

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0672	Case Officer:	Stefan Galyas
Application Type:	Householder Application		
Proposal:	Extensions and alterations to the existing house and conservatory, including the demolition of the back porch, carport and garage. Construction of a lean-to shed and extension to existing garden room.		
Site:	46 Dale Avenue, Hassocks, West Sussex, BN6 8LS, , , ,		
Validation Date	28 Apr 2025	Overall Expiry Date:	18 Jun 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	18 Jun 2025
Target Date:	23 Jun 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	19 Jun 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0672

46 Dale Avenue, Hassocks, West Sussex, BN6 8LS, , ,

Extensions and alterations to the existing house and conservatory, including the demolition of the back porch, carport and garage. Construction of a lean-to shed and extension to existing garden room.

Mr And Mrs Hansen

SUMMARY OF REPRESENTATIONS

There was one letter of representation received in response to the proposal which raised an objection for the following reasons:

- The garage demolition would adversely impact neighbouring attached garage block.
- Concerns that the excavation to install a below ground water store will cause subsidence to the neighbouring garage and garden.
- The foundations of the outbuilding proximity affecting the neighbouring property and the boundary.
- The proposed elevation plans not being visible on the public register.

SUMMARY OF CONSULTEES

Trees Officer: *'I have reviewed the AMS and other documents for this proposal and have no objection.'*

TOWN/PARISH COUNCIL OBSERVATIONS

Parish Council: *'The committee recommend that MSDC refuse the application. It is un-neighbourly and overdevelopment of a small plot. The description is misleading; the application should be for an annex. The committee have concerns around the impact on the adjacent property that shares a party wall. No information provided regarding foul water drainage.'*

INTRODUCTION

The application seeks planning permission for the development of a single storey rear extension, a first floor extension, the demolition of the existing car port and garage, the development of a covered porch and bike store, the erection of a front bin store and extension to the outbuilding.

RELEVANT PLANNING HISTORY

There is no recent history of planning applications relating to the site.

SITE AND SURROUNDINGS

The application relates to 46 Dale Avenue, a detached dwelling set to the south-western side of the highway. The property has previously been extended at ground floor level through the addition of a rear verandah as well as a porch and has extended at first floor level through the addition of a side box dormer. The existing dwelling is set back from the pavement edge by a front brick paved driveway with a low horizontal lapped timber fence acting as the front boundary. The property is afforded garden amenity space to the south-west which contains a single storey garden room outbuilding. The existing property is composed of brick exterior walls, a uPVC clad car port, a tile pitched roof, double glazed white uPVC framed windows and uPVC doors. The existing garden outbuilding is constructed of brick and fibre cement cladding with a felt roof and white painted timber windows.

With regard to the site's locality, there are a number of bungalow style properties which appear to have been extended at loft level overtime through the addition of dormers and rooflights.

The site is located within the built-up area for Hassocks as defined in the District Plan (DP).

APPLICATION DETAILS

The proposed development would extend the existing property to the rear by approximately 1.7m in length, 4.5m wide and 3.3m high. Proposed external materials would comprise brick and fibre cement cladded walls and a felt flat roof.

As part of the proposal, the existing car port and garage would be demolished with a new covered external front porch and bike store erected in its place. The proposed covered porch and external space would measure at circa 7.2m in length, 2.5m wide and a maximum height of 3m. In terms of materials for these elements, timber and fibre cement cladding would be used to the walls as well as exposed timber rafters and clear polycarbonate for the roof.

To the rear of the property, a bike store would also be erected which would adjoin the proposed covered external space. The bike store would measure at 3.1m in length, 1.2m wide and 2.4m high. Furthermore, there would be a bin store constructed to the front of the property which would measure at circa 2m in length, 0.9m wide and 1.5m high. Both stores would be constructed of timber cladding with fibre cement also used for the bike store as well as a felt and sedum roof.

The proposed development would also extend the existing outbuilding to both of its side elevations. The south-eastern side elevation extension would measure at around 2.7m in length, 1.6m wide and 2m high. To the other side (north-western) elevation, the proposed outbuilding extension would measure at 7.5m in length, 3.7m wide and measure at 2.5m high. The proposed outbuilding extension would measure at around brick and fibre cement walls and a felt roof.

Finally, the existing roof space would be extended through an alteration to the front (north-eastern) elevation hipped roof to a gablet. An array of solar panels would also be installed to the properties side (south-eastern) elevation.

LEGAL FRAMEWORK AND LIST OF POLICIES

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocation Development Plan Document (DPD) and the Hassocks Neighbourhood Plan

National policy (which is contained in the National Planning Policy Framework and National Planning Policy Guidance) does not form part of the development plan but is an important material consideration.

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

DP26: Character and Design

DP37: Trees, Woodland and Hedgerows

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

There are no relevant policies.

