

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2256	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Proposed rear single storey extension with pitched roof, new windows and doors and new single storey detached garage.		
Site:	Sunny Acre, London Road, Hickstead, Haywards Heath, West Sussex, RH17 5LZ, ,		
Validation Date	14 Mar 2025	Overall Expiry Date:	22 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	25 Apr 2025
Target Date:	9 May 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:	25 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2256

**Sunny Acre, London Road, Hickstead, Haywards Heath, West Sussex, RH17 5LZ,
Proposed rear single storey extension with pitched roof, new windows and doors and new single
storey detached garage.
Mr Arvind Gulati**

CONSULTEE COMMENTS

West Sussex Naturespace:

It is considered that the proposed development would present a low risk to great crested newts and/or their habitats. However, as the development is within the red Impact Risk Zone, as modelled by district licence mapping, I recommend that the following informative should be attached to planning consent:

"The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence."

MSDC Tree Officer:

I note that two trees will need to be removed to facilitate the development, but these are both category C trees and not a constraint to development.

I have no objection.

REPRESENTATION LETTERS

None received

PARISH COUNCIL OBSERVATIONS

Twineham Parish Council confirms it has no objections to the proposal.

INTRODUCTION

Planning permission is sought for a single storey rear extension, new windows and doors and a new single storey detached garage.

RELEVANT PLANNING HISTORY

02/02049/FUL - Erection of a single storey rear extension. (approved)
03/00180/FUL - Rear extension for new family room (approved)
06/00670/FUL - Two front pitch roof and one rear pitch roof dormers in connection with loft conversion. (approved)
08/01300/FUL - First floor extension to convert part of the existing bungalow into a house. (approved)
10/01764/FUL - Single storey extensions to replace two storey extension approved under application ref 08/01300/FUL (approved)

10/02980/FUL - Single storey extensions to replace that approved under application Ref 10/01764/FUL. (approved)
11/03672/FUL - Single storey rear extension. (withdrawn)
12/00174/FUL - Two storey rear extension. (refused)

SITE AND SURROUNDINGS

Sunny Acre is a large detached hipped roofed plain tiled bungalow within a cul-de-sac off A2300 London Road. The walls are a mix of painted render and painted brickwork with upvc doors and windows. The dwelling is characterised by rear and side extensions.

To the north of the site is the rear garden with woodland beyond, to the south of the site is the driveway to the highway beyond, to the west of the site is hedging and close boarded fencing to neighbouring properties beyond and to the east of the site is hedging to highway with industrial unit beyond.

The site is within the countryside.

APPLICATION DETAILS

The proposed rear reception room measures 5.482m in depth, 6.714m in width with an approximately height to eaves of 2.5m and an overall height of 4.5m. The rear canopy porch adds 3m in depth.

External alterations include an additional rear door, changes to the existing side extension include the blocking up of the front and rear doors with the front door changed to a window.

The proposed detached garage measures 5.25m in depth, 6.65m in width with a height to eaves of 2.287 and an overall height of 3.2m.

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 Twineham 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:

DP12 - Protection and enhancement of countryside
DP26 - Character and design
DP37 - Woodland, Trees 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.

Twineham Neighbourhood Plan

Twineham Neighbourhood Plan, made 24th March 2016.

Other Material Considerations

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:

DPS2 - Sustainable Design and Construction
DPN4 - Trees, Woodland and Hedgerows
DPC1 - Protection and Enhancement of the Countryside
DPB1 - Character and Design

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 8, 11, 131 and 135 are considered to be relevant to this application.

Principle of Development

Policy DP12 of the Mid Sussex District Plan states:

'The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

- *it is necessary for the purposes of agriculture; or*
- *it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.'*

Given the domestic nature of the proposal, it is therefore considered to protect the intrinsic character and beauty of the countryside.

Due to the above, the proposal complies with DP12 of the Mid Sussex District Plan.

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'*

Neighbourhood Plan Policy TNP2 refers to Design. This states:

'All development should be of good design consisting of the best practice standards for well-designed new homes and neighbourhoods in force at the time, contemporary and innovative design is encouraged where appropriate. This means development should:

- o Include energy and water efficiency measures*
- o Use quality materials, these should be sustainably and locally sourced where feasible.*
- o Apply space standards taking into account the user, circulation space and the need for storage*
- o Contribute positively to the local character and rural setting*
- o Recognise that architectural integrity is of paramount importance and respond in a coherent way*
- o Not be dominated by parking and hard surfacing*
- o Utilise appropriate landscaping'*

Neighbourhood Plan Policy TNP4 is also relevant in the determination of this application. This states:

'New development will be supported which is in accordance with other policies of the plan and:

TNP4.1 Respects local landscape quality ensuring that views and vistas are maintained wherever possible.

