

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2988	Case Officer:	Caroline Grist
Application Type:	Householder Application		
Proposal:	Proposed pitched roof dormer to North/Rear elevation.		
Site:	89 Janes Lane, Burgess Hill, West Sussex, RH15 0QP, , , ,		
Validation Date	6 Dec 2024	Overall Expiry Date:	1 Jan 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	30 Jan 2025
Target Date:	31 Jan 2025	Recommending Officer Signature:	<i>Caroline Grist</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	31 Jan 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2988

**89 Janes Lane, Burgess Hill, West Sussex, RH15 0QP, , ,
Proposed pitched roof dormer to North/Rear elevation.
Mr S Jones**

SUMMARY OF REPRESENTATIONS

No representations have been received in response to this application.

SUMMARY OF CONSULTEES

No responses have been received from consultees.

TOWN COUNCIL OBSERVATIONS

Recommend Approval.

INTRODUCTION

Planning permission is sought to construct a pitched roof dormer to North/Rear elevation.

RELEVANT PLANNING HISTORY

BH/118/79 - Conservatory. Permission.

BH/208/90 - Construction of rear conservatory with enlargement of existing outside w.c. Permission.

DM/21/1501 - Two storey extensions to both sides and rear of the dwelling with new fenestration.

Removal of existing detached garage and erection of a detached garage and gym, with home office above. Refused.

DM/21/2896 - Proposed two storey side extension and new porch to replace existing porch. Permission.

DM/21/2920 - Removal of existing detached single garage. Proposed new detached timber framed and timber clad double garage, with home office/gym above. Proposed reconfigured driveway with new permeable block paving. Permission.

DM/21/4273 - The construction of a two storey rear extension 3m from the existing house rear wall. The new extension is to be constructed in materials to match the existing house. Refused.

DM/22/0478 - The construction of a two storey rear extension 3m from the existing house rear wall, constructed in materials to match the existing house. Permission.

DM/22/1505 - The construction of a single storey side extension 6m from the existing house side wall (which is less than half the width of the original house at 12.07m), 4m from the existing house rear wall and not more than 4m high. The new extension is to be constructed in materials to match the existing house. Permission.

DM/22/1877 - Removal of existing detached single garage. Proposed new detached timber clad double storey garage with two dormer windows to the front elevation and roof light windows to the rear, (proposed home office/gym above). Proposed reconfigured driveway with new permeable block paving. Permission.

DM/22/3717 - Proposed single storey and two storey extension and new porch. Withdrawn.

DM/23/0357 - Single storey side/south extension and two storey side/north extension and new porch. Permission.

DM/23/1240 - Retrospective application for removal of existing detached single garage. Proposed new detached timber clad double garage, with home office/gym above. Proposed reconfigured driveway with new permeable block paving. Permission.

DM/23/1795 - Proposed single storey side/south extension and two storey side/north extension and new porch. Permission.

DM/23/3053 - Proposed single storey side/south extension and two storey side/north extension and new porch. Permission.

DM/24/0473 - Proposed single storey side/south extension and two storey side/north extension and new porch. Refused.

SITE AND SURROUNDINGS

89 Janes Lane is a south facing, detached, chalet bungalow. It is constructed of brick, with sections of cream render to the walls, a plain tile, barn hip roof, with timber cladding in the eaves, and upvc windows. The dwelling is characterised by a canopy porch and mono pitched roof dormer windows to the front. It also has a single storey projection to each side.

The site is located outside of the built up area of Burgess Hill and is therefore within the countryside. Neighbouring houses are located to the north west, whilst to the east are fields and south is Janes Lane. The dwelling is set back from the highway by a paved parking area and front garden.

APPLICATION DETAILS

This application seeks planning permission to construct a pitched roof, rear dormer window in order to enlarge a bedroom. It is to be situated at the eastern end of the roofslope, to the side of three dormer windows. The proposed dormer is to be some 2.4 metres wide and would measure approximately 1.3 metres to the eaves and 2.4 metres to the ridge.

The dormer is to be finished in black timber cladding, to match the existing building, and have plain roof tiles.

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 and the Site Allocations Document (DPD).

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:

DP12 - Protection and Enhancement of Countryside

DP26 - Character and Design

Mid Sussex Site Allocations Document (DPD)

Mid Sussex District Council adopted its Site Allocations Development Plan Document on 29th June 2022. The Site Allocations DPD identifies sufficient housing sites to provide a five year housing land supply to 2031 and also makes sure that enough land is allocated to meet identified employment needs.

