

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0147	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Proposed loft conversion to create a master bedroom, raising of the roof by 710mm, and insertion of dormer window to the rear.		
Site:	54 And 56 Oak Tree Drive, Hassocks, West Sussex, BN6 8YD, , , ,		
Validation Date	20 Feb 2025	Overall Expiry Date:	19 Mar 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	6 Jun 2025
Target Date:	17 Apr 2025	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	6 Jun 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0147

**54 And 56 Oak Tree Drive, Hassocks, West Sussex, BN6 8YD, , ,
Proposed loft conversion to create a master bedroom, raising of the roof by 710mm, and
insertion of dormer window to the rear.
Miss Lucy Black**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

None received

PARISH COUNCIL OBSERVATIONS

Hassocks Parish Council: 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 the raising of the roof to allow for a loft conversion and the installation of a rear dormer window at adjoining Nos 54 and 56 Oak Tree Drive.

RELEVANT PLANNING HISTORY

04/02311/OUT - Outline application for residential development (up to 250 dwellings at a minimum density of 30 dwellings per hectare) with associated access and public open space. (Revised layout and house types shown to Phase One. Revised Flood Risk & Surface Water Assessment. Highways amendments. Land reserved for Medical Centre through S106 Legal Agreement). (approved at appeal)
14/02348/LDP - Single storey rear extension to existing property. This is an application to establish whether the development is lawful: this will be a legal decision where the planning merits of the proposed use cannot be taken into account. (No.54 approved)
DM/19/5007 - Single storey rear extension to existing property with part garage conversion. Proposed materials to match existing. (No.56 LDC Withdrawn)
DM/19/5186 - Single storey rear extension to existing property with part garage conversion. (No.56 approved)

SITE AND SURROUNDINGS

The application properties consist of two storey semi-detached dwellings within a cul-de-sac off Mackie Avenue.

The locality is predominantly characterised by two storey semi-detached pairs of dwellings. The properties are both characterised by face brickwork and upvc doors and windows. They have either partially or fully converted their garages and have pitched roofed single storey rear extensions.

To the north of the dwellings is the rear gardens with close boarded fencing to fields beyond, to the south of the site is the driveway to the highway beyond, to the west of No.56 is the adjacent No.58, and to the east of No.54 is the adjacent No.52.

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

APPLICATION DETAILS

The roof of both dwellings is to be raised by 71cm.

The proposed rear dormers each measure approximately 4m in depth, 4.8m in width with a height of 2.75m. This will serve as a master bedroom with an en-suite.

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:

DP21 (Transport)
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

DPT4 - Parking and Electric Vehicle Charging Infrastructure

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.

WSCC Guidance on Parking at New Developments - September 2020

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

Policy DP26 of the 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;*
- 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.'

With reference to roof enlargement specifically, principle DG52 of the Mid Sussex Design Guide SPD in part states:

'A loft conversion is a space efficient means of extending the amount of living accommodation in a dwelling. Roof accommodation is normally reliant on dormer windows and rooflights to provide light and ventilation. However, if they are out of scale or out of character with the roofscape and proportions of a dwelling they can have an adverse impact on the character of both the dwelling and the streetscape.'

The roof pitch and form are intrinsic to a building's character and roof extensions should be sensitive to this. Roof extensions and dormer windows that alter the existing ridge of the roof or significantly alter the roof profile of a building will not normally be acceptable, particularly on the front roof slope, and where there is a strong established roofline.

Where a clear rhythm of fenestration is established, the position and proportion of dormer windows should respond to existing windows and / or doors.'

This principle also includes reference to further dormer window guidance in Chapter 6 of the Design Guide under sections 6.3.5 to 6.3.7 which state:

'6.3.5 While dormer windows can sometimes be prominent features in the streetscene, care needs to be taken with their design, proportions and position on the roof. The choice of design should be informed by the character and appearance of the local vernacular.'

6.3.6 Dormer windows should be visually subordinate to the roof slope, enabling a large proportion of the main roof to remain visible. Excessively wide dormers are likely to look unsatisfactory as they will often be out of proportion with the existing roof.'

6.3.7 Dormer windows should normally be positioned below the ridge-line, and above the eaves line'.

The streetscene is not characterised by loft conversions and the installation of dormers either to the front or the rear.

Whilst the dormer would be sited to the rear and therefore the public view would be limited as only the flank of each dormer would be visible, the flat roofed full width design would be wholly contrary to principle DG52 of the Mid Sussex Design Guide.

As the roof is being raised to harness their installation, the fall-back position in terms of permitted development rights cannot be considered.

Therefore, the proposal is contrary to policy DP26 of the Mid Sussex District Plan, policy 9 of the Hassocks Neighbourhood Plan and principles DG49, DG50 and DG52 of the Mid Sussex Design Guide SPD.

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.

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 nature of the proposal, light and outlook is not deemed to be unacceptably harmed to neighbouring properties. Whilst the dormers would create a degree of overlooking toward to neighbouring gardens, given the existing level of overlooking from the first-floor rear windows and the expected level of overlooking within the built up area, the impact on privacy and overlooking is not deemed unacceptably harmful.

Therefore, in terms of neighbouring amenities, there is not a conflict with policy DP26 of the Mid Sussex District Plan and policy 9 of the Hassocks Neighbourhood Plan.

Parking Provision

As an additional bedroom is to be provided, parking standards should be assessed.

West Sussex County Council Guidance on Parking sets out the maximum parking standards for residential houses. As proposed No.54 is a 3-bed dwelling and No.56 is a 4-bed dwelling. For a 3-bed property in this location in Hassocks 2.1 parking spaces should be provided and for a 4-bed property 2.7 parking spaces should be provided.

There is 1 parking space available within the existing driveway, coupled with this there are no on-street parking restrictions and the site is within walking distance of the village centre and alternative forms of transportation (buses and trains).

Therefore, whilst there is a shortfall, given the alternative forms of transportation available within walking distance, the parking provision is seen as acceptable.

Therefore, the proposal will accord with DP21 of the Mid Sussex District Plan.

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.

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 terms of neighbouring amenities, sustainability and parking provision, the proposal is deemed to comply with policies DP21 and DP39 and Policy 5 of the Hassocks Neighbourhood Plan and the relevant Design Guide Principles. The proposal partially complies with policy DP26 and policy 9 in respect of the impact on neighbouring amenity.

The dormers windows are of a design which by virtue of their size and siting, would form an unsympathetic and dominant addition to the existing dwellinghouses, that is harmful to the appearance and character of the area and would be contrary to Principle DG52 of the Mid Sussex Design Guide and policies DP26 of the Mid Sussex District Plan and policy 9 of the Hassocks Neighbouring amenities.

The proposal therefore conflicts with policy DP26 of the Mid Sussex District Plan, policy 9 of the Hassocks Neighbourhood Plan and the Council's Design Guide SPD.

Decision: Refusal

Case Officer: Andrew Horrell