

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/3067	Case Officer:	Catherine Cardin
Application Type:	Householder Application		
Proposal:	Single storey rear extension		
Site:	17 The Oaks, Burgess Hill, West Sussex, RH15 9XP, , , ,		
Validation Date	19 Dec 2024	Overall Expiry Date:	13 Jan 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	10 Feb 2025
Target Date:	13 Feb 2025	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	11 Feb 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/3067

**17 The Oaks, Burgess Hill, West Sussex, RH15 9XP, , ,
Single storey rear extension
Mrs Nicola Kerr**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Southern Water

No objections.

TOWN COUNCIL OBSERVATIONS

Recommend approval.

INTRODUCTION

Planning permission is sought for a single storey rear extension to replace an existing conservatory.

RELEVANT PLANNING HISTORY

BH/158/92- Outline application- residential development for 50 dwellings, together with public play areas. The construction of part of the western Distributor Road. Provision of temporary access to Gatehouse Lane. Permission.

HP/026/95- Application for approval of reserved matters: proposed erection of 45 new two storey 3 and 4 bedroom houses with associated garages, including retention of existing 4 bedroom detached house (cedram). Permission.

04/01494/FUL- Proposed single storey rear and side extension. Permission.

SITE AND SURROUNDINGS

17 The Oaks is a two-storey detached property. It is constructed of red brick, with white uPVC windows and a plain tile roof. The dwelling benefits from off road parking to the front of the property. The dwelling has been previously extended to the side, a conservatory, and the rear.

The application site lies in the built-up area of Burgess Hill. A neighbouring property is located to the east. There is also highway to the west and south of the property.

APPLICATION DETAILS

Planning permission is sought for a single storey rear extension to replace an existing conservatory. This would measure some 4.9 metres in width and some 3.6 metres in depth. A pitched roof is proposed that would have a maximum height of some 3.6 metres and eaves height of some 2.6 metres.

It is proposed to install white aluminium bi-fold doors on the southern elevation. It is also proposed to install a high-level window on the eastern elevation. This would be clear glazed and at a height of some 1.6 metres from ground level.

It is proposed that the walls, roof and window materials would match the existing.

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.

Neighbourhood Plan

Burgess Hill Neighbourhood Plan (made 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 (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

DPS6 - Health and Wellbeing

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:

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 protects valued townscapes and the separate identity and character of towns and villages;
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 (see Policy DP29);
o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;
o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;
o positively addresses sustainability considerations in the layout and the building design; o 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;
o optimises the potential of the site to accommodate development.'

The Mid Sussex Design Guide SPD also provides advice for extensions to dwellings. Principle DG49 states that:

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

In terms of rear extensions, principle DG51 states that where they;

'...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 application relates to an established residential area of Burgess Hill, where properties are of a similar age and design.

The proposed single storey extension is of a modest scale and uncomplicated design which responds positively to the existing dwelling and would create a more balanced appearance overall. As the proposal includes materials to match the existing, it is considered that the development would provide a consistent finish.

As there is highway to the south of the property, and the proposed extension will be taller than the existing close board fencing, the extension will be visible from the highway to the south of the property. However, given the modest height and acceptable design of the proposal, it is not considered that it would have a harmful impact on the character of the area.

Taking into account the above, the proposal is considered to address the character of the existing dwelling and the surrounding buildings, and as such the proposal is deemed to comply with the above part of policy DP26 of the District Plan, and principles DG49 and DG51 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);'

Regarding the neighbour at 16 The Oaks, whilst this property has a conservatory to the rear, the proposed extension would be offset from the shared boundary by some 1.3 metres. Due to this distance between the properties, it is not considered that there would be significant loss of light or outlook to no.16. It is noted that a high-level window is proposed in the side (eastern) elevation. As the proposed window is situated some 1.8 metres from ground level, the proposal is not considered to give rise to any significant overlooking concerns.

Due to the domestic nature of the proposed development, it is considered that there would not be a harmful impact in terms of noise, air and light pollution.

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.

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 and will not harm neighbouring amenities.

The proposal would therefore accord with the requirements of policy DP26 of the Mid Sussex District Plan, the Mid Sussex Design Guide SPD and the relevant provisions of the NPPF.

Decision: Permission

Case Officer: Catherine Cardin