There are no policies deemed relevant to this application.

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

DPS6 - Health and Wellbeing

DPC1 - Protection and Enhancement of the Countryside

DPB1 - Character and Design

Mid Sussex Design Guide Supplementary Planning Document

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

The application site is located within the countryside. Policy DP12 of the Mid Sussex District Plan seeks to protect the countryside *'in recognition of its intrinsic character and beauty'* and supports new development *'provided it maintains or where possible enhances the quality of the rural and landscape character of the District'*.

Policy DP26 of the Mid Sussex District Plan relates to character and design 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;*
- protects valued townscapes and the separate identity and character of towns and villages;*
- 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);*
- creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- positively addresses sustainability considerations in the layout and the building design;*
- 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;*
- optimises the potential of the site to accommodate development'.*

The Mid Sussex Design Guide SPD also provides advice for extensions to dwellings. Principle DG49 states that:

'Extensions should respond to the design of the original dwelling and applicants will be expected to demonstrate how local character has informed the design proposal. Extensions should also normally be designed to be well-integrated with the existing scale, form and massing allowing the original building to remain the dominant element of the property whether it has one or several additions.'

Extensions should typically use simple, uncomplicated building forms to complement 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'.

Principle DG52 relates to loft conversions and roof extensions:

'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.

Further guidance on dormer windows and rooflights is provided in chapter 6 under sections 6.3.5 to 6.3.8'.

The further guidance in chapter 6 states:

'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 application site is located on an eastern approach into Burgess Hill. It is situated outside of the built up area boundary and is therefore within the countryside. This forms part of the character of the area, where houses are set back from the highway and front boundaries comprise trees, hedging and vegetation. Dwellings are well spaced, particularly to the northern side of Janes Lane, becoming more developed further west into Burgess Hill. 89 Janes Lane is the first dwelling visible from this approach and there are fields and a farm beyond preceding it, to the east of the site. This adjacent field also affords views to the application site.

The application property is a detached chalet bungalow and, through its design, proportions and materials, is considered to be a characterful property that sits comfortably in its surroundings. This application relates to previous permissions for a:

- single storey side extension, two storey side extension and new porch (DM/23/1795);
- two storey side extension and replacement porch (DM/21/2896);
- single storey side extension (DM/22/1505);

- single storey side extension, two storey side extension and porch (DM/23/0357); and
- single storey side/south extension and two storey side/north extension and new porch (DM/23/3053).

Given the planning history of the site, paragraph 140 of the NPPF is also considered to be of relevance:

'Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).'

At the rear of the building, amongst other works, permissions have been granted for three pitched roof, dormer windows. These dormer windows are of a similar scale and design and have a level of consistency. Whilst the proposed dormer is of a smaller scale, it appears at odds with those that have been previously approved. This is due to its different scale and form, which is highlighted by the size of the window within it.

The addition of a fourth dormer window would also result in the majority of the roofslope being covered by dormers. As a result it would lead to the dormer windows appearing overly dominant as well as the roofslope appearing disjointed and cluttered.

Overall it is considered that the proposed dormer window would not relate sympathetically to the host dwelling and the overall scale and bulk would result in an overdevelopment of the roofslope.

Furthermore, there are views to the property from Janes Lane when approaching from the east and the first floor works are the most visible. Whilst it would be smaller in scale, given its position it would be visible in views over the adjoining field. Given the approved works, it is considered that this additional dormer window would appear incongruous and would fail to relate positively to the character and appearance of the surrounding area.

With regards to the impact on neighbouring amenity it is considered that only 87 Janes Lane would be potentially affected by the proposed development. This neighbour would, however, be screened from the proposed development by the previously approved dormer windows. As such the proposal would not result in a loss of light, outlook or privacy to No. 87.

Due to the domestic nature of the proposed development, it is considered that there would not be an unreasonable impact with regards to noise, air and light pollution.

CONCLUSION

In conclusion it is considered that the proposed dormer window would not relate sympathetically to the host dwelling and the overall scale and bulk would result in an overdevelopment of the rear roofslope. Furthermore a disjointed and cluttered roofslope would be created. Due to the visibility of the property, the dormer window would appear incongruous and would fail to relate positively to the character and appearance of the surrounding area. As a result the proposal would not comply with Policies DP12 and DP26 of the Mid Sussex District Plan, Principles DG49 and DG52 of the Mid Sussex Design Guide and the National Planning Policy Framework.

Decision: Refusal

Case Officer: Caroline Grist