

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0296	Case Officer:	Stefan Galyas
Application Type:	Householder Application		
Proposal:	Demolition of single storey rear extension, erection of two storey side extension and lean to extension. Addition of front porch and PV panels on roof slope.		
Site:	37 Blackthorns, Lindfield, Haywards Heath, West Sussex, RH16 2AX, , ,		
Validation Date	10 Feb 2025	Overall Expiry Date:	10 Mar 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	2 Apr 2025
Target Date:	7 Apr 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:	4 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0296

**37 Blackthorns, Lindfield, Haywards Heath, West Sussex, RH16 2AX, ,
Demolition of single storey rear extension, erection of two storey side extension and lean to extension. Addition of front porch and PV panels on roof slope.
Mrs Marina Klavina**

SUMMARY OF REPRESENTATIONS

There were no letters of representation received in response to the current proposal.

SUMMARY OF CONSULTEES

Flood Risk and Drainage: No objection.

Naturespace Partnership: No objection.

TOWN/PARISH COUNCIL OBSERVATIONS

Parish Council: No objection.

INTRODUCTION

The application seeks planning permission for the development of a two-storey side extension, a single storey side extension and a single storey front porch area. The existing single storey rear extension would be demolished and solar PV panels would be added to the proposed western roof slope.

RELEVANT PLANNING HISTORY

There is no recent history of any planning applications relating to the site.

SITE AND SURROUNDINGS

The application relates to 37 Blackthorns, a two-storey detached property set to the western side of the highway. The property features a pitched roof and there is an expanse of single storey flat roof to the side (south) of the main dwelling. The property is set back from the highways edge by a front bricked driveway and front garden amenity space. There is ample garden amenity space contained to the rear of the site which expands out to the west in a linear format. The existing dwelling is composed of brick exterior walls with tile hanging at first floor level, brown concrete roof tiles and white uPVC windows.

There are a number of other brick built dwellings within the sites locality which display a traditional estate style appearance. Properties are set back at varying distances from the highway in order to reflect the curve in the road.

The site is within the built-up area for Haywards Heath as defined in the District Plan (DP).

APPLICATION DETAILS

The proposal would extend the existing dwelling out to the side (south) elevation at first floor level and in part out to the properties rear elevation. The proposed first floor extension would measure at approximately 4.7m high to the eaves and 6.7m high to the ridge. The existing dwelling would also be extended out to the same side elevation at single storey level and would measure at around 8.2m in length, 1.2m wide, have an eaves height of 2.1m and a maximum height measuring at 2.6m. Proposed

external materials would comprise off white rendering, painted brickwork to match the render, weather board cladding, brown concrete roof tiles and white uPVC windows.

The existing property would also be extended to its principal elevation through the addition of a single storey front porch. The porch would measure at approximately 1.6m in length, 7.7m wide, have an eaves height of 2.1m high and a maximum height of 3.4m. Proposed materials would include timber framing to the porch, off white rendering, brown concrete roof tiles and uPVC 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 Haywards Heath 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

Haywards Heath Neighbourhood Plan (Made March 2016)

Policy E9 - Protection and Reinforcement of Local Character

Policy H9 - Domestic Extensions

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

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)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 2, 8, 11, 39, 48, 131, 135 & 139.

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 Amenities
- Flood Risk and Drainage
- Biodiversity Net Gain

Design and Character

DP26 of the District Plan states, in part:

'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'*

Policy E9 of the Haywards Heath Neighbourhood Plan states that:

Developers must demonstrate how their proposal will protect and reinforce the local character within the locality of the site. This will include having regard to the following design elements:

- o height, scale, spacing, layout, orientation, design and materials of buildings,*
- o the scale, design and materials of the development (highways, footways, open space and landscape), and is sympathetic to the setting of any heritage asset,*
- o respects the natural contours of a site and protects and sensitively incorporates natural features such as trees, hedges and ponds within the site,*
- o creates safe, accessible and well-connected environments that meet the needs of users,*
- o will not result in unacceptable levels of light, noise, air or water pollution,*
- o Makes best use of the sites to accommodate development,*
- o Car parking is designed and located so that it fits in with the character of the proposed development.*

Furthermore, Policy H9 of the Neighbourhood Plan states that:

Extensions to existing dwellings will be permitted where it meets the following criteria:

- o *The scale, height and form fit unobtrusively with the existing building and the character of the street scene.*
- o *Spacing between buildings would respect the character of the street scene.*
- o *Gaps which provide views out to surrounding countryside are maintained.*
- o *Materials are compatible with the materials of the existing building.*
- o *The traditional boundary treatment of an area is retained and, where feasible reinforced.*
- o *The privacy, daylight, sunlight and outlook of adjoining residents are safeguarded.*

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.'

