

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2696	Case Officer:	Andrew Watt
Application Type:	Householder Application		
Proposal:	Conversion of existing bungalow into a two storey house.		
Site:	12 Southway, Burgess Hill, West Sussex, RH15 9ST, , , ,		
Validation Date	9 Jan 2025	Overall Expiry Date:	31 Jan 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	21 Mar 2025
Target Date:	6 Mar 2025	Recommending Officer Signature:	<i>Andrew Watt</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	3
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	21 Mar 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2696

**12 Southway, Burgess Hill, West Sussex, RH15 9ST, , ,
Conversion of existing bungalow into a two storey house.
Mr Vishesh Sharma**

SUMMARY OF REPRESENTATIONS

2 letters of objection:

- Increased size and height will block sunlight to our garden from late morning to the afternoon
- Structure will loom over our entire garden
- Wouldn't be such an issue if only over the original house, but building above the single-storey extension would be detrimental
- Known history of subsidence: structural damage, foundation instability, alignment issues, decreased property value, insurance challenges, disruption to utilities and infrastructure
- Loss of privacy and amenity
- Increased traffic and safety concerns

1 letter of support:

- I have no objections to this application.

SUMMARY OF CONSULTEES

None.

TOWN / PARISH COUNCIL OBSERVATIONS

Recommend Refusal. The Committee felt the application contravened;

Mid Sussex District Plan;
DP26 - Character and Design

Mid Sussex Design Guide;
DG49 - General principles for extensions

INTRODUCTION

Full planning permission is sought for the conversion of the existing bungalow into a two-storey house.

RELEVANT PLANNING HISTORY

In January 2007, planning permission was granted for a single-storey rear extension (06/02487/FUL).

SITE AND SURROUNDINGS

The site consists of a detached single-storey dwelling with hipped roof, which has been extended to the rear by way of a full-width, flat-roofed extension. Materials are white rendered walls, dark grey timber windows and brown concrete roof tiles.

The site is located within the built-up area of Burgess Hill and within a Great Crested Newt - Impact Risk Zone (Red). There is a Tree Preservation Order on an Oak tree at the far north-west corner of the rear

garden (BH/01/TPO/70). The site lies within an Area at risk of surface water flooding (1 in 30 year, 1 in 100 year, 1 in 1000 year).

APPLICATION DETAILS

Full planning permission is sought for the conversion of the existing bungalow into a two-storey house. This will entail raising the roof over the full footprint of the existing dwelling (i.e. the original and the rear extension) by a height of approximately 3.2m (from 5.5m to 8.7m). The existing front bay window will also be extended upwards, finished with a hipped roof. Materials will match those of the existing building (white rendered walls, anthracite grey windows and brown concrete roof tiles). 4 new windows on the first floor side elevations (both sides) will be obscure glazed.

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 Mid Sussex District Plan, Site Allocations Development Plan Document (DPD) and the Burgess Hill Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Practice Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan (Mar 2018)

The Mid Sussex District Plan 2014-2031 was adopted at Full Council on 28 March 2018.

Relevant policies:

Policy DP26: Character and Design

Policy DP38: Biodiversity

Policy DP41: Flood Risk and Drainage

Site Allocations DPD

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

There are no relevant policies.

Burgess Hill Neighbourhood Plan (Jan 2016)

Mid Sussex District Council formally 'made' the Burgess Hill Neighbourhood Plan part of the Local Development Plan for the Neighbourhood Plan area of Burgess Hill as of 27 January 2016. The policies contained therein carry full weight as part of the Development Plan for planning decisions within the Burgess Hill Neighbourhood Plan area.

No policies are relevant to this proposal.

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 31 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:

DPS4: Flood Risk and Sustainable Drainage
DPN1: Biodiversity, Geodiversity and Nature Recovery
DPN2: Biodiversity Net Gain
DPB1: Character and Design

Mid Sussex Design Guide Supplementary Planning Document (Nov 2020)

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 4 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.

