

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2798	Case Officer:	Stefan Galyas
Application Type:	Householder Application		
Proposal:	Proposed first floor extension over existing garage/carport. Infill carport and add open porch to the front.		
Site:	18 Wykeham Way, Burgess Hill, West Sussex, RH15 0HF, , , ,		
Validation Date	26 Nov 2024	Overall Expiry Date:	17 Dec 2024
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	14 Jan 2025
Target Date:	21 Jan 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	14 Jan 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2798

**18 Wykeham Way, Burgess Hill, West Sussex, RH15 0HF, , ,
Proposed first floor extension over existing garage/carport. Infill carport and add open porch to the front.**

Mr And Mrs John Dasey

SUMMARY OF REPRESENTATIONS

There were no letters of representation received in response to the proposed development.

SUMMARY OF CONSULTEES

Highway Authority: No objection.

Southern Water: No objection.

TOWN/PARISH COUNCIL OBSERVATIONS

Town Council: Recommended approval.

INTRODUCTION

The application seeks planning permission for the development of a first-floor extension over the existing car port and garage. Additionally, the existing car port would be infilled as part of the development proposal and a front porch constructed.

RELEVANT PLANNING HISTORY

There is no recent history of any planning applications relating to the site.

SITE AND SURROUNDINGS

The application relates to 18 Wykeham Way, a detached two storey dwelling set back from the highway to the east by a private access shared driveway with number 20. The existing dwelling features a pitched roof with a single storey, flat roofed wing containing a car port and garage. The property is set within a generous plot size with ample garden amenity space stretching out to the west. In terms of external materials, the existing dwelling is composed of brick walls and tile hanging detailing, a tiled roof and GRP flat roof and white uPVC windows and doors.

There are a number of residential estate style dwellings within the site's locality featuring tile hanging detailing. Various dwellings appear to have been altered and modernised through the use of different external finishes and materials.

With regard to policy constraints, the site is located within the Burgess Hill built up area.

APPLICATION DETAILS

The proposal would develop above the existing car port and garage's footprint and would use a pitched roof design. The first-floor extension would measure at approximately 6.5m in length, 5.5m in width, have an eaves height of 4.8m and a ridge height measuring at 6.8m.

The existing car port area would be bricked up and infilled to accommodate a hallway entrance, bathroom and stairwell. Furthermore, an open canopy front porch would be developed to the southern elevation and would use a lean-to roof pitch.

Proposed external materials would comprise matching brickwork walls with the tile hanging also infilled with bricks, a tiled roof and white uPVC windows and doors.

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:

DP21: Transport

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 January 2016)

Relevant Policies:

Policy S4 - Parking Standards for New Developments.

Other Material Considerations

Mid Sussex District Plan 2021-2039 Consultation Draft

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 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:

DPS1 - Climate Change

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.

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 2, 8, 11, 39, 48, 115-117, 131, 135 & 139.

West Sussex County Council Guidance on Parking at New Developments (September 2020)

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 Amenities
- Other Matters
- Biodiversity Net Gain

Design and Character

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:

- 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 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'*

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.'

Furthermore, Principle DG50 of the Design Guide notes that:

'Front extensions are more likely to be acceptable where the building line is staggered or where the dwelling is set well back from the road. They are less likely to be acceptable in streets with a strong consistent building form as they risk disrupting the underlying order.'

Where front extensions are considered acceptable, they should normally be limited to a modest single storey or porch-type extensions that reflect the character of the existing property.'

The dwellings-built footprint largely follows an 'L' shape with the main wing of accommodation contained to the west. The proposal would not enlarge the built footprint but would increase the massing of this element through the addition of a first-floor extension above.

Whilst the proposed first floor extension would not appear visibly subservient to the host dwelling, there would be an offset from the host dwellings ridge height by approximately 0.2m. This detail is considered to allow the proposed extension to be appreciated as an addition as opposed to an original element. Additionally, the use of matching materials is considered to help the proposed extension assimilate into the existing property and would not likely appear out of keeping when viewed in this context. It is noted that the proposal is set with a considerable offset from the roadside and views towards the application property are limited to those from a distance.

The proposal would also move the front entrance door from the eastern elevation to the south. This alteration is considered to be affirmed further by the addition of an open canopy porch with a lean-to roof pitch. This addition is not considered to appear incongruous within the setting of the host dwelling.

