

## Delegated Decision

### Sign off Sheet

|                                              |                                                                                        |                                        |             |
|----------------------------------------------|----------------------------------------------------------------------------------------|----------------------------------------|-------------|
| <b>Ref. No:</b>                              | DM/25/2097                                                                             | <b>Case Officer:</b>                   | Anna Tidey  |
| <b>Application Type:</b>                     | Removal/Variation of Condition                                                         |                                        |             |
| <b>Proposal:</b>                             | Variation of condition 2 of planning application DM/24/1565 - to allow design changes. |                                        |             |
| <b>Site:</b>                                 | 1 Newlands Close, Hassocks, West Sussex, BN6 8BG, , , ,                                |                                        |             |
| <b>Validation Date</b>                       | 26 Aug 2025                                                                            | <b>Overall Expiry Date:</b>            | 17 Sep 2025 |
| <b>Pre-Commencement Conditions Required:</b> |                                                                                        | <b>Pre-Com Conditions Date Agreed:</b> |             |
| <b>Recommendation:</b>                       | Permission                                                                             | <b>Recommendation Date:</b>            | 20 Oct 2025 |
| <b>Target Date:</b>                          | 21 Oct 2025                                                                            | <b>Recommending Officer Signature:</b> | Anna Tidey  |

|                                                        |  |                               |   |
|--------------------------------------------------------|--|-------------------------------|---|
| <b>Date Legal Agreement Completed: (if applicable)</b> |  | <b>No of Representations:</b> | 0 |
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|                              |             |              |             |
|------------------------------|-------------|--------------|-------------|
| <b>Signed and Agreed By:</b> | Steven King | <b>Date:</b> | 21 Oct 2025 |
| <b>Comments:</b>             |             |              |             |

## **MID SUSSEX DISTRICT COUNCIL**

**DM/25/2097**

**1 Newlands Close, Hassocks, West Sussex, BN6 8BG, , ,  
Variation of condition 2 of planning application DM/24/1565 - to allow design changes.  
Mr And Mrs Greene**

### **SUMMARY OF REPRESENTATIONS**

None received.

### **SUMMARY OF CONSULTEES**

None.

### **TOWN/PARISH COUNCIL OBSERVATIONS**

Hassocks Parish Council: Recommend permission is granted.

### **INTRODUCTION**

This application seeks planning permission to amend condition 2 of planning application DM/24/1565 - to allow for design changes to the approved plans.

Works have commenced on site to start the construction of the approved single storey rear extension.

### **RELEVANT PLANNING HISTORY**

DM/25/2125. Non Material Amendment to application DM/24/1565 - to remove the bracketed wording relating to the plans from the original application description. Approved August 2025.

DM/24/1928. Lawful Development Certificate: The proposed works include a loft conversion with a gable roof extension and a rear flat roof dormer. Approved October 2024.

DM/24/1565. Proposed rear single storey extension with pitched roof. New high level slot window to ground floor of existing external side wall. Amended Plans received 08.08.2024 removing Loft conversion/extensions. Approved September 2024.

DM/24/1928. Lawful Development Certificate - Proposed loft conversion with a gable roof extension and a rear flat roof dormer. Approved October 2024.

09/03424/LDC. Single storey extension to existing semi-detached dwelling to enlarge kitchen. This is an application to establish whether the proposed development is lawful: this will be a legal decision where the planning merits of the proposed development cannot be taken into account. Approved December 2009.

### **SITE AND SURROUNDINGS**

No 1 Newlands Close is a 3 bed semi-detached house located on the northern side of the road and close to the Ockley Lane junction in Hassocks.

The property has a single storey side element, which appears to originate from a converted former garage. The attached semi-detached house (at No 3) has a similar ground floor layout. The side element

currently accommodates a study and a shower room. To the rear of this a single storey infill addition has enlarged the original kitchen.

At the front of the house there is a parapet roof, which obscures the lean to roof, which extends over the rooms in this side element. Within this roof there are 4 rooflights, providing light to the inner spaces.

To the front of the house there is a vehicular access with a dropped kerb to allow 2 to 3 cars to park off the road on a gravelled area.

The site is located in the designated built up area boundary of Hassocks.

## **APPLICATION DETAILS**

The current application has been submitted under Section 73 of the Town and Country Planning Act and seeks permission to vary Condition 2 of planning application DM/24/1565, which reads as follows:

### **'Approved Plans**

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.'

