

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2975	Case Officer:	Stefan Galyas
Application Type:	Householder Application		
Proposal:	Demolition of existing garage with erection of replacement Annexe.		
Site:	Finches Corner, Hickmans Lane, Lindfield, Haywards Heath, West Sussex, RH16 2NZ, ,		
Validation Date	18 Dec 2024	Overall Expiry Date:	5 Mar 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	11 Mar 2025
Target Date:	12 Feb 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	11 Mar 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2975

**Finches Corner, Hickmans Lane, Lindfield, Haywards Heath, West Sussex, RH16 2NZ,
Demolition of existing garage with erection of replacement Annexe.
Mr Adam Child**

SUMMARY OF REPRESENTATIONS

There were no letters of representation received in response to the proposed development.

SUMMARY OF CONSULTEES

Conservation Officer:

'The application site is an unlisted building located to the west of Lindfield, outside the Conservation Area. Historic map regression, and on site inspection, suggests that the building dates from the mid-late 19th century and is the former lodge house to Finches, a substantial country house which was previously located just to the north, but was demolished during the second half of the 20th century. The curving driveway between the two survives as Finches Gardens. The building is typical of the Tudor revival style of the period, and retains many original features including prominent brick chimneys, gabled roofs with patterned tiles, rendered pediments, leaded windows with quoin surrounds and dripmoulds, canted bay windows and mock-timbering.' [...]

'In my opinion, Finches Corner, because of its age, architectural interest, group value with other surviving buildings within the former Finches estate, and historical interest in the context of Lindfield, including the association with a prominent local family, would be regarded as a non-designated heritage asset (NDHA) of a mid level of historical and architectural interest within the local context.

The current proposal, which is for the demolition of an existing garage building to the rear of the house adjacent to Finches Gardens and construction in its place of a single storey annexe building, follows on from the refusal of outline planning permission in March 2023 for the demolition of the same garage and construction of a new dwelling with associated garages and hard and soft landscaping.

As existing Finches Corner is set in relatively extensive gardens. These gardens are complementary to the wider setting of the building, which is open and verdant, particularly the recreation ground to the south, and the open space at the centre of Finches Gardens to the north. This openness reflects the previous layout of the Finches estate and in particular the originally rural character of the area and the setting of the former lodge house.

Based on the available information I would consider it likely that Finches Corner would possess historical evidential and illustrative interest within the local context as a good example of a rural 19th century lodge house with connections to a significant local rural estate and prominent local family, as well as group value with the remaining buildings of the Finches estate, and aesthetic value. As such, although the modern residential development to the west of Lindfield has encroached upon the former open spaces of the estate, the gardens of Finches Corner and surrounding surviving verdant landscape would be considered to make a positive contribution to the significance of the NDHA, in particular its illustrative and aesthetic values. The existing garage, however, is a modern building of no particular architectural merit which if anything detracts from the setting of the NDHA.

The demolition of the existing garage is not, for this reason, considered contentious. A pair of adjacent garden sheds would also be removed. The replacement annexe building has a larger footprint than the existing buildings combined, but is not as big as the previously proposed new dwelling. The current proposal also does not include the previously proposed pair of new garages. The majority of the existing garden space is retained, including a good separation between the original house and the new annexe building. On balance, the scale of the current proposal is therefore considered acceptable.

In terms of its form and design, the proposed new annexe reflects the existing original dwelling, mirroring its gabled roof form, and aspects of its detailing including stepped eaves and patterned tiling to the roof. This aspect of the proposal is not considered contentious, subject to detail.

On balance, therefore, the proposal is considered to preserve the setting of the NDHA, and its significance. This meets the requirements of District Plan Policy DP34 and the relevant paragraphs of the NPPF.'

Drainage:

No objection

Tree Officer:

No objection in light of the submitted Tree Report and Tree Survey.

LINDFIELD PARISH COUNCIL OBSERVATIONS

Lindfield Parish Council has no objection to this application but questions whether full consideration has been given to DP 39 Sustainable Design and Construction, as the east and west facing roofs would appear to be suitable for PV arrays to provide renewable sources of energy.