In summary, the proposal is considered that the proposal would comply with the provisions of policy DP26 of the District Plan and the relevant principles 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);'*

The proposed development would increase the massing and bulk of the building when compared to the current arrangement. A distance of approximately 4.2m would remain towards the neighbouring dwelling to the east at No.16 where an unobscured glazed side (west) elevation window is positioned. Two further unobscured glazed windows are contained to the neighbours side (west) elevation, however these are restricted to a limited size. Due to the siting of the application property, the proposed first floor extension would not be positioned in line with the side elevation window. Therefore, the window would not look directly out towards a blank elevation.

Principle DG47 of the Design Guide states among other matters that all dwellings should benefit from daylight and sunlight levels that conform to BRE (Better Regulation Executive) standards. Further guidance is set out within the "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" document. The "25 degree test" can be applied when the centre of the impacted window is measured in reference to the proposed development opposite. If the development falls within a 25-degree angle drawn from a horizontal line, it is likely that the proposal will have an adverse impact on the daylight and sunlight received by the window.

The centre of the neighbouring side (west) elevation window would likely be impacted by the proposed extension as the proposal would fail the 25-degree test. However, as outlined in the BRE standards, despite the failure to comply with the 25-degree test, it does not mean that the daylight and sunlight levels will be entirely below standard. In this instance, the neighbouring window is positioned forward (south) of the proposed extension and would not completely be obscured by a blank elevation. Whilst the amount of light received in the afternoon hours would slightly be reduced, this is not considered to be a substantial decrease in light received from the current arrangement.

To the proposed north elevation, two first floor windows would be added. One of the windows would serve a stairwell while the other would act as the primary window for bedroom 4. Both windows would be set in elevated positions towards the shared boundary with No.16 to the east. It is considered that both of these windows would offer views towards the neighbouring garden from obscure angles and would not directly overlook the neighbouring property. As for the property immediately to the north at 70b, a distance of circa 5.8m would remain to the shared boundary with a distance in excess of 20m to the neighbouring dwelling. As such, it is not considered that the proposal would give rise to a significant overlooking impact in this regard.

Accordingly, the proposal is considered to comply with the provisions of policy DP26 of the Mid Sussex District Plan in terms of neighbouring amenities.

Other Matters

Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or residual cumulative impacts on the road network would be severe. Additionally, Policy DP21 of the District Plan requires development proposals to protect the safety of road users and pedestrians.

Policy DP21 of the District Plan requires schemes to provide adequate car parking whilst taking into account the accessibility, type, mix and use of the development.

With regard to parking standards, Policy S4 of the Burgess Hill Neighbourhood Plan states:
'New housing developments that include the provision of garage space must be a minimum size for cars - 7.0m x 3.0 (internal dimension) for this to be counted as a parking space.'

In terms of alterations to existing dwellings, the Neighbourhood Plan notes that:
'In cases where planning permission is necessary for alterations and extensions to properties support will not be given for the conversion of garage space to habitable rooms/ residential use unless there is adequate space to park cars off street in line with the parking standards.'

As part of the development proposal, the existing car port would be infilled and converted into a hallway and bathroom. As such, the proposal would constitute the loss of an off-road parking space.

The parking standards for Burgess Hill Franklands as outlined within the West Sussex County Council Guidance on Parking at New Developments advises that properties with four or more bedrooms should demonstrate three allocated parking spaces.

The existing garage would be retained as part of the development proposal, however, the dimensions would measure at approximately 5.2m by 2.6m and therefore would fall short of the outlined internal dimensions within the Burgess Hill Neighbourhood Plan and therefore cannot be considered as an allocated space. It is more likely that this area would be used for the storage of domestic paraphernalia. The front driveway measures at around 16m in length and 7.3m wide and therefore is considered to be able to facilitate three allocated spaces.

It is noted that during correspondence with the Applicant, it was mentioned that solar panels may be included as part of the development proposal. In this case, as the submitted proposed plans do not show these solar panels, permission for such an addition would have to be either sought through a separate application or the use of permitted development rights, subject to these rights being intact. The current application has been assessed based on the information provided and contained within the plans only.

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, will not result in harm towards neighbouring amenities and result in an acceptable highways impact.

The proposal will comply with Policies DP21 and DP26 of the District Plan, Policy S4 of the Burgess Hill Neighbourhood Plan, the MSDC Design Guide and the requirements of the NPPF.

Decision: Permission

Case Officer: Stefan Galyas

