

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0721	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Demolition of existing conservatory and replaced with a single storey rear/side extension and internal remodelling. Alterations to glazing on the rear elevation. Addition of tile hung cladding at first floor on the front elevation.		
Site:	4 Ferndale Road, Burgess Hill, West Sussex, RH15 0HG, , ,		
Validation Date	7 Apr 2025	Overall Expiry Date:	9 May 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	19 May 2025
Target Date:	2 Jun 2025	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	Stephen Ashdown	Date:	21 May 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0721

**4 Ferndale Road, Burgess Hill, West Sussex, RH15 0HG, , ,
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Cross**

SUMMARY OF REPRESENTATIONS

Neighbouring Fairlawn Keymer Road has commented that they wish for the fence between their property and the applicant's property is raised by 400mm to provide an enhanced level of privacy.

CONSULTEE COMMENTS

Southern Water:

Following the weekly list sent on 14th April 2025, Southern Water has determined that the flow rate for the above site will remain consistent, so capacity is not an issue and no Southern Water assets will be affected. Therefore, Southern Water has no objections to this proposal.

Please note surface water should not be disposed of into a public foul sewer and must comply with the Hierarchy of H3 of the Building Regulations. For more details, refer to the Drainage and Waste Disposal: Approved Document H on the GOV.UK website.

Any new connections to the public sewerage system will require a New Sewer Connection application (also known as a Section 106) to be submitted and approved by Southern Water.

Due to legislative changes effective from 1st October 2011 regarding the ownership of sewers, it is possible that some previously private sewers, now deemed public, could be crossing the above property and may not be shown on Southern Water records. Therefore, if any additional sewers are discovered during construction, an investigation will be required to determine their condition, the number of properties served, and potential access methods before any further work can proceed on site.

TOWN COUNCIL OBSERVATIONS

Recommend Approval.

INTRODUCTION

Planning permission is sought for the demolition of existing conservatory and replaced with a single storey rear/side extension and internal remodelling and alterations to glazing on the rear elevation with the addition of tile hung cladding at first floor on the front elevation.

RELEVANT PLANNING HISTORY

BH/298/90 - Extend a bedroom/bathroom on 1st floor over an existing ground floor extension. (approved)
03/00348/FUL - First storey extension to rear of house. (approved)

SITE AND SURROUNDINGS

4 Ferndale Road is a two-storey detached hipped roofed dwelling. The walls are a mix of hanging tiles, painted brickwork and face brickwork with upvc doors and windows. The dwelling is characterised by a rear upvc conservatory.

To the north of the site is the driveway to the highway beyond, to the south of the site is the rear garden with close boarded fencing to neighbouring (Firgrove, Keymer Road) garden, to the west of the site is close boarded fencing to neighbours in Keymer Road beyond and to the east of the site is the adjacent No.6 Ferndale Road.

The site is within the built-up area of Burgess Hill and is adjacent to the Silverdale Road / Birchwood Grove Road Conservation Area.

APPLICATION DETAILS

The existing rear conservatory approximately measures 4.9m in depth, 3.6m in width with a height to eaves of 2.45m and an overall height of 3.3m.

The proposed rear/side extension approximately measures 4.903m in depth, 5.155m in width with a height to eaves of 2.7m and an overall height of 3.6m. This will serve a living room.

The internal alterations include the existing living room being divided into a family room and kitchen, the existing kitchen changed to a utility room.

The rear ground floor window is to be altered to a bi-fold door and of tile hung cladding is to be installed at first floor on the front elevation.

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 policies:

DP26 (Design and Character)

DP35 (Conservation Areas)

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.

Burgess Hill Neighbourhood Plan

Burgess Hill Neighbourhood Plan was formally 'made' as of 28th January 2016.

There are no relevant policies for the consideration of this application.

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
DPB3 - Conservation Areas

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, 135, 212- 215 are most relevant.

ASSESSMENT

Design

Policy DP26 of the District Plan relates to character and design and 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 protects valued townscapes and the separate identity and character of towns and villages;*
- 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 DP27);*
- o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- o positively addresses sustainability considerations in the layout and the building design;*
- o take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- o optimises the potential of the site to accommodate development.'*

The Council's adopted Design Guide is a material consideration in the determination of the application. Chapter 9 of the Design Guide relates to household extensions. Design Principle DG49 states that extensions should respond to the design of the original dwelling, and that the extension shall be well

integrated allowing the original building to remain the dominant element of the property. Principle DG51 relates to rear extensions and requires proposals to have consideration for the character of the existing building and the relationship of the extension with the side boundaries and adjacent buildings and gardens.

The side/rear extension would only be glimpsed from the streetscene between the main house and the detached garage. It would be subservient to the main dwelling and whilst the material (aluminium cladding) is a new element it would not be out of character with the varied streetscene.

The installation of tile hanging to the first-floor front elevation would match the first floor of the existing side and rear elevation, therefore its installation will not be out of character with the existing dwelling. Tile hanging characterises the wider streetscene including at nearby No.32.

Therefore, the proposal is deemed in character with the existing dwelling and the wider streetscene. The proposal complies with DP26 of the Mid Sussex District Plan, the Mid Sussex Design Guide SPD and the relevant paragraphs of the NPPF.

Neighbouring Amenity

Policy DP26 of the District Plan relates to character and design of proposals. Within this there is a requirement that proposals do *'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'*.

Given the detached nature of the site in relation to the neighbouring properties, the impact on light and outlook is not deemed harmful.

Given the single storey nature of the proposal, harm to privacy and overlooking is not deemed harmful and no more than would be expected within the built-up area.

The neighbour at Fairlawn has requested that the mutual side boundary fence is increased in height by 400mm to improve privacy. This does not meet the criteria for conditions outlined under paragraph 58 of the NPPF and is a private matter between the two parties.

In terms of neighbouring amenities, the proposal complies with DP26 of the Mid Sussex Design Guide.

Impact on the setting of the Conservation Area

The site lies adjacent to the Silverdale Road / Birchwood Grove Road Conservation Area.

Policy DP35 of the District Plan relates to Conservation Area. In part this states:

'Development will also protect the setting of the conservation area and in particular views into and out of the area.'

The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paras 212 - 215 of the NPPF states:

'212. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance

213. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

214. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'.

The application seeks to replace an existing rear extension with a new side/rear extension. The design and scale of these are considered sensitive to the character of the existing dwelling. Due to the position of the extension, it is considered that the proposals would result in a neutral impact to the setting of the Conservation Area.

The proposal thereby complies with Policy DP35 of the District Plan.

PLANNING BALANCE AND CONCLUSION

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the development plan and then to take account of other material planning considerations including the NPPF.

The proposed alterations are considered be sensitive to the existing design of the dwelling, the wider streetscene and the setting of the adjacent Conservation Area and not cause detriment to the amenities of the neighbouring properties. The application therefore complies with Policies DP26 and DP35 of the District Plan, the adopted Mid Sussex Design Guide as well as the requirements of the NPPF.

Decision: Permission

Case Officer: Andrew Horrell