

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2010	Case Officer:	Stefan Galyas
Application Type:	Householder Application		
Proposal:	Proposed loft conversion incorporating hip to gable alteration. Removal of hipped roofs to the rear and creation of a balcony at second floor level.		
Site:	22 St Wilfrids Road, Burgess Hill, West Sussex, RH15 8BD, , , ,		
Validation Date	11 Aug 2025	Overall Expiry Date:	5 Sep 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	24 Sep 2025
Target Date:	6 Oct 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	5
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Signed and Agreed By:	<i>Joanne Fisher</i>	Date:	25 Sep 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2010

**22 St Wilfrids Road, Burgess Hill, West Sussex, RH15 8BD, , ,
Proposed loft conversion incorporating hip to gable alteration. Removal of hipped roofs to the rear and creation of a balcony at second floor level.
Mr B Webb**

SUMMARY OF REPRESENTATIONS

There was a total of 5 letters of representation received in response to the development proposal. They sought to object to the proposed development for the following reasons:

- o The proposed balcony resulting in an overlooking impact towards the neighbouring gardens resulting in a loss of privacy.
- o A number of existing trees having been cut down at the rear of the garden providing a potential direct line of sight towards the neighbouring garden.
- o The design being out of keeping with the locality.
- o The proposal resulting in a significant overbearing impact with the gable façade to the proposed western elevation considered alongside the full width second floor rear extension with the rear dormer. This overbearing impact would be accentuated by the set back of No.22 in relation to the No.20.
- o Loss of daylight and sunlight towards the immediate neighbouring garden and what impact this will have on planting within the garden.
- o An adverse impact from light pollution from the proposed gable end window during nighttime hours.
- o An adverse overshadowing impact being incurred by the neighbouring conservatory and any overshadowing would diminish the intended use of this space. This overshadowing impact would also result in an adverse impact towards the adjacent patio and rear bedroom window.
- o The proposal being an overdevelopment of the property as there has previously been multiple extensions.
- o The proposal resulting in considerable disruption with regard to noise.
- o Some drawings being labelled 'not to scale' and therefore lacking accuracy.
- o A previous ground floor extension having already been granted which is not reflected in the drawings for the proposal.
- o The nearby examples of other development not being comparable to the current development proposal.

SUMMARY OF CONSULTEES

None received.

TOWN/PARISH COUNCIL OBSERVATIONS

Town Council: *'The Committee of 26th August would Recommend Refusal.'*

The Committee noted that this application is very similar to the separate application discussed on 10th March. They felt the above application contravened:

*Mid Sussex District Plan:
DP26 - Character and Design*

*Mid Sussex Design Guide:
DG45 - Privacy of existing and future residents, in relation to the size of the balcony.*

DG52 - Loft Conversions and Roof Extensions'

INTRODUCTION

The application seeks planning permission for the development of a loft conversion which would be incorporated through a hip to gable alteration to the side (western) roof slope. The existing rear (southern) two storey rear extensions would have their hipped roofs removed with a rear balcony created in their place. The proposal would also create a rear box dormer to the rear roof slope and add two rooflights to the principal roof pitch.

RELEVANT PLANNING HISTORY

04/01664/FUL - Two storey extension to rear providing enhanced kitchen/utility area and bedroom at first floor level. Amended plans received showing eastern side of extension reduced from 3 metres in length to 2 metres. Permission 02.11.2004.

DM/25/0277 - Erection of a single storey rear extension extending beyond the rear wall of the original house by 6m, to a maximum height of 3m and the height of the eaves to 3m. Prior Approval is Not Required 07.03.2025.

DM/25/0276 - Proposed loft conversion incorporating hip to gable alteration. Removal of hipped roofs to the rear and creation of a balcony at second floor level (Amended description 04.03.25). Withdrawn 08.04.2025.

SITE AND SURROUNDINGS

The application relates to 22 St Wilfrids Road, a two storey property which forms one half of a semi with a hipped roof form throughout. The existing dwelling has previously been extended to its rear (southern) elevation through a two storey rear extension and is afforded garden amenity space to the rear within a linear plot form. The property is set back from the roadside by a front parking area and the dwelling is sited to the rear of the neighbouring dwelling at No.20 to the west. The existing dwelling is composed of white rendered exterior walls, clay roof tiles, white uPVC windows and white uPVC doors.

With regard to the sites locality, there are primarily semi-detached dwellings fronting the southern side of the road with the predominant roof style being hipped roof pitches. A number of other dwellings have also been previously extended and altered to their rear elevation. The neighbouring semi appears to have previously been extended through a rear elevation conservatory.

The site is within the built-up area for Burgess Hill as defined in the District Plan (DP).

APPLICATION DETAILS

The proposed development would incorporate a loft conversion through the alteration from a hipped roof pitch to a gable end. A new side elevation window would also be installed within the newly formed gable end to the side (western) elevation.

