

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2968	Case Officer:	Tracie Axford
Application Type:	Householder Application		
Proposal:	Retrospective application for a first floor rear extension with juliette balcony		
Site:	20 Marlborough Drive, Burgess Hill, West Sussex, RH15 0EU, , , ,		
Validation Date	1 Dec 2025	Overall Expiry Date:	22 Dec 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	29 Jan 2026
Target Date:	26 Jan 2026	Recommending Officer Signature:	<i>Tracie Axford</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	29 Jan 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2968

**20 Marlborough Drive, Burgess Hill, West Sussex, RH15 0EU, , ,
Retrospective application for a first floor rear extension with juliette balcony
Mr Warren Dodds**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

None

TOWN/PARISH COUNCIL OBSERVATIONS

Burgess Hill Town Council recommend approval while regretting the retrospective nature of the application.

INTRODUCTION

The application seeks retrospective planning permission for a first floor infill rear extension with juliette balcony.

RELEVANT PLANNING HISTORY

12/02138/FUL - Single storey rear extension and first floor rear extension over existing ground floor. (amended plan received 15th August 2012 amended external materials) Permission 2012-09-10

SITE AND SURROUNDINGS

The application dwelling is a detached two-storey dwelling with a single storey flat roofed garage. The dwelling is brick built with timber cladding to the first floor. To the front of the dwelling there is a driveway with space for 3-4 cars.

The property is set back from the highway with off road parking. Marlborough Drive is characterised by mainly detached properties which vary in scale and design, many of which have benefitted from various extensions and alterations.

The application site lies within the built up area of Burgess Hill as defined in the District and Neighbourhood Plan.

APPLICATION DETAILS

The proposed extension is at first floor level and will be built above the existing rear single storey extension. The existing extension projects approximately 3.4 metres from the rear elevation. At ground floor level, it spans slightly beyond the full width of the rear elevation, while at first-floor level, the extension occupies only the southern portion of the rear elevation.

The proposal is to enlarge this extension, by infilling at first floor level, so that it forms a two-storey addition across the full width of the rear elevation. It is proposed that the roof of the new extension will be pitched with its maximum height lower than both the existing roof dwelling and the roof of the previous extension. A juliette balcony is proposed on the new infill extension. Two high-level windows are

proposed on the side elevation facing no. 22 Marlborough Drive. All proposed materials will match the existing dwelling.

This application is retrospective in nature as building work has already commenced, but has not yet been completed.

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

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

The Burgess Hill Neighbourhood plan was made in 2016.

There are 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 (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.

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)

ASSESSMENT

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

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

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.'*

The existing extension projects approximately 3.4 metres from the rear elevation. At ground-floor level it spans slightly beyond the full width of the rear elevation, while at first-floor level the extension occupies

only the southern portion of the rear elevation. The proposal is to enlarge this extension so that it forms a two storey addition across the full width of the rear elevation.

It is proposed that the roof of the new extension will be pitched with its maximum height lower than both the existing roof dwelling and the roof of the previous extension. A Juliette balcony is proposed on the rear elevation matching the existing one on the previous extension. Two windows, high above the floor level are also proposed to the side elevation facing no. 22 Marlborough Drive. All proposed materials will match the existing dwelling.

It is therefore considered that the proposal is appropriate in terms of design and will not negatively impact the host dwelling. It will not be visible from the public domain so would therefore not have a harmful impact on the character of the area.

The proposal is therefore considered acceptable in terms of design, form and scale and complies with policy DP26 of the Mid Sussex District Plan.

Impact on neighbouring properties

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 Policy DP29);'

The extension is to the rear of the property and views of it will be limited from the neighbouring property. The windows proposed on the side elevation are positioned approximately 1.7m above the floor level. Given the nature of the proposal, there will be minimal impact in terms of light, privacy and overlooking to the neighbouring properties. Therefore, in terms of neighbouring amenities, the proposal is deemed to comply with DP26 of the Mid Sussex 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

The proposals is appropriate in terms of design, will not negatively impact on the host dwelling nor its immediate setting and would not cause significant harm to neighbouring amenities. Therefore, the proposal complies with DP26 of the Mid Sussex District Plan, principles DG49 and 51 of the Mid Sussex Design Guide and the relevant paragraphs of the NPPF.

Decision: Permission

Case Officer: Tracie Axford