

2102 – 49 Queens Road

Certificate Statement

This report has been prepared to support an application for a Certificate of Lawfulness of Proposed Use or Development for the construction of a single storey rear extension at 49 Queens Road, Haywards Heath, West Sussex, RH16 1EG.

Site

49 Queens Road is a three-storey semi-detached house. The house is not listed and is not in a conservation area.



Existing Building



Principal elevation



Rear Elevation (showing conservatory to be demolished)

Planning History – Prior Notification

DM/25/3240

Prior Approval: Larger Home Extension

Approved 19/01/25

Mid Sussex District Council confirmed that their **prior approval is not required** for the following development:

“Proposed single storey rear extension extending beyond the wall of the original house by 4m, to a maximum height of 3.7m and 2.4m at the eaves.”

Proposals

This application seeks a Certificate of Lawfulness for the erection of a single storey rear extension, as detailed in the accompanying architectural drawings.

Compliance with Class A

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

It is considered that the proposed extension would be ‘Permitted Development’ by reference to Class A of the Town and Country Planning (General Permitted Development) (England) Order 2017, (as amended 2019) as follows:

A.1 *(a) permission to use the dwellinghouse as a dwellinghouse has not been granted only by virtue of Class M,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) **will not** exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)

(c) the height of the part(s) of the dwellinghouse enlarged, improved or altered **will not** 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 **will not** exceed the height of the eaves of the existing dwellinghouse

(e) the enlarged part(s) of the dwellinghouse **will not** extend beyond a wall which -

- (i) forms either 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 **will not** -

- (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwelling house, or 3 metres in the case of any other dwelling house, or
- (ii) exceed 4 metres in height

(g) for a dwelling house not on article 2(3) land or on a site of specific scientific interest, the enlarged part of the dwellinghouse would have a single storey and **will not** -

- (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwelling house, or 6 metres in the case of any other dwelling house, or
- (ii) exceed 4 metres in height;

(h) the enlarged part of the dwellinghouse would have more than one storey and **will not** -

- (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(s) 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 **will not** exceed 3 metres;

(j) the enlarged part(s) of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and **will not** -

- (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) **does not** exceed and **would not** exceed the limits set out in sub-paragraphs (e) to (j);

(k) it **will not** consist of or include -

- (i) the construction or provision of a veranda, 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

A.3 The dwellinghouse is **not** on article 2(3) land.

Conditions

In addition, the development will comply with the relevant conditions as follows—

A.3 (a) the materials used in any exterior work **will** be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

Interpretation of Class A

Height

Permitted Development for Householders – Technical Guidance 2019
Extract from page 6:

“Height” - references to height (for example, the heights of the eaves on a house extension) is the height measured from ground level. (Note, ground level is the surface of the ground immediately adjacent to the building in question, and would not include any addition laid on top of the ground such as decking. Where ground level is not uniform (for example if the ground is sloping), then the ground level is the highest part of the surface of the ground next to the building.)

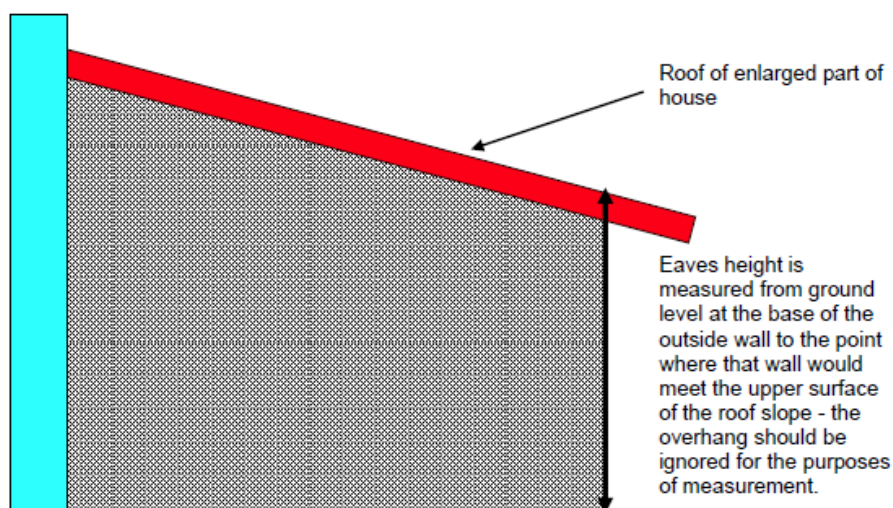
Eaves Height

The proposals include an addition with a pitched roof. The eaves height does not exceed the eaves height of the original building.

This complies with the guidance set out in the technical guidance.

Permitted Development for Householders – Technical Guidance 2019
Extract from page 12:

(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



For the purpose of measuring height, the eaves of a house are the point where the lowest point of a roof slope, or a flat roof, meets the outside wall. The height of the eaves will be measured from the ground level at the base of the external wall of the extension to the point where the external wall would meet (if projected upwards) the upper surface of the roof slope.

Conclusion

The proposed extension conforms to the criteria set out within Schedule 2, Part 1, Class A of the GPDO and a positive certificate should be issued.

Should the case officer be in any doubt, we request that we are given the courtesy of being contacted in a timely fashion to enable us to submit a response before the application is determined.