

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0087	Case Officer:	Tracie Axford
Application Type:	Removal/Variation of Condition		
Proposal:	Variation of Conditions nos 2 and 3 relating to planning application DM/25/1307 to allow for changes to the glazing and cladding.		
Site:	3 Tall Oaks, Lindfield, Haywards Heath, West Sussex, RH16 2QD, , ,		
Validation Date	13 Jan 2026	Overall Expiry Date:	6 Feb 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	6 Mar 2026
Target Date:	10 Mar 2026	Recommending Officer Signature:	<i>Tracie Axford</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	9 Mar 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0087

**3 Tall Oaks, Lindfield, Haywards Heath, West Sussex, RH16 2QD, ,
Variation of Conditions nos 2 and 3 relating to planning application DM/25/1307 to allow for
changes to the glazing and cladding.
Hewitt**

SUMMARY OF REPRESENTATIONS

No third-party representation letters have been received in response to this application.

SUMMARY OF CONSULTEES

None received.

PARISH COUNCIL OBSERVATIONS

Lindfield Rural Parish Council supports *'this positive amendment to the submitted design/plans'*

INTRODUCTION

This application seeks permission, under section 73 of the Town and County Planning Act 1990, to vary conditions 2 and 3 of planning permission DM/25/1307 which was granted on the 29th July 2025 for a single storey rear extension.

RELEVANT PLANNING HISTORY

DM/25/1307 Single storey rear extension. Permission

SITE AND SURROUNDINGS

The application property is a detached two storey five-bedroomed dwelling. To the rear of the property is a garden and access to the garage, situated to the south of the rear garden.

The property is located near the entry to Tall Oaks, which is accessed off of Lyoth Lane. Developed in the early 2000s, Tall Oaks is a private residential road leading on to Lark Rise close, a cul-de-sac, which together accommodate a total of 24 dwellings comprising a mix of terraced, semi-detached and detached homes. To the southwest of this development, the boundary is heavily tree lined, creating a verdant setting. To the northeast of the development is Lyoth Lane, a single-track road connecting Northlands Avenue to Snowdrop Lane and the A272 to the south.

APPLICATION DETAILS

This application seeks permission, under section 73 of the Town and County Planning Act 1990, to vary conditions 2 and 3 of planning permission DM/25/1037 which was granted on the 29th July 2025 for a 'Single Storey rear extension' at 3 Tall Oaks, Lindfield, RH16 2QD.

Condition 2 of Planning Permission DM/25/1307 states:

'The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

Condition 3 of Planning Permission DM/25/1307 states:

'No external materials shall be used other than those specified on the application form without the prior approval of the Local Planning Authority.

Reason: To protect the appearance of the building and the area and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

The proposed changes consist of a substitution of the approved zinc cladding with burnt timber cladding and amendments to the size and arrangement of glazed openings, as shown on the revised drawing.

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, the Mid Sussex Site Allocations DPD and the Lindfield and Lindfield Rural 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.

Lindfield and Lindfield Rural Neighbourhood Plan

The Lindfield and Lindfield Rural Neighbourhood Plan was made in 2016.

Relevant Policy: None

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) was published for public consultation on 12th January 2024 for six weeks and as a result of this consultation there are unresolved objections to some of the policies in the draft District Plan. 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

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

The application is submitted under Section 73 of the Town and Country Planning Act 1990. The Act states that, 'On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and
(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.'

The principle of the development has been established by virtue of the previous permission. As such it is only necessary to consider the specific changes that are proposed to the previously approved development. The proposed amendments consist of replacing the previously permitted external materials to the rear extension which previously consisted of zinc cladding and is now proposed to be burnt timber cladding. Amendments are also proposed to the size and arrangement of the glazed openings of the extension.

Character and Design

Policy DP26 of the District Plan relates to character and design and requires all proposals to be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside as well as addressing the character and scale of the surrounding buildings and landscape. In part the policy requires proposals to be of a high quality design and layout and includes appropriate landscaping and greenspace; and creates a sense of place while addressing the character and scale of the surrounding buildings and landscape.

The proposed external burnt timber cladding to the extension would not be similar in appearance to the existing materials at the site, however it is considered that it will provide a natural finish which is appropriate to the character of the area. Due to the location of the extension, there would be limited views from the public realm. The alterations to the glazing will be minor and do not represent a fundamental change to the design.

Taking the above into account, the proposal is considered to address the character and design of the surrounding properties and landscape. Therefore the proposal complies with policy DP26 of the Mid Sussex District Plan

Impact to neighbouring amenity

Policy DP26 of the Mid Sussex District Plan 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 Policy DP29);'

The proposed change of external cladding material and changes to the glazing would not result in any significant level of harm regarding a loss of light, outlook or privacy. Therefore, in terms of neighbouring amenities, the proposal is deemed to comply with policy DP26 of the Mid Sussex District Plan.

CONCLUSION

The proposed variation to planning permission DM/25/0307, in respect of changes to the approved extension and materials, is considered acceptable. Therefore, the proposal complies with policy DP26 of the Mid Sussex District Plan and the Mid Sussex Design Guide SPD and is recommended for approval.

Decision: Permission

Case Officer: Tracie Axford