

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/3004	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Proposed rear and side single storey extension		
Site:	3 Newlands Close, Hassocks, West Sussex, BN6 8BG, , , ,		
Validation Date	11 Dec 2024	Overall Expiry Date:	8 Jan 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	29 Jan 2025
Target Date:	5 Feb 2025	Recommending Officer Signature:	Andrew Horrell

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

MID SUSSEX DISTRICT COUNCIL

DM/24/3004

**3 Newlands Close, Hassocks, West Sussex, BN6 8BG, , ,
Proposed rear and side single storey extension
Mr And Mrs Godley**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

Southern Water: Following on from the Weekly list sent on 28th December 2024, 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.

Drainage and waste disposal: Approved Document H - GOV.UK (www.gov.uk)

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.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119)

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 Archetypes 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

Planning permission is sought for single storey side and rear extensions.

RELEVANT PLANNING HISTORY

None relevant

SITE AND SURROUNDINGS

3 Newlands Close is a two storey semi-detached pitched roofed dwelling. The walls are a mix of face brickwork and hanging tiles, upvc doors and windows. There is an existing brick built lean-to to the rear of the attached garage serving the utility which is characterised by timber doors and windows.

To the south of the site is the driveway to the highway, to the north of the site is the rear garden with neighbouring 1 Damian Way beyond, to the east of the site is the set back no.5 Newlands Close and to the west of the site is the adjoining No.1 Newlands Close.

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

APPLICATION DETAILS

The proposed side/rear extension approximately measures 7.2m in depth, 8.25m in width with a height to eaves of 2.45m and an overall height of 3.5m. To the rear of the garage will be a boot room and office, the kitchen/dining room is to be enlarged and become open plan. There will be two rear velux windows and one side velux window.

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 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 (Design and Character)

DP39 (Sustainability)

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 - 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 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:

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 8, 11, 131 and 135 are considered to be relevant to this application

ASSESSMENT

Character and Design

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:

- 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 DG50 of the Mid Sussex Design Guide SPD relates specifically to side extensions states the following:

'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.'

A single storey rear extension has been approved at adjoining No.1 Newlands Close, Hassocks (DM/24/1565).

The proposed rear single storey addition at No 3 Newlands Close would extend to a depth of some 3.35m from the rear wall of the house. The adjacent house at No 1 has not been extended on the ground floor to the rear. However, the bulk of the proposed extension will be screened by the mutual boundary fence which lies between the two rear garden areas. The shallow hipped roofline on the proposed addition will slope away from the mutual boundary and this helps to alleviate the bulk of the addition, and will also ensure that light received to the rear amenity space at No 1 to the west is not harmfully affected.

Being to the rear of the house the extension will not be seen in public vantage points from Newlands Close or from Damian Way, which is located to the east. The proposed single storey addition will not be out of keeping and represents a subordinate addition to the house. The proposal is considered acceptable as a subordinate extension to the house.

Therefore, the proposed extension will accord with District Plan Policy DP26, Neighbourhood Plan Policy 9 and Mid Sussex Design Guide Principles DG50 and DG51.

Impact on residential amenities

In assessing the potential impact of the proposed extension works upon the neighbouring amenities consideration needs to be given to District Plan Policy DP26 and Neighbourhood Plan Policy 9. Policy DP26 requires that *'All applicants will be required to demonstrate that development does not cause significant harm to the amenities of existing nearby residents and future occupants of the new dwellings.'*

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

Part 6 of Neighbourhood Plan Policy 9 refers to the impact of development upon neighbouring amenity and requires that it *'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'*.

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 Neighbourhood Plan, dating from June 2020, 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.

The proposed rear extension will project approximately 3.35m into the back garden from the rear wall of this semi-detached house. The floor level in the extension will correspond with that of the existing property, and the proposed rear bifold doors will provide access onto the extended patio area to the rear of the property.

The existing side garden boundaries at No 1 Newlands Close are screened with solid close boarded fences. These provide a reasonable degree of privacy between the existing rear gardens at Nos 1 and 3 and for the immediate neighbouring property located at No 1 Damian Way, which has a garden backing onto the site. It is considered that the enjoyment of the adjacent gardens and amenity spaces will not be compromised as a result of the proposed development of the extension.

It is considered that the proposals are acceptable in terms of the neighbouring amenities.

The proposal is therefore found to accord with District Plan Policy DP26, Policy 9 of the Neighbourhood Plan and the overall principles of the Design Guide.

Sustainable development

Policy 5 of the Hassocks Neighbourhood Plan states:

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

The Parish Council have advised the applicant 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 the above policy. However, owing to the small-scale nature of the proposal it is not considered to have any impact on the overall sustainability of the dwelling and these details can be secured through Building Regulations, as such is considered acceptable in regards to the above mentioned policy.

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 side/ rear extension is in keeping in form and design with the original building and will not adversely impact upon public views of the house or the street scene in Newlands Close or Damian Way.

It is considered that the proposal will not cause significant harm to the neighbouring amenities, or impact adversely upon their privacy or light.

The proposal would have an acceptable impact in terms of sustainability.

The proposal accords with District Plan Policy DP26 and Policy 9 of the Hassocks Neighbourhood Plan and the relevant Design Guide Principles.

As a householder application this development is exempt from the requirement to provide biodiversity net gain.

Consequently this application is recommended for approval.

Decision: Permission

Case Officer: Andrew Horrell