

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2984	Case Officer:	Stefan Galyas
Application Type:	Householder Application		
Proposal:	Proposed first floor rear extension.		
Site:	Burnside, Scaynes Hill Road, Lindfield, Haywards Heath, West Sussex, RH16 2QQ, ,		
Validation Date	6 Dec 2024	Overall Expiry Date:	2 Jan 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	28 Jan 2025
Target Date:	31 Jan 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	29 Jan 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2984

**Burnside, Scaynes Hill Road, Lindfield, Haywards Heath, West Sussex, RH16 2QQ,
Proposed first floor rear extension.
Mrs Sarah Pickering**

SUMMARY OF REPRESENTATIONS

There were no letters of representation received in response to the current development proposal.

SUMMARY OF CONSULTEES

None received.

TOWN/PARISH COUNCIL OBSERVATIONS

There was no response received from the Parish Council in this instance.

INTRODUCTION

The application seeks planning permission for the development of a rear elevation, first floor extension.

RELEVANT PLANNING HISTORY

LR/067/88 - First floor rear extension to form additional living accommodation. Refused 07.09.1988

LR/028/89 - Garage, Study, 2 Bedrooms. Permission 15.06.1989.

DM/21/3086 - Brookside Cottage, Scaynes Hill Road. Proposed two storey side and rear extension. Front storm porch/canopy. Permission 18.10.2021.

DM/22/3805 - Brookside Cottage, Scaynes Hill. Enlargement of raised platform as approved under application DM/21/3086. Permission 27.01.2023.

DM/22/1806 - Brookside Cottage, Scaynes Hill. Non material amendment to application DM/21/3086 - Front suspended storm porch changed to post and low level wall supported storm porch. Permission 29.06.2022.

SITE AND SURROUNDINGS

The application relates to Burnside, a semi-detached two storey dwelling set to the south-western side of the highway with access provided by a gravelled driveway. The dwelling is contained within a linear plot and is offered ample garden to the rear. An angular façade is presented to the roadside through the use of a catslide roof and a hipped roof to the main element of the dwelling. Existing external materials comprise a painted render and tile hanging to the walls, a plain tiled roof and white uPVC windows and doors.

There are a number of semi-detached dwellings clustered to the south-western side of the highway with some dwellings using a more uniform appearance than the application dwelling and the adjoining semi.

With regard to policy constraints, the site is located within the built-up area boundary for Haywards Heath and Lindfield.

APPLICATION DETAILS

The proposal would develop a rear elevation, first floor extension above the existing flat roofed element. As part of the development proposal, the dwelling would be re-roofed and would utilise a hipped and flat roof to facilitate the addition of the extension. The proposed extension would measure at approximately 2.8m in depth, 5m in width, have an eaves height of 5.6m and a ridge height measuring at 7.9m. Proposed external materials would constitute painted render walls, plain roof tiles and white uPVC windows and doors.

LEGAL FRAMEWORK AND LIST OF POLICIES

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

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

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

There are no relevant policies.

Neighbourhood Plan

Lindfield and Lindfield Rural Neighbourhood Plan (Made 2016)

Relevant Policies:

None applicable.

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 majority 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 policies of the adopted District Plan.

Relevant policies:

DPS1 - Climate Change

DPS2 - Sustainable Design and Construction

DPB1 - Character and Design

Mid Sussex Design Guide Supplementary Planning Document (SPD)

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

National Planning Policy Framework (NPPF) (December 2024)

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

National Design Guide (Published January 2021)

ASSESSMENT

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

- Character and Appearance
- Impact on Neighbouring Properties
- Biodiversity Net Gain

Character and Appearance

DP26 of the District Plan states:

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

- o is of high-quality design and layout and includes appropriate landscaping and greenspace;*
- o contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- o protects open spaces, trees and gardens that contribute to the character of the area;*
- o does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution'*

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 specifically relates to rear extensions and states that *'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.'*

Various other buildings within the site's locality have previously been extended through the addition of rear extensions in varying forms and styles. It is noted that the adjoining semi has previously been extended to the rear through the addition of a two-storey rear extension as well as a single storey lean to up against the shared boundary with the application site.

Whilst the proposed first floor rear extension would increase the overall size and bulk of the rear elevation when compared to the existing arrangement, it is considered that the extension would be of a limited depth measuring at around 2.8m. Furthermore, the proposed roof form is considered to be of a complex layout and would lack simplicity. Due to the proposals siting to the rear of the existing property, it is not considered that the extension would be perceivable from the public domain. Furthermore, the use of matching materials are considered to help the proposal assimilate well into the existing. As such, it is not considered that the proposal would give rise to an overly incongruous appearance. The proposal is therefore considered to comply with Policy DP26 of the District Plan and the relevant principles of the Mid Sussex Design Guide SPD.

Impact on Neighbouring Amenities

In terms of impact upon neighbouring amenities, Policy DP26 in part 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 DP29);'*

Principle DG47 of the Design Guide states among other matters that all dwellings should benefit from daylight and sunlight levels that conform to BRE (Better Regulation Executive) standards. Further guidance is set out within the "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" document. The "45 degree approach" should be taken whereby a 45 degree line is drawn from the top of the elevation and a second 45 degree line is taken from the end of the projection. If the neighbouring properties window lies within the centre of both lines, then the building will likely cause a significant reduction in light received to the concerned window. This guidance is taken as a rule of thumb and each planning application is assessed based on its own merits.

There is a window at the neighbouring dwelling set within a close proximity to the shared boundary which would be inset between the neighbouring two storey protrusion and the proposed first floor extension. The lower portion of the window utilises an obscure glazed finish whilst the upper portion uses translucent glass. The neighbouring window serves a bathroom and therefore does not serve a habitable room.

In relation to the 45-degree test, the proposed first floor extension would likely fail in plan format but would be acceptable when assessed in elevational form. As such, whilst the current light levels offered to the neighbouring window would likely be decreased, this would not impact a habitable room. It is also noted that no letters of representation were received in response to the proposed development.

A number of first floor rear elevation windows would be included which have the potential to increase the level of outlook when compared to the current window arrangement along the rear elevation. It is considered that views towards the neighbours would be contained to oblique angles and the windows would not directly overlook the neighbouring site. It is therefore considered that the proposal would result in an acceptable impact with regard to overlooking.

As such, it is considered that the proposal would not give rise to a significant overlooking or overbearing impact upon the adjacent neighbouring occupiers. The proposal would meet the provisions of DP26 of the 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 appropriate in terms of design and will not negatively impact on the host dwelling nor its immediate setting, will not result in harm towards neighbouring amenities and result in an acceptable highways impact.

The proposal will comply with Policy DP26 of the District Plan, the Lindfield and Lindfield Rural Neighbourhood Plan, the MSDC Design Guide and the requirements of the NPPF.

Decision: Permission

Case Officer: Stefan Galyas