

## Delegated Decision

### Sign off Sheet

|                                              |                                                           |                                        |                      |
|----------------------------------------------|-----------------------------------------------------------|----------------------------------------|----------------------|
| <b>Ref. No:</b>                              | DM/26/1014                                                | <b>Case Officer:</b>                   | Tracie Axford        |
| <b>Application Type:</b>                     | Lawful Development Certificate -Proposed                  |                                        |                      |
| <b>Proposal:</b>                             | Loft conversion with rear dormer and front rooflights.    |                                        |                      |
| <b>Site:</b>                                 | 5 Alder Way, Haywards Heath, West Sussex, RH16 1AN, , , , |                                        |                      |
| <b>Validation Date</b>                       | 22 Apr 2026                                               | <b>Overall Expiry Date:</b>            | 19 May 2026          |
| <b>Pre-Commencement Conditions Required:</b> |                                                           | <b>Pre-Com Conditions Date Agreed:</b> |                      |
| <b>Recommendation:</b>                       | Permission                                                | <b>Recommendation Date:</b>            | 11 Jun 2026          |
| <b>Target Date:</b>                          | 17 Jun 2026                                               | <b>Recommending Officer Signature:</b> | <i>Tracie Axford</i> |

|                                                        |  |                               |   |
|--------------------------------------------------------|--|-------------------------------|---|
| <b>Date Legal Agreement Completed: (if applicable)</b> |  | <b>No of Representations:</b> | 1 |
|--------------------------------------------------------|--|-------------------------------|---|

|                              |                    |              |             |
|------------------------------|--------------------|--------------|-------------|
| <b>Signed and Agreed By:</b> | <i>Steven King</i> | <b>Date:</b> | 11 Jun 2026 |
| <b>Comments:</b>             |                    |              |             |

## MID SUSSEX DISTRICT COUNCIL

**DM/26/1014**

**5 Alder Way, Haywards Heath, West Sussex, RH16 1AN, , ,  
Loft conversion with rear dormer and front rooflights.  
James Dennett**

### **SUMMARY OF REPRESENTATIONS**

One representation letter was received raising concerns over privacy

### **SUMMARY OF CONSULTEES**

None

### **TOWN COUNCIL OBSERVATIONS**

Lindfield Parish Council have no objections

### **INTRODUCTION**

This application is seeking a Lawful Development Certificate for a loft conversion with rear dormer and front rooflights.

### **SITE AND SURROUNDINGS**

The dwellinghouse is located within a gated development comprising of 9 detached dwellings at the end of Alder Way. The property is a detached dwelling with external facing brickwork, grey weatherboarding to the first floor front elevation and white uPVC fenestration.

The surrounding area is characterized by properties of a similar scale and design and is within the built up area of Haywards Heath and Lindfield.

### **APPLICATION DETAILS**

This application is seeking a Lawful Development Certificate for a loft conversion with rear dormer and front rooflights. The rear dormer will be 11 metres wide by 3.1 metres deep and will have a height of 2.6 metres. External materials will match the existing dwelling.

### **LEGAL FRAMEWORK**

This application is to establish whether the proposed development for the rear extension 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, Classes B and C of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as detailed below:

*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;
- (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 veranda, 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.

### **Conditions**

B.2 Development is permitted by Class B subject to the following conditions—

- (a) the materials used in any exterior work shall 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 shall 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), 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.

### *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 M, 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; 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.

### **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 roof enlargement with a rear dormer has been calculated to measure a maximum of 45.9 cubic metres in volume which is less than the 50 cubic metres volume allowed for this type of dwelling.

The plans outline that the materials used for the loft conversion dormer will match those used in the existing dwelling.

The proposed rooflights will not protrude more than 0.15 metres beyond the plane of the slope of the original roof. No part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse.

The proposed loft conversion with rear dormer and rooflights therefore complies with the criteria set out in Classes B and C of Part 1, 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 Classes B and C of Part 1 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