The existing two storey rear extensions roofs would also be removed as part of the development proposal and in their place, a new balcony space would be created. The existing single storey lean to would be extended upwards at first floor level to accommodate the proposed balcony. Obscure glass screening would be added to either side of the proposed balcony.

Furthermore, a new rear (southern) elevation box dormer would be created which would lead out to the proposed balcony space. The proposed dormer would measure at approximately 3.5m in length, 6m wide and 2.9 high. Additionally, two rooflights would be installed to the properties principal (northern) roof slope.

Proposed external materials would comprise white render exterior walls to match the existing, clay tiles to match the existing and an EPDM flat roof element, white uPVC and white uPVC doors to match the existing.

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 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

Burgess Hill Neighbourhood Plan (Made 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 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:
DPS1 - Climate Change
DPS2 - Sustainable Design and Construction
DPB1 - Character and Design

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, 131, 135 & 139.

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
- Biodiversity Net Gain

Design and Character

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.'

With regard to loft conversions and roof extensions, Principle DG52 notes that:

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.

Section 6, Paragraph 6.3.6 states:

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.

Furthermore Section 6, Paragraph 6.3.15 notes that:

Balconies and Juliet balconies not only provide useful outside space or sense of the outside, they can help articulate a façade providing they are carefully organised and integrated; for instance, vertically grouped balconies can contribute to creating a rhythm and visual interest. Conversely, balconies can be inappropriate if they dominate an elevation by covering a large part of the frontage and/or if they extend horizontally across the façade.

The streetscene within the site's locality is characterised by primarily bungalows fronting the northern side of the road whilst two-storey semis are set to the south. The property subject to the current application has previously been extended extensively to the rear (southern) elevation through the addition of a two-storey rear extension. It is also noted that recently, prior approval was granted for the erection of a single storey rear extension on site. Whilst this has not yet been developed, it does form a material consideration in the determination of this current application.

Rear Dormer

Space to the rear of the property would be accommodated by the removal of the two existing rear hipped roofs. This would allow for a rear box dormer to be constructed to the rear roof slope which would feature matching roof tile hanging throughout. The rear of the application dwelling would be visible from The Drive in the distance to the east and the rear elevation would be viewed in the context of a number of semis looking west from The Drive. It is noted that there are no existing dormers within this cluster of dwellings looking west and the adjoining semi at No.24 has not been extended previously at loft level.

The proposed rear dormer would measure at some 6m in width and would virtually span the entirety of the rear roof slope. Moreover, whilst the proposed dormer would be set down from the existing ridge, the dormer would be set within a close proximity to the existing eaves. The dormer would also use a flat roof design and be of a substantial box appearance. It is therefore considered that the proposed dormer would not be of a visually subordinate appearance towards the existing roof slope and would be of an excessive size. It is therefore considered that the proposal would significantly alter the existing roof profile and appear out of proportion. Accordingly, the proposal would be a clear contravention of Principle DG52 of the Mid Sussex Design Guide.

Rear Second Floor Balcony

The removal of the existing rear hipped roofs would also accommodate a flat roofed area for a balcony. The existing lean to at ground floor level would be extended upon at first floor level in order to square the area off. In width, the proposed balcony would span the entirety of the rear elevation. Thus, the proposal would have a dominating effect in this regard and contrary to the guidance with the Mid Sussex Design Guide in Section 6, Paragraph 6.3.15.

The proposed balcony would essentially create a new area of flat roof at two storey level, creating a squared and blocky appearance to the rear outshot. Coupled with the boxed appearance of the proposed rear dormer, it is considered that the overall squared off appearance would not relate well to the host dwelling nor the adjoining semi. Furthermore, when perceived from the public domain this blocky and awkward appearance would appear out of sorts within the site's immediate context. As such, the proposal would not have an acceptable impact upon the design and character of the area in this regard, failing to comply with DP26 of the Mid Sussex District Plan.

Hip to Gable

When viewed from the streetside to the north, the property is viewed in conjunction with the adjoining semi to the west which also utilises a hipped roof pitch. Whilst the proposal would slightly unbalance the pair of semis through the alteration to a gable end, it is noted that several other dwellings within a pair have made alterations to a gable end within the site's locality. As such, it is not considered that the proposed hip to gable alteration would appear overly incongruous within the sites context.

Rooflights to the Principal Elevation

There would be two rooflights installed to the dwellings principal elevation which would be visible from St Wilfrids Road to the north. It is considered that a number of other dwellings have made this alteration within the cluster of semis to the south of the road and whilst this may have been achieved under permitted development, this can be considered as a significant 'fallback position' in this instance. It is therefore considered that the proposed rooflights would be of an acceptable appearance.

In light of the above, it is considered that the proposed rear dormer would not be of a visually subordinate appearance towards the existing roofslope. When viewed in conjunction with the proposed

balcony, the proposed rear elevation would be of an awkward appearance and would not relate well to its immediate context when viewed from the public domain to the east. Accordingly, the proposal would conflict with the provisions of DP26 of the Mid Sussex District Plan, Principles DG49 and DG52 of the Mid Sussex Design Guide and Paragraph 135 of the NPPF.

