

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2028	Case Officer:	Caroline Grist
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Loft Conversion		
Site:	1 Heasewood, Haywards Heath, West Sussex, RH16 4TJ, , , ,		
Validation Date	12 Aug 2025	Overall Expiry Date:	4 Sep 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	7 Oct 2025
Target Date:	7 Oct 2025	Recommending Officer Signature:	<i>Caroline Grist</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	7 Oct 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2028

**1 Heasewood, Haywards Heath, West Sussex, RH16 4TJ, , ,
Loft Conversion
Mr And Mrs Elliot**

SUMMARY OF REPRESENTATIONS

No representations have been received in response to this application.

SUMMARY OF CONSULTEES

No representations have been received from consultees.

TOWN COUNCIL OBSERVATIONS

As this is an application for a Legal 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 for a loft conversion.

RELEVANT PLANNING HISTORY

CD/029/96 - Outline application for the erection of housing and associated facilities, open space and provision of outer relief road for Haywards Heath. Permission.

00/00103/REM - Reserved Matters - 100 houses and apartments with associated roads, footpaths, cycleways and external works. Permission.

02/00150/REM - Reserved matters to application CD/29/96. Master plan to show proposed land uses including housing zones, school, village centre, recreation area, access and social housing. Revised Master Plan drawing and additional information. Permission.

DM/20/1282 - Erection of single storey pitched roof side extension. Withdrawn.

SITE AND SURROUNDINGS

1 Heasewood Haywards is a north facing, two storey, detached dwelling. It is constructed of red brick, with a plain tile roof and upvc windows. The dwelling is characterised by a canopy porch and benefits from a garage and driveway to the west of the site.

The site is located within the built up area of Haywards Heath.

APPLICATION DETAILS

The proposal seeks to undertake a loft conversion, which would include the construction of two pitch roof, dormer windows. One dormer window is to be sited on the rear elevation. It is to measure approximately 3.9 metres wide, 1.7 metres to the eaves and 3.9 metres to the ridge. The second dormer is to be located on the side (western) elevation. This addition is to measure some 2.9 metres wide, 2.2 metres to the eaves and 3.9 metres to the ridge.

The submitted plans also show that a rooflight is to be installed in the front roof slope.

The supporting statement sets out that all of the materials are to match the existing building.

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, Class C and Class G of 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.

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;
- (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;
- (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 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;
 - (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)—

- (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.

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, 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; 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.; or
- (e) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

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 there are no planning records that indicate permitted development rights have been removed. The property is not located on Article 2(3) land and the dwelling was not permitted under Classes M, MA, N, P, PA or Q of Part 3 or Part 20.

The proposed dormer windows are not to be sited on the principal elevation and they would retain at least a 0.2 metre distance to the bottom, as measured up from the existing eaves. The roof space would also not be enlarged by more than 50 cubic metres and the proposal does not include the provision of a verandah, balcony or raised platform. No side windows are proposed in the rear dormer window. The agent has confirmed that the windows in the side dormer would be obscure glazed and that any openings are to be a minimum of 1.7 metres above floor level. The supporting document sets out that the materials will match the existing roof.

With regards to the rooflight, the agent has confirmed that it would not protrude more than 0.15 metres beyond the plane of the slope. It is to be sited on the front roofslope and is to be positioned below the highest point in the roof.

CONCLUSION

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