INTRODUCTION

The application seeks planning permission for the demolition of the existing garage and the erection of a single storey annexe in its place.

RELEVANT PLANNING HISTORY

CU/263/76 - 2 Storey extension at rear of existing house. Permission 13.10.1976.

CU/298/78 - New bay window to match existing elevations. Permission 20.11.1978.

CU/247/80 - Bay window. Permission 27.08.1980

CU/093/83 - Proposed porch extension. Permission 05.05.1983

LF/063/94 - Outline application erection of one bungalow. Refusal 14.10.1994

LF/067/95 - Construction of chimney stack. Permission 05.12.1995.

DM/23/0065 - Outline application (with all matters reserved) for x1 no. bungalow infill dwelling including associated garages and amenity space, following demolition of existing garage. Refusal 17.03.2023.

SITE AND SURROUNDINGS

The application relates to Finches Corner, a non-designated heritage asset of a two-storey size, positioned to the western corner of the junction between Hickmans Lane and Finches Gardens. The existing property dates from around the mid-19th Century and reflects a Tudor revival style, featuring cream painted walls, gabled tiled roofs, brick chimney stacks and canted bay windows. The existing dwelling is provided pedestrian access leading off front the east of the site, whilst vehicular access is served to the north (rear) of the site where a single storey, flat roofed garage is positioned. The dwelling is afforded ample garden amenity space by virtue of its corner plot location and the site is enclosed by mature boundary hedging and fencing.

The sites locality is verdant in character with mature tree planting and open grassed areas prevalent along Finches Gardens. The application site is set at a distance away from the rest of the development along Finches Gardens further to the north.

With regard to policy constraints, the site is located within the Haywards Heath and Lindfield Built Up Area. There is an existing tree-preservation order on site and the application site is identified being set within an area of townscape character. Finches Corner is considered to be a non-designated heritage asset.

APPLICATION DETAILS

The proposal would demolish the existing single storey garage outbuilding and in its place develop a single storey annexe outbuilding. The proposal would measure at approximately 11.5m in length, have a maximum width of 6.5m, measure at approximately 2.4m high to the eaves and 5.8m high to the ridge. Proposed external materials would include facing brickwork walls, clay club roof tiles, a two hole crested clay ridge, wooden fascias, timber finials and timber sash and frame windows.

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 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 policies:

DP26: Character and Design

DP34: Listed Buildings and Other Heritage Assets

DP37: Trees, Woodland and Hedgerows

DP39: Sustainable Design and Construction

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 March 2016)

Policy 7 - Areas of Townscape Character

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 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:

DPS1 - Climate Change

DPS2 - Sustainable Design and Construction

DPB1 - Character and Design

DPB2 - Listed Buildings and Other Heritage Assets

DPN4 - Trees, Woodland and Hedgerows

DPS2: Sustainable Design and Construction

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 2, 8, 11, 39, 48, 131, 135, 139, 207, 208, 209, 210, 212-215, 216, 219 & 220.

ASSESSMENT

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

- Principle
- Impact on Design and Character, Including Heritage Assets
- Impact on Neighbouring Amenities
- Impact on Trees
- Sustainability
- Biodiversity Net Gain

Principle

Using this as a starting point, the development plan in Mid Sussex consists of the adopted District Plan, Site Allocation DPD and Lindfield and Lindfield Rural Neighbourhood Plan.

A key element which contributes towards the acceptability of an annexe is that there should be a functional relationship with the primary use of the planning unit. However, as established within the *Uttlesford DC v SSE & White* [1992] JLP 171, even if the accommodation provides facilities for independent day-to-day living, it would not necessarily become a separate planning unit from the main dwelling; it would be a matter of fact and degree.

It is considered that the proposed outbuilding would be linked to the host dwelling through a pathway which would run from north to south between the two buildings. Furthermore, the existing property at Finches Corner and the proposed outbuilding would share vehicular access which would be set directly to the east of the proposed outbuilding. There would not be a separate access to the outbuildings roadside facing (eastern) elevation. Access to the annexe would be required through the existing site in association with the host dwelling. As such, it is not considered that the site layout as proposed would lend itself towards subdivision.

