

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0326	Case Officer:	Peter Davies
Application Type:	Householder Application		
Proposal:	Proposed single storey rear extension.		
Site:	5 Park Road, Burgess Hill, West Sussex, RH15 8EU, , , ,		
Validation Date	10 Mar 2025	Overall Expiry Date:	11 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	11 Jun 2025
Target Date:	5 May 2025	Recommending Officer Signature:	<i>Peter Davies</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	12 Jun 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0326

**5 Park Road, Burgess Hill, West Sussex, RH15 8EU, , ,
Proposed single storey rear extension.
Mr Richard Cooper**

REPRESENTATION RECEIVED

1 letter of representation has been received in support of the application from neighbouring property no. 7 Park Road for the following reasons:

- No. 7 has received permission for a rear extension and the extensions would be of a similar depth.
- The extension would not be seen.

SUMMARY OF CONSULTEES

Southern Water

Following the weekly list sent on 17th March 2025, 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.

MSDC Conservation Officer

The application site, 5 Park Road, is one half of a handed pair of semi-detached houses located to the south side of Park Road within the St Johns Road Conservation Area. Although the Council does not have an adopted character appraisal for this Area, the Council's document 'Conservation Areas in Mid Sussex' contains a brief high level analysis of the key features contributing to its character and appearance. These include:

*'o the well spaced reasonably large town houses along Park Road and Crescent Road; ...
o the variety of substantial residential properties dating from most of the periods of the town's
development from the latter half of the 19th century to the present day...'*

The houses at 5-7 Park Road date from the late 19th or early 20th century and are an imposing, symmetrically designed pair in a broadly Queen Anne revival style, with some Arts and Crafts inspired elements. The house pair retain period features including projecting bay windows over two and a half storeys, tile hung to the upper floors, recessed porches with flanking brick pilasters and terracotta 'sunflower' tiled panels, gabled dormer windows, prominent brick chimneys and casement windows with stained glass or multi-pane glazing to the upper part. While the front elevation of the building facing over

Park Road is the more visually prominent, the rear also has character, retaining for the most part the symmetry of the pair and features such as sash windows.

The current proposal is for a single storey rear extension.

There is relevant planning history at the adjacent property (7 Park Road), where planning permission has recently been granted for a single storey rear extension. This application was subject to significant amendment during its course following on from initially adverse Officer comments, in order to ensure that the character of the rear elevation of the building, including the surviving symmetry of the house pair, is preserved. In particular, the character of the approved addition follows the existing rear lean-to outshots, which appear to be original or reflecting the original appearance of this part of the building, and consist of a solid lean-to to the outer edge of the elevation, and a glazed lean-to at the centre -the footprint of the solid element was replicated, and the glazed element extended forward to meet this. This arrangement of part solid, part glazed lean-tos at rear ground floor is also shown in a handed form at no. 5 Park Road.

The current proposal at no. 5 removes both of the existing lean-to elements, and replaces them with a single flat roofed addition on an enlarged footprint.

In my opinion, the current proposal raises a number of concerns in terms of its impact on the character and appearance of the house pair and of the wider St John's Conservation Area:

- The existing lean-to outbuilding and conservatory to the rear of the building appear on early maps depicting the properties and although particularly in the case of the conservatory it is not clear whether this is the original construction or a replacement, they are mirrored by similar elements to no. 5, and make a neutral or modest positive contribution to the character of the house. As above, the recent permission at no. 7 was amended on officer advice to ensure that this character was preserved. I would expect any proposal at no. 5 to do the same.
- Viewed in isolation of the loss of the existing lean-tos, the currently proposed rear extension would not be considered sympathetic to the host building in its footprint, form or detailed design.
- The proposal would for these reasons detract from the character and appearance of the house, and the villa pair of which it is part, and the contribution which they make to the wider Conservation Area. In particular, the proposal removes original features of the rear elevation, detracts from the characteristic symmetry of the villa pair, and is unsympathetic in its form and detailed design to the host building.

For these reasons I would consider that as submitted the proposal results in harm to the character and appearance of the St John's Conservation Area, contrary to the requirements of District Plan Policy DP35. In terms of the NPPF it results in less than substantial harm to the significance of the asset, such that the balancing exercise set out in paragraph 215 will apply.

