

**From:** planninginfo@midsussex.gov.uk <planninginfo@midsussex.gov.uk>  
**Sent:** 21 September 2026 16:13:25 UTC+01:00  
**To:** "Catherine Cardin" <Catherine.Cardin@midsussex.gov.uk>  
**Subject:** Mid Sussex DC - Online Register - Comments for Planning Application  
DM/26/2117

## Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 21/09/2026 4:13 PM.

### Application Summary

|               |                                                         |
|---------------|---------------------------------------------------------|
| Address:      | 5 The Holt Haywards Heath West Sussex RH16 4XR          |
| Proposal:     | Proposed loft conversion with gable-end and rear dormer |
| Case Officer: | Catherine Cardin                                        |

[Click for further information](#)

### Customer Details

|          |                                                  |
|----------|--------------------------------------------------|
| Address: | 14 Buckeridge Way Off Rocky Drive Haywards Heath |
|----------|--------------------------------------------------|

### Comments Details

|                 |                                              |
|-----------------|----------------------------------------------|
| Commenter Type: | Neighbour or general public                  |
| Stance:         | Customer objects to the Planning Application |

Reasons for comment:

|           |                                                                                                                                                  |
|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Comments: | Objection to a Lawful Development Certificate<br>DM/26/2117 - 5 The Holt, Haywards Heath<br>Proposed rear dormer and associated roof enlargement |
|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------|

We object to this application.

We live directly behind the application site, not to the side of it. The rear of No. 5 faces the rear of our house and our relatively private garden. This is not an abstract worry about a line on a drawing. The proposed rear dormer would sit directly above us and look straight down into the rooms where we cook, eat, sit and

live, and into the garden where we spend time as a family. Those spaces are private now. They are the heart of our home. They would not be private afterwards.

I do not want to feel watched in my own kitchen. I do not want to think, every time we sit down in the living room or go into the garden, that someone in a bedroom at the back of No. 5 can look down on us. That is not how a family should have to live. The garden is not leftover space behind the house. It is where we go to be ourselves. A large, elevated set of bedroom openings immediately opposite that garden would take that away. Once the dormer is built, the loss of privacy is permanent. There is no hedge high enough, and no curtain we can draw on our own garden.

As the household that would live with this every day, we cannot understand why a dormer of this size, with full-height bedroom openings, should be treated as acceptable. Across much of the rest of the estate, loft light is taken from roof windows set into the slope. Those openings look at the sky. They do not create an elevated room with doors and windows staring into the house and garden behind. Nothing we have seen explains why this property needs the most intrusive form of roof enlargement when a far less harmful arrangement is already the local pattern.

I am sending photographs with this letter so the relationship is not left to imagination: the rear-to-rear layout, the depth of our garden, and the rooms and outdoor space that would be looked into. I ask that those photographs are placed on the file and taken into account when the drawings are checked.

However I know this is not a planning application. It is an application for a Certificate of Lawfulness under section 192. The Council is not being asked whether the dormer is a good neighbour. It is being asked one question only: would the scheme on these drawings be lawful as permitted development under Schedule 2, Part 1, Class B of the GPDO? That legal test is why I deal below with volume, eaves and the form of the rear doors. But the reason I am writing at all is simpler. If the Council gets that test wrong, it is our home that pays for it.

That is a yes-or-no question, and the applicant has to prove the yes. The Council should not grant the certificate unless it is satisfied, on the balance of probabilities, that every Class B limit and condition is met. On what has been submitted, I do not think it can be.

The volume figure is too close to the limit to take on trust. The plans put the extra roof volume at 49.4 cubic metres. The Class B limit for a house that is not terraced is 50 cubic metres. That is a gap of 0.6 cubic metres. At that margin, a small error in one dimension, in the thickness of the dormer cheeks or roof, or in where the original roof plane is taken from, puts the scheme over the limit.

Class B.1(d) is also cumulative. "Resulting roof space" includes every previous enlargement of the original roof, whether or not it was built under Class B, and whether or not it was built by the present owner. The 50 cubic metre allowance does not reset

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when the house is sold. If any earlier dormer, hip-to-gable, roof raise or other addition exists, it has to be added in.

