

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2094	Case Officer:	Tracie Axford
Application Type:	Householder Application		
Proposal:	Single storey rear infill extension. New woodburning stove flue to rear extension. Infill of small window to side elevation.		
Site:	The Red House, Windmill Lane, Ashurst Wood, East Grinstead, West Sussex, RH19 3SZ, ,		
Validation Date	11 Sep 2025	Overall Expiry Date:	17 Oct 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	6 Nov 2025
Target Date:	6 Nov 2025	Recommending Officer Signature:	Tracie Axford

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	6 Nov 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2094

**The Red House, Windmill Lane, Ashurst Wood, East Grinstead, West Sussex, RH19 3SZ,
Single storey rear infill extension. New woodburning stove flue to rear extension. Infill of small
window to side elevation.**

Mr Chris Fricker

SUMMARY OF REPRESENTATIONS

None

SUMMARY OF CONSULTEES

Tree Officer responded that they have no objection but would like to condition adherence to the AIA and TPP.

Southern Water had no objections to the proposal and stated that the development site is not within Southern Water's supply area.

ASHURST WOOD VILLAGE COUNCIL OBSERVATIONS

Ashurst Wood Village council have no objection to the proposals.

INTRODUCTION

The application seeks permission for a single storey rear infill extension, a new woodburning stove flue to rear extension and the infill of small window to side elevation.

RELEVANT PLANNING HISTORY

None

SITE AND SURROUNDINGS

The application property is a two storey pitched roofed dwelling, The walls are characterised by face brickwork and tile hung to the first floor and white UPVC windows. The property benefits from a driveway to accommodate 4-5 cars, a front garden and a separate garage to the side elevation of the property.

To the west of the site is the driveway entrance leading to Windmill Lane and beyond to the A22. There is a green hedge screening the property from the highway. To the north-east of the site is the rear garden with a hedgerow on the property boundary. To the south of the property is a neighbouring detached property which is at a distance of approximately 10m from the application property and is screened by a line of dense vegetation on the boundary. To the north of the property, on Windmill Lane, are a number of residential properties, which are mainly detached and differ in terms of design and scale. All are set back from the highway by front gardens and driveways.

The site is outside of the built-up area of Ashurst Wood and within the High Weald AONB.

APPLICATION DETAILS

The application seeks planning permission for a new single storey infill extension at the rear. Internally, the extension will comprise an open plan Kitchen/Dining/Living space opening onto the garden at the rear. The extension will have a flat roof.

The extension is to be finished with materials, in keeping with the existing house. Facing brick is to be carefully selected to match existing. Crittal style rear facing doors are proposed for the new open plan Kitchen/Dining/Living area. An existing window on the rear elevation of the property will be replaced with a set of Critall Doors which will match those proposed on the new extension and provide access from the kitchen area to the back garden.

A small window on the side elevation will be removed and a new matt black stove flue will be added.

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 the Ashurst Wood 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:

DP12 - Protection and enhancement of the countryside

DP16 - High Weald Area of Outstanding Natural Beauty

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.

Ashurst Wood Neighbourhood Plan

The Ashurst Wood Neighbourhood Plan was made on 30 June 2016.

Relevant Policies:

ASW1 - Protection of the Countryside

ASW14 - Design and Character

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:

DPC1 - Protection and Enhancement of the Countryside

DPC4 - High Weald of Outstanding Natural Beauty

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.

The High Weald Area of Outstanding Natural Beauty Management Plan 2024-2029

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework (NPPF) 2021 is also a material consideration considered to be relevant to this application.

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 properties
- Impact on the High Weald Area of Outstanding Natural Beauty

Protection and Enhancement of the Countryside

Policy DP12 of the Mid Sussex District Plan, in part, 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:

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

ASW1 of the Ashurst Wood Neighbourhood Plan has a similar ethos.

Given the domestic nature of the proposal, it is therefore 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 and ASW1 of the Ashurst Wood Neighbourhood Plan.

