

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0759	Case Officer:	Andrew Watt
Application Type:	Householder Application		
Proposal:	Proposed demolition of existing conservatory and erection of a two storey side addition, and single storey rear addition. Roof extension and loft conversion incorporating two rear dormers and associated rooflights to front and rear roof elevations.		
Site:	16 Daynes Way, Burgess Hill, West Sussex, RH15 9RH, , , ,		
Validation Date	4 Jun 2025	Overall Expiry Date:	23 Jul 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	17 Sep 2025
Target Date:	30 Jul 2025	Recommending Officer Signature:	Andrew Watt

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	18 Sep 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0759

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SUMMARY OF REPRESENTATIONS

None.

SUMMARY OF CONSULTEES

MSDC Tree Officer

Following the further comments from the Agent, I can confirm that I have no objection.

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.

TOWN / PARISH COUNCIL OBSERVATIONS

The Committee of the 24th June would Recommend REFUSAL.
The Committee had the same concerns as when this application was considered on 22nd April. They felt it still contravened:

Mid Sussex District Plan:
DP26 - Character and Design

Mid Sussex Design Guide:
DG49 - General Principles for Extensions as the compound effect overwhelms the original dwelling and the extensions are not subservient to previous extensions.

INTRODUCTION

Full planning permission is sought for the demolition of an existing conservatory and erection of a two-storey side addition, and single storey rear addition, together with roof extension and loft conversion incorporating two rear dormers and associated rooflights to front and rear roof elevations.

RELEVANT PLANNING HISTORY

None relevant. A garage conversion to form habitable accommodation was approved under the Building Regulations in February 2021.

SITE AND SURROUNDINGS

The site is a 2-storey detached dwelling, dating from the mid-1990s, forming part of a larger residential estate to the south-west of Burgess Hill within the built-up area. The property is located at the end of a cul-de-sac and backs onto Jane Murray Way with a public right of way (BUH/3C/3) running alongside to the west. It is designated as a Great Crested Newt - Impact Risk Zone (Red).

APPLICATION DETAILS

Full planning permission is sought for the demolition of an existing conservatory and erection of a two-storey side addition, and single storey rear addition, together with roof extension and loft conversion incorporating two rear dormers and associated rooflights to front and rear roof elevations.

The 2-storey side extension will measure approximately 3.4m in width by 8.5m and will match the existing ridge height of the main building (i.e. approximately 9.0m). It will sit flush with the existing rear elevation of the property and to the same frontage as the WC and entrance, but set behind the existing front gable end by approximately 0.9m. There will be a ground floor window to the front and rear and first floor window to the front and rear, with nothing to the side.

The single-storey rear extension will measure approximately 7.5m in width by 4.0m in depth and 3.2m in height with a flat, parapet roof and two lantern lights within. There will be a set of patio doors and a window in the rear elevation.

The application also proposes 3 rooflights to the front elevation and 1 rooflight and 2 dormers to the rear roof slope, approximately 2.7m in width.

Materials will be facing brickwork, concrete interlocking roof tiles and white UPVC windows, to match those on the existing building. The flat roof will be of a single membrane and the patio doors powder coated aluminium.

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 Mid Sussex District Plan, Site Allocations Development Plan Document (DPD) and the Burgess Hill Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Practice Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan (Mar 2018)

The Mid Sussex District Plan 2014-2031 was adopted at Full Council on 28 March 2018.

Relevant policies:

Policy DP26: Character and Design
Policy DP37: Trees, Woodland and Hedgerows
Policy DP38: Biodiversity

Site Allocations DPD

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

There are no relevant policies.

Burgess Hill Neighbourhood Plan (Jan 2016)

Mid Sussex District Council formally 'made' the Burgess Hill Neighbourhood Plan part of the Local Development Plan for the Neighbourhood Plan area of Burgess Hill as of 27 January 2016. The policies

contained therein carry full weight as part of the Development Plan for planning decisions within the Burgess Hill Neighbourhood Plan area.

No policies are relevant to this proposal.

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 31 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:

DPN1: Biodiversity, Geodiversity and Nature Recovery
DPN2: Biodiversity Net Gain
DPN4: Trees, Woodland and Hedgerows
DPB1: Character and Design

Mid Sussex Design Guide Supplementary Planning Document (Nov 2020)

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 4 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.

Relevant design principles include:

Principle DG49: General principles for extensions
Principle DG50: Front and side extensions
Principle DG51: Rear extensions
Principle DG52: Loft conversions and roof extensions

National Planning Policy Framework (NPPF) (Dec 2024)

The National Planning Policy Framework (NPPF) 2024 is also a material consideration and paragraphs 8 (overarching objectives), 11 (presumption in favour of sustainable development), 131 and 135 (design) and 136 (trees), are considered to be relevant to this application.

ASSESSMENT

Design and visual impact on the character and appearance of the area

Policy DP26 of the Mid Sussex District Plan states (in part):

'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;*

- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *positively addresses sustainability considerations in the layout and the building design;*

Chapter 9 of the Mid Sussex Design Guide SPD relates to household extensions. Design Principle DG49 states that extensions should respond to the design of the original dwelling. Principle DG50 relates to front and side extensions and advises that side extensions should normally be subservient to the original dwelling and typically be set-back from the front of the house to help define the original building. Principle DG51 relates to rear extensions and advises that they should have consideration for the character of the existing building and the relationship with side boundaries and adjacent buildings and gardens. Principle DG52 refers to loft conversions and roof extensions and states that if dormers and rooflights are out of scale or character with the roofscape, they can have an adverse impact on the dwelling and the streetscape.

