

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2340	Case Officer:	Andrew Horrell
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Proposed rear dormer loft conversion		
Site:	63 Queens Road, Haywards Heath, West Sussex, RH16 1EG, , , ,		
Validation Date	15 Sep 2025	Overall Expiry Date:	9 Oct 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	28 Oct 2025
Target Date:	10 Nov 2025	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	29 Oct 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2340

**63 Queens Road, Haywards Heath, West Sussex, RH16 1EG, , ,
Proposed rear dormer loft conversion
Jamie Blomqvist**

INTRODUCTION

The application seeks a lawful development certificate rear dormer loft conversion

SITE AND SURROUNDINGS

63 Queens Road is a two-storey semi-detached pitched dwelling. The dwelling is characterised by an existing two storey side lean to and single storey rear lean-to. The walls are face brickwork with upvc doors and windows.

To the north of the site is the rear garden with close boarded fencing to neighbours in Gordon Road beyond, to the south of the site is the driveway to highway beyond, to the east of the site is the adjoining No.65 and to the west of the site is the adjacent No.61 (Mr Lees Chip shop).

APPLICATION DETAILS

The proposed plans show loft conversion with a rear dormer. This will create a master bedroom with a staircase from the first to second floor is proposed.

LIST OF POLICIES

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 B of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as detailed 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 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.

ASSESSMENT

The site is not within article 2(3) land or subject to an Article 4 direction. The Planning history has been checked. Permitted development rights are deemed intact for this type of development.

The proposed loft conversion with a rear dormer has been calculated to measure some 17.35 cubic metres which is less than the 50 cubic metre volume allowed for this type of dwelling. The existing two storey side extension is an addition to the original dwelling and whilst this reduces the volume, it does not reduce to less than 17.35 cubic metres required for the proposed dormer.

The site is not situated on article 2(3) land. It will not have any part of the dwellinghouse as a result of the works, exceed the height of the highest part of the existing roof or that any part of the dwellinghouse would, as a result of the works, the dormer is set back from the eaves roof slope by no less than 0.2m. extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway.

The elevation drawings outline that the materials used for the loft conversion dormer will be similar in appearance to those used in the existing dwelling.

The proposed rear dormer is served by a Juliet balcony. The 2019 Permitted development rights for householders Technical Guidance states in relation to the Juliet balconies the following:

'A 'Juliet' balcony, where there is no platform and therefore no external access, would normally be permitted development'. The proposed Juliet balcony is therefore deemed to be permitted development.

Note that the proposed would only be seen as permitted development provided that the works are carried out separately and prior (taking into account volume allowances) to the already approved two storey side extension and front dormer under reference DM/25/1669. If the applicant intends to carry out the works at the same time, then the works would not be permitted development as the roof volume taken together would be greater than 50 cubic metres and one of the dormers would form the principal elevation.

CONCLUSION

Therefore, in conclusion, the proposed development is deemed to comply with the applicable permitted development criteria as set out within Class B 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: Andrew Horrell