

[REDACTED]

Sent: 23 July 2026 19:51
To: Planning
Subject: Fwd: Objection to Application DC/26/1012 – Kerves Farm Cottage (PDF Objection Letter)
Attachments: Objection_DC_26_1012_Kerves_Farm_Cottage_PDF.pdf; 1328-Delegated report-03102013.PDF; 1012-Latest plan-24062026(2).PDF
Follow Up Flag: Follow up
Flag Status: Flagged
Categories: Comments Received

Dear Planning

Please can you update me on this application?

I note the PDF document (attached below) has not been made public and public comments close today.

Kind regards
[REDACTED]

Begin forwarded message:

[REDACTED]
Subject: Objection to Application DC/26/1012 – Kerves Farm Cottage (PDF Objection Letter)
Date: 17 July 2026 at 08:31:47 BST
To: [REDACTED]
[REDACTED]

Dear Case Officer,

Please find attached a joint objection submitted on behalf of Mr and Mrs Crouch in relation to application **DC/26/1012 – Proposed Lawful Development Certificate for Construction of Dormers in the Rear Roof Elevation.**

The objection letter should be read alongside the accompanying supporting evidence; these have been included within the PDF. A further email will be sent with attachment photographs.

Our principal concern is whether the applicant has demonstrated, on the balance of probabilities, that the proposed development is lawful under **Class B of Part 1, Schedule 2 of the GPDO**, including compliance with the cumulative roof-space limitation and the establishment of the correct lawful baseline.

A representation has also been submitted through the Council's planning portal including a chronology of key planning events relating to the site.

We respectfully request that this email submission and supporting evidence are taken into account when determining the application.

Thank you for your consideration.

Yours faithfully,

[Redacted signature]

Photos below - supporting information for point B) Highway Access; shows proximity to Kerves Lane.





Objection to Application DC/26/1012

Kerves Farm Cottage, Kerves Lane, Horsham, West Sussex RH13 6RJ

Application reference	DC/26/1012
Site	Kerves Farm Cottage, Kerves Lane, Horsham, West Sussex RH13 6RJ
Proposal	Construction of dormers in rear roof elevation / rear roof space
Application type	Lawful Development Certificate – Proposed
Objector	

Dear Sir/Madam,

I write to object to the issue of a Lawful Development Certificate for application DC/26/1012.

This objection is directed to the legal test for a proposed Lawful Development Certificate. I understand that the Council is not determining whether the proposed dormers are desirable as a matter of planning judgement. The central question is whether the applicant has demonstrated, on the evidence submitted, that the proposed works would be lawful under Class B of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order.

The applicant has not discharged that burden. The current submission does not provide sufficient, precise or reliable evidence to show that the proposed dormers comply with the cumulative Class B roof-volume limitation, or with the relevant Class B conditions.

Key objection: the application does not show what proportion of the 50 cubic metre Class B roof-space allowance has already been used by previous roof enlargements, including works approved under DC/13/1328, nor does it show that any allowance remains for three further dormers.

1. The applicant has not proved compliance with the cumulative 50 cubic metre Class B limit

Class B.1(d) provides that development is not permitted if the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than 50 cubic metres in the case of a detached or non-terraced dwellinghouse.

That test is cumulative. It is not sufficient to consider the proposed dormers in isolation. Previous roof enlargements must be taken into account when assessing whether the resulting roof space remains within the permitted development allowance.

The submitted drawings, including PL/670/01 and PL/670/02, show the existing and proposed roof arrangement and indicate three proposed rear dormers. However, the application does not appear to include a transparent roof-volume calculation showing:

- the cubic content of the original roof space;
- the cubic content of the existing roof space;
- the volume already added by previous roof enlargements;
- the volume to be added by the three proposed dormers;
- the cumulative resulting increase in roof-space volume; and
- whether any part of the 50 cubic metre allowance remains available.

2. The correct baseline is the original dwellinghouse and original roof space

The Class B calculation must be made against the original dwellinghouse and its original roof space, not simply against the building as it currently exists.

This distinction is critical at Kerves Farm Cottage because the building has already undergone material alteration. Historic sale evidence from around 1998 indicates a simpler pitched roof form than exists today. Later planning records show that the dwelling was subsequently altered and enlarged, including at roof level.

