

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1224	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Proposed single storey rear extension to provide new kitchen/dining/living space, internal alterations to existing layout and external alterations to windows and materials		
Site:	35 Kings Drive, Hassocks, West Sussex, BN6 8DY, , , ,		
Validation Date	12 May 2025	Overall Expiry Date:	4 Jun 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	9 Jul 2025
Target Date:	7 Jul 2025	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	Stephen Ashdown	Date:	9 Jul 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1224

35 Kings Drive, Hassocks, West Sussex, BN6 8DY, , ,
Proposed single storey rear extension to provide new kitchen/dining/living space, internal alterations to existing layout and external alterations to windows and materials
Mr Russell Thatcher

SUMMARY OF REPRESENTATIONS

The neighbour at No.37 has commented on the following grounds:

- Light
- Impact on outside amenity space
- Out of character
- Overbearing
- Drainage

CONSULTEE COMMENTS

Naturespace: The proposed development is not considered to be relevant to the District Licensing Scheme in this case and we consider there would be no likely impact on great crested newts or their habitats. I therefore have no comments to make at this time.

MSDC Drainage: The application has gone through an initial review, and we require the following information at this stage of the application:

- o The estimated flood level* for your development, taking into account the impacts of climate change over its lifetime (1:100+CC)
- o Details of the finished floor levels*
- o Details of your flood resistance and resilience plans
- o It is unclear from the proposed site Section Drawing (dwg. No:KDT-PL-011) if alterations are proposed to the existing Herring Stream bank. The applicant is advised that Ordinary Water Consent would be required. Ordinary watercourse land drainage consent - West Sussex County Council

*All levels should be to meters to OS Datum

The applicant should refer to the Environment Agency's standing advice for minor extensions, which was updated in August 2024 <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#advice-for-minor-extensions>

In line with the Environment Agency's standing advice for minor extensions it is recommended finished floor levels are raised 600mm above the estimated flood level of 1:100+CC .

Following amended details were provided the following comments were received: We have no objection to the proposed development on flood risk grounds. This is subject to the finished floor levels set as per (Dwg no's. KDT-PL-005-A / KDT-PL-006-A / KDT-PL-011-A).

As an advisory, we would suggest the Applicant considers the resistance and resilience measures suggested within the EA advice and implements any they deem appropriate due to the increased flood risk in the vicinity of this as a residential site (which are classified as 'more vulnerable').

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

PARISH COUNCIL OBSERVATIONS

Recommend Approval.

INTRODUCTION

Planning permission is sought for a single storey rear extension with associated internal and external alterations.

RELEVANT PLANNING HISTORY

DM/23/2344 - Single storey rear extension to create new kitchen/dining/living space and internal alterations. (Withdrawn)

SITE AND SURROUNDINGS

35 Kings Drive is a detached pitched roofed bungalow with attached garage. The walls are a mix of face brickwork timber cladding and painted render with white upvc doors and windows. There is an existing attached greenhouse to the rear elevation with steps down from dwelling to patio with further steps to garden.

To the north of the site is the adjacent No.37, to the south of the site is the adjoining No.33, to the west of the site is the rear garden with woodland to stream beyond and to the east of the site is the driveway to the highway beyond.

The site is within the built-up area of Hassocks.

APPLICATION DETAILS

The proposed single storey rear extension approximately measures 4.6m in maximum depth, 11.7m in maximum width with a height to eaves of 2.85m and an overall height of 3.6m. This will serve a kitchen/dining room.

The proposed rear terrace approximately measures 3.7m in depth, 11.2m in width with a height of 0.65m.

The proposed terrace will be enclosed by a stepped wall which steps down from approximately 3.1m to 2.4m and then 1.8m on the northern side and from 3m to 2.2m and 1.5m on the southern side.

Other external alterations include the removal of the existing rear pitched roofed, the installation of a high level window in the gym/snug, two flat rooflights, the infilling of the side windows next to side entrance, the re-tiling of the roof to slate, the replacement of the timber cladding on the front gable with slate tile hanging and the replacement of fascias and soffits to grey upvc and gutters and rain water pipes to aluminium

Internal alterations include the change of bedroom 1 to a gym/snug, the kitchen is being split into a utility room and staircase.

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 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 (Design and Character)
DP39 (Sustainability)
DP41 (Flood Risk and Drainage)

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.

