

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/3118	Case Officer:	Anna Tidey
Application Type:	Householder Application		
Proposal:	Proposed reconfiguration and extension of roof to create new bedrooms at first floor, and single storey extension at rear.		
Site:	Shekinah, 51 Leylands Road, Burgess Hill, West Sussex, RH15 8AF, , ,		
Validation Date	20 Dec 2024	Overall Expiry Date:	27 Mar 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	2 Apr 2025
Target Date:	14 Feb 2025	Recommending Officer Signature:	Anna Tidey

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	4 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/3118

**Shekinah, 51 Leylands Road, Burgess Hill, West Sussex, RH15 8AF, ,
Proposed reconfiguration and extension of roof to create new bedrooms at first floor, and single
storey extension at rear.
Mr And Mrs Kennedy**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Southern Water:

Southern Water has determined that the flow rate for the above site will remain consistent, so capacity is not an issue and no Southern Water assets will be affected. Therefore, Southern Water has no objections to this proposal.

Please note surface water should not be disposed of into a public foul sewer and must comply with the Hierarchy of H3 of the Building Regulations. For more details, refer to the Drainage and Waste Disposal: Approved Document H on the GOV.UK website.

Any new connections to the public sewerage system will require a New Sewer Connection application (also known as a Section 106) to be submitted and approved by Southern Water.

Due to legislative changes effective from 1st October 2011 regarding the ownership of sewers, it is possible that some previously private sewers, now deemed public, could be crossing the above property and may not be shown on Southern Water records. Therefore, if any additional sewers are discovered during construction, an investigation will be required to determine their condition, the number of properties served, and potential access methods before any further work can proceed on site.

PARISH COUNCIL OBSERVATIONS

Burgess Hill Town Council: Recommend Refusal. The Committee felt the application contravened;

Mid Sussex District Plan;
DP26 - Character and Design

Mid Sussex Design Guide;
DG49 - General principles for extensions

The Committee were also concerned that the Juliet balcony affected the privacy of the neighbouring houses.

Amended Plans: Recommend Refusal. The Committee noted their concerns of 28th January 2025 and while they noted the Juliet balcony has been removed they felt it still contravened:

Mid Sussex District Plan:
DP26 - Character and Design

Mid Sussex Design Guide:
DG49 - General Principles for Extensions

INTRODUCTION

This application seeks planning permission for the reconfiguration and extension of the roof to create additional first floor bedroom space and the addition of a single storey extension at the rear of an existing extended bungalow at Shekinah, No 51 Leylands Road in Burgess Hill.

The application follows on from an extant approval under DM/23/1499 which was granted permission to enlarge the bungalow into a two storey house by the reconfiguration and enlargement of the roof to create new first floor bedrooms and the addition of a single storey extension at rear. That permission has not been implemented.

RELEVANT PLANNING HISTORY

DM/23/1499. Proposed reconfiguration of roof to create new bedrooms at first floor and single storey extension at rear. Approved July 2023.

DM/16/4858. Demolish existing detached concrete garage structure and erect brick built detached outbuilding with tiled pitch roof. Approved January 2017.

02/01322/FUL. Loft conversion. Approved September 2002.

SITE AND SURROUNDINGS

The property known as Shekinah, at No 51 Leylands Road is a detached 5 bed bungalow located in a row of differing styled bungalows on the southern side of Leylands Road. The property lies close to the mini roundabout junction of Leylands Road and Leylands Park, on a residential road in the built up area of Burgess Hill.

The bungalow has a staggered twin gabled frontage and the original ground floor living accommodation has been extended into the loft area, which has been enlarged with the addition of one front facing and two rear facing dormer windows. The extended loft space accommodates two bedrooms, with the remaining three bedrooms located towards the front of the property at ground floor level.

The property is constructed in a red brick with plain brown tiles on the roof, with white windows. Two square bays are sited below the front facing twin gables, which have white timber barge boards and vertical timber decoration.

A detached single storey outbuilding with a hipped roofline is located at the rear corner of the property, set behind the entrance gates and at the end of the side pedestrian access, which is located along the western side of the property and next to the eastern side wall of the neighbouring bungalow at No 53. A flat roofed rear single storey extension has been added on the rear elevation of the property. This currently accommodates a dining room and study.

Much of the existing frontage of the property is obscured from public views from the highway by a thick 2.5m high hedge. The front garden is gravelled and provides off road parking space, with an existing dropped kerb providing vehicular access from Leylands Road.

The property benefits from a large rear garden, which backs onto neighbouring gardens to the south.

APPLICATION DETAILS

This application seeks planning permission to change the hipped roofline on the original bungalow to a gabled roof, to add a new first floor addition over an existing rear single storey flat roofed addition, with a side dormer addition, to enlarge the first floor area. This will allow the reconfiguration of the access stairs, the enlargement and repositioning of the existing two first floor bedrooms, and the addition of a master bedroom with an ensuite shower room on the first floor.

