

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2429	Case Officer:	Tracie Axford
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Proposed extension to an existing rear flat roof dormer to create an additional bedroom.		
Site:	22 Poveys Close, Burgess Hill, West Sussex, RH15 9TA, , , ,		
Validation Date	25 Sep 2025	Overall Expiry Date:	23 Oct 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	10 Nov 2025
Target Date:	20 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/25/2429

**22 Poveys Close, Burgess Hill, West Sussex, RH15 9TA, , ,
Proposed extension to an existing rear flat roof dormer to create an additional bedroom.
Chani Battams**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

None

PARISH COUNCIL OBSERVATIONS

Burgess Hill Town Council noted this was a legal decision for the Officers to make at MSDC.

INTRODUCTION

This application is seeking a Lawful Development Certificate for a proposed roof conversion consisting of a flat roof rear facing dormer.

SITE AND SURROUNDINGS

The site is designated as being within the Burgess Hill built up area. The existing dwelling is a semi-detached residential property which is characterised by bare brown brickwork walls, brown clay roof tiles and white uPVC window and door frames. The dwelling is 'chalet-style' and possesses dormer windows to the front and rear elevation. There is a driveway to the western side of the dwelling leading to a detached garage.

The surrounding area consists of residential properties that are characterised by similar external materials and are of a similar design as the application site.

APPLICATION DETAILS

This application is seeking a Lawful Development Certificate for a proposed roof conversion consisting of a flat roof rear facing dormer to create internal space for an additional bedroom. This is an extension of the existing rear dormer.

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.

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.

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 existing rear dormer measures 1.7 metres in height, has a depth of 2 metres and a length of 5.3 metres. The extended rear dormer is proposed to measure 6.2 metres in length, will have a depth of 2.7

metres and a height of 2.5 metres. This will result in overall increase in volume of 11.3 metres cubed. Therefore the total increase in volume created by the extension 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.

CONCLUSION

In conclusion, the proposed development is deemed to comply with the applicable permitted development criteria as set out within Class B 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