

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0341	Case Officer:	Caroline Grist
Application Type:	Householder Application		
Proposal:	Proposed two storey flank extension and single storey rear extension.		
Site:	12A The Close, Hassocks, West Sussex, BN6 8DW, , , ,		
Validation Date	10 Feb 2025	Overall Expiry Date:	28 Mar 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	4 Apr 2025
Target Date:	7 Apr 2025	Recommending Officer Signature:	<i>Caroline Grist</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	2
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	4 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0341

**12A The Close, Hassocks, West Sussex, BN6 8DW, , ,
Proposed two storey flank extension and single storey rear extension.
Mr And Mrs Jackson**

SUMMARY OF REPRESENTATIONS

Three representations have been received in response to this application. One has been received that, in summary, objected for the following reasons:

- o Proposal would create dust and noise;
- o Prospect of building waste being dumped at the garden boundary with 12A The Close;
- o Three significant extensions have been previously constructed around 12A The Close;
- o Despite assurances on the previous works, over time this was not the case and there were health and safety issues;
- o Work and deliveries occurred out of hours and without prior notice; and
- o The owner of 12A The Close is elderly and has asthma and a heart condition.

The other two representations noted their support for the application.

It should be noted that only material planning considerations can be taken into account when determining applications. As such concerns relating to health and safety and building practices cannot be taken into account.

SUMMARY OF CONSULTEES

Southern Water

Southern Water has determined the Flow rate for the above site will remain the same/similar as capacity is not an issue and no southern water assets will be affected. Therefore, Southern water has no objections to this proposal.

Surface water should not involve disposal to a public foul sewer and should be in line with the Hierarchy of H3 of Building Regulations.

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

Due to changes in legislation that came in to force on 01 October 2011 regarding the future ownership of sewers it is possible that some previously owned private sewers now deemed to be public could also be crossing the above property which are not shown on the Southern Water records. Therefore, should any other sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and the potential means of access before any further works commence on site.

PARISH COUNCIL OBSERVATIONS

RECOMMEND APPROVAL. The applicant is advised that Government has committed to adopt a 'Future Buildings Standard' during 2021 which will change the Building Regulations requirements for alterations and extensions to homes to bring these alterations closer to that of a 'zero energy building'. This is supported by Policy 5 'Enabling Zero Carbon' of the Hassocks Neighbourhood Plan which states that proposals that modify existing buildings (including extensions) should seek to maximise the inclusion of energy-saving measures and renewable energy generation. Energy saving measures include floor, roof

and wall insulation, and low u-value windows (which may need to be triple glazed). These requirements may require amendments to your design which could affect the drawings submitted for planning permission. The applicant may wish to note that alterations that are built to a Nearly Zero Energy standard, are unlikely to need further retrofitting to minimise the carbon emissions that the nation is required to reduce to zero by 2050. As retrofitting an existing home to be highly energy efficient is more complex than doing so for a new building, applicants may wish to look at the 'EnerPHit' standard that the Government is understood to be considering as the applicable 'Nearly Zero Energy' standard in this context, or at the Architypes published by the London Energy Transformation Initiative for u-values for your extension walls, windows etc. and for ventilation and overheating prevention standards to be achieved.

INTRODUCTION

The application seeks planning permission for a two storey flank extension and single storey rear extension.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

SITE AND SURROUNDINGS

12A The Close is a north facing, two storey, detached dwelling. It is constructed of red brick, with the first floor finished in rough render, a plain tile roof and upvc windows. The dwelling is characterised by a bow window over the ground and first floors, as well as an integral garage to the side with a cat slide roof.

The site is located within the built up area of Hassocks. Neighbouring dwellings are situated to the south, east and west, whilst the highway is to the north. The dwelling is set back from the highway by a garden and paved driveway.

APPLICATION DETAILS

Planning permission is firstly sought for a two storey flank extension, which would replace the existing garage. On the ground floor this is to be used as a store, with garage doors remaining on the front elevation, with a utility room and study/bedroom behind. On the first floor a new bedroom with en-suite is to be created. The extension is to be some 4.0 metres wide and 7.6 metres deep, with a set back from the front elevation of 0.4 metres. A hipped roof is proposed that would continue the existing eaves line and have a ridge height of approximately 7.6 metres. The extension is to be finished in materials to match the host dwelling.

It is also proposed to construct a single storey rear extension that would enable the kitchen and dining area to be enlarged. This addition is to be some 3.8 metres deep and 7.3 metres wide. A flat roof is proposed that would have an overall height of approximately 3.1 metres. The extension is to be finished in timber cladding.

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 Allocations DPD and 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

Site Allocations Development Plan Document

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

There are no relevant policies.

Hassocks Neighbourhood Plan

The Hassocks Neighbourhood Plan was formally made on 24th June 2020.

