

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0364	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Construction of Veranda.		
Site:	Croft Corner, Oldlands Avenue, Balcombe, Haywards Heath, West Sussex, RH17 6LS, ,		
Validation Date	12 Feb 2025	Overall Expiry Date:	10 Mar 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	4 Apr 2025
Target Date:	9 Apr 2025	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	4 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0364

**Croft Corner, Oldlands Avenue, Balcombe, Haywards Heath, West Sussex, RH17 6LS,
Construction of Veranda.**

Ron Parker

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

None received

PARISH COUNCIL OBSERVATIONS

Balcombe Parish Council had no objections.

INTRODUCTION

Planning permission is sought for the construction of a veranda.

RELEVANT PLANNING HISTORY

BA/005/79 - Detached garage. (approved)

BA/036/90 - Proposed two storey side extension and car port. (approved)

BA/036/90/AP1 - Amended plans: Proposed two storey side extension and car port. Amended plans showing: alteration to east and west elevation windows (approved)

BA/019/93 - Proposed single storey side extension to replace existing conservatory. (approved)

04/02842/FUL - Single storey front extension. First floor extension over existing day room. (approved)

SITE AND SURROUNDINGS

Croft Corner is a detached two storey hipped roofed dwelling, The walls are a mix of hanging tiles and face brickwork with upvc doors and windows. There is an existing lean-to car port.

To the north of the site is hedging to neighbouring Calcot beyond, to the west of the site is the driveway with hedging to highway (Stockcroft Road) beyond, to the south of the site is close boarded fencing and hedging to highway (Oldlands Avenue) beyond and to the east of the site is close boarded fencing to neighbouring Pemby beyond

The site is within the built-up area of Balcombe, the Balcombe Conservation Area and the High Weald AONB.

APPLICATION DETAILS

The proposed veranda approximately measures 4m in depth, 3m in width with a height of 2.55m.

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 Balcombe 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 AONB)
DP26 (Character and design)
DP35 (Conservation Areas)

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.

Balcombe Neighbourhood Plan

Balcombe Neighbourhood Plan was made on 22 September 2016.

Relevant policies:

Policy 1: Built Up Area Boundary
Policy 3: Design

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 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:

DPC4 - High Weald of Outstanding Natural Beauty
DPB1 - Character and Design
DPB3: Conservation Areas

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

The legal framework for AONBs 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'.

Planning (Listed Building and Conservation Areas) Act 1990

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states '*In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of conservation preserving or enhancing the character or appearance of that area*'.

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework (NPPF) 2024 is also a material consideration and paragraphs 8, 11, 131, 135, 189 and 207 - 215 are considered to be relevant to this application.

ASSESSMENT

Character and Design

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:

- 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;*
- 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 1 of the Balcombe Neighbourhood Plan states:

'The Neighbourhood Plan defines the Balcombe Built Up Area Boundary on the Policies Map shown on page 22. Sustainable development proposals located inside the Built Up Area Boundary will be supported, provided they accord with planning policy, the other provisions of the Neighbourhood Plan and the Mid Sussex development plan'.

Policy 3 of the Balcombe Neighbourhood Plan states:

'The scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, will be required to reflect the architectural and historic character and scale of the surrounding buildings and to avoid any significant detrimental effect on the landscape and natural beauty of the High Weald AONB and the significance and character or appearance of the Balcombe Conservation Area, where a building will command a view'.

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.'

Principle DG50 is also relevant and states:

'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.'

The proposed veranda is a modest and subservient extension to the existing dwelling. The existing dwelling is characterised by lean-to extensions to which the proposed would be in character with sympathetic materials used. The proposal therefore complies with DP26 of the Mid Sussex District Plan, policy

Impact on the High Weald Area of Outstanding Natural Beauty

As indicated the site is within the High Weald National Landscape.

Policy 16 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 Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.'

The application seeks to undertake a modest extension to a dwelling. The proposal would not have an adverse impact on the landscape quality of the AONB due to it being viewed in context with existing built form of the dwelling. It would therefore conserve the natural beauty of the High Weald AONB.

The proposal is thereby considered to comply with policy DP16 of the District Plan, the requirements of the High Weald Management Plan and the NPPF.

Impact on the Conservation Area

Policy DP35 of the District Plan states:

'Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:

- o New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials;*
- o Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character;*
- o Traditional shop fronts that are a key feature of the conservation area are protected. Any alterations to shopfronts in a conservation area will only be permitted where they do not result in the loss of a traditional shopfront and the new design is sympathetic to the character of the existing building and street scene in which it is located;*
- o Existing buildings that contribute to the character of the conservation area are protected. Where demolition is permitted, the replacement buildings are of a design that reflects the special characteristics of the area;*
- o Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;*
- o New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area.*

Development will also protect the setting of the conservation area and in particular views into and out of the area.

New buildings of outstanding or innovative design may be acceptable in conservation areas provided that their impact would not cause material harm to the area.'

Principle DG11 of the Mid Sussex Design Guide states:

'Heritage assets and historic landscapes should be celebrated, enhanced and preserved where appropriate, for the enjoyment of existing and future residents. Where appropriate and providing it does not cause harm to the heritage assets or their setting, they should be carefully integrated into development proposals as they help to reinforce a sense of place and local identity.

Elsewhere new development should generally reflect the scale of adjacent areas and the settlement context within which it is located to deliver a coherent and consistent urban fabric. There may be potential to introduce a new character / development form and massing:

- *On larger urban extensions; this will typically be within the middle of the site and associated with a new neighbourhood centre, spine road or the main open space.*
- *In town centre locations defined as coarse grain areas and nearby sites identified on the brownfield sites register.'*

Paragraphs 207, 212 - 215 of the NPPF are most relevant and state:

'207. In determining planning applications, local planning authorities should take account of:

- o the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- o the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- o the desirability of new development making a positive contribution to local character and distinctiveness.*

212. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

213. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

214. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;*
- c) and conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

Given the modest, subservient and sympathetic nature of the proposal means that it is not deemed harmful to the character of the conservation area. Therefore, the proposal is deemed to comply with policy DP35 of the Mid Sussex District Plan, policy 3 of the Balcombe Neighbourhood Plan, the Mid Sussex Design Guide and the relevant paragraphs of the NPPF.

Impact on Neighbouring amenities

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan states that it must be demonstrated that any 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.

Given the nature of the proposed works and the relationship with the neighbouring properties, significant harm is not deemed to be caused to neighbouring amenities. Therefore, the proposal in terms of neighbouring amenities is deemed to comply with DP26 of the Mid Sussex 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 would not be harmful to the Balcombe Conservation Area, the High Weald AONB and would be in character with the area and the dwelling and not be harmful to neighbouring amenities.

The proposal therefore complies with DP16, DP26 and DP35 of the Mid Sussex District Plan, Policies 1 and 3 of the Balcombe Neighbourhood Plan, The High Weald Area Management Plan, Mid Sussex Design Guide SPD and the relevant paragraphs of the NPPF. The application is therefore considered acceptable.

Decision: Permission

Case Officer: Andrew Horrell