Design and Character

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:

- 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;*
- protects valued townscapes and the separate identity and character of towns and villages;*
- 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);*
- creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- positively addresses sustainability considerations in the layout and the building design;*
- 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;*
- optimises the potential of the site to accommodate development.'*

Policy ASW14 of the Ashurst Wood Neighbourhood Plan has a similar ethos and states:

'All new development (including extensions and additions to individual properties) must demonstrate good quality design and respect the existing character and appearance of the surrounding area. All proposals will be expected to identify how they address the local surroundings and landscape context by:
(a) Using design that respects the scale and character of existing and surrounding buildings with reference to the Character Assessment; and

- (b) Demonstrating that the design of the particular development has addressed and protected the positive features of the character of the local area; and*
- (c) Using materials which are compatible with the materials of the host or surrounding buildings; and*
- (d) Respecting established building lines where relevant and using green hedging and / or trees for highway boundaries wherever possible and in keeping with the existing streetscape; and*
- (e) Ensuring safe access for pedestrians, cyclists and other road users; and*
- (f) Providing adequate refuse and recycling storage incorporated into the scheme to minimise visual impact; and*
- (g) Adopting the principles of sustainable drainage where appropriate; and*
- (h) Providing private garden amenity space proportionate to the size of the dwelling; and*
- (i) Providing off-street parking space in accordance with Policy 21 and ensuring that garages reflect the architectural style of the house they serve and are set back from the street frontage wherever possible to reflect the local character and context. Parking should be positioned between dwellings, rather than in front, so it is not prominent in or does not dominate the street scene to the detriment of local character; and the visual impact of parking areas should be minimised wherever possible by the use of alternative surfaces and screening; and*
- (j) Ensuring that the living conditions of adjoining residents (including privacy, daylight, sunlight and outlook) are safeguarded; and*
- (k) Ensuring that lighting schemes will not cause unacceptable levels of light pollution particularly in intrinsically dark areas'*

Principle DG49 of the Mid Sussex Design Guide relates to extensions generally and states: *'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.'*

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'.

The proposed infill rear extension is subservient, and in character with the existing dwelling. Matching materials are proposed and Crittal style rear facing doors are proposed for the new open plan Kitchen/Dining/Living area.

Therefore, the proposal complies with Policy DP26 of the District Plan, Policy ASW14 of the Neighbourhood Plan, the design principles of the Mid Sussex Design Guide, and the relevant paragraphs of the NPPF.

Impact on the High Weald Area of Outstanding Natural Beauty

The legal framework for AONBs, (also known as National Landscapes) in England and Wales is provided by the Countryside and Rights of Way Act (CRoW) 2000 which at Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty. Section 84 of the CRoW requires Local Planning Authorities to *'take all such action as appears to them expedient for accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB'*. The Levelling-up and Regeneration Act (2023) amended section 85 of the CRoW Act, to create a new duty on relevant authorities to *'seek to further the purpose of conserving and enhancing the natural beauty of the area' when discharging their functions in AONBs'.*

A similar ethos is found within The High Weald Area of Outstanding Natural Beauty Management Plan which is a material consideration in the determination of planning applications in the AONB.

Policy DP16 of the District Plan requires proposals in the AONB to conserve or enhance natural beauty. Paragraph 189 of the NPPF is also relevant. This states, in part:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes, which have the highest status of protection in relation to these issues.'

Given the domestic nature of the proposal, it would not have an impact on the scenic beauty of the High Weald AONB. As such it would not have any adverse impact on the landscape quality of the AONB and it complies with the requirements of policy DP16 of the District Plan, High Weald AONB Management Plan 2024-2029 and the NPPF as the character of the AONB would be conserved.

Impact on neighbouring properties

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 Policy DP29);'

Policy ASW14 of the Ashurst Wood Neighbourhood Plan in part states:

'(j) Ensuring that the living conditions of adjoining residents (including privacy, daylight, sunlight and outlook) are safeguarded'

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 DP26 is considered to take precedence and therefore the test in this instance is whether the development causes significant harm to neighbouring amenities as outlined above.

Given the inset nature of the rear infill extension, harm to the outlook and light to the adjacent detached neighbours is not deemed significant. There will be no increase in terms of overlooking as the extension is at a ground level and cannot be seen by the neighbours.

Therefore, in terms of neighbouring amenities, the proposal complies with policy DP26 of the Mid Sussex District Plan and policy ASW14 of the Ashurst Wood Neighbourhood 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

In conclusion, the proposal is appropriate in terms of design and will not negatively impact on the wider appearance of this property, its countryside location, its immediate setting, or the High Weald Area of Outstanding Natural Beauty, and will not harm neighbouring amenities.

It therefore complies with Policies DP12, DP16 and DP26 of the District Plan, ASW1 and ASW14 of the Ashurst Wood Neighbourhood Plan, the MSDC Design Guide, The High Weald Area Management Plan and the requirements of the NPPF.

Decision: Permission

Case Officer: Tracie Axford