The current submission does not identify the original roof-space baseline used for the Class B assessment. It also does not identify which elements of the current roof form are original and which result from later planning permissions or later alterations.

Without that baseline, the Council cannot safely conclude that the 50 cubic metre limitation has not already been substantially used up, or exceeded, by previous works.

3. Planning permission DC/13/1328 already approved significant roof and building alterations

Planning permission DC/13/1328, granted in October 2013, permitted the conversion of the garage into living accommodation with single-storey and two-storey extensions including dormers. The decision notice required the development to be carried out in accordance with the approved plans.

The delegated officer report for DC/13/1328 records that the 2013 scheme included conversion of the existing garage into living accommodation, a full-height gable extension, a smaller gabled garden room, two dormer windows, rooflights and new accommodation at first-floor / roof level.

The delegated officer's report also records that one dormer was proposed on the southeast roof slope of the main building and another on the northern roof slope of the gabled extension. It further records that the proposed gable extension would project 2.5 metres, would be 7 metres wide, and would have a ridge height of 5.2 metres.

DELEGATED APPLICATIONS

ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/13/1328
Kerves Farm Cottage, Kerves Lane, Horsham, West Sussex

DESCRIPTION:

Conversion of garage into living accommodation with single storey and two storey extensions including dormers

The application seeks planning permission for the conversion of the existing integral garage that is situated on the southern part of the main habitable part of the building, into living accommodation, together with a full height gable extension and a smaller gabled sunroom proposed on the eastern side of the house. Also proposed are two dormer windows. One would be on the southeast roof slope of the main building and the second dormer would be on the northern roof slope of the gabled extension. There would also be two roof lights. One would be situated on the southern roof slope of the gabled extension and the other one would be on the western roof slope of the building. A small flat roof porch would be situated on the southern side of the proposed gable extension.

The proposed gable extension would project out from the side of the building by 2.5metres and would be 7meters wide with a ridge height of 5.2metres. The garden room would be 2.7metres by 4.2metres with a ridge height of 4.0metres. the proposed lobby would be 2.5metres by 2.0meters with a flat roof with a height of 2metres.

The resulting property would comprise a kitchen, living room, bedroom/bathroom/utility room, hall way and garden room at ground floor level and two bedrooms and a family bathroom at roof level.

SITE AND SURROUNDINGS:

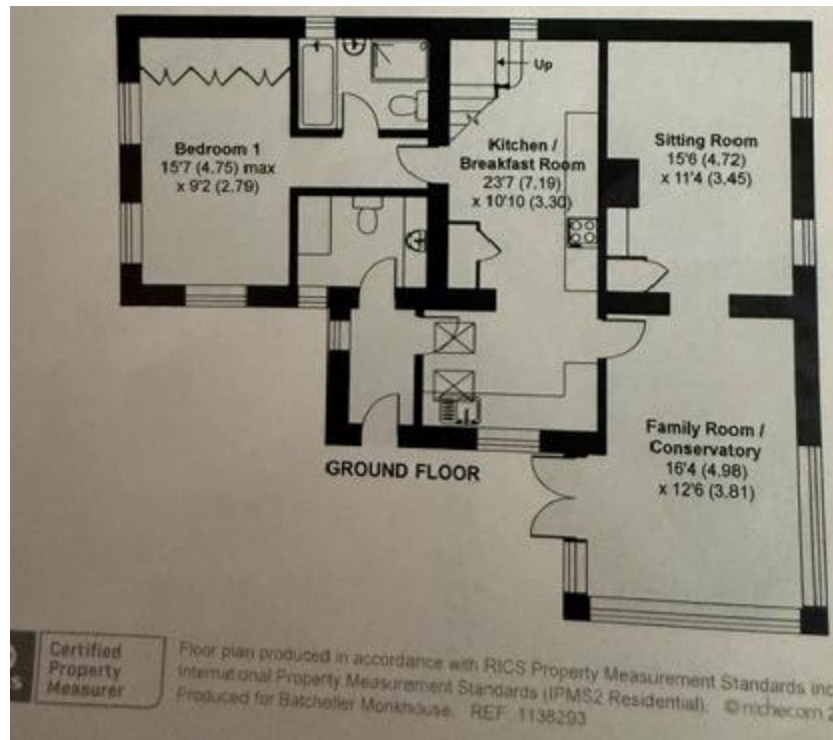
The application site comprises a single storey dwelling that lies on the eastern side of Kerves Lane within a complex of farm buildings in a countryside location surrounded by open fields. The application property was the original farm cottage (Known as Kerves Lane Farm) was originally tied to Ames Mill Farm as a dairy farm with barn buildings to the west and north. The property was then sold off and various applications have approved the Agricultural workers property (Kerves Farm HR/14/49) and the conversion of the barn buildings fronting Kerves Lane known as Kerves Barn SQ/122/98) at the same time as this application Kerves Farm was the subject of a Lawful Development Certificate (SQ/56/98) which was approved, as a condition imposed on the 1949 application to restrict its use was not complied with. All the properties in the complex are all in the same family ownership.