I ask the Council to do its own calculation from the drawings and from what is actually on the building, and not to accept 49.4m<sup>3</sup> because it is written on a plan. The officer report should show the dimensions used, the method, and whether any earlier roof enlargement has been included. If that cannot be shown clearly, the certificate should be refused.

The 200mm eaves set-back is not properly shown

Unless this is a hip-to-gable or an enlargement that joins the original roof to the roof of a rear or side extension, Class B.2(b) requires two things: the original eaves must be kept or put back, and the face of the dormer closest to those eaves must be not less than 0.2 metres from them, measured along the roof slope from the outside edge of the eaves.

That measurement is from the outer edge of the tiles or slates, along the slope. The gutter does not count. A sentence on a drawing that the dormer "will be at least 200mm from the original rear eaves" is not a dimension. From what I can see, the 200mm is not clearly measured on the plans in the way the Order requires.

The Council should refuse the certificate unless that set-back is dimensioned on the drawings and checked against the real roof. "So far as practicable" does not mean the set-back can be skipped because it is awkward to draw.

The rear bedroom doors must not be a balcony in all but name. Class B does not permit a veranda, balcony or raised platform. Government guidance is clear enough. A balcony is a platform with a rail that projects from an upper floor. A Juliet arrangement - a rail across an opening, with nothing to stand on outside - is normally permitted development. Anything that can be stepped onto is not.

The Council needs to look at the sections, not the label. If there is a projecting eave, a step, a deck, or any depth beyond the dormer face that a person could stand on, this is not Class B, whatever it is called on the drawings. If the detail is ambiguous, that is the applicant's problem, not the neighbour's. The certificate should not be granted on an assumption.

The rest of Class B still has to be met

I also ask the Council to check, against the actual drawings:

Height. Nothing may go above the highest part of the existing roof.

Front roof slope. Nothing may project beyond the plane of a roof slope that forms the principal elevation fronting a highway.

Wall line. The enlargement must not come forward of the outside face of any external wall of the original house, except in the limited case of joining to the roof of a rear or side extension.

Materials. The exterior has to be of similar appearance to the existing house.

Side windows. Any window in a side elevation has to be obscure-glazed, and any opening part has to be at least 1.7 metres above the floor of the room.

Fail any one of those and the development is not permitted

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development. There is no discretion to treat a near miss as close enough.

The last application does not make this one lawful DM/25/1996 at this address was a different scheme: a front garage extension, a first-floor side extension over the garage and utility, and a hip-to-gable loft conversion with dormers and Juliet balconies to the front. It was dismissed at appeal on 7 April 2026. That decision does not decide this application. This is a new scheme, under a different procedure, and it has to stand on its own drawings. The Council should not treat the appeal as a reason to wave this through, and the applicant should not be allowed to treat it that way either.

Why this has to be got right

If the certificate is granted when it should not be, the harm does not stay on paper. Because we sit directly behind No. 5, we would live with a raised bedroom looking into the rooms and garden we use every day. We would start to hesitate before opening the kitchen blinds. We would think twice about sitting outside.

Children, guests, ordinary evenings - all of it would be carried out with the knowledge that we can be seen from above. That is a miserable way to occupy your own house, and it is not a harm that fades. Brick and glass do not become less overlooking with time.

I am not asking the Council to decide this as if it were a full planning application. I am asking it not to certify as lawful a scheme that has not been proved to be lawful, when the consequence of a mistake would be a lasting intrusion into the most private parts of a neighbouring home.

Permitted development is a right only if the rules are met. On a calculation 0.6 cubic metres below the cap, and on drawings that do not clearly prove the eaves set-back or the true nature of the rear doors, the Council is entitled - and in my view obliged - to say no until those things are proved.

What we are asking for

Please look at the photographs submitted with this representation as well as the drawings. Please refuse the certificate unless the Council is independently satisfied that the proposal complies with Class B in full.

If a certificate is granted, please set out in the report and on the decision:

Volume. The dimensions and method behind the 49.4m<sup>3</sup> figure, and confirmation that all previous roof enlargement has been counted.

Eaves. The measured set-back along the roof slope from the outside edge of the original eaves.

Doors. The finding that the rear bedroom doors do not create a balcony, veranda or raised platform.

The rest. That each remaining Class B limit and condition is met on the drawings submitted.

We strongly object to this request for a Lawful Development Certificate based on the reasons highlighted above, and request that you do so too.

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Kind regards