The proposed floor plans show associated changes on the ground floor to include: the use of the smallest bedroom as a new study, the removal of an internal wall and the relocation of the kitchen into

the rear extension to form an open plan kitchen/dining room, in place of the dining room and existing study, the use of the existing kitchen as a new utility room and the enlargement of the hallway and provision of additional storage cupboards.

At the rear of the existing extension a new (max 2m deep) triangular single storey extension is proposed which will increase the footprint for the new kitchen/dining area. A 4m wide set of full height glazed bifold doors are proposed in the angled rear wall of the addition to allow access from the house into the rear garden.

Externally the proposed hip to gable roof extensions will extend the ridge line across the width of the property and result in the loss of one off centre chimney. The front facing dormer and two existing chimneys located on the gabled front projections will remain unaltered.

Amended plans have been submitted during the course of determining the application. The amended plans show the following changes to the original scheme:

- Reduction in front (north facing) rooflights from four to two, to serve the relocated pair of first floor bedrooms. The rooms will gain light and ventilation from 0.9m wide obscure glazed windows positioned in each of the new east and west facing side facing gabled roofs. The windows are shown to have openable top vents, set 1.6m above the finished floor level.
- The proposed roofline over the new first floor rear addition is shown to have a high level positioned roof light, which has been added to serve the new ensuite shower room.
- The truncated rear gabled roofline has a pointed verge detail to replace the original barge board fascia detail.
- The form and scale of the western facing dormer addition on the rear first floor addition has been redesigned to include two 1.5m wide gabled dormers with recessed interconnecting flat roofed elements of a design to match the existing dormers of the property. The northernmost dormer window is shown to be obscure glazed.
- A first floor rear facing Juliette balcony, which serves the new master bedroom, has been retained in the rear (south facing) truncated gable. A 1.4m wide set of inner opening side hung French doors, with full height fixed side glazed panels, each approx. 0.6m wide, are located in the rear wall of the proposed first floor addition.
- The Amended Plans have been annotated to illustrate the position of a 45 degree angle (line of sight) from the centre point of the French door. In addition the position of the neighbour's shed (at No 49), which is brick built with a dual pitched roof, has been illustrated on the Amended floor plans.
- The application has also been supported by a Rear Dormer Visibility Plan to show the existing and roof plans and to indicate the areas from which the proposed west facing dormer would be visible from the rear garden. A photograph is included to show the two existing south facing dormers. One existing rear facing dormer will be removed as a result of the first floor addition.
- The amended plans clarify the proposed external materials for the construction of the rear additions, which are as follows: single storey flat roofed extension in brickwork, dark colour timber, or timber effect cladding, above eaves level and on the side gabled roof additions, vertical tile hanging on the dormer additions and plain roof tiles on the first floor addition and gabled roof additions.

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, the Burgess Hill Neighbourhood Plan and Site Allocations DPD.

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:

DP21 Transport
DP26 Character and design
DP38 Biodiversity

Site Allocations Development Plan Document

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

There are no policies deemed relevant to this application.

Neighbourhood Plan

Burgess Hill Neighbourhood Plan -made

Relevant policies:
Policy S4 Parking Standards for New Developments

Other Material Considerations

Mid Sussex District Plan 2021 - 2039 - Submission Draft (Regulation 19)

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 the 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:

DPS2 Sustainable Design and Construction
DPS6 Health and Wellbeing
DPB1 Character and Design
DPT4 Parking and EV Charging Infrastructure
DPN1 Biodiversity, Geodiversity and Nature Recovery

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.

West Sussex County Council Guidance on Parking at New Developments - September 2020

National Planning Policy Framework (NPPF) (December 2024)

ASSESSMENT

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

- Design
- Impact on residential amenities
- Parking provision
- Biodiversity Net Gain

Design

Policy DP26 of the District Plan seeks to promote well located and designed development, to protect valued characteristics of the built environment for their historical and visual qualities and support sustainable communities and create accessible environments. The wording of Policy DP26 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:

- * is of high quality design and layout and includes appropriate landscaping and greenspace;*
- * 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;*
- * creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- * protects open spaces, trees and gardens that contribute to the character of the area;*
- * protects valued townscapes and the separate identity and character of towns and villages;*
- * 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 (see Policy DP29);*
- * creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- * incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- * positively addresses sustainability considerations in the layout and the building design;*
- * take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- * optimises the potential of the site to accommodate development.'*

Also relevant in the determination of the application is the design guidance contained in the Mid Sussex Design Guide, which seeks good design in house alterations and extensions. Principle DG49 states:

'Extensions should respond to the design of the original dwelling and applicant will be expected to demonstrate how local character has informed the design proposal. Extensions should also normally be designed to be well integrated with the existing scale, form and massing allow the original building to remain the dominant element of the property whether it has one or several additions.