The proposed internal facilities and quantum of accommodation incorporating two bedrooms, a kitchenette and a bathroom are considered to be relatively large for an ancillary annexe. Nevertheless, the proposal would only include a kitchenette and therefore would require some reliance on the host dwellings internal facilities. In any circumstance, an appropriately worded condition ensuring that the outbuilding remains ancillary to the host property is considered relevant and necessary in the case that planning permission is granted.

Therefore, as established the proposal would not constitute a separate unit on site and would be used as an ancillary annexe to the host dwelling. The principle of providing and extending facilities in association with existing residential accommodation is considered acceptable, subject to a site-specific assessment, related policy considerations and compliance with other policies contained within the development plan.

Impact on Design and Character, Including Heritage Assets

Policy DP34 of the District Plan states among other matters that:

Development that retains buildings which are not listed but are of architectural or historic merit, or which make a significant and positive contribution to the street scene will be permitted in preference to their demolition and redevelopment.

The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic.

Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.

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:

- 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 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'*

The application site is also identified as forming part of an Area of Townscape Character under policy 7 of the Lindfield and Lindfield Rural Neighbourhood Plan. It sets out:

'The Neighbourhood Plan designates the following areas as Areas of Townscape Character, as shown on the Proposals Map:

- i. Summerhill Lane/West Common*
- ii. Sunde Avenue/Hickmans Lane/Denmans Lane*
- iii. The Welkin*
- iv. The Wilderness*
- v. Portsmouth Wood and Portsmouth Wood Close*

Development proposals in an Area of Townscape Character will be supported, provided applicants can demonstrate they have had regard to their impact on the character and appearance of the area and have sought to retain features important to the character of the area, as defined in the Lindfield Village Design Statement. In particular, proposals should:

- i. retain trees, frontage hedgerows and walls which contribute to the character and appearance of the area;*

- ii. retain areas of open space, (including private gardens) which are open to public view and contribute to the character and appearance of the area; and
- iii. avoid the demolition of existing buildings which contribute to the character and appearance of the area'.

Paragraph 216 of the NPPF notes:

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Finches Corner, whilst undesignated is considered to possess historical, evidential and illustrative value within the local context.

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.'

The existing garage is considered to be a more recent addition on site, utilising a brick built exterior and displaying an appearance commonly associated with garage outbuildings. As outlined within the Conservation Officer's response, the existing garage outbuilding is not considered to be of significant architectural merit in its own right. As such, its demolition is not considered to be contentious with a sympathetic replacement outbuilding designed in its place.

With respect to the proposed outbuilding, a double gabled design would be utilised with the gable ends facing back towards the host dwelling on site. The building would follow a 'U' shaped format with the access to the outbuilding positioned to the southern elevation between the two gable projections. In terms of size and scale, the proposed building would be contained to a single storey. Whilst the outbuilding would be set at a higher finished floor level than the host dwelling due to the natural rise in the land, the proposed ridge height has not been shown as exceeding the host dwelling. As such, the proposed outbuilding is considered to be of a subservient appearance on site.

The proposed outbuilding would make use of a number of detailed finishes, including timber finials to the gable ends, clay club tiles and two-hole crested clay ridge tiles. Such details are not considered to be contentious, however an appropriately worded condition ensuring the approval of the material details prior to commencement is considered relevant and necessary in the instance that planning permission is granted. Confirmation of an agreement to the pre-commencement condition was confirmed by the Applicant prior to recommendation.

The proposed outbuilding would be set back from the roadside at a comparable distance to the existing, albeit at a larger overall size and scale. The eastern elevation would front a blank elevation towards the roadside, however given the set back from the pavement edge, it is not considered that this would feature prominently within the street scene.

