

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1532	Case Officer:	Anna Tidey
Application Type:	Householder Application		
Proposal:	Proposed single storey rear extension.		
Site:	7 Nye Road, Burgess Hill, West Sussex, RH15 0JY, , , ,		
Validation Date	13 Jul 2026	Overall Expiry Date:	25 Sep 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	29 Sep 2026
Target Date:	7 Sep 2026	Recommending Officer Signature:	Anna Tidey

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Joanne Fisher	Date:	30 Sep 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1532

**7 Nye Road, Burgess Hill, West Sussex, RH15 0JY, , ,
Proposed single storey rear extension.
Mr And Mrs Surtie**

SUMMARY OF REPRESENTATIONS

None received.

CONSULTATIONS

Drainage: No objection on surface water grounds.

Naturespace Newt Officer: The proposed development is not considered to be relevant to the District Licensing Scheme and we consider there would be no likely impact on Great Crested Newts or their habitats. I therefore have no comments.

TOWN COUNCIL OBSERVATIONS

Burgess Hill Town Council: Recommend Approval.

INTRODUCTION

This application seeks planning approval for a single storey rear extension at No 7 Nye Road off Junction Road in Burgess Hill.

RELEVANT PLANNING HISTORY

None.

SITE AND SURROUNDINGS

No 7 Nye Road is a semi-detached Victorian style house located on the southern side of Nye Road, backing onto the branch line off Junction Road.

The house is located inside the Built up Area of the town, in a Red Impact Risk Zone for Great Crested Newts and within an area susceptible to surface water flooding.

APPLICATION DETAILS

The proposed extension is a single storey addition which is located at the rear of the house. It will infill between the rear wall on the property and the rear two storey projection, extending to the furthest extent of the back wall.

The proposed extension measures approx. 5.2m deep by a maximum of 2.2m wide, to line up with the side wall of the house, which will allow for the retention of a side access pathway to serve the rear garden alongside the extension.

The proposed extension will be constructed with a lean to roofline, sited below the first floor window cills. Two roof lights are proposed in the side roofline and a glazed end gable is proposed over a pair of French doors located in the rear wall of the addition.

The proposed new extension will be built in matching brickwork, with interlocking roof tiles to match those on the main roof. White fascias and windows are proposed to match those in the house.

The submitted floor plans show that the proposed extension will allow an open plan kitchen /diner to be formed at the rear of the house, with the removal of the existing outer ground floor wall. Other internal alterations include the provision of a new ground floor toilet and the removal of the wall between the front and rear rooms in the main house to create a single open plan room.

The submitted plans indicate an enlarged double sash style window on the back wall of the house, measuring 1.6m wide. The proposed floor plans show the insertion of two new 0.6m wide high level windows in the side wall of the house to replace the window covered by the addition at the rear of the house. Amended Elevation Plans have been received to show the position and style of these two new windows.

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 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
DP38 - Biodiversity
DP41 - Flood risk and Drainage

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 relevant policies.

Neighbourhood Plan

Burgess Hill Neighbourhood Plan - made January 2016.

No relevant policies.

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 is currently at Examination with initial hearings held in February/March 2026. The Council has consulted on Main Modifications which are required to ensure the plan is legally compliant and sound with further Hearings taking place in November 2026. The District

Plan remains at Examination until the Inspector has published his report, until that time 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

DPS6 Health and Wellbeing

DPN1 Biodiversity, Geodiversity and Nature Recovery

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) (August 2026)

ASSESSMENT

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

Design

Impact on residential amenities

Flood risk and Drainage

Biodiversity

Biodiversity Net Gain

Design

Policy DP26 of the District Plan relates to character and design. However, this policy has very limited weight as it is materially inconsistent with the NPPF, and greater weight should be given to Policy DP3 of the NPPF.

Policy DP3 of the NPPF sets out the key principles for well-designed places. This sets out in part that proposals should respond to their context, so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.

The Council's adopted Design Guide is a material consideration in the determination of the application. Chapter 9 of the Design Guide relates to household extensions. Design Principle DG49 states that 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.

Design Guide Principle DG51 refers to rear extensions. The guidance states that rear extensions that are not visible from the street and do not negatively impact on neighbouring properties can be expressed in many forms, but should consider the character of the existing building and the relationship to adjacent buildings and gardens.

The proposed rear extension represents a subordinate addition to the host building. The proposed single storey extension will allow the reconfiguration of, and addition to, the ground floor living space. The proposed brick walls are appropriate for the house, which is constructed in brick with a concrete roof tile. The use of a slate roof tile is considered acceptable on this age of property. The associated removal of the existing pergola is also acceptable.

It is considered that the design of the addition will complement the existing building design and will accord with District Plan Policy DP26, the aims of NPPF Policy DP3 and the overall principles of the Design Guide.

Impact on residential amenities

Policy DP26 in part seeks to ensure that new development does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings. It is considered that this policy has very limited weight as it is materially inconsistent with the NPPF and consideration should be given to Policy P3 of the NPPF.

Policy P3 of the NPPF relates to living conditions and pollution. Part 2(b) of this policy requires proposals *'Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site'*.

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.

The proposed extension will not have a significant impact upon the outlook and amenities of the occupiers of the adjacent dwelling at No 8 Nye Road, which sides onto the site. No 8 has been similarly extended, but with a wider single storey rear addition, that extends to the side of that house. A close boarded fence which lies on the boundary between the two houses limits views of the side wall of that addition. There are no windows in the side gable of No 8 to provide views of the proposed extension. The rear first floor window at No 8 has views over the lean to roofline of the extension to that house, but would not be impacted by the proposed similar addition at No 7.

As such the proposal is not considered to cause unacceptable harm to the amenities of nearby residents. The proposal is therefore, considered to comply with District Plan Policy DP26, and Policy P3 of the NPPF.

Flood Risk and Drainage

The site falls within an area of identified surface water flooding. The application has been accompanied by a Flood Risk Assessment.

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.'*

Policy F7 of the NPPF is relevant. This contains a series of criteria against which proposed development should be assessed to ensure that development is safe from flooding.

The Council's Flood Risk and Drainage Team Engineer has reviewed the submitted Flood Risk Assessment and finds the proposal acceptable on surface water grounds.

The proposal is, therefore, considered to comply with District Plan Policy DP41, and Policy F7 of the NPPF with regards to potential flooding.

Biodiversity

The site falls within a Red Impact Risk Zone for Great Crested Newts, and as such the Newt Officer has been consulted on the proposal. She has raised no objection to the proposed development.

The relevant District Plan Policy with regards to biodiversity and its protection is DP38. This policy has very limited weight as it is materially inconsistent with the NPPF.

The relevant NPPF Policies are N2: Improving the natural environment and N6: Areas of particular importance for biodiversity and geodiversity. These policies seek to minimise any adverse impacts on biodiversity (N2.1f) and to support the conservation of important habitats (N6.1)

Given the consultee response the development will accord with the aims of District Plan Policy DP38, and new NPPF Policies N2 and N6.

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 design, scale and materials of the proposed works will relate well to the existing property and would not cause unacceptable harm to the amenities of nearby residents. The application is also exempt from the requirement to provide biodiversity net gain. Therefore, the application complies with District Plan Policy DP26, and Policies DP3 and P3 of the NPPF.

The proposal will comply with District Plan Policy DP41, and Policy F7 of the NPPF with regards to potential flooding.

Consequently this application is recommended for approval.

Decision: Permission

Case Officer: Anna Tidey