Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0713
40 Heydon Way, Broadbridge Heath, West Sussex, RH12 3GN

DESCRIPTION:
Partial conversion of garage into habitable accommodation (Certificate of Lawfulness - Proposed)

SITE:

Detached Dwellinghouse	☒
Semi-Detached / Terrace Dwellinghouse	☐

	Yes	No
Article 2(3) Land	☐	☒
PD rights removed on previous permission	☐	☒

ASSESSMENT:

The application site formed part of Plot 1, Land South of Broadbridge Heath with reserved matters approval given under ref: DC/11/2074. Condition 12 of this approval states:-

Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (Amendment) (No2) Order 2008 (or any order amending or revoking and re-enacting that Order with or without modification), all garages hereby approved shall be retained for the parking of vehicles and retained as such thereafter.

The proposal would entail a *partial* conversion of the existing garage, with the remaining portion of the garage to be retained for the parking of vehicles. Accordingly, the use of part of the garage for other uses is not considered wholly breach the condition.

Class A – enlargement, improvement or other alteration of a dwellinghouse

Permitted Development

A. The enlargement, improvement or other alteration of a dwellinghouse:-

A.1 Development not permitted:-

Criteria		Yes	No
(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 (i) 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 that 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.		
(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—

		Yes	No	N/A
(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;	☐	☐	☒
(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).	☐	☐	☒

A.3 Development is permitted by Class A subject to the following conditions—

		Yes	No	N/A
(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 dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.	☐	☐	☒

Whilst the works were undertaken retrospectively, they do not represent a breach of planning condition (as above) and would fall within the restrictions and conditions of Class A of Part 2 Schedule 1 of the General Permitted Development Order 2015 (as amended) and are therefore lawful.

Recommendation: Application Permitted

Reason:

1 The development would be permitted by Class A of Part 1 within Schedule 2 of the Town and Country (General Permitted Development) (England) Order 2015, as amended.

DELEGATED

Authorising Officer sign/initial RHERMITAGE Date: 16.09.2024