

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0576	Case Officer:	Caroline Grist
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Proposed wider window to the front elevation on the ground floor and french doors to the rear		
Site:	Tyes, Tylers Green, Cuckfield, Haywards Heath, West Sussex, RH17 5DZ, ,		
Validation Date	6 Mar 2025	Overall Expiry Date:	2 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	29 Apr 2025
Target Date:	1 May 2025	Recommending Officer Signature:	<i>Caroline Grist</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	29 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0576

**Tyes, Tylers Green, Cuckfield, Haywards Heath, West Sussex, RH17 5DZ,
Proposed wider window to the front elevation on the ground floor and french doors to the rear
George And Will Hyslop**

SUMMARY OF REPRESENTATIONS

No representations have been received in response to this application.

SUMMARY OF CONSULTEES

No representations have been received from consultees.

PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

This is an application for a lawful development certificate to widen the window on the front elevation, in the ground floor, and to install French doors to the rear.

RELEVANT PLANNING HISTORY

DM/16/0758 - Outline Planning application with all matters reserved for the erection of a detached dwelling. Permission.

DM/17/2267 - Reserved Matters application for the approval of access, appearance, landscaping, layout and scale following the approval of DM/16/0758 for the erection of a detached dwelling. Permission.

DM/23/2088 - Removal of existing single storey flat roof garage. Proposed single storey side extension with a pitched roof. Permission.

DM/25/0273 - Non Material Amendment to application DM/23/2088 - proposal is to increase the width of an existing window to the front external wall, at ground floor level, to match the existing adjacent window. Withdrawn.

SITE AND SURROUNDINGS

Tyes is an east facing, detached, two storey dwelling that is situated on a corner plot. It is constructed of brick, with part of the first floor tile hung and the remaining white rendered with timber detailing, a plain tile roof and predominantly upvc windows. The dwelling has benefitted from a loft conversion, with rooflights visible, and has a flat roof, single bay garage to the side.

The site is located outside of the built up area of Cuckfield and is therefore within the countryside. Neighbouring dwellings are situated to the south and west, the dwelling to the south was built within land originally associated with Tyes. To the east of the site is Tylers Green and the A272 is to the north. Access to the site is gained from the round-a-bout where Tylers Green and the A272 meet.

APPLICATION DETAILS

The application seeks changes to the existing glazing arrangement. This is firstly proposed to the front of the dwelling, where a ground floor window is to be widened. It is also proposed to replace windows on the rear elevation with French doors.

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 of 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 M, N, P 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 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 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.

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, 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 site is not within article 2(3) land or subject to an Article 4 direction. The planning history has been checked and householder permitted development rights are understood to be intact for this type of development.

The proposed widened window and French doors have been designed to be of a similar appearance to those in the existing building, in terms of proportions and design. The application sets out that the window is to match those elsewhere on the property and the French doors are also to be finished in materials to match.

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: Caroline Grist