

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/3276	Case Officer:	Deborah Lynn
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Internal and elevational alterations, reinstating the garage, construction of a rear dormer and installation of three rooflights to the front roof plane.		
Site:	7 Beech Hurst Close, Haywards Heath, West Sussex, RH16 4AE, , ,		
Validation Date	24 Dec 2025	Overall Expiry Date:	6 Feb 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	11 Feb 2026
Target Date:	18 Feb 2026	Recommending Officer Signature:	Deborah Lynn

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	11 Feb 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/3276

**7 Beech Hurst Close, Haywards Heath, West Sussex, RH16 4AE, , ,
Internal and elevational alterations, reinstating the garage, construction of a rear dormer and
installation of three rooflights to the front roof plane.**

Ryan Healey

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Not applicable.

HAYWARDS HEATH TOWN COUNCIL OBSERVATIONS

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

INTRODUCTION

This application seeks to formally establish whether the proposed development consisting of internal and external alterations, reinstating the garage, construction of a rear dormer and installation of three rooflights to the front roof plane, would constitute permitted development.

RELEVANT PLANNING HISTORY

G71.290 - Sun room and covered way.

SITE AND SURROUNDINGS

No. 7 Beech Hurst Close is a detached 1960s two storey dwellinghouse located within a close of similar properties off Bolnore Road.

The house has previously been extended to the front with a ground floor extension that adjoins the garage. Part of the attached former double garage to the front of the house has previously been converted to form a study; a single garage remains.

The exterior of the dwellinghouse is finished with a mix of brown stock facing brickwork and concrete tile hanging, with a plain tiled roof and white upvc windows.

In terms of planning policy, the property lies within the built-up area of Haywards Heath. Muster Green conservation area adjoins the site to north.

APPLICATION DETAILS

Proposed plans show that the loft space of the house will be converted to form a bedroom, ensuite bathroom and walk in wardrobe. Three no. roof lights are proposed to the front roof slope of the house together with a large box-like dormer to the rear roof slope, to facilitate the conversion.

The proposed dormer window is shown to measure 9.51 metres wide by 2.67 metres high and 3.03 metres deep. It will be clad with tiles to match existing tile hanging and will be served by a central window with a set of glazed double doors with side panel and Juliet style balcony located either side of the central window.

Other works to the rear of the house include the replacement of a ground floor door and windows with a set of bi-fold doors and double doors. Ground floor windows and doors to the western side elevation of the house are also proposed to be removed and blocked up with brickwork that matches the existing exterior of the house.

To the front of the house, a new upvc window is proposed to replace the existing window in the existing ground floor extension; a new entrance door with glazed side panels is also proposed.

The original double garage to the front of the house is proposed to be reinstated with the existing study removed and the upvc window and tile hung wall replaced with an enlarged double garage door. Railings to the front of the house are proposed to be removed with a new 0.9 metre high gate added to the side of the house.

Internal works are also proposed such as the removal of walls and alterations to the main staircase.

No enlargements are proposed to the footprint of the building.

LEGAL FRAMEWORK

As this is an application to establish whether the proposed development would benefit from permitted development rights and will be a legal decision, any planning merits cannot be taken into account when considering this application.

The proposal falls to be tested against the relevant criteria of Part 1, Classes A, B and C and Part 2, Class of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, as detailed below:

SCHEDULE 2 Article 3

Permitted development rights

PART 1

Development within the curtilage of a dwellinghouse

Class A - enlargement, improvement or other alteration of a dwellinghouse

Permitted Development

A. The enlargement, improvement or other alteration of a dwellinghouse.

Development not permitted

A.1 Development is not permitted by Class A 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);
- (c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;
- (e) the enlarged part of the dwellinghouse would extend beyond a wall which—
 - (i) forms the principal elevation of the original dwellinghouse; or
 - (ii) fronts a highway and forms a side elevation of the original dwellinghouse;
- k) it would consist of or include—
 - (i) the construction or provision of a verandah, balcony or raised platform,
 - (ii) the installation, alteration or replacement of a microwave antenna,
 - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - (iv) an alteration to any part of the roof of the dwellinghouse.
- (l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

Conditions

A.3 Development is permitted by Class A subject to the following conditions—

- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

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 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...