Relevant design principles include:

Principle DG49: General principles for extensions
Principle DG52: Loft conversions and roof extensions

National Planning Policy Framework (NPPF) (Dec 2024)

The National Planning Policy Framework (NPPF) 2024 is also a material consideration and paragraphs 8 (overarching objectives), 11 (presumption in favour of sustainable development), 131 and 135 (design), 181, 182 (flood risk), 187 (conserving and enhancing the natural environment) and 193 (biodiversity and ancient woodland) are considered to be relevant to this application.

ASSESSMENT

Design and visual impact on the character and appearance of the area

Policy DP26 of the Mid Sussex 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;*
- *positively addresses sustainability considerations in the layout and the building design;'*

Chapter 9 of the Mid Sussex Design Guide SPD relates to household extensions. Design Principle DG49 states that extensions should respond to the design of the original dwelling. Principle DG52 refers to loft conversions and roof extensions and seeks to ensure the roof pitch and form are sensitive to the building's character.

The majority of properties in this area are 2-storey semi-detached dwellings, mainly with hipped roofs. The application property is different to this prevailing character in terms of its height and typology (as are two other detached bungalows, next door at no. 14 and at no. 20). Therefore it is considered that the principle of raising the roof to form a 2-storey dwelling is acceptable. The design is simple and although the increased bulk and depth of the building will be visible in the street scene, it is not considered that this would be harmful to its character.

Accordingly, it is considered that the proposal would comply with Policy DP26 of the Mid Sussex District Plan and the Mid Sussex Design Guide SPD.

Impact on neighbouring amenity

Policy DP26 of the Mid Sussex District Plan states (in part):

'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 new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29)'*

The main properties affected by the proposal would be 10 and 14 Southway to the north and south respectively, 1 Poveys Close to the rear and 13 and 15 Southway opposite to the front.

In relation to 10 Southway to the north, no. 12 is set further back in the street scene and (as originally built and subsequently extended) set back much further into the site, approximately 9m beyond the nearest rear building line of the neighbouring property. No. 10 has a relatively shallow rear garden, which the rear garden of no. 12 partially wraps around. No. 12 is set fairly centrally within its plot, with generous spacing to both sides. There is a distance of approximately 4.0m between the buildings and 2.7m to the boundary. Although the application property is located to the south of this neighbouring dwelling, it is not considered that neighbouring occupants would suffer a significant loss of daylight or sunlight to their property or the garden. This is due to the separation between the buildings and the gap that will remain to the south-west, and the west will be unaffected.

In terms of privacy and overlooking to all the neighbouring dwellings, rear gardens are inevitably already overlooked by existing 2-storey properties both to the sides and to the rear. While there is a first-floor side window at no. 10 facing the site and a side dormer window facing the site from no. 14, the proposed first-floor side windows of the extension to no. 12 would serve non-habitable rooms and can therefore be conditioned to be obscure glazed and non-openable above 1.7m in height.

Accordingly, it is considered that the scheme would comply with Policy 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.

Other matters

A neighbouring resident has stated that the site has a known history of subsidence. This will be a matter for the applicant and can be covered by the Building Regulations instead.

Although the application will double the existing floor area of the site, it is not considered that it will result in increased traffic and safety concerns that would result in an unacceptable impact on highway safety or would result in a severe impact on the road network. There is existing car parking on the site for 3 cars and there are no on-street parking restrictions.

The site is located within a designated Great Crested Newt - Impact Risk Zone (Amber). However, having regard to the nature of the application, it is unlikely to have an impact on newts and accordingly there would be no conflict with biodiversity legislation, policy and guidance.

The site is also located within an Area at risk of surface water flooding (1 in 30 year, 1 in 100 year, 1 in 1000 year). However, due to the proposal being extended upwards and not extending the developable ground area of the site, there would be no conflict with drainage policies and guidance.

PLANNING BALANCE AND CONCLUSION

The application is deemed to be of an appropriate scale and design in relation to the street scene, and would not cause significant detriment to surrounding residents. There would be no harm to biodiversity or increased flood risk. Accordingly it is considered that the proposed development would comply with Policies DP26, DP38 and DP41 of the Mid Sussex District Plan, the Mid Sussex Design Guide SPD and the NPPF and is therefore considered acceptable.

Decision: Permission

Case Officer: Andrew Watt