Extensions should typically use simple, uncomplicated building forms to complement 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.

Extensions should not result in a significant loss to the private amenity area of the dwelling.

There are two general approaches to extending a property:

- designing in the style of the existing building by closely matching its facing materials, architectural features, window sizes and proportions; and*
- designing in a contemporary style that takes its cues from key aspects of the existing building that might include its underlying form and proportions, facing materials, window design and other specific architectural features. The success of this approach is particularly reliant on high quality facing materials*

and finishes, and this will normally need to be demonstrated through detailed elevations and section drawings.

Both approaches can create successful, well designed extensions that can be mutually beneficial to both the house and the wider area. All extensions and alterations should consider their impact on neighbouring properties (refer to Chapter 8 on residential amenity).'

Design Guide Principle DG50 refers to Front and Side extensions and states:

'Front and side extensions are typically visible from the public realm and will be resisted where they have an adverse impact on the street scene or the appearance of a dwelling.

Front extensions

Front extensions are more likely to be acceptable where the building line is staggered or where the dwelling is set well back from the road. They are less likely to be acceptable in streets with a strong consistent building form as they risk disrupting the underlying order. Where front extensions are considered acceptable, they should normally be limited to a modest single storey or porch-type extension that reflect the character of the existing property.

Side extensions

Side extensions should normally be subservient to the original dwelling and typically be set-back from the front of the house to help define the original building.

The gaps between dwellings can sometimes positively contribute to articulating (for example, through the consistent rhythm of repeated houses) and adding interest in a street frontage or by providing views / visible connections to the surrounding countryside. Side extensions will therefore need to appropriately respond to the character of the street form and will not normally be accepted where they close an important gap and view'.

Design Guide Principle DG51 refers to Rear extensions and 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'.

In addition Principle DG52 in Chapter 9 of the Design Guide refers to Loft Conversions and Roof Extensions, and states:

'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'.

The proposed extensions will further enlarge the living space in the original bungalow, which has already been extended by the addition of front and rear facing dormers to allow the headroom to provide first floor bedrooms in the original hipped roof space.

Careful consideration has been given to the scale and impact of the addition of the first floor addition, and the construction of raised eaves and a new dormer addition on the proposed rear first floor extension.

Consideration has been given to the scale of the extant approval and the reduced impact of the proposed scheme within the context of the site, upon the character and appearance of the street scene and upon the immediate properties.

The redesigned first floor additions are smaller in overall scale. The hip to gable additions will not extend above the existing ridge height and the proposed construction materials will complement the appearance of the existing property. There are a mix of housing types and building heights in close proximity to the site, including bungalows of differing heights and styles, including gabled rooflines.

The appearance of No 51 will change in public views from the street as a result of the hip to gable roof additions, but the footprint and position of the extended property will not change relative to the road and public realm. The application form confirms that the walls of the additions will be finished in brick and dark colour timber or timber effect cladding. The cladding is located to the east and west side gable additions and to the rear of the property, and therefore will not be publicly visible. A suitably worded planning condition is recommended.

Whilst the cladding would introduce a new external finish on the property the proposed alterations are considered acceptable and not out of keeping in the area or the overall character of the street.

The proposal is found to accord with the aims of District Plan Policy DP26 and the relevant design principles set out in the Design Guide.

Impact on residential amenities

District Plan Policy DP26 requires that development *'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.'*

In addition Principle DG45 in the Design Guide refers to the need to consider privacy of existing and future residents and it is noted that privacy may be affected by the relationship of buildings to each other.

The immediate neighbouring properties are bungalows with first floor accommodation at Nos 49 and 53 Leylands Road, located on each side, to the east and west of No 51.

No 49 is set forward of the footprint of No 51 and is inset approximately 3m in from the western side boundary with No 51. No 49 has rooms within the roof space, with front and rear facing rooflights, but no side rooflights facing No 51. A ground floor window faces the existing side elevation of No 51. A detached outbuilding with a pitched roofed is sited to the rear of No 49 and is positioned next to the existing single storey extension to the rear of No 51. This brick outbuilding is used for storage and has no windows facing the site. The proposed rear single storey extension at No 51 will be constructed alongside this outbuilding, which will serve to largely screen this addition from the rear private amenity space to No 49.

No 53 has no side windows in the elevation facing No 51, but there are 3 rooflights at differing heights in the roofline facing east towards the roof of No 51. A patio to the rear of No 53 has a solid side wall on the boundary with No 51 and a covered canopy to create a private amenity space. The detached outbuilding to the rear of No 51 has a pitched roof and serves to screen the rear amenity areas of the two properties.

