

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0439	Case Officer:	Stuart Malcolm
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Removal of existing garage and conservatory. Erection of a rear single-storey extension spanning the width of the original house.		
Site:	31 Dale Avenue, Hassocks, West Sussex, BN6 8LP, , , ,		
Validation Date	19 Feb 2025	Overall Expiry Date:	18 Mar 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	27 Mar 2025
Target Date:	16 Apr 2025	Recommending Officer Signature:	<i>Stuart Malcolm</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Joanne Fisher</i>	Date:	31 Mar 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0439

**31 Dale Avenue, Hassocks, West Sussex, BN6 8LP, , ,
Removal of existing garage and conservatory. Erection of a rear single-storey extension
spanning the width of the original house.
Mr And Mrs Coombs**

REPRESENTATIONS

None received.

CONSULTATIONS

Southern Water has commented that a Build Over application is to be submitted directly to Southern Water and this information, which does not form part of the consideration under a LDC application, has been passed on to the applicant directly and via informative.

PARISH COUNCIL OBSERVATIONS

Noted.

INTRODUCTION

The proposal has been submitted under a Lawful Development Certificate and is considered against the relevant class of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

RELEVANT PLANNING HISTORY

DM/24/2962 - Erection of a single storey rear extension extending beyond the rear wall of the original house by 7m, to a maximum height of 4m, and maximum eaves height of 3m - Prior Approval Not Required (January 2025)

SITE AND SURROUNDINGS

The site is a detached bungalow in a residential setting. Neighbouring residential properties are adjacently located to both the north west and south east.

APPLICATION DETAILS

Application DM/25/0439 is a lawful development certificate proposal for the removal of the existing garage and conservatory and the subsequent erection of a rear single-storey extension spanning the width of the original house.

The single storey flat roofed rear extension measures a width of 8.5 metres, a depth of 7 metres and is 3 metres in height. As noted above this extension was also considered under a Prior Notification application (DM/24/2962) and was considered not to require prior approval.

The proposal would be constructed in materials similar in appearance to the existing dwelling.

LEGAL FRAMEWORK AND LIST OF POLICIES

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

Permitted Development

Class A - enlargement, improvement or other alteration of a dwellinghouse
Permitted Development

A. The enlargement, improvement or other alteration of a dwellinghouse.
Development not permitted

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 the 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 subparagraphs (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 subparagraphs (b) and (c).

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 dwelling, 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. The property is not located on Article 2(3) land.

The proposed single storey rear extension does not meet the criteria of A.1 (f) due to the depth of the extension, however it has been established through the Prior Notification application (DM/24/2962) that the extension meets A.1 (g) and has complied with the conditions of A.4. The proposed extension shall therefore be considered against the remaining conditions and limitations of Class A.

The proposed enlargements would be situated within the curtilage of the dwellinghouse and the location and dimensions of the proposal complies with applicable criteria of Class A. The exterior materials of the proposed enlargement 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 Class A of Part 1 to 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: Stuart Malcolm