Neighbourhood Plan

Hassocks Neighbourhood Plan (Made July 2020)

Policy 5: Enabling Zero Carbon

Policy 9: Character and Design

Mid Sussex District Plan 2021-2039 Consultation Draft

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to some of the Policies in the draft District Plan and as such, only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant policies:

DPS1 - Climate Change

DPS2 - Sustainable Design and Construction

DPC1 - Protection and Enhancement of the Countryside

DPB1 - Character and Design

Mid Sussex Design Guide Supplementary Planning Document (SPD)

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 2, 8, 11, 39, 48, 131, 135 & 139.

ASSESSMENT

It is considered that the main issues that need to be considered in the determination of this application are as follows;

- Design and Character
- Impact on Neighbouring Amenities
- Other Matters
- Biodiversity Net Gain

Design and Character

DP26 of the District Plan states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- o is of high-quality design and layout and includes appropriate landscaping and greenspace;*
- o contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*

- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;
- o protects open spaces, trees and gardens that contribute to the character of the area;
- o does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution'

Policy 9 of the Hassocks Neighbourhood Plans states that:

"Development proposals will be supported where they have regard to the Hassocks Townscape Appraisal, and where their character and design takes account of the following design principles as appropriate to the nature, scale and location of the particular proposal:

- o *Is of high quality design and layout;*
- o *Contributes positively to the private and public realm to create a sense of place;*
- o *Respects the character and scale of the surrounding buildings and landscape;*
- o *Protects open spaces and gardens that contribute to the character of the area;*
- o *Protects valued townscapes and the separate identity and character of Hassocks, Keymer and Clayton;*
- o *Does not cause unacceptable harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight, sunlight and security;*
- o *Creates safe, accessible and well connected environments;*
- o *Protects existing landscape features and contributes to the village's Green Infrastructure network;*
- o *Incorporates the use of local materials which are appropriate to the defined Local Townscape Character Area; and*
- o *Positively responds to the local vernacular character of the defined Local Townscape Character Area."*

Principle DG49 of the Mid Sussex Design Guide states:

'Extensions should typically use simple, uncomplicated building forms to compliment and coordinate with the scale, form and massing of the original dwelling. The design approach may benefit from coordinating with the existing pattern of window and door openings as well as employing facing materials to match those of the existing dwelling. Otherwise, it should demonstrate the appropriateness of the alternative approach.'

In terms of rear extensions, principle DG51 states:

'Rear extensions which are not visible from the street and do not negatively impact on neighbouring properties can be expressed in many forms, including by adopting a contemporary architectural approach. With reference to DG49, they should nevertheless have consideration for the character of the existing building and the relationship of the extension with the side boundaries and adjacent buildings and gardens'

With regard to loft conversions and roof extensions, Principle DG52 notes that:

A loft conversion is a space efficient means of extending the amount of living accommodation in a dwelling. Roof accommodation is normally reliant on dormer windows and rooflights to provide light and ventilation. However, if they are out of scale or out of character with the roofscape and proportions of a dwelling they can have an adverse impact on the character of both the dwelling and the streetscape.

The roof pitch and form are intrinsic to a building's character and roof extensions should be sensitive to this. Roof extensions and dormer windows that alter the existing ridge of the roof or significantly alter the roof profile of a building will not normally be acceptable, particularly on the front roof slope, and where there is a strong established roofline.

Where a clear rhythm of fenestration is established, the position and proportion of dormer windows should respond to existing windows and / or doors.

It is noted that a number of properties have previously been extended at loft level along Dale Avenue which has altered the previously uniform bungalow character of the street to a more eclectic appearance. Extensions may have been achieved through dormers to both the front and rear roof slopes and in this case, the application property has previously been extended through a side dormer.

Roof Alterations

The most visual alterations from the street scene are considered to be those made through the hip to gablet alteration at loft level to the principal elevation. This would likely increase the overall perceived size, scale and bulk of the property. Nevertheless, the change is not considered to inflict significant harm towards the character and appearance of the area and would not exceed the existing maximum ridge height.

An array of solar panels would be added to the side (south-eastern) roof slope and would likely be visible from oblique angles along the street side. It is considered that solar panels have similarly been used to side roof slopes previously along Dale Avenue, such as at No.44 and 52. Accordingly, the proposed solar panels are not considered to appear overly incongruous.

Front Bin Store

The proposed bin store would be sited forward of the properties principal elevation and would sit within the front driveway space. It is considered that the bin store would be limited in size and footprint with its overall appearance being softened through the timber walls and sedum roof. As such, it is considered that the proposed bin store would be acceptable.

Side Extensions

Whilst the proposed covered front porch and side outdoor area would largely utilise the same footprint and the existing car store, the overall height of the side element would be increased. It is noted that the covered outdoor area would exceed the original properties eaves height. Nevertheless, the use of subservient materials throughout such as timber cladding and timber rafters are considered to help the extension appear as a later addition.

Rear Extension

The proposed development would demolish the existing single storey rear verandah and in its place develop a single storey rear extension. The proposed extension would exceed the original dwelling eaves height, however the overall limited size and scale would ensure that the extension is read as subservient towards the existing. On balance, it is therefore considered that the proposed extension would result in an acceptable impact.

