

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0068	Case Officer:	Catherine Cardin
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Demolition of 2no existing first-floor rear (north) elevation dormers, to be replaced with a new, full-width dormer. A new 3m2 porch will be added at ground floor on the east elevation.		
Site:	41 College Lane, Hurstpierpoint, Hassocks, West Sussex, BN6 9AD, , ,		
Validation Date	12 Jan 2026	Overall Expiry Date:	6 Feb 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	24 Feb 2026
Target Date:	9 Mar 2026	Recommending Officer Signature:	Catherine Cardin

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	26 Feb 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0068

**41 College Lane, Hurstpierpoint, Hassocks, West Sussex, BN6 9AD, ,
Demolition of 2no existing first-floor rear (north) elevation dormers, to be replaced with a new,
full-width dormer. A new 3m2 porch will be added at ground floor on the east elevation.
Juliet Merrifield**

PARISH COUNCIL OBSERVATIONS

No comment.

REPRESENTATIONS

None received.

INTRODUCTION

This is an application for a Lawful Development Certificate to establish whether the proposed development, consisting of the demolition of 2no existing first-floor rear dormers, replacement with a new full-width dormer and the construction of a new porch would constitute permitted development.

RECENT PLANNING HISTORY

HP/087/84- Demolition of ridgewood and erection of 3 no. detached bungalows, 1 no. pair chalet style bungalows with garages and new access road (for outline application hp/074/83). Permission.

SITE AND SURROUNDINGS

41 College Lane is a semi-detached chalet bungalow. The property is characterised by red brick, white upvc windows and a pantile roof. The property has 2 no. front dormers and 2 no. rear dormers, and benefits from a single storey rear extension. The property is located on a corner plot facing College Lane.

The property lies within the built-up area boundary of Hurstpierpoint. A neighbouring property is located to the west. Highway is located to the south, east and west.

APPLICATION DETAILS

Submitted plans show that the rear dormer would measure some 7 metres in width and some 2.3 metres in depth. This would have a flat roof with a maximum height of some 2.3 metres.

The porch would measure some 1.7 metres in width and some 1.6 metres in depth. This would have a flat roof with a maximum height of some 3 metres.

LEGAL FRAMEWORK AND 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 D, 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.

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; or
 - (f) the dwellinghouse is on article 2(3) land.; or
 - (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.

Permitted development

D. The erection or construction of a porch outside any external door of a dwellinghouse.

Development not permitted

D.1 Development is not permitted by Class D 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 ground area (measured externally) of the structure would exceed 3 square metres;
- (c) any part of the structure would be more than 3 metres above ground level;...
- (d) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway; 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 for the proposed development. The property is not located on article 2 (3) land.

The proposed height of the dormer extension would not exceed the height of the highest part of the existing roof. The extension would not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwelling. In addition, the proposal would not result in a roof space that would exceed the cubic content of the roof by more than 50 cubic metres as the volume of the proposed enlargement would be 16.9 square metres. The edge of the enlargement would be some 1.2 metres from the eaves, with the eaves of the original roof maintained. No windows are proposed on either of the side elevations. Submitted plans show that the proposal includes metal cladding to the face of the dormer. Condition B.2 (a) of Class B requires that 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. As the existing property does not have metal cladding as an existing external material, the proposal is not considered to comply with this condition.

The proposed porch would not measure more than 3 square metres and would not exceed 3 metres above ground level. The porch would not be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway.

CONCLUSION

In conclusion, the proposed development is not deemed to comply with the applicable permitted development criteria as set out within Class B, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and therefore a certificate cannot be issued.

Decision: Refusal

Case Officer: Catherine Cardin