Those earlier works are directly relevant to DC/26/1012. The present application does not provide any calculation or schedule explaining how the roof-space effects of DC/13/1328 have been measured and aggregated with the current proposal.

In the absence of that information, the Council cannot be satisfied that the proposed additional dormers would remain within the permitted development allowance.

It is also noted that the 2013 delegated report describes the proposed garden room as measuring 2.7 metres by 4.2 metres, whereas a later estate agent floor plan (2025) appears to show the conservatory/family room as measuring approximately 4.98 metres by 3.81 metres. Whilst this may have an innocent explanation, it provides a further indication that the existing building may not correspond exactly with the form described in the 2013 approval and reinforces the need to establish the correct lawful baseline for the current assessment.

Ground Floor Plan Extract from Bachellor Monkhouse Sales Particulars (2025):



4. The roof form has materially changed since the historic/original form

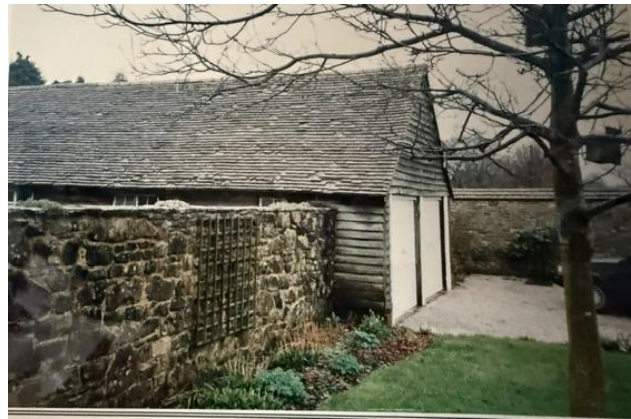
Historic sale particulars and photographs from around 1998 indicate that Kerves Farm Cottage had a simpler roof form than exists today. The 2013 planning documents then show that substantial alterations were subsequently approved, including dormers and a significant gable extension.

The current photographs and the 2025 floor plan indicate that the property now contains a substantial amount of accommodation within the roof space. The current LDC proposal would add three further dormers to the rear roof slope.

This does not by itself prove that the 50 cubic metre threshold has been exceeded. However, it demonstrates why a cumulative roof-volume assessment is essential.

The applicant has not provided that assessment.

Earlier Photos (approx 1998):



Photos – July 2026



Photos – taken from On the Market (Batchellor Monkhouse)





5. As-built roof form differs from the 2013 approved drawings

There is also an important evidential issue concerning the as-built roof form when compared with the 2013 approved elevation and roof plan drawings.

The approved 2013 roof plan identifies a dormer on the relevant roof slope. I have marked this dormer location in red on the annotated evidence (roof plan). However, the feature in that location was not, to my knowledge, implemented as the approved dormer. The current feature appears to be a rooflight / Velux instead. The approved drawing separately labels Velux rooflights and dormers, so the difference is material to the assessment of the roof form.

The same annotated evidence also identifies, in purple, the area which is currently a velux. This reinforces the concern that the existing roof arrangement does not correspond exactly with the 2013 approved drawings.

There is a further issue on the south elevation. I have marked in orange/yellow the location where a window now appears to have been inserted in the south-facing elevation. The 2013 approved south elevation does not appear to show that same upper-level window in the marked location. That window overlooks my neighbouring driveway.