Additionally, Principle DG50 as set out within the Design Guide, relates to front extensions:

Front extensions are more likely to be acceptable where the building line is staggered or where the dwelling is set well back from the road. They are less likely to be acceptable in streets with a strong consistent building form as they risk disrupting the underlying order.

Principle DG50 of the Mid Sussex Design Guide elaborates further on what constitutes 'good design' in relation to side extensions:

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.

In terms of rear extensions, principle DG51 states:

'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 first floor side and rear extension would create a pitched gable which would adjoin the roof of the existing dwelling. Whilst this would likely increase the properties overall perceived bulk and size when viewed from the roadside, it is considered that other dwellings have been extended and altered in comparable forms such as at No.27 further down the road to the south. A further single storey lean to roof extension would be developed to the side (southern) elevation. This extension would be set back from the principal elevation and is considered to be read as a subservient addition to the property.

A new front porch area would be constructed as part of the development proposal which would utilise a timber framed exterior over the entrance way. The use of a lean-to roof pitch and the single storey size and scale is considered to be subsidiary to the main building. Furthermore, the proposed timber framed entrance way is not considered to appear overly incongruous within the site's context.

An array of solar panels would be installed to the side (southern) roof pitch and it is considered that only glimpsed views would be offered from the public domain. As such, the proposed solar panels are not considered to result in an overly incongruous appearance. A range of new materials would also be used to the building's exterior, including weatherboard cladding, off white rendering and painted brickwork. It is

considered that these materials would likely give rise to a more contemporary appearance. As previously noted, a number of other dwellings along the street have previously been altered and modernised over time. As such, it is not considered that these proposed works to the proposed exterior would appear out of context.

The proposal is therefore considered to comply with Policy DP26 of the District Plan, Policies E9 and H9 of the Haywards Heath Neighbourhood Plan and the relevant principles of the Mid Sussex Design Guide SPD.

Impact on Neighbouring Amenities

Policy H9 of the Haywards Heath Neighbourhood Plan states that proposals should 'safeguard' neighbouring amenities with regard to privacy, daylight, sunlight and outlook whereas policy DP26 of the MSDP states that development should 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. 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 of the Mid Sussex District Plan is considered to take precedence and therefore the test in this instance is whether the development causes 'unacceptable harm' to neighbouring amenities as outlined above.

A new window would be installed to the side (southern) elevation which would face out towards the neighbouring property at No.35. The proposed window would serve a non-habitable room (ensuite) and is labelled as using an obscure glazed finish. As such, it is not considered that the window would give rise to a significant overlooking impact. There would also be window alterations to the other side (northern) elevation which are all considered to mirror the existing level of outlook offered from the existing window arrangement on the same elevation.

The proposal would bring the built form at two storey level closer towards the neighbouring dwelling immediately to the south at No.35. It is noted that there are no existing side (north) elevation windows at No.35 which would face back towards the proposal.

The proposed first floor extension would also merge into a two-storey rear extension which would project beyond the rear elevation at No.35 by approximately 2.7m. 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.

There is an existing unobscured glazed ground floor window at No.35 which would both pass the 45-degree test when measured in both plan and elevational format. It is therefore considered that the proposal would not give rise to an unacceptable overbearing or overshadowing impact towards the neighbouring property.

The proposed single storey side (south) elevation extension is considered to be of a limited height, measuring at approximately 2.1m high to the eaves and 2.6m at its highest point. As such, this element of the proposal is not considered to result in an overbearing impact.

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

Flood Risk and Drainage

DP41 of the District Plan notes that:

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.

It was noted within the Drainage Engineer's comments in response to the development proposal that the site is predominantly sited within Flood Zone 1 and has a low fluvial flood risk. The updated mapping produced by The Environment Agency following the new National Flood Risk Assessment (NaFRA2) suggests that the surface water flood extent on site is at very low risk of surface water flooding both at the present day and between 2040 and 2060.

The submitted Flood Risk Assessment submitted by the Applicant outlines that a new soakaway would be installed to serve the extension while a channel drain would be placed around the extension's perimeter. It is noted that no objection was raised by the Drainage Engineer, subject to the proposal being constructed in line with the mitigation measures outlined within the Flood Risk Assessment.

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 and will not harm neighbouring amenities.

The proposal will comply with Policies DP26 and DP41 of the District Plan, Policies H9 and E9 of the Haywards Heath Neighbourhood Plan, the MSDC Design Guide and the requirements of the NPPF.

Decision: Permission

Case Officer: Stefan Galyas