

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0333	Case Officer:	Caroline Grist
Application Type:	Householder Application		
Proposal:	Proposed single storey kitchen extension plus first floor dormer extension.		
Site:	11 Adastra Avenue, Hassocks, West Sussex, BN6 8DP, , , ,		
Validation Date	4 Mar 2025	Overall Expiry Date:	27 Mar 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	28 Apr 2025
Target Date:	29 Apr 2025	Recommending Officer Signature:	<i>Caroline Grist</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	29 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0333

**11 Adastra Avenue, Hassocks, West Sussex, BN6 8DP, , ,
Proposed single storey kitchen extension plus first floor dormer extension.
Ben Packwood**

SUMMARY OF REPRESENTATIONS

One letter of objection has been received in response to this application. In summary the following issues have been raised:

- o Proposal is a significant modification to a small bungalow;
- o Proposal would alter to character of the property;
- o Two storey element would be a significant overdevelopment of the site;
- o Substantially affect 9 Adastra Avenue;
- o Two storey element would disrupt light to the patio, main bedroom and lounge/dining room of No. 9;
- o Two storey element would be primarily visible from No. 9 and affect their view;
- o There would be views from No. 9 into the extension through the rooflight and vice versa;
- o Proposal exceeds permitted development rights; and
- o Applicant did not engage with No. 9 prior to submitting the application.

It should be noted that only material planning considerations can be taken into account as part of the following assessment. Concerns relating to a loss of view therefore cannot be considered.

Where a proposal exceeds permitted development rights, an application for planning permission is required so the scheme can be considered against relevant planning policies. As such, a development exceeding permitted development rights is not a reason in its own right to refuse an application.

Lastly there is no requirement for an applicant to discuss a proposal with their neighbours prior to an application being made.

SUMMARY OF CONSULTEES

Southern Water

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.

Drainage Engineer

We have no objection on flood risk grounds.

Any amendments to the drainage on site can be managed via building regulations and building control as necessary.

PARISH COUNCIL OBSERVATIONS

Recommend Approval. The applicant is advised that Government has committed to adopt a 'Future Buildings Standard' during 2021 which will change the Building Regulations requirements for alterations and extensions to homes to bring these alterations closer to that of a 'zero energy building'. This is supported by Policy 5 'Enabling Zero Carbon' of the Hassocks Neighbourhood Plan which states that proposals that modify existing buildings (including extensions) should seek to maximise the inclusion of energy-saving measures and renewable energy generation. Energy saving measures include floor, roof and wall insulation, and low u-value windows (which may need to be triple glazed). These requirements may require amendments to your design which could affect the drawings submitted for planning permission. The applicant may wish to note that alterations that are built to a Nearly Zero Energy standard, are unlikely to need further retrofitting to minimise the carbon emissions that the nation is required to reduce to zero by 2050. As retrofitting an existing home to be highly energy efficient is more complex than doing so for a new building, applicants may wish to look at the 'EnerPHit' standard that the Government is understood to be considering as the applicable 'Nearly Zero Energy' standard in this context, or at the Architypes published by the London Energy Transformation Initiative for u-values for your extension walls, windows etc. and for ventilation and overheating prevention standards to be achieved.

INTRODUCTION

The application seeks planning permission for a two storey flank extension and single storey rear extension.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

SITE AND SURROUNDINGS

11 Adastra Avenue is a south facing, detached, chalet bungalow. It is constructed of red brick, with a plain tiled roof and upvc windows. It is characterised by a front gable feature, with white cladding in the eaves, and a pitched roof dormer window in the front roofslope. There are two further flat roof dormers to the rear. The dwelling also benefits from an attached garage to the side.

The site is located within the built up area of Hassocks. Neighbouring dwellings are situated to the north, east and west, whilst the highway is to the south. The dwelling is set back from the highway by a garden and driveway.

APPLICATION DETAILS

Planning permission is sought for a single storey extension to the rear as well as a first floor dormer addition. The single storey section is to contain the kitchen and dining room. It is to be some 6.6 metres deep and 5.0 metres wide. A flat roof is proposed that would have an overall height of approximately 3.0 metres.