I am not raising the south-facing window as a separate enforcement complaint, and I understand that any separate enforcement time limits may now be relevant. The point is instead evidential. The Council should not simply assume that the present building matches the 2013 approved drawings, or that the current roof form can safely be treated as the lawful baseline for the Class B roof-space assessment, unless the applicant explains the as-built differences.

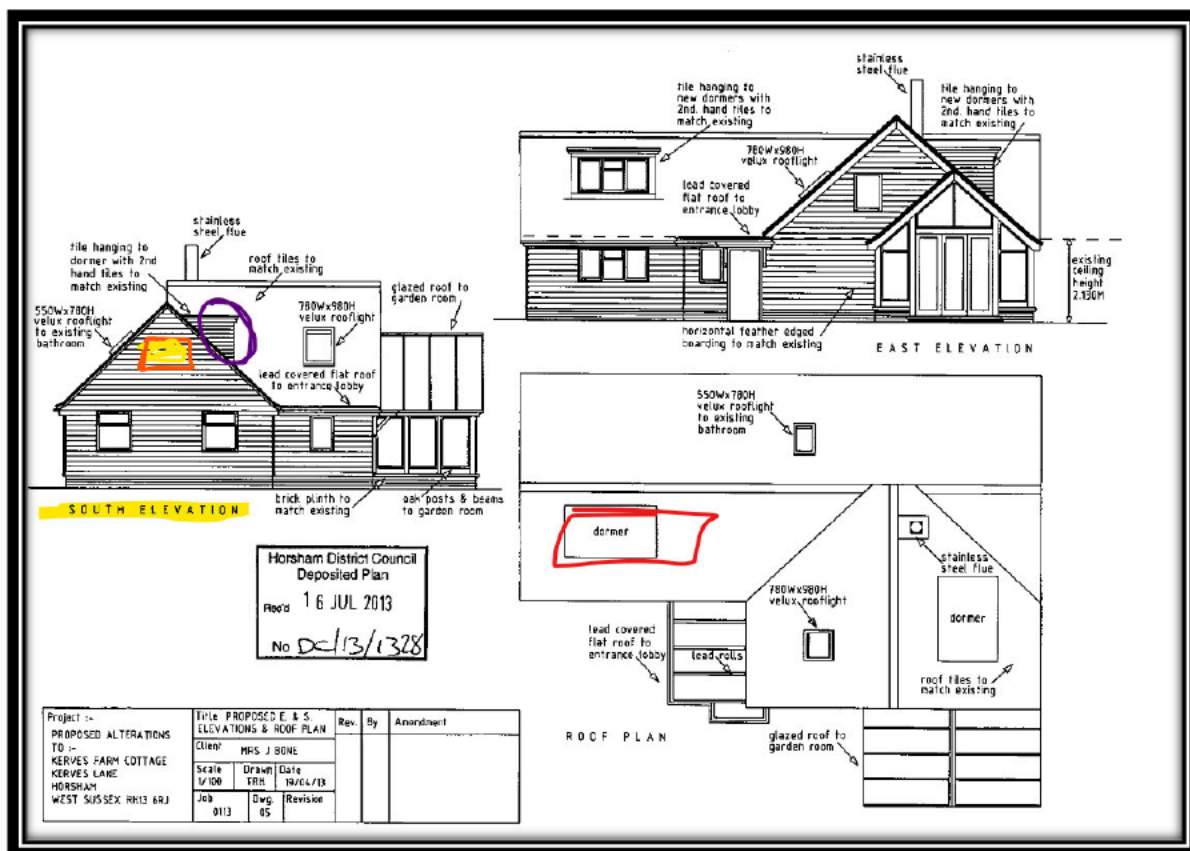
These differences reinforce the need for the applicant to provide a clear schedule identifying which parts of the present roof are original, which parts were approved under DC/13/1328, which parts were implemented differently from the approved drawings, and how each element has been treated in the cumulative Class B roof-volume calculation.

Unless the Council verifies the existing lawful roof form and explains how any differences from the 2013 approval have been treated, it cannot safely use the current roof as the baseline for assessing whether three further dormers remain within Class B.

Current South Elevation:



Extract from Planning Application – DC/13/1328



6. The submitted plans are insufficient by themselves

The submitted plans show the general layout and appearance of the proposed works, but they do not provide a clear numerical calculation of the roof-space enlargement.