Planning permission was granted under application DM/24/1565 to add a rear single storey addition to accommodate an enlarged kitchen and an open plan dining room, extending across the full width of the rear elevation.

The approved plans showed the single storey addition constructed in matching brickwork, with a hipped roof angled off the mutual boundary with the adjoining neighbour's property at No 3 Newlands Close.

The proposed plans alter the roofline on the rear extension from the approved hipped roofline, extending away from the mutual boundary. The proposed plans show a wall constructed on the mutual boundary up to which a new lean to roofline will extend. A similar rear single storey addition is under construction at No 3.

The application has been supported by a Planning Statement which explains the reason for the proposed changes, as follows:

'The rear extension is proposed to have a party wall between the adjoining property extension (to be constructed) and the new extension, therefore the extension wall will join the party wall also. The roof design has been amended to adjoin the party wall.'

## **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, the Hassocks Neighbourhood Plan and Site Allocation Development Plan Document (DPD).

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

There are no policies deemed relevant to this application.

### **Hassocks Neighbourhood Plan, made on 24 June 2020**

The following policies are considered relevant when considering this application:

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.

#### *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.

DPS2 Sustainable Design and Construction

DPS6 Health and Wellbeing

DPB1 Character and Design

#### National Planning Policy Framework (NPPF) (December 2024)

### **ASSESSMENT**

This application is made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. The Act states that '*On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and-*

*(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and*

*(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.'*

The result of this application would be to issue a new planning permission, but in light of the legislation above, it is not considered necessary to go through all of the original planning issues in this report. The specific changes to the plans that are now proposed are considered below with regards to the design and impact upon the neighbours.

## **Design**

District Plan Policy DP26 is relevant in the determination of this application. Policy DP26 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 DP29);*
- \* 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.'*

Also relevant in the determination of the application is Policy 9 of the Hassocks Neighbourhood Plan, which states:

### *'Policy 9: Character and Design*

*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 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.'*

Also relevant in the determination of the application is the design guidance contained in the Mid Sussex Design Guide, which seeks good design in house alterations and extensions. Design Guide Principle DG49 states:

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

*Extensions should typically use simple, uncomplicated building forms to complement 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.*

*Extensions should not result in a significant loss to the private amenity area of the dwelling.*

*There are two general approaches to extending a property:*

*-designing in the style of the existing building by closely matching its facing materials, architectural features, window sizes and proportions; and*

*-designing in a contemporary style that takes its cues from key aspects of the existing building that might include its underlying form and proportions, facing materials, window design and other specific architectural features. The success of this approach is particularly reliant on high quality facing materials and finishes, and this will normally need to be demonstrated through detailed elevations and section drawings.*

*Both approaches can create successful, well designed extensions that can be mutually beneficial to both the house and the wider area. All extensions and alterations should consider their impact on neighbouring properties (refer to Chapter 8 on residential amenity).'*

Principle DG51 of the MSDC Design Guide 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.'*

The principle of the residential extension of No 1 Newlands Close was found acceptable under planning application DM/24/1565.

The proposed design amendments represent minor alterations to those approved under the original consent, and will adjoin the extension works which are also in progress at the attached house at No 3 Newlands Close.

Consequently the alterations are considered to accord with the aims of District Plan Policy DP26, Policy 9 of the Hassocks Neighbourhood Plan and the principles of the Design Guide.

### **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 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 rear projection of the proposed extension has not been altered. This matches that on the similar extension under construction at No 3. Once the extension works are completed the solid close boarded fence will be reinstated on the mutual boundary to provide privacy between the existing rear gardens at Nos 1 and 3.

The other immediate neighbouring properties are located at Nos 18 and 20 Ockley Lane, which have gardens backing onto the site, screened by similar boundary fences.

It is considered that the enjoyment of the adjacent gardens and amenity spaces will not be compromised as a result of the proposed change in roof form on the rear extension.

It is considered that the proposal is 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.

#### 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.

#### **CONCLUSION**

In conclusion, the proposed altered roofline on the 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.

The proposal would accord with Policy DP26 of the District Plan, Policy 9 of the Hassocks Neighbourhood Plan and the Design Guide principles.

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

It is considered that the proposed rear extension will be adequately screened by the existing boundary fences and therefore will not adversely impinge upon the neighbouring amenities or the privacy of the occupants of the adjacent properties.

Consequently this application is recommended for approval.

Decision:       Permission

Case Officer: Anna Tidey