TNP4.2 Takes every opportunity, where practicable and viable, to incorporate features that improve its environmental performance thereby reducing carbon emissions. These can include both energy efficiency measures and sources of renewable energy.

TNP4.3 All development schemes submitted must be accompanied by a landscaping scheme which aims to retain amenity and historic trees and hedges. New tree and hedge planting of native species will be encouraged throughout Twineham Parish.'

Also relevant in the determination of the application is the design guidance contained in the Mid Sussex Design Guide, which seeks good design in house alterations and extensions.

Principle DG49 states:

'Extensions should respond to the design of the original dwelling and applicant 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 allow 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.

There are two general approaches to extending a property:

*- designing in the style of the existing building by closely matching its facing materials, architectural features, window sizes and proportions; and
- designing in a contemporary style that takes its cues from key aspects of the existing building that might include its underlying form and proportions, facing materials, window design and other specific architectural features. The success of this approach is particularly reliant on high quality facing materials and finishes, and this will normally need to be demonstrated through detailed elevations and section drawings.*

Both approaches can create successful, well designed extensions that can be mutually beneficial to both the house and the wider area. All extensions and alterations should consider their impact on neighbouring properties (refer to Chapter 8 on residential amenity).'

Principle DG51 of the Mid Sussex Design Guide SPD relates specifically to rear extensions states the following:

'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 rear extension is a modest enlargement to the existing dwelling, it would not be visible from the streetscene and would use matching materials to the existing dwelling.

The other external alterations to the dwelling are in character with the existing dwelling.

Given its location to the front of the property, the proposed garage would be more visible, but it would be subservient to the main dwelling and given its close siting, would be seen in context with the dwelling.

Therefore, the proposal complies with DP26 of the Mid Sussex District Plan, TNP2 and TP4 of the Twineham Neighbourhood Plan, the Mid Sussex Design Guide SPD and the relevant paragraphs of the NPPF.

Sustainable Design

District Plan Policy DP39 refers to the need for new development to seek to improve 'the sustainability of development and should, where appropriate and feasible according to the development and location, incorporate renewable sources of energy'. Similarly, Policy TNP2 of the Neighbourhood Plan requires development to include energy (and water) efficiency measures.

This is a proposal which does not affect the overall sustainability of the house. A renewable energy source has not been included within the proposal nor any other energy saving measures, however the development would need to meet building regulation standards and this is not considered that this would warrant the refusal of the proposal.

Impact on residential amenities

In assessing the potential impact of the proposed works upon the neighbouring amenities consideration needs to be given to District Plan Policy DP26. Policy DP26 requires that 'All applicants will be required to demonstrate that development does not cause significant harm to the amenities of existing nearby residents and future occupants of the new dwellings.'

In addition, Principle DG45 in the Design Guide refers to the need to consider privacy of existing and future residents and it is noted that privacy may be affected by the relationship of buildings to each other.

Given the location of the proposal, the single storey nature of the proposal and the relationship with the neighbouring properties, harm is not deemed to be caused in terms of light, outlook, loss of privacy or overlooking.

In terms of neighbouring amenities, the proposal is deemed to comply with DP26 of the Mid Sussex District Plan.

Impact on trees

DP37 of the Mid Sussex District Plan states the following:

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- o incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- o prevents damage to root systems and takes account of expected future growth; and*
- o where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
- o has appropriate protection measures throughout the development process; and*
- o takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*
- o does not sever ecological corridors created by these assets.*

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties'.

The MSDC tree officer has confirmed that they have no objection to the proposal.

The proposed therefore is deemed to comply with DP37 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 proposed garage building is sited next to the house and is of a design that complements and is subordinate to the existing development. The rear extension would be seen in context with the existing

dwelling. The proposal will accord with the aims of Policy DP12 as it will maintain the rural character of the area, and is acceptable in principle.

The proposal does not include energy efficiency measures, but would have to comply with building regulations that accord with the sustainable aims of District Plan Policy DP39 and Neighbourhood Plan Policy TNP2.

The construction of the detached garage and a rear extension will not adversely affect the character and appearance of the property or the street scene. The proposed works accord with the aims of District Plan Policy DP26, Policies TNP2 and TNP4 of the Twineham Neighbourhood Plan and with the relevant Design Guide principles.

It is considered that the proposal will not cause significant harm to the neighbouring amenities, or their privacy and light.

The proposal accords with the aims of District Plan Policy DP26 and the relevant principles of the Design Guide.

The loss of trees to allow for the installation of the garage is deemed acceptable and hereby complies with DP37 of the Mid Sussex District Plan.

Consequently, this application is recommended for approval.

Decision: Permission

Case Officer: Andrew Horrell