This is particularly problematic because the proposal is not a minor isolated roof alteration on an unaltered dwelling. It is a further enlargement to a roof that has already been materially altered through earlier approved development, and where the as-built roof form appears to differ from the approved 2013 drawings.

The Council should not be left to infer compliance from drawings alone where the planning history clearly raises a cumulative Class B issue.

The proper question is not whether the proposed dormers appear visually acceptable. The proper question is whether the applicant has proved, with sufficient precision, that the proposed development would be lawful under Class B. On the current evidence, that has not been shown.

7. Neighbouring relationship underscores the need for strict Class B compliance

The relationship between Kerves Farm Cottage and neighbouring properties, including Kerves Farmhouse and Kerves Barn, is close and sensitive. I recognise that neighbour amenity impacts are not the principal basis for determining a proposed Lawful Development Certificate. However, the proximity of the buildings makes it particularly important that the Council is satisfied that every statutory requirement of Class B is fully met before any certificate is issued.

The proposed development would introduce three further dormers into a roof which has already undergone substantial alteration. Given the constrained relationship between the buildings, the Council should not certify the proposal as lawful unless the lawful baseline, the cumulative roof-volume position, and all Class B technical conditions have been clearly verified.

It is worth noting that the proposed dormers would have a significant impact on the private garden at Kerves Barn and the front garden on Kerves Farmhouse.



8. Missing technical details under Class B.2

In addition to the 50 cubic metre issue, the submitted plans should also clearly demonstrate compliance with the other Class B limitations and conditions.

It is not clear from the submitted material whether the proposed dormers comply with the requirement for roof enlargements to be set back, so far as practicable, at least 0.2 metres from the original eaves when measured along the roof slope.

It is also not clear whether any relevant side-facing windows or roof openings comply with the Class B requirements regarding obscure glazing and opening height.

If the submitted plans do not positively demonstrate compliance with all relevant Class B conditions, the certificate should not be issued.

7. Grounds For Application		Information About The Proposed Use(s)	
Information About The Existing Use(s) Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter, or extend are lawful The construction of the dormers is considered to be permitted development		Information About The Proposed Use(s) If you consider the proposed use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended), state which one: Class B; Permitted Development ; Alterations to Roof of	
Please list the supporting documentary evidence (such as a planning permission) which accompanies this application:		Is the proposed operation or use: ☐ Temporary ☐ Permanent If temporary please give details: 	
1.	Location & block plans	Please state why you consider that a Lawful Development Certificate should be granted for this proposal: Please see attached statement	
2.	Elevation & floor plans		
3.	Supporting statement		
4.			
5.			
If you consider the existing, or last use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended), state which one: Class B ,Enlargement of a dwelling house- roof alteration			

9. Ownership and subdivision history reinforces the need for a clear baseline

The 2013 delegated report referred to the wider farm complex and recorded that the properties in the complex were then in the same family ownership.

The wider ownership position has since changed, with different parts of the former complex now in separate ownership. While ownership changes do not themselves determine whether Class B rights exist, they make it especially important that the Council identifies the correct planning unit, original dwellinghouse and original roof-space baseline for the purposes of the Class B assessment.

The applicant has not provided a clear analysis of that baseline.

10. Burden of proof in LDC cases

Planning Inspectorate decisions concerning Lawful Development Certificates confirm the approach that the onus of proof lies with the applicant/appellant and that the standard of proof is the balance of probabilities. That principle is directly relevant here. The issue is not whether an objector can prove unlawfulness; it is whether the applicant has proved lawfulness.

Taken together, the planning history, the substantial alterations approved under DC/13/1328, the apparent differences between the approved and existing roof form, and the absence of any transparent explanation of the cumulative roof-space calculation mean that the applicant has not demonstrated, on the balance of probabilities, that the proposed development is lawful. Accordingly, the Council should refuse to issue the certificate unless and until sufficient evidence is provided.

Request

For the reasons set out above, I respectfully request that the Council **refuse** to issue a Lawful Development Certificate for application DC/26/1012.

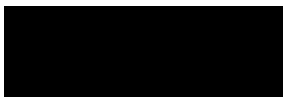
The applicant has not demonstrated that the proposed development complies with Class B of Part 1, Schedule 2 of the GPDO. In particular, the application does not provide sufficient evidence to show that the cumulative roof-space enlargement, taking account of previous works approved under DC/13/1328 and apparent differences between approved and as-built roof forms, remains within the 50 cubic metre limit.

