

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0840	Case Officer:	Stefan Galyas
Application Type:	Householder Application		
Proposal:	Proposed single storey rear extension		
Site:	2 Paddock Walk, Burgess Hill, West Sussex, RH15 0YZ, , ,		
Validation Date	12 May 2025	Overall Expiry Date:	3 Jun 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	1 Jul 2025
Target Date:	7 Jul 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	2 Jul 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0840

**2 Paddock Walk, Burgess Hill, West Sussex, RH15 0YZ, , ,
Proposed single storey rear extension
Mr Mark Yates**

SUMMARY OF REPRESENTATIONS

There were no letters of representation received in response to the current proposal.

SUMMARY OF CONSULTEES

Trees Officer No objection.

Drainage No objection.

Southern Water No objection.

District Licensing *"There is a low risk that great crested newts (GCN) may be present at the application site. Mid Sussex District Council considers it to be unreasonable to require the applicant to submit a survey because this could be considered disproportionate to the scale and the likely impacts of the development. However, the application site lies in the red impact zone as per the modelled district license map, which indicates that there is highly suitable habitat for GCN within the area surrounding the application site. Therefore, anyone undertaking this development should be aware that GCN and their resting places are protected at all times by The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation or substitute the need to obtain a protected species license if an offence is likely. If a GCN is discovered during site preparation, enabling or construction phases, then all works must stop until the advice of a professional/suitability qualified ecologist and Natural England is obtained, including the need for a license. The following recommendations are provided to further reduce the likelihood of impacts on this species:*

- *Any trenches left overnight should be covered or provided with ramps to prevent GCN from becoming trapped.*
- *Any building materials such as bricks, stone etc, should be stored on pallets to discourage GCN from using them as shelter.*
- *Any demolition materials should be stored in skips or similar containers rather than piles on ground."*

TOWN/PARISH COUNCIL OBSERVATIONS

Town Council: *"The Committee of 2nd June would Recommend Approval"*

INTRODUCTION

The application seeks planning permission for the development of a single storey rear extension.

RELEVANT PLANNING HISTORY

DM/21/3311 - Erection of 8 dwellings, alterations to site access, provision of car parking along with hard and soft landscaping. AMENDED PLANS received 5/1/2022 in relation to access road, amendment to layout to plots 1 and 2, replacement of garden wall with fencing and revised Arboricultural Impact Assessment. Permission 14.11.22

DM/23/1560 - Non-Material amendment relating to DM/21/3311 to change the front and side facades of plot 6. Refusal 21.06.23.

DM/23/1646 - Variation of Condition 2 relating to planning reference DM/21/3311 in order to allow for the substitution of drawings to change the elevation appearance of Plot 6. Permission 02.08.23.

SITE AND SURROUNDINGS

The application relates to 2 Paddock Walk, a two storey detached dwelling featuring a pitched roof with dormers to both the front and rear roof slopes. The dwelling is set to the southern side of the private drive known as Paddock Walk with a strip of front garden space setting the dwelling back from the roadside edge. The dwelling is afforded garden amenity space to the rear with a shed outbuilding contained within and the site abuts mature tree planting to the rear with a pond visible in the distance to the south. The existing property is composed of brick at ground floor with tile hanging at first floor to the walls, a red clay tiled roof, white uPVC framed windows and glazed bifold doors.

With regard to the sites locality, there are a number of other new build dwellings featuring tile hanging at first floor level and associated landscaping throughout the streetscene. Front pitched dormers and gable ends help add visual interest throughout the estate.

Although the site lies within the countryside as defined in the District Plan, the site is contiguous with the development boundary of Burgess Hill at the entrance and access with Folders Lane.

APPLICATION DETAILS

The proposal would develop a single storey rear extension which would measure at approximately 3.9m in length, 3.4m wide, have an eaves height of 2.4m and a ridge height measuring at 3.5m. The proposal would be composed of rendered walls, interlocking clay roof tiles, white uPVC framed windows and glazed bifold doors.

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 Allocation Development Plan 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 the Countryside

DP26: Character and Design

DP37: Trees, Woodland and Hedgerows

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.

Other Material Considerations

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;

- Protection and Enhancement of the Countryside
- Design and Character
- Impact on Neighbouring Amenities
- Trees Impact
- Biodiversity Net Gain

Protection and Enhancement of the Countryside

DP12 of the Mid Sussex District Plan states:

'The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

- o it is necessary for the purposes of agriculture; or*
- o it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.'*

Given the domestic nature of the proposal within the existing dwellings established residential curtilage, the proposed development is considered to protect the intrinsic character and beauty of the countryside.

Due to the above, the proposal complies with DP12 of the Mid Sussex District Plan.

Design and Character

Policy 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 rear extensions, Principle DG51 of the Design Guide 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.'

The proposed extension would be set within a visually discrete position in relation to the streetscene and views would only be restricted to oblique angles from public vantage points. Furthermore, the use of the pitched roof design is considered to reflect the existing dwelling and would relate well within its immediate context.

In terms of size and scale, the proposed extension would be contained to a single storey and therefore is considered to appear subservient towards the existing. Whilst the extension would not utilise directly matching materials, it is considered that the use of new materials within the visually discrete context would be acceptable.

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

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);'*

The proposal would contain a side (south-eastern) elevation bi-fold opening door which would face out towards the neighbouring property at No.4. There are two side (north-western) elevation ground floor unobscured glazed windows at No.4 which would face back towards the bi-fold opening door. It is considered that the door would be contained to a low level and views towards the neighbouring site would largely be obscured by the existing closeboard boundary fence. Accordingly, it is not considered that the bi-fold opening door would give rise to a significant overlooking impact.

To the other side (north-western) roof pitch, a roof light would be installed. It is considered that this would more likely be used to supply light rather than offer outlook. However, it is considered that this would face out towards the existing car port and as such would not overlook a neighbouring property.

It is considered that the proposed extension would be offset from the shared boundary with No.4 by circa 5.7m. The extension would be contained wholly to a single storey size and scale. As such, the proposal is not considered to give rise to an overbearing impact.

Accordingly, the proposal is considered to comply with the provisions of DP26 of the Mid Sussex District Plan in terms of neighbouring amenities.

Trees Impact

In relation to new developments impact on trees, DP37 of the District Plan states that:

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.'

'Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.'

An Arboricultural Impact Assessment, Method Statement and Tree Protection Plan were submitted in support of the current application to which no objection was raised by the Tree Officer. The Arboricultural Method Statement particularly identified a number of measures to protect the nearby trees throughout the development phase, including tree protection fencing and the prevention of material storage within the root protection areas. A condition ensuring the adherence to this document is considered necessary and relevant in the instance that permission is granted to ensure the health of nearby trees.

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 appropriate in terms of design and will not negatively impact on the host dwelling nor its immediate setting, will not harm neighbouring amenities and would result in an acceptable impact with regard to the nearby trees.

The proposal will comply with Policies DP12, DP26 and DP37 of the District Plan, the MSDC Design Guide and the requirements of the NPPF.

Decision: Permission

Case Officer: Stefan Galyas