

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1586	Case Officer:	Peter Davies
Application Type:	Householder Application		
Proposal:	First floor rear extension over existing ground floor		
Site:	45 Crescent Road, Burgess Hill, West Sussex, RH15 8EH, , , ,		
Validation Date	20 Jun 2025	Overall Expiry Date:	25 Jul 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	24 Sep 2025
Target Date:	15 Aug 2025	Recommending Officer Signature:	Peter Davies

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Joanne Fisher	Date:	25 Sep 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1586

**45 Crescent Road, Burgess Hill, West Sussex, RH15 8EH, , ,
First floor rear extension over existing ground floor
Mr And Mrs P Clifford**

REPRESENTATION RECEIVED

None received.

SUMMARY OF CONSULTEES

Drainage

We have no objection to the proposal development.

Drainage should be managed via Building Regulations and Building Control, as necessary.

MSDC Conservation Officer

45 Crescent Road is an unlisted detached house within the St Johns Conservation Area. The house appears to date originally from the first half of the 20th century, but it has been altered and significantly extended to the side and the rear. The current proposal is for the construction of a first floor extension to the rear, above an existing orangery extension.

Firstly, I would note that the proposed plans appear inaccurate in that they show the orangery roof lantern preserved in what would be an internal position within the new first floor bedroom.

Based on the information in front of us, I have concerns regarding a further extension to this building, in particular at first floor level. The Council's adopted Design Guide requires at Design Principle DG49 'General Principles for Extensions' that 'Extensions should... 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' In this instance the original building at no. 49 appears to have already been extended on a number of occasions- the cumulative impact is such that the additions have an overbearing relationship with the original house. A further extension, particularly at first floor, would exacerbate this harmful impact. This would be contrary to the Design Guide, and would also detract from the character and appearance of the house and of the wider Conservation Area. Although the extension is to the rear of the building, there are glimpsed views from Crescent Road looking along the eastern side of the property in which the bulk and scale of the rear additions to the property would be visible. Views from the rear of neighbouring properties would also be affected. The detailed design of the proposal, in particular the unrelieved side elevations, would further detract from the appearance of the building.

This will be contrary to the requirements of District Plan Policy DP35, which states that 'New buildings and extensions (should be) sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials.' It is also contrary to the Council's adopted Design Guide, as set out above. In terms of the NPPF, I would place the harm caused to the character and appearance of the Conservation Area as less than substantial, at the lower end of that scale.

TOWN COUNCIL OBSERVATIONS

The Committee of 14th July would Recommend Approval.

INTRODUCTION

The application seeks planning permission for a first floor rear extension over the existing ground floor extension.

RELEVANT PLANNING HISTORY

01/00628/FUL - Small single storey extension to rear of property Permission

06/00418/FUL - Single storey ground floor extension and conversion of roof space. Permission

06/01008/FUL - Two storey side extension and conversion of roof space. Permission

07/03692/FUL - First floor extension over existing garage. Permission

13/03096/FUL - Proposed roof conversion with dormer window to flank. Permission

DM/16/4655 - Proposed first floor side extension over existing ground floor. Permission

SITE AND SURROUNDINGS

The application property is a detached two-storey dwelling located on the north side of Crescent Road. The dwelling is set back from the highway with off street parking.

The existing dwelling is set within a relatively large plot with garden amenity space stretching out to the north in a linear format. The dwelling has a pitched roof and is constructed from brick with black painted timber and white render at first floor level, plain roof tiles and white uPVC fenestration. The locality consists of detached and semi-detached two storey dwellings of varying form scale and design.

With regard to policy constraints, the site is located within the Burgess Hill built up area and is set within the St Johns Conservation Area.

APPLICATION DETAILS

The application seeks planning permission for a first floor extension above the existing ground floor rear extension by increasing the height by 5.0 metres to match the height of the existing two storey rear protrusion. The extension will have an eaves height of 5.35 metres and an overall height of 7.30 metres. The depth of the extension is 4.0 metres with a north facing window.

The extension will be constructed from hanging tile and roof tiles to match the existing dwelling.

Amended plans were received to correct the mistake showing the existing orangery roof lantern on the floor plans where the proposed extension would be located.

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 - Character and Design
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 (made January 2016)

Relevant policies:

Policy H1- Protecting and Enhancing Heritage Assets and Conservation Areas.

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

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 some 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
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)

Paragraphs 8, 11, 131 and 135 are considered to be relevant.

