

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2966	Case Officer:	Catherine Cardin
Application Type:	Householder Application		
Proposal:	Proposed rear flat roof extension and cladding to front first floor elevation.		
Site:	35 Blackthorns, Lindfield, Haywards Heath, West Sussex, RH16 2AX, , ,		
Validation Date	10 Jan 2025	Overall Expiry Date:	5 Feb 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	7 May 2025
Target Date:	7 Mar 2025	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	7 May 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2966

**35 Blackthorns, Lindfield, Haywards Heath, West Sussex, RH16 2AX, ,
Proposed rear flat roof extension and cladding to front first floor elevation.
Mr Sajid Tufail**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

MSDC Flood Risk and Drains

We have reviewed the information submitted and object to the proposed application as the applicant has failed to demonstrate the proposed extension is outside of the surface water 1:30 flood extent (Flood Zone 3b).

As per the Environment Agency standing advice for minor extensions, development within the 1:30 flood extent (Flood Zone 3b) is not permissible.

TOWN COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

Planning permission is sought for a rear extension and cladding to front first floor elevation.

RELEVANT PLANNING HISTORY

CU/115/78- Extension to front of property to enlarge dining room and form porch. Permission.

CU/115/78/AP1- Amended plans: extension to front of property to enlarge dining room and form porch. amended plans showing: replacement of glass panel at side of new front door with bricks. Permission.

CU/195/83- Two storey extension incorporating double garage to provide additional accommodation. Permission.

DM/24/1920- Proposed single storey extension to garage area at front of property and alterations to fenestration and doors to the rear elevation. Withdrawn.

SITE AND SURROUNDINGS

35 Blackthorns is a two-storey detached property. It is constructed of red brick, with red tile hanging at the first-floor level to the front elevation. The property has white uPVC windows and a pantile roof. The dwelling benefits from a single storey front projection, containing the garage and porch, which is finished in white painted brick. The front projection has a pitched roof design with pantile roof tiles. The dwelling is set back from the highway by a front driveway and garden.

The application site lies within the built-up area of Lindfield where properties are a similar age and there is a varied palette of external materials. Neighbouring properties are located to the north, south and west, whilst the highway is to the east.

APPLICATION DETAILS

Firstly, planning permission is sought for a single storey rear extension which will form a living/dining area. This would measure some 4.5 metres in depth and some 12.7 metres in width. The roof design shows a small change in roof height, raising from some 2.7 metres to 2.9 metres, and would contain four roof lights. It is proposed to install three sets of bi-fold doors on the side (eastern) elevation.

Secondly, planning permission is sought to replace hung tiles on the front first floor elevation with anthracite coloured cladding. It is also proposed to render the ground floor and remaining elevations in white.

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 Lindfield 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

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.

Neighbourhood Plan

Lindfield and Lindfield Rural Neighbourhood Plan (made 2016)

No relevant policies.

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
DPS4 - Flood Risk and Drainage

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)

ASSESSMENT

It is considered that the main issues that need to be considered in the determination of this application are as follows;

- Design and Character
- Impact on Neighbouring Properties
- Flood risk and drainage
- Biodiversity Net Gain

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:

- 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 DP29);*
- 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.'*

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.'

In terms of rear extensions, principle DG51 states that where they;

'...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 application relates to an established residential area of Lindfield, where properties along this section of Blackthorns are of similar age but vary in appearance due to a variety of extensions and alterations.

The proposed single storey rear extension is considered to be an appropriate scale that would not appear overly dominant in relation to the host dwelling. The proposed extension would respond appropriately to the character of the existing building and the use of materials to match would provide a consistent finish. As the extension is to the rear of the property and would not be visible from the street, it is not considered that it would have a harmful impact upon the streetscene.

The proposed anthracite timber cladding is considered in keeping in an area where there is a mix of concrete tile hanging and timber weatherboarding. The cladding to the front elevation is designed in a contemporary style and is considered to be high quality. With regards to the render, there is white painted brick work across a large section of the ground floor of the application property. Surrounding properties also have sections of rendering as well. Given that there is a varied palette of materials within the vicinity, this proposal is not considered to be harmful to the street scene.

The proposal is therefore considered to comply with Policy DP26 of the District Plan, and the relevant principles of the Mid Sussex Design Guide SPD.

Impact on Neighbouring Amenities

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 DP29);'

With regard to the neighbour at 37 Blackthorns, the extension would be set back from the shared boundary by some 1.9 metres. The proposed extension is single storey in nature and, as such, it is considered that this proposal would not cause significant harm to light or outlook available to this neighbour. No windows are proposed on the northern elevation, so this would not give rise to any overlooking concerns.

With regard to the neighbour at 33 Blackthorns, there is already an existing extension which extends further than the proposed development. Furthermore, the extension is offset from the shared boundary by approximately 1 metre. Given the modest nature of the proposal, it is not considered that this proposal would cause significant harm to this neighbour's light or outlook. No windows are proposed on the southern elevation, so this would not give rise to any overlooking concerns.

Due to the domestic nature of the proposed development, it is considered that there would not be a harmful impact in terms of noise, air and light pollution.

The proposal is therefore considered to comply with Policy DP26 of the District Plan, and the relevant principles of the Mid Sussex Design Guide SPD.

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."

The Council's Drainage Engineer has raised an objection to the application. This is due to the proposed extension being within the surface water 1:30 flood extent, which is the equivalent of Flood Zone 3b. The Environment Agency standing advice classifies this area as "more vulnerable" for surface water flooding. This standing advice also states that minor extensions such as the proposed, should not be permitted in areas classified as "more vulnerable". Table 2 paragraph 79 of the Planning Practice Guidance also states that in an area of either highly vulnerable flood risk or within Flood Zone 3b development should not be permitted.

Taking into account the above the proposal is considered to be contrary to policy DP41 of the Mid Sussex District Plan, the Environment Agency standing advice in respect of minor extensions and paragraph 79 of the Planning Practice Guidance.

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 extension would be within the surface water 1:30 flood extent, which is the equivalent of Flood Zone 3b. This is classified as "more vulnerable" for surface water flooding and minor extensions are not supported in these locations.

The proposed development is therefore considered to be contrary to policy DP41 of the Mid Sussex District Plan, the Environment Agency standing advice in respect of minor extensions, paragraph 79 of the Planning Practice Guidance and the relevant provisions of the NPPF.

Decision: Refusal

Case Officer: Catherine Cardin