It is noted that the Town Council have maintained their stance and recommend that both the original and the amended plans are refused. The Juliet balcony is of particular concern to the Committee members. The position of the Juliette balcony has been examined in detail and the relative positions of the adjacent houses and intervening structures are clearly shown on the submitted plans. It is considered that the impacts of the proposed additions to the amenities of the occupiers of both Nos 49 and 53 Leylands Road have been carefully considered. It is considered that the position of the Juliette balcony, in the set back position relative to neighbouring properties, will protect the neighbouring residents from significant

harm. The use of obscured glass in the new windows at first floor will also ensure there will be no adverse overlooking effects from the new bedrooms.

It is considered that due to the orientation and spacing of the immediate neighbouring houses no significant harm will be caused by the proposed development to the privacy, outlook, daylight and sunlight of the immediate residents.

The proposal is therefore considered to comply with Policy DP26 of the District Plan and the Design Guide principles with regard to residential amenities.

Parking provision

With regards to parking provision for the extended house the relevant District Plan Policy is DP21, which states:

'Development will be required to support the objectives of the West Sussex Transport Plan 2011- 2026, which are:

- o A high quality transport network that promotes a competitive and prosperous economy;*
- o A resilient transport network that complements the built and natural environment whilst reducing carbon emissions over time;*
- o Access to services, employment and housing; and*
- o A transport network that feels, and is, safer and healthier to use.*

To meet these objectives, decisions on development proposals will take account of whether:

- o The scheme is sustainably located to minimise the need for travel noting there might be circumstances where development needs to be located in the countryside, such as rural economic uses (see policy DP14: Sustainable Rural Development and the Rural Economy);*
- o Appropriate opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking, have been fully explored and taken up;*
- o The scheme is designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages;*
- o The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;*
- o Development which generates significant amounts of movement is supported by a Transport Assessment/ Statement and a Travel Plan that is effective and demonstrably deliverable including setting out how schemes will be funded;*
- o The scheme provides appropriate mitigation to support new development on the local and strategic road network, including the transport network outside of the district, secured where necessary through appropriate legal agreements;*
- o The scheme avoids severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation;*
- o The scheme protects the safety of road users and pedestrians; and*
- o The scheme does not harm the special qualities of the South Downs National Park or the High Weald Area of Outstanding Natural Beauty through its transport impacts.*

Where practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles.

Neighbourhood Plans can set local standards for car parking provision provided that it is based upon evidence that provides clear and compelling justification for doing so'.

The proposal will not increase the number of bedrooms in the property, which will remain at five. The existing arrangements on site provide off road parking space for at least 2 to 3 vehicles to park, which has been illustrated on the submitted Block Plan. There is also uncontrolled on street parking available close by for visitors on Leylands Park.

For a 4+ bed property located in the Leylands Ward of Burgess Hill the West Sussex County Council Guidance on Parking recommend a maximum of 2.2 spaces should be provided.

Policy S4 of the Burgess Hill Neighbourhood Plan states:

...w housing developments that include the provision of garage space must be of the minimum size for cars - 7.0m x 3.0m (internal dimension) for this to be counted as a parking space. All new housing developments must comply with the new parking standards for Burgess Hill contained in Appendix D. If a garage is proposed then the drive way must be of sufficient length to allow a second car to park clear of the pavement whilst providing space for the garage door to open.

In cases where planning permission is necessary for alterations and extensions to properties support will not be given for the conversion of garage space to habitable rooms/ residential use unless there is adequate space to park cars off street in line with the parking standards. Design and layout of off site parking areas, on street parking areas, garage/parking blocks will be designed to allow ease of access from driveways and accessibility to parking areas without causing obstruction.'

The available on site parking provision will accord with the requirements of the West Sussex County Council Guidance. The site is also located within easy walking distance of Wivelsfield mainline station and Burgess Hill town centre and bus stops providing easy access for public transport. The proposal will therefore accord with District Plan Policy DP21 and Policy S4 of the Burgess Hill Neighbourhood Plan.

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

The proposed roof extensions and related first floor and rear additions will increase the ground and first floor accommodation in the property, but maintain five bedrooms overall. It is considered that the form, scale and position of the additions will not adversely affect the character and appearance of the property within the street scene.

It is considered that the new additions and related internal and external alterations will not cause significant harm to the amenities of the immediate neighbours living at Nos 49 and 53 Leylands Road.

The available off road parking provision will meet the requirements of the West Sussex County Council Guidance on parking and accord with District Plan Policy DP21 and Policy S4 of the Burgess Hill Neighbourhood Plan.

This application is therefore recommended for approval.

Decision: Permission

Case Officer: Anna Tidey