

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2414	Case Officer:	Tracie Axford
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Erection of a flat roof rear dormer (to form an additional bedroom, en-suite and dressing area)		
Site:	45 Kings Drive, Hassocks, West Sussex, BN6 8DY, , , ,		
Validation Date	24 Sep 2025	Overall Expiry Date:	21 Oct 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	10 Nov 2025
Target Date:	19 Nov 2025	Recommending Officer Signature:	Tracie Axford

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	11 Nov 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2414

**45 Kings Drive, Hassocks, West Sussex, BN6 8DY, , ,
Erection of a flat roof rear dormer (to form an additional bedroom, en-suite and dressing area)
Mr And Mrs Fox**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

None

PARISH COUNCIL OBSERVATIONS

Hassocks Parish Council made no comment.

INTRODUCTION

This application is seeking a Lawful Development Certificate for a proposed roof conversion consisting of a flat roof rear facing dormer and front facing rooflights on the front roof slope.

SITE AND SURROUNDINGS

45 Kings Drive is a detached pitched roofed bungalow with attached garage. The walls are a mix of face brickwork timber cladding and painted render with white upvc doors and windows. There is an attached garage to the side elevation and to the rear there are steps down from the dwelling to the rear garden.

To the north of the site is the adjacent No.47, to the south of the site is No 43, to the west of the site is the rear garden with woodland to stream beyond and to the east of the site is the driveway to the highway beyond.

The site is within the built-up area of Hassocks.

APPLICATION DETAILS

The applicant is seeking a Lawful Development Certificate for a proposed roof conversion consisting of a flat roof rear facing dormer and front facing rooflights on the front roof slope.

LEGAL FRAMEWORK

This application is to establish whether the proposals would benefit from permitted development rights and will be a legal decision; planning merits cannot be taken into account when considering this application.

The proposals will be tested against the relevant criteria of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as follows: the rear-facing dormer will be tested against Part 1, Class B of Schedule 2, and the front facing velux windows will be tested against Part 1, Class C of Schedule 2

Permitted Development

Part 1, Class B of Schedule 2:

Class B - additions etc to the roof of a dwellinghouse

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 (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; F4...
- (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).

Conditions

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.

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)—

- (a) 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; and
- (b) "rear or side extension" includes an original part of, or a subsequent extension of, the dwellinghouse that extends from the rear or side of the principal part of the original dwellinghouse.

Part 1, Class C of Schedule 2:

Class C - other alterations to the roof of a dwellinghouse

Permitted development

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 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).

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 rear-dormer is proposed to measure 8.5m wide with a depth of 3.3 metres. It will have a height of 2.65 metres and a flat roof. This will result in overall increase in volume of 37.2 metres cubed. Therefore the total increase in volume created by the addition of the dormer will be less than 50 metres cubed, thus complying with paragraph (d)(ii) of Part 1, Class B of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The materials proposed will match the existing external materials of the dwelling.

It is proposed that 4 no. velux windows will be added to the roof on the front elevation of the dwelling, each measuring approximately 0.7 metres high and 0.7 metres wide. The window frame will be graphite grey matching the existing fenestration of the dwelling and will project no further than 150mm from the existing roof. It is therefore considered to meet the criteria set out in Part 1, Class C of 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 Class B and C of Part 1, and Class A of Part 14 of 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