

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/3188	Case Officer:	Tracie Axford
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Double hip-to-gable extensions with roof lights, replacement front porch and porous hardsurfacing to front garden.		
Site:	Brackenwood, London Road, Bolney, Haywards Heath, West Sussex, RH17 5PY, ,		
Validation Date	17 Dec 2025	Overall Expiry Date:	12 Jan 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	10 Feb 2026
Target Date:	11 Feb 2026	Recommending Officer Signature:	<i>Tracie Axford</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	10 Feb 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/3188

**Brackenwood, London Road, Bolney, Haywards Heath, West Sussex, RH17 5PY,
Double hip-to-gable extensions with roof lights, replacement front porch and porous
hardsurfacing to front garden.
Mr Gareth Wheeler**

SUMMARY OF REPRESENTATIONS

One Representation letter was received expressing concerns regarding the hip-to-gable extension impact on the neighbouring solar panels.

SUMMARY OF CONSULTEES

None

PARISH COUNCIL OBSERVATIONS

No response was received from the parish council

INTRODUCTION

The applicant is seeking a Lawful Development Certificate for a double hip-to-gable extension with roof lights, replacement front porch and porous hardsurfacing to front garden.

SITE AND SURROUNDINGS

The site is a single-storey detached dwelling, originally with pebbledashed elevations and UPVC fenestration beneath a steeply pitched clay tiled hipped roof. There is a partially erected rear extension which was granted permission under ref: 03/02856/FUL.

The site is located within the built-up area of Bolney. It is also designated as a Great Crested Zone Impact Risk Zone (Amber).

APPLICATION DETAILS

The applicant is seeking a Lawful Development Certificate for a double hip-to-gable extension with roof lights, replacement front porch and porous hardsurfacing to front garden.

LEGAL FRAMEWORK

This application is to establish whether the proposed development for the rear extension 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, Classes B, C, D and F, of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as detailed below:

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 M, N, P or Q of Part 3 of this Schedule;
- (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 veranda, balcony or raised platform, or
 - (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or
- (f) the dwellinghouse is on article 2(3) land.

Conditions

B.2 Development is permitted by Class B subject to the following conditions—

- (a) the materials used in any exterior work shall 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; and
 - (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 shall 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), 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.

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 M, N, P 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.

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.

D. The erection or construction of a porch outside any external door of a dwellinghouse.
Development not permitted

D.1 Development is not permitted by Class D 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) the ground area (measured externally) of the structure would exceed 3 square metres;
- (c) any part of the structure would be more than 3 metres above ground level;
- (d) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway
- (e) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

Class F - hard surfaces incidental to the enjoyment of a dwellinghouse
Permitted development

F. Development consisting of—

- (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or
- (b) the replacement in whole or in part of such a surface.

Development not permitted

F.1 Development is not permitted by Class F 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); or
- (b) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

Conditions

F.2 Development is permitted by Class F subject to the condition that where—

- (a) the hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, and
 - (b) the area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres,
- either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

ASSESSMENT

The property's planning history has been checked and household permitted development rights are understood to be intact for the element proposed. The property is not subject to an Article 4 Direction or located on Article 2(3) land.

The proposed roof enlargement created by the proposed double hip-to-gable extension has been calculated to measure circa 43 cubic metres in volume which is less than the 50 cubic metre volume allowed for this type of dwelling. Materials proposed will match those of the existing dwelling. This part of the proposal therefore complies with Class B of Part 1.

The proposed rooflights will not 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 and would not result in the highest part of the alteration being higher than the highest part of the original roof. No part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse. This part of the proposal therefore complies with Class of Part 1.

The proposed porch measures 1.5m deep and is 2m wide, therefore complying with paragraph D.1 (b) which states that development is not permitted by Class D if the ground area (measured externally) of the structure would exceed 3 square metres. At 2.9m high, it also complies with paragraph D.1 (c) which states that development is not permitted if any part of the structure is more than 3 metres above ground level. Materials proposed will match those of the existing dwelling.

Class F of Part 1, deals with hard surfaces incidental to the enjoyment of a dwellinghouse. The applicant has stated that the hardstanding material will be porous asphalt, thus complying with the condition of class F.

The proposed double hip to gable loft conversion with rooflights, replacement front porch and porous hardstanding to the front of the property therefore complies with the criteria set out in Classes B, C, D and F of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

CONCLUSION

In conclusion, the proposed development is deemed to comply with the applicable permitted development criteria as set out within Classes B, C, D and F of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and therefore a certificate of Lawful Development can be issued.

Decision: Permission

Case Officer: Tracie Axford