If the Council is minded to grant the certificate, I respectfully request that the officer report explains clearly and transparently:

- the original dwellinghouse baseline used;
- the original roof-space baseline used;
- which parts of the current roof form are original and which result from later alterations;
- the roof-space volume attributed to works approved under DC/13/1328;
- whether the existing roof arrangement matches the 2013 approved drawings, including the approved dormer shown on the roof plan which appears to have been implemented as a Velux / rooflight instead;
- whether the existing south elevation matches the 2013 approved south elevation, including the upper-level window now visible in the marked location;
- how any as-built differences from the 2013 approval have been treated in the Class B calculation;
- the volume of any other previous roof enlargements;
- the volume of the three dormers proposed under DC/26/1012;
- the cumulative resulting roof-space increase;
- how the proposed development complies with the 0.2 metre eaves setback and any relevant obscure-glazing / opening-height requirements; and
- the basis on which the Council is satisfied that the proposal complies with every relevant part of Class B.

In the absence of that information, the Council cannot safely conclude that the proposed development is lawful.

Yours faithfully,



Kerves Farmhouse, Kerves Lane

DELEGATED APPLICATIONS

ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/13/1328
Kerves Farm Cottage, Kerves Lane, Horsham, West Sussex

DESCRIPTION:

Conversion of garage into living accommodation with single storey and two storey extensions including dormers

The application seeks planning permission for the conversion of the existing integral garage that is situated on the southern part of the main habitable part of the building, into living accommodation, together with a full height gable extension and a smaller gabled sunroom proposed on the eastern side of the house. Also proposed are two dormer windows. One would be on the southeast roof slope of the main building and the second dormer would be on the northern roof slope of the gabled extension. There would also be two roof lights. One would be situated on the southern roof slope of the gabled extension and the other one would be on the western roof slope of the building. A small flat roof porch would be situated on the southern side of the proposed gable extension.

The proposed gable extension would project out from the side of the building by 2.5metres and would be 7meters wide with a ridge height of 5.2metres. The garden room would be 2.7metres by 4.2metres with a ridge height of 4.0metres. the proposed lobby would be 2.5metres by 2.0meters with a flat roof with a height of 2metres.

The resulting property would comprise a kitchen, living room, bedroom/bathroom/utility room, hall way and garden room at ground floor level and two bedrooms and a family bathroom at roof level.

SITE AND SURROUNDINGS:

The application site comprises a single storey dwelling that lies on the eastern side of Kerves Lane within a complex of farm buildings in a countryside location surrounded by open fields. The application property was the original farm cottage (Known as Kerves Lane Farm) was originally tied to Ames Mill Farm as a dairy farm with barn buildings to the west and north. The property was then sold off and various applications have approved the Agricultural workers property (Kerves Farm HR/14/49) and the conversion of the barn buildings fronting Kerves Lane known as Kerves Barn SQ/122/98) at the same time as this application Kerves Farm was the subject of a Lawful Development Certificate (SQ/56/98) which was approved, as a condition imposed on the 1949 application to restrict its use was not complied with. All the properties in the complex are all in the same family ownership.

The application property is an elongated timber clad building with tiled roof with a kitchen/ diner and lounge at ground floor level with a bedroom and bathroom in the roof space in the northern end of the building. At the southern end of the building is a double garage with large timber double doors. The site occupies an angled plot, that is to the rear of the '98' barn conversion and therefore cannot be seen from the road. There is a Public Right of Way to the east, that runs north to south, but it is unlikely that any clear views of the site would be obtained as it is some 233metres distance from the site and the buildings would be read in conjunction with one another

Kerves Farm is set to the south, and to the west of the application property is the converted barn known as 'Kerves Barn', which also included at the time of the '98' application the erection of a double garage situated to the northeast of the barn and a stable block, which is further to the north of the complex of residential dwellings. Kerves Barn is a long 'T' shaped building that has a large gabled projection with a first floor window in the gable end overlooking the application property, that extends out from the mid part of the building on its eastern side that extends out approximately 8metres, bringing it closer to the northwest corner of the application property. The

converted barn has also had other extensions. A side (north) extension (DC/06/0037) and a more recent single storey extension DC/11/1988 that is situated on the southern side of the gabled projection

RELEVANT PLANNING HISTORY:

Whilst there is history for the site as a whole there is none recent or relevant for the application property.