The application property is located at the far end of this cul-de-sac, tucked away at the furthest end of one of the turning heads and set well back behind nos. 15 and 17. Opposite is a 2-bay garage, one half belonging to no. 16 and the other to no. 17. Adjoining the western boundary is a public footpath, separated from the site by a fence. Beyond that is a communal car parking area associated with properties in Michelbourne Close.

Daynes Way is characterised by its mix of housing types and sizes, resulting in an informal layout. Although no. 16 is of a similar house type to several others, notably nos. 12 and 17, there is some differentiation in terms of brick colour, window detailing, orientation and spacing. As such, no one style predominates and therefore widening the application property would not be harmful to the building itself nor to the street scene. In particular, from Daynes Way, this would not be very prominent due to being sited beyond the existing gable of the house. It would be more visible from the public footpath but, given the range of properties along it, a 2-storey side extension would not be an unusual feature.

The design and scale of the single-storey rear extension is considered acceptable in relation to the existing dwelling (or as extended). The parapet roof will ensure that it remains subservient to the main part of the building and, together with matching brickwork, will minimise the impact from the public footpath. The lantern lights will be hidden by the parapet.

The rooflights to the front elevation are considered acceptable, as they will not be out of keeping with the nature of modern properties. While there are a limited number of such examples in the immediate vicinity (e.g. 25 Woolven Close) (including solar panels on roofs at 18 Daynes Way), the application property is tucked away and therefore the impact from Daynes Way will be reduced.

The dormer windows to the rear will not be visible from Daynes Way, but will be visible from the public footpath and Michelbourne Close. Again, although there are a limited number of such features in the vicinity (e.g. 25 Woolven Close at the rear and 61 Hammonds Ridge to the front and rear), they are not unusual features of modern buildings. Due to the widened roof, the dormers will be proportionate in scale and symmetrical, with even spacing between the edges and the central rooflight. There will be generous spacing both to the ridge and the eaves.

On this basis, it is considered that the proposals, taken together, are considered to be sympathetic to the existing dwelling and the surrounding area and not overwhelming to the existing dwelling, so would comply with Policy DP26 of the Mid Sussex District Plan and the Mid Sussex Design Guide SPD.

Impact on neighbouring amenity

Policy DP26 of the Mid Sussex District Plan states (in part):

'All applicants will be required to demonstrate 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 main property affected by the proposal would be 15 Daynes Way to the east, in relation to the rear single-storey extension and the rear dormer windows. This property is set back further from the frontage meaning that much of its western flank elevation acts as an enclosing feature to the application site's rear garden, separated by a 1.8m panel fence. There are 2 side windows facing this area, both being high-level windows, albeit they do not appear to be secondary windows.

However, due to the single-storey height (3.2m) and depth (4.0m) of the extension and the approximate 2.0m gap between the properties, it is not considered that the rear extension will be overbearing to the occupants of no. 15. As no windows are proposed in either side elevation, the extension will not result in any loss of privacy.

Although the proposed dormer windows will add an extra number of windows and at a higher level, they would not result in any additional overlooking to neighbouring rear gardens than currently exists. This is because such a relationship is not uncommon in urban areas containing 2-storey dwellings in fairly close proximity to each other and where occupants inevitably have their rear garden overlooked from a neighbour's upstairs windows.

It is not considered that the 2-storey side extension will result in any adverse impact to neighbouring properties on Michelbourne Close, in particular no. 17, due to the side-to-side relationship, separated by a footpath and communal car park and a distance of approximately 15m between them. In addition, no side windows are proposed in this extension.

For these reasons, it is considered that the proposals would comply with Policy DP26 of the Mid Sussex District Plan.

Impact on trees

Policy DP37 of the Mid Sussex District Plan states (in part):

'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.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- *incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- *prevents damage to root systems and takes account of expected future growth; and*
- *where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
- *has appropriate protection measures throughout the development process; and*
- *takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*
- *does not sever ecological corridors created by these assets.*

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary.'

The proposed development is within the Root Protection Area of 2 ornamental Cherry trees, located on third party land on Michelbourne Close, at a slightly lower level and separated by the public footpath and boundary fences. Following information supplied by the applicant showing the depth of foundations and that branches will be cut back where they overhang the application site, the council's Tree Officer has

raised no objection to the proposal. Accordingly it is considered that the proposal would comply with Policy DP37 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.

Other matters

The site is located within a designated Great Crested Newt - Impact Risk Zone (Red). However, having regard to the nature of the application, it is unlikely to have an impact on newts and accordingly there would be no conflict with the above legislation, policy and guidance.

PLANNING BALANCE AND CONCLUSION

The application is deemed to be of an appropriate scale and design in relation to the existing house and street scene, and would not cause significant detriment to surrounding residents. There would be no harm to trees or biodiversity. Accordingly it is considered that the proposed development would comply with Policies DP26, DP37 and DP38 of the Mid Sussex District Plan, the Mid Sussex Design Guide SPD and the NPPF and is therefore considered acceptable.

Decision: Permission

Case Officer: Andrew Watt