

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/3084	Case Officer:	Catherine Cardin
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Proposed loft conversion with rear dormer		
Site:	5 Gloucester Close, East Grinstead, West Sussex, RH19 4TN, , , ,		
Validation Date	18 Dec 2024	Overall Expiry Date:	13 Jan 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	5 Feb 2025
Target Date:	12 Feb 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:	5 Feb 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/3084

**5 Gloucester Close, East Grinstead, West Sussex, RH19 4TN, , ,
Proposed loft conversion with rear dormer
Mr Law**

REPRESENTATIONS

None received.

TOWN COUNCIL OBSERVATIONS

No comment received.

INTRODUCTION

This is an application for a lawful development certificate to undertake a loft conversion with a dormer window to the rear.

RECENT PLANNING HISTORY

GR/162/78- Outline application. One Private Dwelling. Refused.
GR/100/87- Erection of 46 four-bedroom houses and 37 three-bedroom houses and garages.
Permission
00/00077/FUL- Two storey rear extension. Permission.

SITE AND SURROUNDINGS

5 Gloucester Close is a 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 side of the property.

A neighbouring property is located to the north, whilst highway is to the south and west.

APPLICATION DETAILS

The proposed dormer extension will be located on the rear (eastern elevation). Plans show the dormer extension will be some 3.1 metres deep and some 8.6 metres long. The dormer will have a flat roof with a height of some 2.4 metres. This will have a maximum height of some 2.5 metres.

The plans show the proposed extension would include three windows on the eastern elevation.

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

The submitted plans also show three new rooflights are proposed in the front roof slope.

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 extension would not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwelling. In addition, the proposal 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 enlargement would be 43.3 cubic metres in total. The edge of the enlargement would be some 0.5 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.

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