RELEVANT PLANNING POLICIES:

Local Development Framework (Core Strategy 2007) – CP1, CP3
Local Development Framework (GDCP 2007) – DC1, DC2, DC9 and DC28

REPRESENTATIONS AND CONSULTATION RESPONSES:

Neighbours – No comments received
Nuthurst Parish – No objection to this application.

MEMBER COMMENTS:

Cllr England – No comments received

HUMAN RIGHTS:

Article 8 (right to respect of a private and family life) and Article 1 of The First Protocol (protection of property) of the Human Rights Act 1998 are relevant to the application. Consideration of human rights is an integral part of the planning assessment set out below.

MAIN ISSUES

The main issues are the principle of the development in the location and the effect of the development on:

- The character of the dwelling and the visual amenities of the street scene
- The amenities of the occupiers of adjoining properties

PLANNING ASSESSMENT:

Kerves Farm Cottage lies to the east of Kerves Barn, which is a converted barn building. The application property, when viewed against the substantial proportions of Kerves Barn to the west, is considered a relatively small dwelling in comparison. Whilst the proposed extensions are considered substantial, it would nonetheless be considered a small dwelling in this countryside location.

The proposed development is confined mainly to the east of the property and therefore would not be easily be seen from the road. Only a small part of the southern end of the property (currently the garage) may be glimpsed from Kerves Lane. Whilst there is a Public right of Way to the east, this is some distance away from the site approximately 233metres, and therefore the extension could be read in conjunction with the larger Kerves Barn to the rear within this complex of farm buildings.

It is considered therefore that the proposed garage conversion to habitable space, together with a gabled extension and internal reconfiguration, with the addition of flat roof dormers on the eastern side of the house, that although there are the usual concerns regarding this form of roof addition, in view of their location to the rear, the proposal in its entirety is of a size and design that is in scale and character with the main dwelling and would not therefore affect adversely the rural character or visual amenities in this location.

As discussed in the report above. The property lies within a small complex of farm buildings that are situated fairly close together. However the development is mainly confined to the east of the

house and overlooks a small paddock and farmland beyond and in the case of the dormer on the northern roof slope of the new extension would be screened from Kerves barn by the main roof of the house and would look out over the stables to the north and would not therefore be seen by the adjacent properties. It is considered therefore that there would be no adverse impact on the residential amenities of the occupiers of Kerves Farm or Kerves Barn in terms of any loss of light, privacy or outlook or would have an overbearing/overpowering impact. The proposal is therefore considered acceptable in terms of its impact on the residential amenities of the occupiers of the adjacent properties.

Nuthurst Parish Council has no objection to the proposal and their further comments are noted and have been dealt with in the above report.

It is therefore considered that the proposal, which includes changing the use of the existing garage to habitable use together with a single storey side extension, dormer windows, porch and internal alterations will not materially affect the character of the existing house, the amenities of neighbouring occupiers or the rural character in this locale.

The proposal therefore accords with policies of the General Development Control Policies (2007)

RECOMMENDATION:

Permit 1) A2 Full Permission
2) M1 Approval of Materials

REASONS FOR RECOMMENDATION:

ICAB2 The proposal does not materially affect the amenities of neighbouring occupiers or the character and visual amenities of the locality

POSITIVE/PROACTIVE STATEMENT (applies to Planning Applications only)

PRO1 Application Approved without Amendment

IS RECOMMENDATION CONTRARY TO THE PARISH COUNCIL'S VIEWS?

