

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0695	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Proposed single storey rear extension and replacement of garage door with pedestrian door and side window.		
Site:	17 Kings Drive, Hassocks, West Sussex, BN6 8DX, , , ,		
Validation Date	17 Mar 2025	Overall Expiry Date:	8 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	25 Apr 2025
Target Date:	12 May 2025	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	25 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0695

17 Kings Drive, Hassocks, West Sussex, BN6 8DX, , ,
Proposed single storey rear extension and replacement of garage door with pedestrian door and side window.
Mr And Mrs Hamey

INTRODUCTION

Planning permission is sought for a single storey rear extension.

RELEVANT PLANNING HISTORY

KY/043/93 - Construction of conservatory (replacement of existing). (Approved)

DM/24/1599 - Proposed single storey rear extension and replacement of garage door with pedestrian door and side window. (Amended Flood Risk Assessment and Elevations received 06/08) (approved)

SITE AND SURROUNDINGS

17 Kings drive is a two-storey semi-detached hipped roofed dwelling. The dwelling is characterised by an existing rear lean-to and flat roofed conservatory. The walls are a mix of face brickwork and hanging tiles with a mix of upvc and timber doors and upvc windows.

To the north of the site is the adjacent No.19 (with shared driveway), to the south of the site is the adjoining No.15, to the west of the site is the rear garden with woodland to stream beyond and to the east of the site is the driveway to highway beyond.

The site is within the built-up area of Hassocks.

APPLICATION DETAILS

The approved single storey rear extension measures 4m in maximum depth, 6.17m in width with an approximate height to eaves of 2.9m and an overall height of 3.9m with two velux windows. This will serve a dining room, WC and hallway.

The proposed single storey rear extension measures 4m in maximum depth, 6.17m m in width with an approximate height to eaves of 3.05m and an overall height of 4m with three velux windows. This will serve a utility room, WC and study. Steps to the rear door measures 1.5m in maximum depth, 2.9m in maximum width and 1m in height

The alterations to the garage include the existing garage door being infilled with face brickwork and a front window and door installed.

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 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:

DP21 (Transport)
DP26 (Design and Character)
DP39 (Sustainability)
DP41 (Flood Risk and Drainage)

West Sussex CC Guidance on Parking at New Developments (September 2020)

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.

Hassocks Neighbourhood Plan

The Neighbourhood Plan was 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 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 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
DPS4 - Flood Risk and Drainage
DPT4 - Parking and Electric Vehicle Charging Infrastructure
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 8, 11, 131 and 135 are considered to be relevant to this application.

ASSESSMENT

Character and Design

DP26 of the District Plan, in part, 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;*
- 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'*

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

'Development proposals will be supported where, they are in line with the Townscape Appraisal, and where the character and design:

- 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 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, 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'*

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.'

Principle DG51 of the Mid Sussex Design Guide SPD relates specifically to rear extensions states the following:

'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'.

A similar extension was approved at the property under DM/24/1599.

Rear extensions are widespread within the streetscene, including at adjoining No.15.

The proposal is considered to be of a subservient form and design which is in proportion and appropriate to the character of the existing dwelling. The extension would not be visible from the streetscene with matching or sympathetic materials proposed. Coupled with this, given its single storey nature, it is considered that it would be in keeping with the character of the area and the size and scale of existing and surrounding properties.

The external alterations to the garage are wholly in keeping with a domestic property with matching materials to be used to infill with the window and door being visually similar to the existing dwelling.

Therefore, the proposal complies with DP26 of the Mid Sussex District Plan, policy 9 of the Hassocks Neighbourhood Plan and principles DG49 and DG51 of the Mid Sussex Design Guide.

Sustainable Design

District Plan Policy DP39 states:

'All development proposals must seek to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate the following measures:

- o Minimise energy use through the design and layout of the scheme including through the use of natural lighting and ventilation;*
- o Explore opportunities for efficient energy supply through the use of communal heating networks where viable and feasible;*
- o Use renewable sources of energy;*
- o Maximise efficient use of resources, including minimising waste and maximising recycling/ re-use of materials through both construction and occupation;*
- o Limit water use to 110 litres/person/day in accordance with Policy DP42: Water infrastructure and the Water Environment;*
- o Demonstrate how the risks associated with future climate change have been planned for as part of the layout of the scheme and design of its buildings to ensure its longer term resilience'*

Policy 5 of the Hassocks Neighbourhood Plan states:

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

This is a proposal which does not affect the overall sustainability of the house. 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 this is not considered that this would warrant the refusal of the proposal.

Neighbouring Amenities

In terms of neighbouring amenities, Policy 9 of the Hassocks Neighbourhood Plan requires residential amenities to not cause unacceptable harm, while DP26 of the Mid Sussex District Plan 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 HNP 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.

Given the single storey nature of the proposal and the extended nature of the adjoining No.15, light and outlook will not be unacceptably harmed. Given the single storey nature of the proposal, harm to privacy and outlook will not be unacceptably harmed.

Therefore, in terms of neighbouring amenities the proposal complies with DP26 of the Mid Sussex District Plan and policy 9 of the Hassocks Neighbourhood Plan.

Parking Provision

As the garage is to be lost from a car parking perspective, parking standards has to be assessed.

Policy DP21 of the District Plan relates to transport and states in part that development proposals should provide *'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.'*

The WSCC Car Parking Demand Calculator recommends that a house with 3 bedrooms in this location has 2.1 off road parking spaces. The shared driveway (with No.19) has parking for two cars each with alternative forms of transportation (Buses and trains) available within walking distance with no on street parking restrictions. As such, it is considered that sufficient off-road parking will remain, thereby according with policy DP21 of the District Plan and the WSCC Parking Standards Guidance.

Flood Risk and Drainage

Policy DP41 of the District Plan concerns Flood Risk and Drainage. It states in part:

'Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates'.

Our mapping system shows that the extension is to be located within risk of surface water flooding at less than a 1 in 1000-year event.

It is noted that the floor level of the proposed is to match the existing floor levels with the existing access and egress routes available in the event of flooding.

The Council's Drainage Engineer has commented stating that they had no objection with any drainage matters managed via building regulations. Therefore, the proposal is considered to be in line with policy DP41 of the Mid Sussex District 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

In conclusion, the proposal is considered to address the character and scale of the existing and surrounding buildings, it would not cause unacceptable harm to the amenities of neighbouring properties, would provide sufficient off-street parking, would not increase flood risk and would have an acceptable impact in terms of sustainability. The application is also exempt from the requirement to provide biodiversity net gain.

Therefore, the proposal complies with policies DP21, DP26, DP39 and DP41 of the Mid Sussex District Plan, principles DG49 and DG51 of the MSDC Design Guide SPD, policies 5 and 9 of the Hassocks Neighbourhood Plan, West Sussex Parking Standards Guidance and with the relevant paragraphs of the NPPF.

Decision: Permission

Case Officer: Andrew Horrell