

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1096	Case Officer:	Caroline Grist
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Single storey side extension		
Site:	More House, Copyhold Lane, Cuckfield, Haywards Heath, West Sussex, RH17 5EB, ,		
Validation Date	5 May 2026	Overall Expiry Date:	11 Jun 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	29 Jun 2026
Target Date:	30 Jun 2026	Recommending Officer Signature:	<i>Caroline Grist</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
--	--	-------------------------------	---

Signed and Agreed By:	<i>Joanne Fisher</i>	Date:	30 Jun 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1096

**More House, Copyhold Lane, Cuckfield, Haywards Heath, West Sussex, RH17 5EB,
Single storey side extension
Mr Steve Wilcock**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Southern Water

No objection.

PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

This is an application for a lawful development certificate to construct a single storey side extension.

RECENT PLANNING HISTORY

CU/020/93 - Application for a certificate of lawfulness for a proposed conservatory. Permission.

DM/24/2367 - Demolition of existing rear conservatory and construction of part two storey, part single storey extension. New windows, additional door to utility room on south elevation. Refused.

DM/25/1336 - Demolition of existing rear conservatory and construction of new rear ground and first floor extension to form ground floor dining room and kitchen, and extension to first floor bedroom. External works to building surrounding area, new door to replace ground floor window on south elevation. Refused. Dismissed at appeal.

SITE AND SURROUNDINGS

More House is an east facing, two storey, detached dwelling that is situated on a corner plot. It is constructed of brick, with tile hanging at the first floor level, a plain tile roof and has crittall windows. The dwelling is characterised by a central chimney over a hipped roof, and has a catslide roof to the side.

The site is located outside the built up area of Cuckfield and is therefore within the countryside. Neighbouring dwellings are situated to the north and west, whilst Tylers Green is to the east and Copyhold Lane is to the south. The site is set back from the highway behind a gravel parking area and front garden. More House is considered to be a non-designated heritage asset (NDHA).

APPLICATION DETAILS

The plans show a single storey side extension that would be some 4.962 metres wide and 8.99 metres deep. A pitched roof design is proposed that would measure approximately 2.5 metres to the eaves and 3.9 metres to the ridge.

The plans also show that the existing conservatory is to be removed and two pairs of French doors are to be inserted into the rear elevation.

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

Permitted Development

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

A.1 Development is not permitted by Class A 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) 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) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- (c) the height of the part of the dwellinghouse enlarged, improved or altered would 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 would exceed the height of the eaves of the existing dwellinghouse;
- (e) the enlarged part of the dwellinghouse would extend beyond a wall which—
 - (i) forms 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—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
 - (ii) exceed 4 metres in height;
- (g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
 - (ii) exceed 4 metres in height;
- (h) the enlarged part of the dwellinghouse would have more than a single storey and—
 - (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 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 would exceed 3 metres;
- (j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—
 - (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) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);
- (k) it would consist of or include—
 - (i) the construction or provision of a verandah, 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; or
- (l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—

- a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.
- (d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).

Conditions

A.3 Development is permitted by Class A subject to the following conditions—

- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (b) any upper-floor window located in 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; and
- (c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

ASSESSMENT

The property's planning history has been checked and household permitted development rights are understood to be intact for this type of development. The property is not located on Article 2(3) land.

The proposed enlargement would be situated within the curtilage of the dwellinghouse and less than fifty percent of the curtilage would be covered in buildings or extensions. The extension would not exceed 4 metres in height; have more than a single storey or have a width greater than half the width of the original dwelling house. The eaves height would also not exceed 3 metres and, where it would protrude beyond the rear elevation, the depth would not exceed 4 metres.

In terms of materials the walls and roof are to be finished brick and tiles, which the covering letter sets out are to be of a similar appearance to those of the existing dwelling. With regards to the windows, the 'Permitted development rights for householders: Technical Guidance' (2019) written by the Ministry of Housing, Communities and Local Government provides more detail on this matter. Whilst this document does not form part of the legislation, it has been produced to provide additional guidance. The introduction sets out:

'It is important that homeowners understand how they can exercise their rights to carry out development while protecting the interests of their neighbours and the wider environment. The Ministry of Housing, Communities and Local Government has produced this technical guidance to help them. It is designed to be used by anyone who wants to understand more about the detailed rules on permitted development and the terms used in those rules'.

The Technical Guidance is therefore considered to be a relevant consideration as part of this assessment.

With regards to condition A.3 (a), the Technical Guidance states it:

'is intended to ensure that any works to enlarge, alter or improve a house result in an appearance that minimises visual impact and is sympathetic to existing development.'

It also advises that *'it may be appropriate to replace existing windows with new uPVC double-glazed windows or include them in an extension even if there are no such windows in the existing house. What is important is that they give a similar visual appearance to those in the existing house, for example in terms of their overall shape, and the colour and size of the frames'*.

The proposed plans state that the windows and doors are to be aluminium slimline and black in colour, however the elevations show that they would have a different visual appearance in terms of their overall shape, including their design and size. As such they would not be considered to be of a similar appearance to those in the existing house.

In accordance with s.191(4) of the Town and Country Planning Act 1990 (as amended) as aspects of the development would not accord with the requirements of the General Permitted Development Order 2015 (as amended), the application, as a whole, cannot be supported.

CONCLUSION

In conclusion, the proposed development is not deemed suitable as the proposed external materials do not give a similar visual appearance to those in the existing dwelling.

The proposal therefore would not comply with the applicable permitted development criteria as set out within Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). An application for planning permission is therefore required.

Decision: Refusal

Case Officer: Caroline Grist