Relevant policies:
Policy 5 - Enabling Zero Carbon
Policy 9 - Character and Design

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

Mid Sussex Design Guide

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)

ASSESSMENT

Policy DP26 of the Mid Sussex 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 protects valued townscapes and the separate identity and character of towns and villages;*
- 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 (see Policy DP27);*
- o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- o positively addresses sustainability considerations in the layout and the building design;*
- o 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;*
- o optimises the potential of the site to accommodate development'.*

A similar ethos is found in policy 9 of the Hassocks Neighbourhood Plan which states:

'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:

- 1. Is of high quality design and layout;*
- 2. Contributes positively to the private and public realm to create a sense of place;*
- 3. Respects the character and scale of the surrounding buildings and landscape;*
- 4. Protects open spaces and gardens that contribute to the character of the area;*
- 5. Protects valued townscapes and the separate identity and character of Hassocks, Keymer and Clayton;*
- 6. 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;*
- 7. Creates safe, accessible and well connected environments;*
- 8. Protects existing landscape features and contributes to the village's Green Infrastructure network;*
- 9. Incorporates the use of local materials which are appropriate to the defined Local Townscape Character Area; and*
- 10. Positively responds to the local vernacular character of the defined Local Townscape Character Area'.*

The Mid Sussex Design Guide SPD also provides advice for extensions to dwellings. Principle DG49 states that:

'Extensions should respond to the design of the original dwelling and applicants 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 allowing the original building to remain the dominant element of the property whether it has one or several additions'.

Principle DG50 relates 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'.

In terms of rear extensions principle DG51 sets out:

'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'.

The application site is situated within an established residential area of Hassocks. Houses are arranged around a cul-de-sac and are set back and well spaced. Whilst there is a similarity in the design of houses around The Close, such as through the use of hipped roofs, there is some variation in their appearance and use of materials.

Planning permission is firstly sought for a two storey extension to the side of the dwelling. This is to replace the existing integral garage and would have a wider and deeper footprint. The proposed addition would be set back from the front elevation and have a reduced ridge height, which would give the addition a subordinate appearance. It is considered that, whilst wide, the scale of the extension in this instance would not appear overly dominant and that the overall design would respond appropriately to the main dwelling. Given the variation in the streetscene, including neighbouring properties that have first floors over the garage, it is considered that the addition would not appear incongruous. The extension would be set sufficiently away from the shared boundary that would ensure that the spacing within the streetscene would not be significantly affected. The use of materials to match the host dwelling would also provide a consistent appearance.

In terms of the single storey extension to the rear, it is considered to be of scale that would not appear overly dominant in relation to the host dwelling. The proposed design has a more contemporary approach, which is supported by the Design Guide, and would respond appropriately to the overall character of the existing building, such as through its proportions. This addition would not be readily visible from public vantage points and, as such, would not have an adverse impact on the character of the surrounding area.

Impact to amenity

Policy DP26 of the Mid Sussex District Plan states that proposals should not cause 'significant harm' adjoining neighbours' amenity whereas policy 9 of the Hassocks Neighbourhood Plan states that development should 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. 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 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.

12 The Close would be positioned closest to the proposed side extension. This neighbour does not have any windows within the side elevation facing the application site. Whilst it would protrude beyond the rear elevation of this neighbour, where there are windows, the application property and No 12 would remain set away from the shared boundary. Given the level of protrusion to the rear and the separation distance it is considered that the side extension would not result in a loss of light or outlook to this neighbour. A window is proposed in the side elevation at the first floor level. It would, however, relate to an en-suite and face onto the blank wall of No. 12. As such it would not give rise to any overlooking concerns.

The proposed rear extension would be sited closest to 14 The Close. Whilst this neighbour has rear windows, it and the application property would remain set away from the shared boundary. Given the distance that would remain between these two dwellings it is considered that there would not be a loss of light or outlook to this neighbour either.

The rear extension would have windows in both of the side elevations, however there is established boundary fencing between the application property and neighbours to the east and west. It is therefore considered that no direct overlooking would arise as a result of this development.

Concern has been raised by a neighbouring property in relation to noise and disturbance. It is considered that any form of development would give rise to a level of noise and disturbance and therefore the application could not be refused on these grounds alone. Given that the application relates to domestic extensions it is considered that this matter would be covered by the Environmental Protection Act 1990, which establishes a duty of care not to cause the neighbours of the site a nuisance. An informative can be attached to any consent to make the applicants aware of these requirements.

Other matters

Policy 5 of the Hassocks Neighbourhood Plan relates to sustainability and states:

'Development proposals will be supported that maximise the opportunity to include sustainable design features, providing any adverse local impacts can be made acceptable.'

'Residential development proposals that modify existing buildings (including extensions) should seek to maximise the inclusion of energy-saving measures and renewable energy generation.'

'Proposals which make provision for charging electric vehicles at each dwelling (where feasible) and on-street; and making parking areas charging ready will be supported'.

The proposed development relates to the extension of an existing dwelling. A renewable energy source has not been included within the proposal nor any other energy saving measures, however the development would need to meet Building Regulation standards and similar works to the rear could be undertaken without requiring planning permission. It is therefore considered that this would not warrant the refusal of the proposal.

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 would accord with the requirements of policy DP26 of the Mid Sussex District Plan and policies 5 and 9 of the Hassocks Neighbourhood Plan. The proposed development is therefore considered acceptable.

Decision: Permission

Case Officer: Caroline Grist