In summary, the proposal is considered that the proposal would preserve the setting of the non-designated heritage asset, comply with the provisions of DP26 and DP34 of the District Plan, Policy 7 of the Lindfield and Lindfield Rural Neighbourhood 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);'

Principle DG47 of the Mid Sussex Design Guide SPD relates to neighbouring amenities in terms of light and states:

'All dwellings should benefit from daylight and sunlight levels that conform to BRE (Better Regulation Executive) standards.'

The extension would extend by approximately 3m away from the nearest existing rear elevation at Dendrons to the north. In terms of light impact to the rear windows, Principle DG47 of the Design Guide states among other matters that all dwellings should benefit from daylight and sunlight levels that conform to BRE (Better Regulation Executive) standards. Further guidance is set out within the "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" document. The "45 degree approach" should be taken whereby a 45 degree line is drawn from the top of the elevation and a second 45 degree line is taken from the end of the projection. If the neighbouring properties window lies within the centre of both lines, then the building will likely cause a significant reduction in light received to the concerned window. This guidance is taken as a rule of thumb and each planning application is assessed based on its own merits.

The nearest window impacted at Dendrons to the rear of the single storey side (south-eastern) element would fail the 45 degree test in plan format and would marginally pass in the elevational assessment, with the 45 degree line following the line of the proposed roof slope. The BRE good practice guidance states that both 45 degree test would have to be breached for further detailed BRE tests to be required. It is considered that the single storey size and scale of the outbuilding would limit the proposed buildings overall scale and in turn would not lead to an unacceptable overshadowing or overbearing impact in this regard.

Whilst the proposed development would be positioned approximately 1.1m away from the neighbouring dwellings side (south-eastern) elevation at Dendrons, and there is an existing side (south-eastern) facing window serving the living room to Dendrons main element. This window is secondary to this living room and would likely pass the 45-degree test when taken in elevation format due to the offset from the proposed annexe. As such, it is not considered that a significant overshadowing impact would be incurred in this regard.

There would be one window positioned to the outbuildings northern elevation which would be set at a close proximity to the neighbouring site at Dendrons. The window would serve a bathroom and has been shown on the submitted proposed plans that an obscure glazed finish would be used. Furthermore, the window would face out towards a stretch of blank walling to the side (south) elevation at Dendrons. It is therefore not considered that the proposed window would give rise to a significant overlooking impact.

Accordingly, the proposal is considered to comply with the provisions of DP26 of the Mid Sussex District Plan in terms of neighbouring amenities.

Impact on Trees

There would be a number of trees within 15m of the proposed outbuilding, further details were required regarding the protection of the existing trees on site. Subsequently a tree survey and report were provided along with a tree protection plan. The report concluded that the proposal would not require the removal of any trees on site and precautionary measures would be taken to prevent damage and to preserve the long-term health of the retained trees. Following the submission of these documents, no further objection was raised from the Council's Trees Officer.

Sustainability

Policy DP39 of the District Plan notes that:

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:

- *Minimise energy use through the design and layout of the scheme including through the use of natural lighting and ventilation;*
- *Explore opportunities for efficient energy supply through the use of communal heating networks where viable and feasible;*
- *Use renewable sources of energy;*
- *Maximise efficient use of resources, including minimising waste and maximising recycling/ re-use of materials through both construction and occupation;*
- *Limit water use to 110 litres/person/day in accordance with Policy DP42: Water Infrastructure and the Water Environment;*
- *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'*

The Parish Council stated within their response that full consideration may not have been given towards the above Policy and that the east and west facing roof slopes appeared suitable for solar PV arrays.

Whilst it is acknowledged that these roof slopes may have provided an opportunity to incorporate a renewable energy source into the development proposal, given the residential annexe scale of the proposal, it is not considered that the outbuilding would have significant energy demands. It is not considered reasonable to refuse the application on this basis.

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 host dwelling nor its immediate setting, will not result in harm towards neighbouring amenities.

The proposal will comply with Policies DP26, DP34 and DP37 of the District Plan, Policy 7 of the Linfield and Lindfield Rural Neighbourhood Plan, the MSDC Design Guide and the requirements of the NPPF.

Decision: Permission

Case Officer: Stefan Galyas