National Planning Policy Guidance

Ministerial Statement and Design Guide

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 the Conservation Area
- Impact on neighbouring properties
- Other Matters
- Biodiversity Net Gain

Design and Character

Policy DP26 of the District Plan relates to character and design and requires all proposals to be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside as well as addressing the character and scale of the surrounding buildings and landscape.

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.'*

Principle DG51 relates to rear extensions and states: *'Rear extensions which are not visible from the street and do not negatively impact on neighbouring properties can be expressed in many forms, including by adopting a contemporary architectural approach. With reference to DG49, they should nevertheless have consideration for the character of the existing building and the relationship of the extension with the side boundaries and adjacent buildings and gardens.'*

It is acknowledged that the property is already quite deep and extends into the rear garden. However, the proposed extension is to be constructed above an existing single storey extension. Due to its proposed ridge height the extension would be subservient to the main dwelling. The materials to be used are to match the existing dwelling and it is considered to be of an acceptable design. The proposed extension would not have an adverse impact on the streetscene due to it being sited to the rear where there are limited views from the public realm.

The proposal therefore considered to comply with policy DP26 of the District Plan and the relevant principles of the Mid Sussex Design Guide SPD.

Impact on the Conservation Area

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states 'In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of conservation preserving or enhancing the character or appearance of that area.'

In terms of the impact on the St Johns, Conservation Area, policy DP35 of the Mid Sussex District Plan states:

'Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:
o New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials;
o Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character;
o Traditional shop fronts that are a key feature of the conservation area are protected. Any alterations to shopfronts in a conservation area will only be permitted where they do not result in the loss of a traditional shopfront and the new design is sympathetic to the character of the existing building and street scene in which it is located;

- o Existing buildings that contribute to the character of the conservation area are protected. Where demolition is permitted, the replacement buildings are of a design that reflects the special characteristics of the area;*
- o Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;*
- o New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area.*

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

New buildings of outstanding or innovative design may be acceptable in conservation areas provided that their impact would not cause material harm to the area.'

Policy H1 of the Burgess Hill Neighbourhood Plan notes that: 'Proposals within the Burgess Hill Conservation Areas will be required to preserve and enhance their special character or appearance. Support will be given to undertaking/updating appraisals and management plans for each Conservation Area.'

Paras 210, 212-215 of the NPPF state:

'210. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

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 relates to an unlisted, detached dwelling located within the St Johns Conservation Area. The dwelling is from the first half of the 20th century, but has been altered and extended to the side and rear.

The proposal has been reviewed by the Conservation Officer, who has raised concerns regarding a further extension to the building. She considers that the proposed extension along with previous extensions would have an overbearing relationship to the original house, with the proposed extension exacerbating this harmful impact and be contrary to the Design Guide. As a result, she considers that this would detract from the character and appearance of the house and of the wider Conservation Area.

The comments of the Conservation Officers are noted. However Officers consider that the proposed first floor extension is of an appropriate scale and design which does not have an overbearing impact on the character of the existing dwelling. In addition, due to its positioning there would be limited views from Crescent Road and the wider area. Overall it is considered that the proposal would result in a neutral impact to the Conservation Area.

As such it is considered that the proposed extension accords with policy DP35 of the Mid Sussex District Plan, Policy H1 of the Burgess Hill Neighbourhood Plan and the NPPF.

Impact on neighbouring properties

DP26 of the Mid Sussex District Plan 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 Policy DP29);*'

The proposed extension will be located approximately 1.60 metres from the shared boundary with no.43 Crescent Road to the west. No. 43 is set approximately 2.2 metres from the shared boundary. The proposed extension is approximately 4.70 metres from the shared boundary with no.47 to the east. Due to the orientation of the dwellings with the extension to the north of the dwelling as well as the neighbouring dwellings having some space in between, it is not considered that the proposed extension would cause significant harm to neighbouring amenities in terms of loss of light.

The extension only has a north facing window and therefore will not create significant harm in terms of outlook into neighbouring amenity areas.

The proposal is therefore, considered to comply with the above-mentioned part of Policy DP26 of the Mid Sussex District Plan.

Other Matters

Drainage have been consulted on the proposal and have raised no objection stating that drainage can be managed via building regulations.

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 considered to be acceptable in terms of design, scale and form, would preserve the character of the Conservation Area and would not cause significant harm to the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policies DP26 and DP35, and policy H1 of the Burgess Hill Neighbourhood Plan, with the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Peter Davies