILS

The application includes the alteration from a hip to gable roof extension to the existing northern cat slide roof. Further accommodation at loft level would be added through the addition of a rear dormer and four rooflights would be added to the principal roof pitch. The proposed rear dormer would measure at approximately 2.5m in length, 5.7m wide and 2.4m high. The rear dormer would use tile hanging to both the dormer cheeks and back. As for the hip to gable alteration, the proposed gable would measure at around 5.8m in length, 2.7m wide and 3.2m high.

LIST OF POLICIES

This application is 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 B and C, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as detailed below:

Permitted Development

The proposed hip to gable and rear dormer would be assessed under Class B as outlined below:

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;
- (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).

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.

With regards to the proposed rooflights to the principal elevation, this element of the proposal would be assessed against Class C which is outlined as follows:

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 this Schedule (construction of new dwellinghouses).

ASSESSMENT

The property's planning history has been checked and household permitted development rights are understood to be intact. The property is not located on Article 2(3) land.

Neither additions to the roof would exceed the highest part of the existing roof and therefore would comply with B.1b. The proposed hip to gable conversion coupled with the addition of the dormer would result in a total volume of 26.34m³ added to the existing roof space. This would fall below the allowed 50 cubic meters as per B.1 d(ii). The proposed materials to be used are shown to match that of the existing dwelling and the proposal is therefore considered to comply with B.2a. Finally, as for the proposed dormer, a distance in excess of 0.2m would remain to the existing eaves and would therefore comply with B.2bb.

With regard to the principal roof pitch, the proposed roof lights are shown to not protrude the plane of the slope of the original roof and as such would comply with C.1b.

CONCLUSION

In conclusion, the proposed development is deemed to comply with the applicable permitted development criteria as set out within Class B and C of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and therefore a certificate can be issued.

Decision: Permission

Case Officer: Stefan Galyas