

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0134	Case Officer:	Catherine Cardin
Application Type:	Householder Application		
Proposal:	Two storey side extension.		
Site:	12 Barons Court, Burgess Hill, West Sussex, RH15 0HX, , , ,		
Validation Date	21 Jan 2026	Overall Expiry Date:	17 Feb 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	16 Mar 2026
Target Date:	18 Mar 2026	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	3
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Signed and Agreed By:	<i>Joanne Fisher</i>	Date:	17 Mar 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0134

**12 Barons Court, Burgess Hill, West Sussex, RH15 0HX, , ,
Two storey side extension.
Mr H Garrett**

SUMMARY OF REPRESENTATIONS

Three letters of representation were received. These raised concerns regarding:

- Loss of light
- Overbearing
- Overshadowing
- Sense of enclosure
- Appearance and character
- Impact to amenity spaces
- Inaccurate plans
- Disturbance during construction
- Loss of privacy
- Boundary treatment

SUMMARY OF CONSULTEES

Southern Water

No objection.

TOWN COUNCIL OBSERVATIONS

The Committee of 16th February would Recommend Refusal for the following reasons:

Harm to character and appearance in contravention to Mid Sussex Design Guide

DG49 - General Principles for extensions

DG50 - Front and side extensions

DG51 - Rear extensions

Also breaches amenity principles of:

DG45 - Privacy of existing and future residents

DG46 - Provide attractive and usable external amenity space for all homes

& DG47 - Provide homes with sufficient daylight and sunlight - by creating an overbearing impact, loss of light and loss of privacy to neighbours.

Mid Sussex District Plan DP26 - Character and Design as it harms the street scene.

Burgess Hill Neighbourhood Plan Core Objectives CO1 & CO4 which seek to preserve and enhance existing residential neighbourhoods.

National Planning Policy Framework 2 (NPPF2) 2024, paragraphs 129, 135 and 139 as it fails to respect local character and provide high quality design and safeguard a high standard of amenity.

INTRODUCTION

The proposal is seeking planning permission for a two-storey side extension.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

SITE AND SURROUNDINGS

12 Barons Court is a semi-detached property. The application property has a pitched roof and is located close to the highway. The property is characterised by red brick, hanging tiles on the first-floor elevation, white upvc fenestration and a plain tile roof. The property benefits from a detached garage to the south of the property.

The property lies on the eastern side of Baron's Court within a cul-de-sac and is within the built-up area boundary of Burgess Hill. Neighbouring properties are located to the north, south and east. Highway is located to the west. The site slopes gently downhill to the north.

APPLICATION DETAILS

Plans show that a two-storey side extension is proposed to the south of the dwellinghouse. This would have a width of some 2.9 metres and a depth of some 7.9 metres. This would have a pitched roof with a height to the ridge of some 7.8 metres and a height to the eaves of some 5.2 metres. It is proposed to install a window on the side (southern) elevation at ground floor level and a window on the rear (eastern) elevation at ground floor level. It is also proposed to install a window on the rear (eastern) elevation and the front elevation (western) elevation at first floor level. The proposal also seeks to install a rooflight on the rear roof pitch. It is proposed to use the extension as a garage and utility at ground floor level and a bedroom and bathroom at first floor level.

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 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 policy:

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

The Burgess Hill Neighbourhood Plan was made on 28th January 2016.

There are 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 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:

DPB1 - Character and Design

DPS2 - Sustainable Design and Construction

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 Impact on character of area
- Impact on Neighbouring Amenities
- Other matters
- Biodiversity Net Gain

Design and Impact on character of the area

Policy DP26 of the District Plan relates to character and design and states in part that:

'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 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 incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;'*

In addition, the Council's Design Guide SPD is a material planning consideration with design principles DG49 and DG50 are deemed relevant to this application.

Principle DG49 states in part that *'extensions should typically use simple, uncomplicated building forms to complement and coordinate with the scale, form and massing of the original dwelling.'*

DG50 relates to side extensions and states in part that *'side extensions should normally be subservient to the original dwelling and typically be set-back from the front of the house to help define the original building.'*

The locality is characterised by semi-detached dwellings of similar design and forms, located close to the highway with short driveways to the side of the dwellings.