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);'*

DP29 then elaborates further with regard to noise, air and light pollution:

The environment, including nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife habitats, and the quality of people's life will be protected from unacceptable levels of noise, light and air pollution by only permitting development where:

Noise pollution:

o It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area;

o If it is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures;

Noise sensitive development, such as residential, will not be permitted in close proximity to existing or proposed development generating high levels of noise unless adequate sound insulation measures, as supported by a noise assessment are incorporated within the development.

In appropriate circumstances, the applicant will be required to provide:

o an assessment of the impact of noise generated by a proposed development; or

o an assessment of the effect of noise by an existing noise source upon a proposed development;

Light pollution:

o The impact on local amenity, intrinsically dark landscapes and nature conservation areas of artificial lighting proposals (including floodlighting) is minimised, in terms of intensity and number of fittings;

o The applicant can demonstrate good design including fittings to restrict emissions from proposed lighting schemes;

Air Pollution:

o It does not cause unacceptable levels of air pollution;

o Development on land adjacent to an existing use which generates air pollution or odour would not cause any adverse effects on the proposed development or can be mitigated to reduce exposure to poor air quality to recognised and acceptable levels;

o Development proposals (where appropriate) are consistent with Air Quality Management Plans.

The degree of the impact of noise and light pollution from new development or change of use is likely to be greater in rural locations, especially where it is in or close to specially designated areas and sites.

The proposal would create a balcony area with obscure glazing to either side so that views would primarily be contained to a southward's direction. The screening either side would measure at approximately 1.8m high and attempt to preserve the privacy of the adjacent neighbouring occupiers. Nevertheless, it is considered that the proposed balcony area at second floor level would offer considerable views, albeit at an angle, towards the adjacent neighbouring gardens either side of the site. The perception of neighbouring occupiers being overlooked coupled with the views offered would likely lead to a significant loss in privacy at the neighbouring sites.

It is noted that concerns were raised from the property to the south of the site, stating that a number of trees had been removed from the rear of the site thus allowing for direct views towards the neighbouring garden. The proposed balcony would be in excess of 20m away from this neighbouring garden and therefore would not result in a significant overlooking impact in this regard.

The proposed rear dormer would span the entirety of the rear roof slope and would be sited in a close proximity to the adjoining semi at No.24 to the east. It is considered that the proposed box dormer would contribute towards increasing the overall bulk and size of the rear elevation. It is noted that there are currently two unobscured glazed first floor windows at the neighbouring property as well as a ground floor conservatory. It is considered that whilst the conservatory would likely receive less light than the current arrangement, it would still be supplied light from other sources and multiple window openings. Furthermore, the two first floor rear elevation windows at the neighbouring property would still receive ample light as these windows are south facing.

The proposal would also extend the existing property at first floor level above the existing single storey lean to. This would be positioned against the shared No.24 to the east which has a single storey conservatory to its rear elevation. It is considered that this extension would only present a marginal increase in built footprint and therefore would not result in an unduly significant overbearing impact.

Concerns were raised from a neighbouring occupier with regard to the potential light spill and pollution from the proposed side (western) elevation gable end window. It is considered that the window would not be of a considerable size and the dwelling is located within a built-up area in Burgess Hill where street lighting and domestic side elevation windows are commonplace. As such, it is not considered that the proposed window would result in a substantial amount of light pollution being emitted.

The proposed hip to gable alteration would increase the overall bulk of this existing side elevation which fronts onto the garden at the neighbouring property to the west at No.20. However, there is an existing offset of approximately 1.3m to the shared boundary which is considered to help mitigate toward the overbearing impact. Furthermore, the existing ridge height would not be exceeded with the existing eaves also being maintained in height. As such, it is not considered that the proposed hip to gable alteration would cause a substantial overbearing impact towards the adjacent neighbouring occupiers.

From the quantum of works proposed, concerns were raised with regard to the overdevelopment of the plot. However, the existing building would not be increased further in-built footprint. It is therefore considered that sufficient garden amenity space would be retained to meet the needs of the current and future occupiers.

Overall, it is considered that the proposal would result in an unacceptable impact with regard to the overlooking impact incurred from the proposed balcony. The perception of being overlooked and views offered towards the neighbouring sites would result in a loss of privacy currently enjoyed by the neighbouring occupiers. The proposal would therefore be contrary to the provisions of DP26 of the Mid Sussex District Plan.

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

It is considered that the proposed size and scale of the proposed dormer coupled with the boxed appearance of the proposed rear balcony would be of a discordant and incongruous appearance when viewed from the public domain to the east of the site. Additionally, the proposed balcony would result in a significant loss of privacy towards the adjacent neighbouring sites through an overlooking impact. It is therefore considered that the proposal would fail to accord with the provisions of DP26 of the Mid Sussex District Plan, Principles DG49 and DG52 The Mid Sussex Design Guide and Paragraph 135 of the National Planning Policy Framework.

Decision: Refusal

Case Officer: Stefan Galyas