STATE YES OR NO

DELEGATED

Case Officer sign/initial



Date:

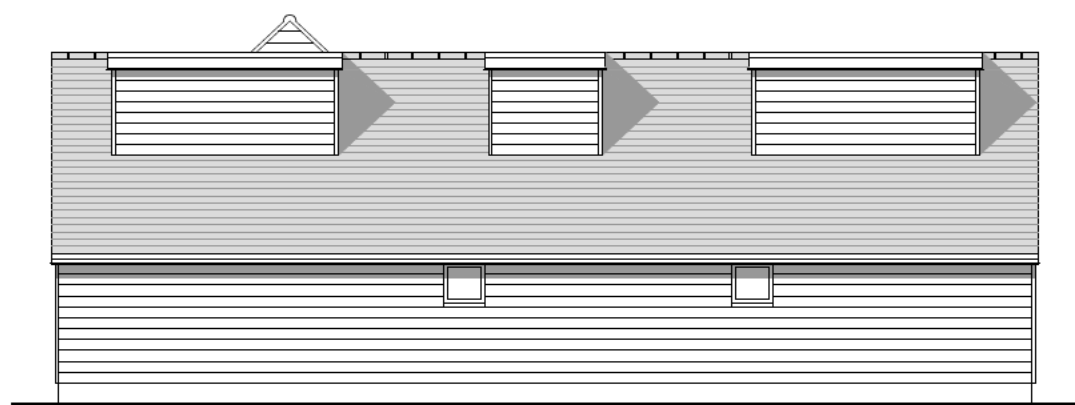
12/9/13

Authorising Officer sign/initial



Date:

3/10/13



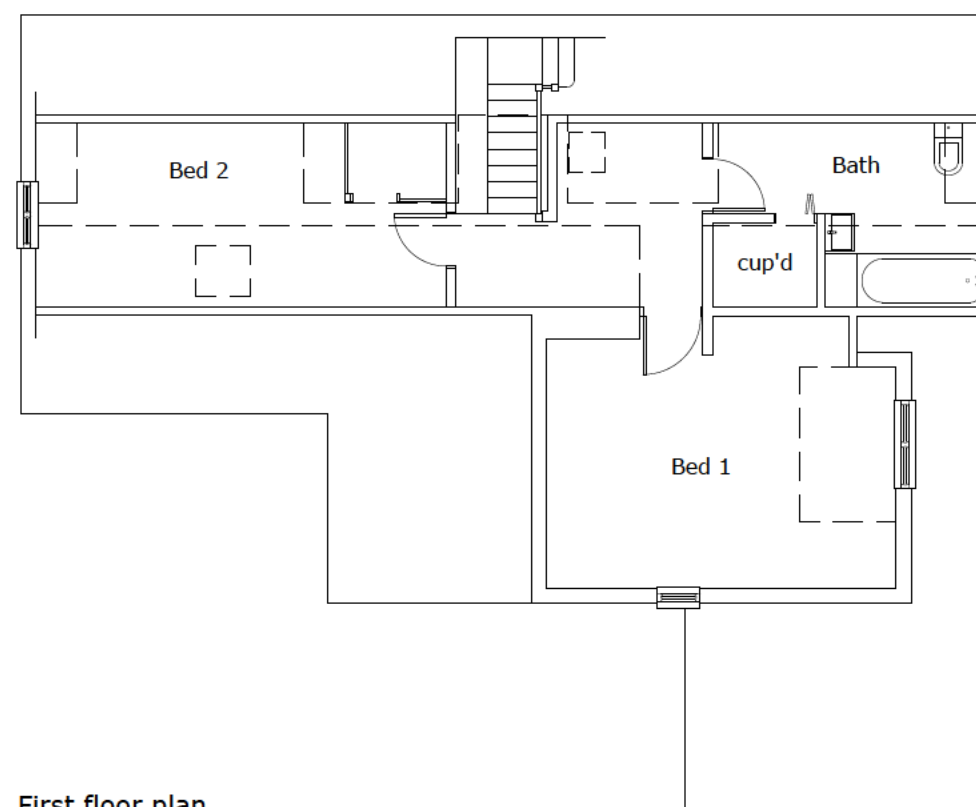
West elevation



North elevation



South elevation



First floor plan

Proposed dormer extensions to the rear
(west) elevation).

Proposed elevations and floor plan

Kerves Farm Cottage
Kerves Lane
Horsham
West Sussex
RH13 6RJ

Plan No: PL/670/02
Scale: 1:100

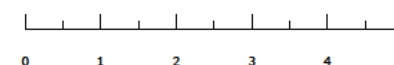
Materials.

Roof: Singleply warm deck.

Walls: Timber cladding to match existing.

Drawing size: A3

Scale



Do not scale from drawing except for
planning purposes.

All dimension are in millimetres.



07769 952066
01403 241466

concept design
planning applications
building regulations