

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0749	Case Officer:	Tracie Axford
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Proposed rear dormer with a hip to gable enlargement.		
Site:	235 Junction Road, Burgess Hill, West Sussex, RH15 0NX, , , ,		
Validation Date	21 Mar 2025	Overall Expiry Date:	15 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	13 May 2025
Target Date:	16 May 2025	Recommending Officer Signature:	<i>Tracie Axford</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/25/0749

**235 Junction Road, Burgess Hill, West Sussex, RH15 0NX, , ,
Proposed rear dormer with a hip to gable enlargement.
Mr Kevin Burchell**

REPRESENTATIONS

None Received

SUMMARY OF CONSULTEES

None

PARISH COUNCIL OBSERVATIONS

Burgess Hill Town Council - The committee noted the application

INTRODUCTION

This application is seeking a Lawful Development Certificate for a roof extension comprising proposed dormer window and hip-to-gable enlargement.

PLANNING HISTORY

None relevant.

SITE AND SURROUNDINGS

The application property is a semi-detached two-storey dwelling with a separate single storey garage, located on the western side of Junction Road, Burgess Hill. The property benefits from a rear garden and off road parking for several cars to the front. The application property is constructed from brick with white UPVC fenestration. The locality is characterised by a wide variety of detached and semi-detached, single-storey and two-storey dwellings of varying scale and form.

APPLICATION DETAILS

The proposal for the roof includes an extension of the existing hipped roof to a full gable end with roof tiles to match the existing in type, colour and face, and a rear-facing flat roofed dormer window measuring 2.6m in height, 3.3m in depth and 6.1m in width. To the front facing slope, there will be the addition of 3 No. rooflights which will not protrude more than 150mm above the existing roof tiles.

Calculations of the increase in roof volume show that the hip to gable extension will result in an extra 20.61 cubic metres and the dormer extension will result in an additional 26.62 cubic metres. In total, the roof enlargement is calculated as 47.23 cubic metres.

The plans also show that the existing chimney on the southern elevation of the roof is to be removed.

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

Permitted Development

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; F4...
- (f) the dwellinghouse is on article 2(3) land
- (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.

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.

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).

Class G - chimneys, flues etc on a dwellinghouse

Permitted development

G. The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

Development Not Permitted

G.1 Development is not permitted by Class G 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 height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more;
- c) in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which—
 - (i) fronts a highway, and
 - (ii) forms either the principal elevation or a side elevation of the dwellinghouse
- d) 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 element proposed. The property is not subject to an Article 4 Direction or located on Article 2(3) land.

The proposed enlargement and alteration of the roof will result in an increase in volume of 47.23 cubic metres which complies with (d) (ii) of Class B which states that development is not permitted if the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than 50 cubic metres.

The rooflights proposed to the front elevation will not protrude more than 150mm from the roof and therefore comply with the criteria set out in Class C.

The removal of the chimney to accommodate the roof extension complies with the criteria set out in Class G.

CONCLUSION

In conclusion, the proposed development is deemed to comply with the applicable permitted development criteria as set out within Class B, C and G 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