The principle of a rear addition is not however considered contentious. An amended proposal, retaining the form and footprint of the existing solid lean-to (including the roof form) and introducing a glazed infill lean-to addition adjacent to this, in a similar format to the approval at no. 7, might be more favourably viewed. The detailed design and materials should also be amended to relate better to the host building. For reference, the approved plans at no. 7 can be viewed online via our website by searching for the planning reference DM/24/2278.

TOWN COUNCIL OBSERVATIONS

Recommend Approval.

INTRODUCTION

The application seeks planning permission for the demolition of the existing lean-to conservatory and lean-to rear protrusion and its replacement with a single storey flat roof rear extension.

RELEVANT PLANNING HISTORY

No relevant history.

SITE AND SURROUNDINGS

The application property is a semi-detached three-storey dwelling located on the south side of Park Road. The dwelling is set back from the highway with off street parking

The existing dwelling is set within a relatively large plot with ample garden amenity space stretching out to the south in a linear format. The existing property displays a strong degree of symmetry to its principal elevation featuring a three storey tile hung bay and pitched dormer at second floor level whilst possessing a shared central chimney stack. The existing dwelling is composed of red brick, hanging tile cladding, white rendered finish to the rear exterior walls, concrete interlocking roof tiles to the roof and white painted timber fenestration.

The rear elevation conservatory features a low level rendered wall, a polycarbonate sheet roof and white painted timber fenestration.

The sites locality features an eclectic mix of detached and semi-detached dwellings set back from the roadside with some variation in dwelling size throughout the street scene. A number of town houses can be observed within the locality of some age, predominantly from between the 19th century to the present time.

With regard to policy constraints, the site is located within the Burgess Hill built up area and is set within the St Johns Conservation Area.

APPLICATION DETAILS

The application seeks planning permission to demolish the existing brick built lean-to and the conservatory on the rear (southern) elevation. In their place a single storey rear extension is proposed. The extension would have a width of approximately 9.20 metres and a depth of 2.90 metres on the east side and 4.75 metres on the west side. The soffit will extend an extra 0.50 metres making the total depth 5.25 metres. The extension would have a flat roof with a height of 2.80 metres with a rooflight protruding 0.65 metres. The side elevation would contain 2 no. windows and the rear elevation would consist of bi fold doors and large near full height glazed windows.

The extension would be finished in white render to match the existing dwelling on the side with yellow London Stock on the rear 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 Burgess Hill 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
DP35 - Conservation Areas

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.

Burgess Hill Neighbourhood Plan (made January 2016)

Relevant policies:

Policy H1- Protecting and Enhancing Heritage Assets and Conservation Areas.

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 72(1) - Special attention to be paid to preserving or enhancing the character or appearance of a conservation area

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 stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to the some of 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 polices of the adopted District Plan.

Relevant Policies:

DPS1 - Climate Change

DPS2 - Sustainable Design and Construction

DPB1 - Character and Design

DPB3 - Conservation Areas

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)

Paragraphs 8, 11, 131 and 135 are considered to be relevant.

National Planning Policy Guidance

Ministerial Statement and Design Guide

ASSESSMENT

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

- Impact on the Conservation Area

- Design and Character
- Impact on neighbouring properties
- Other Matters
- Biodiversity Net Gain

Impact on the Conservation Area

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states 'In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of conservation preserving or enhancing the character or appearance of that area.'

In terms of the impact on the St Johns, Conservation Area, policy DP35 of the Mid Sussex District Plan states:

'Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:

- o New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials;*
- o Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character;*
- o Traditional shop fronts that are a key feature of the conservation area are protected. Any alterations to shopfronts in a conservation area will only be permitted where they do not result in the loss of a traditional shopfront and the new design is sympathetic to the character of the existing building and street scene in which it is located;*
- o Existing buildings that contribute to the character of the conservation area are protected. Where demolition is permitted, the replacement buildings are of a design that reflects the special characteristics of the area;*
- o Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;*
- o New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area.*

Development will also protect the setting of the conservation area and in particular views into and out of the area.

New buildings of outstanding or innovative design may be acceptable in conservation areas provided that their impact would not cause material harm to the area.