The proposed two storey side extension is considered to be of an appropriate scale and design to the existing property. The extension would be set down from the ridge, helping to define the original building. It is considered that the proposed pitched roof of the side extension responds appropriately to the character of the existing building. The proposal would not close an important gap or view and the proposed design is considered to address the side boundary and adjacent buildings to the south appropriately. A similar two storey side extension has been completed at no. 4, which forms part of the character of the street scene. As the proposal includes external materials to match the existing, it is considered that this would provide a consistent finish.

Taking into account the above, the proposal is considered to address the scale and character of the existing and surrounding buildings and townscape. As such the proposal is deemed to comply with the above part of policy DP26 of the District Plan, and principles DG49 and DG50 of the Mid Sussex Design Guide SPD.

Impact on Neighbouring Amenities

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan states proposals should *'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'.*

The concerns from the Town Council are noted.

To the southern side is 11 Oakwood Road. This neighbour would be offset from the development by some 8.4 metres and would have a side to rear relationship. It is not considered that the proposed two storey extension would cause a significant loss of light and outlook to this neighbour. The separation between the extension and this neighbour is considered sufficient to ensure that the level of harm that would occur would not materially reduce available daylight or create an unduly dominant or enclosing relationship. There would be a side to rear relationship, and the distance between the extension and the rear elevation of the neighbour is not usual within the built-up area boundary. A similar relationship exists between the rear of no. 9 Oakwood Road and no. 1 Barons Court. Consequently, it is considered that the impact to light and outlook would not be significant enough to warrant the refusal of this application.

A window is proposed on the side elevation at ground floor level which would serve a garage. Whilst there is an existing window at ground floor level on the side elevation, the proposal would reduce the distance between the flank wall and the shared boundary and would remove the existing garage. Given the close relationship between the proposed ground floor window and the neighbour's private garden, and the absence of boundary screening as a result of the garage removal, the window would result in direct overlooking at close range. To protect the privacy of the adjoining occupiers, it is considered reasonable and necessary to impose a condition requiring the window to be obscure glazed and non openable below 1.7 metres above internal floor level.

The concerns regarding the impact to the shared boundary wall are noted. The proposal involves the removal of an existing boundary wall which forms the garage. While issues of ownership fall outside the planning remit and are instead a civil matter between the parties, the planning assessment must consider whether the removal of boundary treatment would cause undue harm to the amenities of neighbouring occupiers. Given the potential loss of privacy, it is considered reasonable to require replacement screening along the boundary to a height of 1.8 metres. A condition has therefore been attached requiring details of boundary treatment to be submitted and approved prior to occupation.

To the southeastern side is 13 Oakwood Road. This neighbour would be offset from the shared boundary by some 7.4 metres. Due to the relationship there would be oblique angles with the extension

when viewed from the rear windows of number 13. As such it is not considered that the proposed two storey extension would cause a significant loss of light and outlook to this neighbour. The separation between the extension and this neighbour is regarded as adequate to ensure that the resulting impact would not significantly reduce available daylight or create an unduly overbearing or enclosing effect. Although the relationship would be side to rear, the distance between the extension and the rear elevation of the neighbour is not usual within the built-up area boundary and is not considered to result in an overbearing impact to this neighbour.

To the northern side is 11 Barons Court. As the proposal would be screened by the application property itself, it is not considered that the proposal would be harmful to the amenities of this neighbour.

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.

It is therefore considered that the proposal would not cause harm to the amenities of neighbouring properties. The proposal is therefore deemed to accord with the above part of policy DP26 of the District Plan.

Other matters

Concerns have been raised regarding the accuracy of submitted plans. A site visit was conducted as part the application. It was considered that the plans accurately reflect the building and surroundings. Ultimately, we are required to assess the application as submitted.

Concerns have also been raised regarding noise, disturbance and general inconvenience during the construction phase. These matters are not material planning considerations in the assessment of a householder extension, as they relate to temporary construction activities rather than the long term use of the completed development. Construction related impacts are controlled by separate legislation, including the Environmental Protection Act 1990 and the Control of Pollution Act 1974, which allow the Council to regulate noise and nuisance if it becomes unreasonable. If necessary, the Council's Environmental Health team can intervene should unacceptable levels of disturbance occur. As such, these concerns cannot be afforded weight in the determination of this application.

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 proposal is considered to be acceptable in terms of design, size and scale to the dwellinghouse and locality, and would not cause harm to the amenities of neighbouring properties.

In conclusion, the proposal would accord with the requirements of policy DP26 of the Mid Sussex District Plan. It is therefore considered acceptable.

Decision: Permission

Case Officer: Catherine Cardin