Hassocks Neighbourhood Plan

The Neighbourhood Plan was 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 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 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
DPS4 - Flood Risk and Drainage
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 8, 11, 131 and 135 are considered to be relevant to this application.

ASSESSMENT

Character and Design

DP26 of the District Plan, in part, 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:

- is of high quality design and layout and includes appropriate landscaping and greenspace;- 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;*
- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- protects open spaces, trees and gardens that contribute to the character of the area;*
- 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'*

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

'Development proposals will be supported where, they are in line with the Townscape Appraisal, and where the character and design:

- 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 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, 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'*

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 of the Mid Sussex Design Guide SPD relates specifically to rear extensions states the following:

'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'.

Rear extensions are widespread within the streetscene including at neighbouring No.33 (DM/22/3677). The proposed rear extension is a modest and subservient enlargement on the existing dwelling. It is broadly characterised by matching materials and will not be visible from the streetscene.

The installation of slate tile hanging to the front gable extension and use of slate tiling to the roof are new materials but are not out of character with the mixed visual appearance of the streetscene.

The proposed stepped wall serving the terrace would not be visible from the streetscene and will not be out of character with the existing boundary walls.

Therefore, the proposal complies with DP26 of the Mid Sussex District Plan, policy 9 of the Hassocks Neighbourhood Plan and principles DG49 and DG51 of the Mid Sussex Design Guide.

Sustainable Design

District Plan Policy DP39 states:

'All development proposals must seek to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate the following measures:

- o Minimise energy use through the design and layout of the scheme including through the use of natural lighting and ventilation;*
- o Explore opportunities for efficient energy supply through the use of communal heating networks where viable and feasible;*
- o Use renewable sources of energy;*
- o Maximise efficient use of resources, including minimising waste and maximising recycling/ re-use of materials through both construction and occupation;*
- o Limit water use to 110 litres/person/day in accordance with Policy DP42: Water infrastructure and the Water Environment;*
- o Demonstrate how the risks associated with future climate change have been planned for as part of the layout of the scheme and design of its buildings to ensure its longer term resilience'*

Policy 5 of the Hassocks Neighbourhood Plan states:

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

This is a proposal which does not affect the overall sustainability of the house. 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 and this is not considered that this would warrant the refusal of the proposal.

Neighbouring Amenities

In terms of neighbouring amenities, Policy 9 of the Hassocks Neighbourhood Plan requires residential amenities to not cause unacceptable harm, while DP26 of the Mid Sussex District Plan states that development should 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. 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 of the HNP 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.

Given the detached relationship between neighbouring properties, outlook and light will not be unacceptably harmed. Given its single storey nature, the impact on overlooking and privacy is not

deemed harmful. With the installation of screening surrounding the proposed terrace, overlooking to neighbouring gardens is not deemed to be unacceptably harmful.

Concern has been raised as to impact on the outdoor patio at No.37, whilst there may be an impact on this part of the outside amenity space of the garden given its location, this will only be for part of the day given the south-westerly location of the development in relation to the affected area. Coupled with this, this is considered that the harm is sufficient to refuse the application on, in terms of unacceptable impact to neighbouring amenities, where a degree of impact is to be expected within the built-up area between properties.

Therefore, in terms of neighbouring amenities, the proposal is deemed to comply with DP26 of the Mid Sussex District Plan and policy 9 of the Hassocks Neighbourhood Plan.

Flood Risk and Drainage

Policy DP41 of the District Plan concerns Flood Risk and Drainage. It states in part:

'Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates'.

Following consultation our drainage consultants are happy given the resilience measures outlined within the plans submitted that the proposal is acceptable in terms of flood risk. Therefore, the proposal complies with 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.

PLANNING BALANCE AND CONCLUSION

The proposed development is deemed acceptable in terms of design, form and scale to the existing dwellinghouse and surrounding properties and should not have a harmful impact upon the character of the area. Nor is the proposal considered to have an unacceptable impact upon neighbouring amenities. The proposal is deemed acceptable from a sustainability and flood risk perspective.

The proposal therefore accords with policies DP26, DP39 and DP41 of the Mid Sussex District Plan and policies 5 and 9 of the Hassocks Neighbourhood Plan, the relevant principles of the Mid Sussex Design Guide SPD and the relevant paragraphs of the NPPF.

Decision: Permission

Case Officer: Andrew Horrell