

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2526	Case Officer:	Deborah Lynn
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Proposed loft conversion with rear dormer and rooflights to front.		
Site:	20 Beacon Crescent, Burgess Hill, West Sussex, RH15 0ZL, , , ,		
Validation Date	7 Oct 2025	Overall Expiry Date:	31 Oct 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	3 Nov 2025
Target Date:	2 Dec 2025	Recommending Officer Signature:	Deborah Lynn

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

Signed and Agreed By:	Steven King	Date:	3 Nov 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2526

**20 Beacon Crescent, Burgess Hill, West Sussex, RH15 0ZL, , ,
Proposed loft conversion with rear dormer and rooflights to front.
Owen Bentley**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Not applicable.

BURGESS HILL TOWN COUNCIL OBSERVATIONS

The Committee of 27th October noted this was a legal decision to be made by the Officers at MSDC.

INTRODUCTION

This application seeks to formally establish whether the proposed development consisting of a loft conversion with rear dormer and rooflights to front would constitute permitted development.

RELEVANT PLANNING HISTORY

DM/15/4379 - Outline planning application for up to 64 dwellings (including 19 affordable homes) together with public open space and natural green space with all matters reserved except the means of access. Permission granted 12.10.2016.

DM/17/2729 - Reserved Matters application for the approval of the appearance, landscaping, layout and scale for 64 dwellings (including 19 affordable homes) together with public open space and natural green space. Following outline planning DM/15/4379. Permission granted 16.10.2017.

SITE AND SURROUNDINGS

No. 20 Beacon Crescent is a detached two storey dwellinghouse located on a road bend within a modern residential development.

The exterior of the dwellinghouse is finished with a mix of facing brickwork and flint, with a gable pitched slate roof and white framed windows. The principal elevation of the dwellinghouse faces westwards with the rear elevation facing east. The property benefits from a detached garage and parking space located adjacent to the garden to the southeast.

In terms of planning policy, the property lies within the built up area boundary of Burgess Hill.

APPLICATION DETAILS

Plans show that the loft space of the dwellinghouse is proposed to be converted to form 2 no. bedrooms, a bathroom and storage cupboard.

A large box-like dormer window is proposed to the rear eastern roof slope of the dwellinghouse. This is shown to measure 2.7 metres high by 3 metres deep and 10 metres wide and will be set below the ridge of the roof and inset from the eaves. The walls of the dormer window will have be clad with slate with 3 no. white framed upvc windows installed to the rear.

3 no. roof lights are proposed to the front western elevation. Plans are annotated that these will not protrude more than 15cms beyond the surface of the roof.

LEGAL FRAMEWORK

As this is an application to establish whether the proposed development would benefit from permitted development rights and will be a legal decision, any planning merits cannot be taken into account when considering this application.

The proposal falls to be tested against the relevant criteria of Part 1, Classes B and C of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, as detailed below:

'Class B - additions etc to the roof of a dwellinghouse

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 (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;
- (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 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;
 - (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.

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.

Class C - other alterations to the roof of a dwellinghouse

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; 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

Planning records for the property indicate that permitted development rights are intact in respect of enlarging the dwellinghouse. The property does not fall on article 2(3) land.

The proposed dormer window will be set below the ridge of the roof and will be no higher than the highest part of the existing roof.

The proposed dormer window will be sited to the rear roof slope and will have a volume of 40.5 cubic metres, thereby falling within the permitted volume allowance of 50 cubic metres for a detached dwellinghouse.

The proposal does not include the provision of a verandah, balcony or raised platform.

Proposed plans show that the dormer window will be set back over 0.2 metres from the eaves of the roof.

The dormer window will be finished with materials to match the exterior of the existing dwellinghouse.

The proposed roof lights to the front roof slope will not protrude more than 0.15 metres beyond the plane of the roof slope of the original roof.

In view of the above, the proposal is considered to comply with relevant permitted development criteria.

CONCLUSION

The proposed development is found to comply with permitted development criteria as stated under Part 1, Classes B and C of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Decision: Permission

Case Officer: Deborah Lynn