

## Delegated Decision

### Sign off Sheet

|                                              |                                                                    |                                        |                         |
|----------------------------------------------|--------------------------------------------------------------------|----------------------------------------|-------------------------|
| <b>Ref. No:</b>                              | DM/25/1820                                                         | <b>Case Officer:</b>                   | Catherine Cardin        |
| <b>Application Type:</b>                     | Householder Application                                            |                                        |                         |
| <b>Proposal:</b>                             | Proposed rear conservatory.                                        |                                        |                         |
| <b>Site:</b>                                 | 11 Truggers, Handcross, Haywards Heath, West Sussex, RH17 6DQ, , , |                                        |                         |
| <b>Validation Date</b>                       | 17 Jul 2025                                                        | <b>Overall Expiry Date:</b>            | 12 Aug 2025             |
| <b>Pre-Commencement Conditions Required:</b> |                                                                    | <b>Pre-Com Conditions Date Agreed:</b> |                         |
| <b>Recommendation:</b>                       | Permission                                                         | <b>Recommendation Date:</b>            | 5 Sep 2025              |
| <b>Target Date:</b>                          | 11 Sep 2025                                                        | <b>Recommending Officer Signature:</b> | <i>Catherine Cardin</i> |

|                                                        |  |                               |   |
|--------------------------------------------------------|--|-------------------------------|---|
| <b>Date Legal Agreement Completed: (if applicable)</b> |  | <b>No of Representations:</b> | 0 |
|--------------------------------------------------------|--|-------------------------------|---|

|                              |                    |              |            |
|------------------------------|--------------------|--------------|------------|
| <b>Signed and Agreed By:</b> | <i>Steven King</i> | <b>Date:</b> | 5 Sep 2025 |
| <b>Comments:</b>             |                    |              |            |

## **MID SUSSEX DISTRICT COUNCIL**

**DM/25/1820**

**11 Truggers, Handcross, Haywards Heath, West Sussex, RH17 6DQ, ,  
Proposed rear conservatory.  
Mr And Mrs Vallally Godfrey**

### **SUMMARY OF REPRESENTATIONS**

None received.

### **SUMMARY OF CONSULTEES**

None received.

### **PARISH COUNCIL OBSERVATIONS**

SPC - No objection

### **INTRODUCTION**

Planning permission is sought for a proposed rear conservatory at 11 Truggers, Handcross, Haywards Heath, West Sussex, RH17 6DQ.

### **RELEVANT PLANNING HISTORY**

No relevant planning history.

### **SITE AND SURROUNDINGS**

11 Truggers is a three storey semi-detached property characterised by red brick, with white upvc window and door frames and brown clay roof tiles. The property has a cat slide roof to the rear elevation. The property benefits from off road parking to the front of the property.

The application property is located within the built-up area boundary of Handcross within the High Weald Area of Outstanding Natural Beauty. Neighbouring properties are located to the east and west. Highway is located to the south. Open countryside is located to the north.

### **APPLICATION DETAILS**

The application seeks to construct a rear conservatory. This would measure some 3.7 metres in width and some 4.2 metres in depth. This would have a glazed hipped roof, with a height to the ridge of some 3.3 metres and a height to the eaves of some 2.3 metres. This would be finished in brickwork to match the existing and white upvc frames to match the existing.

### **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 Slaugham 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:

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.

### **Neighbourhood Plan**

Slaugham Neighbourhood Plan made in 2019.

Relevant policies:

Policy 1- Protecting the Area of Outstanding Natural Beauty

### **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

DPB1 - Character and Design

DPC4 - High Weald Area of Outstanding Natural Beauty

#### *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.

## 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 the High Weald AONB
- Neighbouring Amenities
- Impact on trees
- Biodiversity Net Gain

### Design and Character

Policy DP26 of the Mid Sussex District Plan relates to design and character and 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 DP27);*
- 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.'*

Principle DG49 of the MSDC Design Guide establishes design principles for extensions to dwellings and 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. 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. Otherwise it should demonstrate the appropriateness of the alternative approach. Extensions should not result in a significant loss to the private amenity area of the dwelling.'*

Principle DG50 of the Mid Sussex Design Guide SPD relate to side extensions and states that:

*'Side extensions should normally be subservient to the original dwelling and typically be set-back from the front of the house to help define the original building. The gaps between dwellings can sometimes positively contribute to articulating (for example, through the consistent rhythm of repeated houses) and adding interest in a street frontage or by providing views / visible connections to the surrounding countryside. Side extensions will therefore need to appropriately respond to the character of the street form and will not normally be accepted where they close an important gap and view.'*

Principle DG51 of the MSDC Design Guide establishes design principles for rear extensions to dwellings and states that:

*'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 extensions and alterations would be of forms and designs which are acceptable and are considered to be in proportion and appropriate to the character of the existing dwelling. It is considered that the proposed conservatory roof appropriately addresses the character of the host dwelling. As the proposal includes materials to match the existing, it is considered that the proposal would provide a consistent finish. The proposed rear extension would not be visible from the street scene and, as such, it is not considered that there would be significant harm to the character of the area.

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 the High Weald AONB**

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.

Paragraph 189 of the NPPF states:

*'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. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks.'*

A similar ethos is found within policy 1 of the Slaugham Neighbourhood Plan.

The application relates to an existing residential property within the built-up area of Handcross. As such the proposal would not form an isolated development within the wider landscape. As the works are to the rear of the property and are not visible from the street scene, it is not considered that the works would have an adverse impact on the overall landscape quality of the AONB.

As such the proposal would comply with the requirements of Policy DP16 of the District Plan, The High Weald AONB Management Plan, policy 1 of the Slaugham Neighbourhood Plan and paragraph 189 of the NPPF.

### **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);'*

To the west is 10 Truggers. As the extension would be single storey in nature, and the proposal would be a glazed hipped roof, it is not considered that the proposal would cause significant harm to the outlook and light of this neighbour. As there are no windows proposed on the side (southwest) elevation, it is not considered that the proposal would give rise to significant overlooking concerns.

To the east is 12 Truggers. Given that there would be a separation distance of some 8.7 metres from the development, it is not considered that the proposal would cause significant harm to the outlook and light of this neighbour. Given that the proposal would be partially screened by the application property itself and the existing boundary treatments, it is not considered that the proposal would give rise to significant 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.

It is therefore considered that the proposal would not cause harm to the amenities of neighbouring properties. The proposal is therefore deemed to accord with the above part of policy DP26 of the 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 proposal is considered to be appropriate in terms of design, size and scale to the dwellinghouse and locality, and would not cause harm to the amenities of neighbouring properties.

In conclusion, the proposal complies with Mid Sussex District Plan policies DP16 and DP26, policy 1 of the Slaugham Neighbourhood Plan, the High Weald Area of Outstanding Natural Beauty Management Plan 2019 - 2024 and the relevant provisions of the NPPF. The application is therefore recommended for approval.

Decision:       Permission

Case Officer: Catherine Cardin