Outbuilding Extension

Side extensions would be developed either side of the existing garden room and would increase the existing footprint significantly. A downwards gutter roof type would be used as well as matching fibre cement cladding. It is considered that the existing garden room is set within a visually discrete position with regard to the public domain. Whilst the extensions would increase the overall bulk and size of the outbuilding, it is not considered that this would inflict significant harm upon the character and appearance of the area.

The proposal is therefore considered to comply with Policy DP26 of the District Plan, Policy 9 of the Hassocks Neighbourhood Plan and the relevant principles of the Mid Sussex Design Guide SPD.

Impact on Neighbouring Amenities

Policy 9 of the Hassocks Neighbourhood Plan states that proposals should not cause 'unacceptable harm' with regard to neighbouring amenity whereas policy DP26 of the MSDP states that development should not cause 'significant harm' to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and

noise, air and light pollution. There is therefore some conflict between the District Plan and Neighbourhood Plan in this respect. Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published. As such, Policy 9 of the Hassocks Neighbourhood Plan is considered to take precedence and therefore the test in this instance is whether the development causes 'unacceptable harm' to neighbouring amenities as outlined above.

Specifically, Policy 9 states that development will be supported where the proposal:

"Does not cause unacceptable harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight, sunlight and security"

The proposed development would increase the overall built footprint on site and it is noted that concerns were raised from the Parish Council with regard to the overdevelopment of the plot. The existing garden amenity space measured at approximately 111sqm and following the proposed development, 114sqm would remain on site. This is due to the existing garage's demolition and the removal of the car port. As such, it is considered that there would be sufficient garden amenity space to meet the needs of the current and future occupiers of the site.

An array of solar panels would be installed to the side (south-eastern) roof slope. Whilst this may give rise to a glint and glare impact, it is noted that there are no existing facing side attic windows at the adjacent neighbouring property at No.48.

The proposed single storey rear extension would include a side (south-eastern) elevation window which would be positioned within a close proximity to the boundary with No.48. It is considered that this window would mirror the existing level of outlook offered from the existing verandah's side window and therefore would not give rise to an unacceptable overlooking impact.

To the side (north-western) elevation, there would be a number of structures built within a close proximity to the neighbouring property at No.44. There are a number of windows at the neighbouring bungalow which would face back towards the proposed covered porch and outdoor area. The existing utility window at No.44 already receives less light due to the neighbouring covered side area. The other two side windows serve non-habitable rooms such as a bathroom and W.C and are finished in an obscure glazed finish. It is therefore not considered that the proposed side extension would result in an unacceptable impact on the living conditions of the neighbouring property with regard to overshadowing.

The existing garage outbuilding would be demolished and a new fence with a pergola structure would be erected in its place. Whilst this fence would measure at around 2.7m high when taken from the lowest ground floor level, it is considered that this height would likely mirror that of the existing garage.

Whilst the outbuilding extension would abut the shared boundary at points, an offset of around 0.2m would also be afforded. It is considered that the outbuildings maximum height of 2.5m would be limited and would be set away from the nearby dwelling at No.44 which is further to the north-east. As such, it is not considered that the outbuilding would result in unacceptable harm with regard to an overbearing impact.

Accordingly, the proposal is considered to comply with the provisions of DP26 of the Mid Sussex District Plan and Policy 9 of the Hassocks Neighbourhood plan in terms of neighbouring amenities.

Other Matters

Concerns were raised by the Parish Council with regard to the description of development which failed to pay regard to the creation of an annexe on site. The proposed floor plans still show the garden room which would be extended through the addition of a bedroom, bathroom and storage area. As such, it is not considered that the current description of development is misleading.

A condition ensuring that the outbuilding remains ancillary to the host property is considered to be relevant and necessary in the case that planning permission is granted. The outbuilding would share the same access as the host dwelling on site and would be intrinsically linked to the main dwelling on site through a pathway link. As such, it is not considered that the site lends itself to subdivision.

Further issue was raised in relation to the removal of the existing garage and proposed excavation works to install a below ground water store resulting in an adverse impact on the neighbouring garden and garage. Furthermore, the foundations of the proposed outbuilding extension were raised as a concern with regard to its impact on the neighbouring property. It is considered that these issues would not warrant a reason for refusal and can be covered off at the Building Regulations stage, should permission be granted.

It was also noted in a representation letter that the plans were not visible on the public register. These plans have been visible following the validation of the application and publication on the 14th May 2025.

The Parish Council noted in response to the application that no details of foul sewerage had been provided prior to the applications determination. Similarly, it is not considered that this would provide a sufficient reason to refuse the application and can be dealt with under building regulations.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. This is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. As a householder application this development is exempt from the requirement to provide biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

In conclusion, the proposal is appropriate in terms of design and will not negatively impact on the host dwelling nor its immediate setting and will not harm neighbouring amenities.

The proposal will comply with Policies DP26 and DP37 of the District Plan, Policies 5 and 9 of the Hassocks Neighbourhood Plan, the MSDC Design Guide and the requirements of the NPPF.

Decision: Permission

Case Officer: Stefan Galyas