An 'L' shaped first floor addition is also proposed that would comprise a dormer window and first floor addition, some 1.5 metres deep, over the proposed single storey extension. This would enable an existing bedroom and bathroom to be enlarged as well as to create a third bedroom. The dormer window is to be some 8.3 metres wide and the first floor section 4.7 metres. A flat roof design is proposed and the addition would have an overall height of 5.6 metres.

The application form sets out that the extension is to be finished in brick and the dormer window in shiplap cladding.

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 Allocations DPD and Hassocks 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

Site Allocations Development Plan Document

The Site Allocations DPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

There are no relevant policies.

Hassocks Neighbourhood Plan

The Hassocks Neighbourhood Plan was formally made on 24th June 2020.

Relevant policies:

Policy 5 - Enabling Zero Carbon

Policy 9 - Character and Design

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 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:

DPS2 - Sustainable Design and Construction

DPS6 - Health and Wellbeing

DPB1 - Character and Design

Mid Sussex Design Guide

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

Policy DP26 of the Mid Sussex 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 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'.*

A similar ethos is found in policy 9 of the Hassocks Neighbourhood Plan which states:

'Development proposals will be supported where they have regard to the Hassocks Townscape Appraisal, and where their character and design takes account of the following design principles as appropriate to the nature, scale and location of the particular proposal:

- 1. Is of high quality design and layout;*
- 2. Contributes positively to the private and public realm to create a sense of place;*
- 3. Respects the character and scale of the surrounding buildings and landscape;*
- 4. Protects open spaces and gardens that contribute to the character of the area;*
- 5. Protects valued townscapes and the separate identity and character of Hassocks, Keymer and Clayton;*
- 6. Does not cause unacceptable harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight, sunlight and security;*
- 7. Creates safe, accessible and well connected environments;*
- 8. Protects existing landscape features and contributes to the village's Green Infrastructure network;*
- 9. Incorporates the use of local materials which are appropriate to the defined Local Townscape Character Area; and*
- 10. Positively responds to the local vernacular character of the defined Local Townscape Character Area'.*

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.

Extensions should not result in a significant loss to the private amenity area of the dwelling.

There are two general approaches to extending a property:

o Designing in the style of the existing building by closely matching its facing materials, architectural features, window sizes and proportions; and

o Designing in a contemporary style that takes its cues from key aspects of the existing building that might include its underlying form and proportions, facing materials, window design and other specific architectural features. The success of this approach is particularly reliant on high quality facing materials and finishes, and this will normally need to be demonstrated through detailed elevations and section drawings.

Both approaches can create successful, well-designed extensions that can be mutually beneficial to both the house and the wider area'.

In terms of rear extensions principle DG51 sets out:

'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'.

Principle DG52 relates to loft conversions and states:

'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'.

This principle also includes reference to further dormer window guidance in Chapter 6 of the Design Guide under sections 6.3.5 to 6.3.7 which state:

'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 situated within an established residential area of Hassocks. Houses along Adastra Avenue comprise bungalows, some of which have first floor accommodation through dormer windows.

Planning permission is sought for ground and first floor extensions to the rear of 11 Adastra Avenue. With regards to the proposed ground floor addition, it is to be some 6.6 metres deep, which is comparable to the depth of the existing house. As such, the extension would not appear subordinate or proportionate and would visually compete with the host dwelling. In addition the extension has been designed so that the flat roof would cut across the eaves of the host building, creating an addition that does not appear well integrated.

The proposed dormer window would have a large form that would extend across the majority of the roofslope, thereby creating a large feature with proportions that would not appear visually subordinate within the roofslope. Furthermore, the first floor extension would exacerbate the scale of the addition and the flat roof design appears unsympathetic in relation to the host dwelling. As such it is considered that this element of the proposal would be out of scale and character with the application property. Due to the spacing of properties along Adastra Avenue, it is considered that there would be glimpsed views of the first floor works from public vantage points and, whilst dormer windows are a feature of the area, first floor additions are not.

Given the above, it is considered that the proposed extensions would appear out of proportion with the dwelling, resulting in dominant features that would be of a design that do not appear sympathetic to the character of the existing building or the surrounding area. This would be contrary to policy DP26 of the Mid Sussex District Plan, policy 9 of the Hassocks Neighbourhood Plan and the Mid Sussex Design Guide.

