

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1785	Case Officer:	Catherine Cardin
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Proposed works Include, a new single storey rear extension, approved under the larger home extension prior approval scheme (application DM/25/1022), conversion of the front elevation garage door to a traditional window, and a new window to the side elevation.		
Site:	12 Clayton Park, Hassocks, West Sussex, BN6 8JQ, , , ,		
Validation Date	14 Jul 2025	Overall Expiry Date:	8 Aug 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	1 Sep 2025
Target Date:	8 Sep 2025	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
--	--	-------------------------------	---

Signed and Agreed By:	<i>Steven King</i>	Date:	1 Sep 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1785

12 Clayton Park, Hassocks, West Sussex, BN6 8JQ, , ,

Proposed works Include, a new single storey rear extension, approved under the larger home extension prior approval scheme (application DM/25/1022), conversion of the front elevation garage door to a traditional window, and a new window to the side elevation.

Mr James Oliver

PARISH COUNCIL OBSERVATIONS

No comment.

REPRESENTATIONS

None received.

INTRODUCTION

This is an application for a lawful development certificate to construct a single storey rear extension, to convert the garage door to a traditional window and to install a new window to the side elevation.

RECENT PLANNING HISTORY

DM/25/1022- Erection of a single storey rear extension extending beyond the rear wall of the original house by 4.75m, to a maximum height of 3.00m and the height of the eaves to 3.00m. Prior approval is not required.

SITE AND SURROUNDINGS

12 Clayton Park is a two storey detached dwelling constructed of red brick with white upvc windows and a plain tile roof. The property benefits from off street parking to the front of the property and a rear garden.

The application property lies within the build up area boundary of Hassocks. Neighbouring properties are located to the west, north and southeast. Highway is located to the south.

APPLICATION DETAILS

A lawful development certificate is sought for a proposed single storey rear extension. It is also proposed to replace the front (southern) elevation garage door with a window and to install a new window to the side (eastern) elevation.

The proposed rear single storey extension would have a width of some 8.1 metres, a depth of some 4.7 metres on the western side and a depth of some 2.9 metres on the eastern side. This would have a flat roof with a maximum height of some 3 metres. It is proposed that this would be finished in external materials to match the existing.

LEGAL FRAMEWORK

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 A Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as detailed below:

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);
- (b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- (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;
- (d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves 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;
- (f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
 - (ii) exceed 4 metres in height;
- (g)...for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
 - (ii) exceed 4 metres in height;
- (h) the enlarged part of the dwellinghouse would have more than a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
 - (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;
- (i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;
- (j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—
 - (i) exceed 4 metres in height,
 - (ii) have more than a single storey, or
 - (iii) have a width greater than half the width of the original dwellinghouse;...
- (ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);
- (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 or
- (l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—

- a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.
- (d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in subparagraphs (b) and (c).

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;
- (b) any upper-floor window located in 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; and
- (c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch 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 proposed development. The property is not located on Article 2(3) land. The proposed enlargement would be situated within the curtilage of the dwellinghouse and the location and dimensions of the proposal complies with applicable criteria of Class A. The exterior materials of the proposed enlargement would be similar in appearance to the materials of the exterior of the existing dwellinghouse.

CONCLUSION

In conclusion, the proposed development is deemed to comply with the applicable permitted development criteria as set out within Class A of Part 1 of 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: Catherine Cardin