Policy H1 of the Burgess Hill Neighbourhood Plan notes that: *'Proposals within the Burgess Hill Conservation Areas will be required to preserve and enhance their special character or appearance. Support will be given to undertaking/updating appraisals and management plans for each Conservation Area.'*

Paras 210, 212-215 of the NPPF state:

'210. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

212. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the

asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

213. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

*a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

214. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

*a) the nature of the heritage asset prevents all reasonable uses of the site; and
b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

The application relates to an unlisted, semi-detached dwelling located within the St Johns Conservation Area. The Proposal has been reviewed by the Conservation Officer, who has commented on the application. The pair of dwellings are late 19th or early 20th century, and it has been advised that whilst the front of the building facing over Park Road is the more visually prominent side, the rear also has character, retaining for the most part the symmetry of the pair and features such as sash windows.

With regards to the proposed development, the Conservation Officer has concluded that the existing lean-to and conservatory make a neutral or modest positive contribution to the character of the house, the rear extension would not be considered sympathetic to the host dwelling in its footprint, form or detailed design. For these reasons the extension would detract from the character and appearance of the house and the villa pair of which it is part, and the contribution that they make to the wider Conservation Area. The proposal removes original features of the rear elevation and is unsympathetic in its form and detailed design to the host dwelling. However, Conservation Officer has noted that the principle of a rear extension is not contentious with an amended proposal, retaining the form and footprint solid lean-to and introducing a glazed infill lean-to might be more favourably viewed.

The Conservation Officers comments are noted, however as the proposed extension is to the rear of the property and not visible from the public realm it is considered that it would have a neutral impact on the St Johns Conservation Area.

As such it is considered that the proposed extension would not have a harmful impact on the St Johns Conservation Area and accords with policy DP35 of the Mid Sussex District Plan, Policy H1 of the Burgess Hill Neighbourhood Plan and the NPPF.

Design and Character

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:

- *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 DP27);*
 - *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.'*

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 relates 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 design terms, it is considered that the proposed extension is of a large contemporary flat roof design. Due to the scale and flat roofed nature of the proposed extension it does not respond to the design and character of the original dwelling or with the adjacent building of attached no. 7. Concerns to the design was also raised in the comments from the Conservation Officer.

The proposed materials of the extension would use Yellow London Stock brick which is out of character to the existing dwelling, which is constructed from red brick and render and the character of the area.

It is noted that there are some flat roof additions to properties along Park Road mostly consisting of attached flat roof garages of a similar design to the host dwelling and is therefore in keeping. However, no. 3 to the east consists of a face brick building that has an attached carport with a flat roof first floor extension above built in the 90s. Whilst this is not an attractive addition it is similar in appearance to the existing building.

It is therefore concluded that the design and form of the extension would result in a large unsympathetic addition to the dwelling and would detract from the character and appearance of the dwelling. The proposal therefore does not accord with policy DP26 of the Mid Sussex District Plan or the Mid Sussex Design Guide.

Impact on neighbouring properties

Policy DP26 of the Mid Sussex District Plan seeks to ensure 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 (see Policy DP29);'*

The proposed extension is up to the shared boundary with no. 7 Park Road to the west which is marked by close board fencing. The extension is single storey with no overlooking into the neighbouring amenity areas. Additionally, no. 7 has been granted planning permission for a single storey rear extension up to the shared boundary in application DM/24/2278.

The extension has windows on the east side however this will face onto the side of an outbuilding within the curtilage of the application property and will therefore not cause significant harm to amenities of any neighbouring properties.

The proposal is therefore, considered to comply with the above-mentioned part of Policy DP26 of the Mid Sussex District Plan in respect of the impact on neighbouring amenities.

Other Matters

Southern Water have provided comments on the proposal and state surface water should not be disposed of into a public foul sewer and that any new connection would require a new sewer connection application to be submitted and approved by Southern Water.

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 be acceptable regarding neighbouring amenity and impact on the St Johns Conservation Area. However, the proposal due to its design and form is unsympathetic and would be out of keeping with the character of the existing property. The proposal is therefore considered to be contrary to the requirements of policy DP26 of the Mid Sussex District Plan and Principles DG49 and DG51 Mid Sussex Design Guide and the NPPF

Decision: Refusal

Case Officer: Peter Davies