

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/3111	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Proposed rear extension		
Site:	50 Mackie Avenue, Hassocks, West Sussex, BN6 8NN, , , ,		
Validation Date	20 Jan 2025	Overall Expiry Date:	13 Feb 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	25 Feb 2025
Target Date:	17 Mar 2025	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	25 Feb 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/3111

**50 Mackie Avenue, Hassocks, West Sussex, BN6 8NN, , ,
Proposed rear extension
Ms Gilham**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

West Sussex Naturespace: The proposed development is not considered to be relevant to the District Licensing Scheme in this case and we consider there would be no likely impact on great crested newts or their habitats. I therefore have no comments to make at this time. If the proposal changes, then please seek further advice from me if necessary.

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 rear extension.

RELEVANT PLANNING HISTORY

KY/030/77 - Garage.

SITE AND SURROUNDINGS

50 Mackie Avenue is a detached pitched roofed bungalow, The walls are a mix of face brickwork and pebbledash and a mix of timber and upvc doors and windows. The dwelling is characterised by an existing rear upvc conservatory and side dormers.

To the south of the site is the rear garden with neighbours in Ann Close beyond, to the north of the site is the driveway to the highway beyond, to the west of the site is the adjacent No.48 and to the east of the site is the adjacent No.52.

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

APPLICATION DETAILS

The existing rear conservatory is to be removed which measures 1.95m in depth, 4.1m in width with a height to eaves of 2.35m and overall height of 2.5m.

The proposed single storey rear extension approximately measures 4.8m in depth, 7.6m in width with a flat roofed height to eaves of 2.6m with the roof lantern creating an overall height of 2.8m. This will create an enlarged kitchen/dining room.

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, in part:

'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.'

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.

Rear extensions are widespread within the streetscene, including at No.48 (KY/003/94), No.46 (05/00392/FUL) and No.42 (DM/20/2842).

The proposal is a modest enlargement of the existing dwelling, it would not be visible from the streetscene, would use matching materials and would be subservient to the existing dwelling.

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 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.

Given the single storey nature of the proposal and the detached nature of the dwelling and immediate neighbours, light and outlook as well as privacy is not deemed to be significantly harmed.

It is therefore 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 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 Mackie Avenue.

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