

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0776	Case Officer:	Catherine Cardin
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Roof alterations comprising the alteration of the existing hipped roof and the provision of a rear dormer window under Class B and the provision of a front rooflight under Class C of the GPDO.		
Site:	31 Sunte Close, Haywards Heath, West Sussex, RH16 1QT, , , ,		
Validation Date	24 Mar 2025	Overall Expiry Date:	18 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	13 May 2025
Target Date:	19 May 2025	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	13 May 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0776

**31 Sunte Close, Haywards Heath, West Sussex, RH16 1QT, , ,
Roof alterations comprising the alteration of the existing hipped roof and the provision of a rear dormer window under Class B and the provision of a front rooflight under Class C of the GPDO.
John And Chapman**

REPRESENTATIONS

None received.

TOWN COUNCIL OBSERVATIONS

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

INTRODUCTION

This is an application for a Lawful Development Certificate to establish whether the proposed development, consisting of alteration to an existing hipped roof and to install a rear dormer extension, would constitute permitted development.

RECENT PLANNING HISTORY

05/00341/FUL- Domestic extension and detached garage. Permission.

A related application to remove an existing single storey rear extension and replace it with new single storey extension is being considered under DM/25/0775.

SITE AND SURROUNDINGS

31 Sunte Close is a semi-detached two storey dwelling constructed of red brick, a plain tile roof and white uPVC windows. The dwelling is set back from the highway, and benefits from off road parking to the front of the property. The site slopes gently to the southeast.

The application site lies within the built-up area of Haywards Heath and is located in a cul-de-sac. Neighbouring properties are located to the south, west, and east whilst the highway is to the north.

APPLICATION DETAILS

Plans show that the proposed additional gable massing on the side (eastern) elevation would be some 24 cubic metres and would have a half-hipped roof.

The proposed dormer extension would be located on the rear (southern elevation). Plans show the dormer extension would be some 5.4 metres wide and some 3 metres deep. The dormer would have a flat roof with a maximum height of some 2.9 metres.

All external materials will be similar in appearance to the existing dwelling.

The submitted plans also show it is proposed to install a 1 no. rooflight to the front pitch roof.

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 B and C, 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

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; ...
- (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).

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 dormer extension would not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwelling. In addition, the dormer and additional gable massing 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 total enlargement would be some 47 cubic metres in total. The edge of the dormer enlargement would be some 0.3 metres from the eaves, with the eaves of the original roof maintained. No windows are proposed on either of the side elevations. The exterior materials of the proposed works would be similar in appearance to the materials of the exterior of the existing dwellinghouse.

Regarding the proposed front roof light, plans show that it would not protrude by more than 0.15 metres from the roof plane.

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 can be issued.

Decision: Permission

Case Officer: Catherine Cardin