Impact to amenity

Policy DP26 of the Mid Sussex District Plan states that proposals should not cause 'significant harm' adjoining neighbours' amenity whereas policy 9 of the Hassocks Neighbourhood Plan states that development should not cause 'unacceptable harm' to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight, sunlight and security. There is therefore some conflict between the District Plan and Neighbourhood Plan in this respect. Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published. As such, policy 9 is considered to take precedence and therefore the test in this instance is whether the development causes unacceptable harm to neighbouring amenities as outlined above.

9 Adastra Avenue would be closest to the proposed works and a letter of objection has been received from this neighbour, raising concerns regarding the impact to their amenity. No. 9 is situated to the west of the application site, is situated at a lower land level and set away from the boundary. This neighbour's garage is closest to the shared boundary. In terms of openings there is a first floor window, within a dormer window, and French doors in closest to the shared boundary, which the representation states relate to the main bedroom and lounge/dining room. The boundary comprises a close boarded fence and there are outbuildings adjacent to the boundary on both sides.

In terms of light, whilst the depth of the extension is acknowledged, given that it is to be set away some 2.0 metres from the shared boundary and the above layout, it is considered that it would not result in an unacceptable loss of daylight. Due to the proposal being to the east of No. 9, the sunlight that would be affected would be limited to the morning. As such, whilst sunlight would be affected, given the level of impact it would not warrant the refusal of this application. Additionally no windows are proposed that would result in this neighbour being overlooked.

With regards to outlook, as described, No. 9 is situated at a lower land level. Whilst there are existing outbuildings along the boundary, they have a light weight and temporary appearance. The proposed

extension would have a more permanent and solid appearance, which would create a solid brick wall for some 6.6 metres in depth. It would also be notably taller than the existing fence line and particularly given the land levels, it is considered the addition would have an oppressive impact and unacceptably affect the outlook available to No. 9.

It is noted that sliding doors are proposed on the eastern elevation of the single storey extension. Whilst these would face towards No. 13, they are to be set away from the shared boundary by some 5.0 metres. They are to be positioned as to not directly face onto existing side openings facing the application site and, as such, would not result in a significant loss of privacy to this neighbour.

Given the domestic nature of the proposal it is considered that significant harm would not arise in terms of noise, air or light pollution.

It is therefore concluded that the proposal would have an unacceptably harmful impact to the outlook of 9 Adastra Avenue, arising from its height and depth that would be exacerbated by the changing land levels. The proposal would therefore fail to comply with policy DP26 of the Mid Sussex District Plan, policy 9 of the Hassocks Neighbourhood Plan, the Mid Sussex Design Guide and the National Planning Policy Framework.

Other matters

Policy 5 of the Hassocks Neighbourhood Plan relates to sustainability and states:

'Development proposals will be supported that maximise the opportunity to include sustainable design features, providing any adverse local impacts can be made acceptable.'

'Residential development proposals that modify existing buildings (including extensions) should seek to maximise the inclusion of energy-saving measures and renewable energy generation.'

'Proposals which make provision for charging electric vehicles at each dwelling (where feasible) and on-street; and making parking areas charging ready will be supported'.

The proposed development relates to the extension of an existing dwelling. A renewable energy source has not been included within the proposal nor any other energy saving measures, however the development would need to meet Building Regulation standards. It is therefore considered that this would not warrant the refusal of the proposal.

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 proposed extensions would appear out of proportion with the host dwelling, resulting in dominant features that would not allow the original building to remain the dominant element of the property. The proposed design would also not appear sympathetic or well integrated to the character of the existing building or the surrounding area, where views of the first floor works would be visible. Furthermore the height and depth of the proposal would result in an unacceptable loss of outlook to 9 Adastra Avenue, which would be exacerbated by changing land levels. The proposal would therefore fail to comply with policy DP26 of the Mid Sussex District Plan, policy 9 of the Hassocks Neighbourhood Plan, the Mid Sussex Design Guide and the National Planning Policy Framework.

Decision: Refusal

Case Officer: Caroline Grist