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.

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, 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; or
- (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).

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, 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; or
- (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).'

PART 2

Minor operations

Class A - gates, fences, walls etc

Permitted development

A. The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.

Development not permitted

A.1 Development is not permitted by Class A if—

- (a) the height of any gate, fence, wall or means of enclosure erected or constructed adjacent to a highway used by vehicular traffic would, after the carrying out of the development, exceed—
 - (i) for a school, 2 metres above ground level, provided that any part of the gate, fence, wall or means of enclosure which is more than 1 metre above ground level does not create an obstruction to the view of persons using the highway as to be likely to cause danger to such persons;
 - (ii) in any other case, 1 metre above ground level;
- (b) the height of any other gate, fence, wall or means of enclosure erected or constructed would exceed 2 metres above ground level;
- (c) the height of any gate, fence, wall or other means of enclosure maintained, improved or altered would, as a result of the development, exceed its former height or the height referred to in paragraph (a) or (b) as the height appropriate to it if erected or constructed, whichever is the greater; or
- (d) it would involve development within the curtilage of, or to a gate, fence, wall or other means of enclosure surrounding, a listed building.

Interpretation of Class A

A.2 For the purposes of Class A, "school" includes—

- (a) premises which have changed use under Class S or T of Part 3 of this Schedule (changes of use) to become a state-funded school or registered nursery as defined in paragraph X of Part 3; and
- (b) a building permitted by Class C of Part 4 of this Schedule (temporary buildings and uses) to be used temporarily as a school, from the date the local planning authority is notified as provided in paragraph C.2(b) of Part 4.

ASSESSMENT

The property adjoins Muster Green conservation area (article 2(3) land) but does not fall within the designated area. Planning records for the property indicate that permitted development rights are intact.

Plans show that the dormer window to the rear roof slope will not exceed the height of the highest part of the roof. It will have a volume of 38.47 cubic metres, thereby falling within the permitted allowance of 50 cubic metres. Plans indicate that the dormer window will be inset more than 0.2 metres from the eaves of the roof. The dormer window will be clad with tile hanging to match the exterior of the existing dwellinghouse. Whilst full length glazed doors are proposed to the rear wall of the dormer window, plans indicate that these will have a similar appearance to existing doors and windows at the property. A Juliet style balcony is proposed, however as this does not include an external platform and access, this is not considered a balcony, as set out in the technical guidance on 'Permitted development rights for householders' issued by the Ministry of Housing, Communities & Local Government in September 2019. This aspect of the proposal is therefore considered to comply with relevant permitted development criteria.

With regards to the 3 no. roof lights proposed to the front roof slope, plans are annotated to show that these will not protrude more than 0.15 metres from the external plane of the roof slope, thereby complying with relevant criteria.

The proposed alterations such as replacement ground floor windows and doors are also deemed acceptable in that the new windows and doors will be similar in appearance to existing windows and doors at the property. Likewise, the new double garage door will reflect the existing garage door in terms of design and appearance.

Plans indicate that existing railings to the front of the dwellinghouse will be removed, with a new gate installed to the side of the house. The new gate is shown to measure 0.9 metres high thereby complying with permitted development criteria set out under Part 2, Class A of Schedule 2 of the GPDO.

The internal works proposed are not considered to constitute development as set out under section 55 (2) of the Town and Country Planning Act 1990.

In view of the above, the proposal is considered permitted development.

PLANNING BALANCE AND CONCLUSION

The proposed development is found to comply with permitted development criteria as stated under Part 1, Classes A, B and C and Part 2, Class A of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Decision: Permission

Case Officer: Deborah Lynn