

## Delegated Decision

### Sign off Sheet

|                                              |                                                                                                                                                                                                                                       |                                        |                      |
|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|----------------------|
| <b>Ref. No:</b>                              | DM/25/0551                                                                                                                                                                                                                            | <b>Case Officer:</b>                   | Stefan Galyas        |
| <b>Application Type:</b>                     | Householder Application                                                                                                                                                                                                               |                                        |                      |
| <b>Proposal:</b>                             | Erection of a single storey rear extension, a part single storey, part two storey rear extension, front porch, closing up of existing vehicular crossover, instillation of a new vehicular crossover and extension to existing garage |                                        |                      |
| <b>Site:</b>                                 | Rose Cottage, Church Lane, Ardingly, Haywards Heath, West Sussex, RH17 6UP, ,                                                                                                                                                         |                                        |                      |
| <b>Validation Date</b>                       | 3 Mar 2025                                                                                                                                                                                                                            | <b>Overall Expiry Date:</b>            | 8 May 2025           |
| <b>Pre-Commencement Conditions Required:</b> |                                                                                                                                                                                                                                       | <b>Pre-Com Conditions Date Agreed:</b> |                      |
| <b>Recommendation:</b>                       | Permission                                                                                                                                                                                                                            | <b>Recommendation Date:</b>            | 25 Apr 2025          |
| <b>Target Date:</b>                          | 28 Apr 2025                                                                                                                                                                                                                           | <b>Recommending Officer Signature:</b> | <i>Stefan Galyas</i> |

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

|                              |                        |              |             |
|------------------------------|------------------------|--------------|-------------|
| <b>Signed and Agreed By:</b> | <i>Stephen Ashdown</i> | <b>Date:</b> | 25 Apr 2025 |
| <b>Comments:</b>             |                        |              |             |

## **MID SUSSEX DISTRICT COUNCIL**

**DM/25/0551**

**Rose Cottage, Church Lane, Ardingly, Haywards Heath, West Sussex, RH17 6UP,  
Erection of a single storey rear extension, a part single storey, part two storey rear extension,  
front porch, closing up of existing vehicular crossover, instillation of a new vehicular crossover  
and extension to existing garage  
Mr And Mrs Simpson**

### **SUMMARY OF REPRESENTATIONS**

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

### **SUMMARY OF CONSULTEES**

**Highways:** No objection.

**Southern Water:** No objection.

### **TOWN/PARISH COUNCIL OBSERVATIONS**

**Parish Council:** No objection.

### **INTRODUCTION**

The application seeks planning permission for the development of a rear elevation, single storey extension, a part single storey and part two storey extension, the development of a single storey front porch extension, an extension to the existing garage outbuilding the closing up of an existing vehicular crossover and the installation of a new vehicular crossover.

### **RELEVANT PLANNING HISTORY**

04/02098/FUL - Two storey extension with gable dormer. Permission 22.10.2004.

### **SITE AND SURROUNDINGS**

The application relates to Rose Cottage, a two storey semi-detached dwelling featuring a pitched roof and set to the eastern side of the highway. The dwelling is currently served access through a front driveway which leads towards the existing single storey detached outbuilding on site. The existing property is set back from the highway edge by front garden amenity space and the site is enclosed by a closeboard timber fence which comes up towards the highway edge. The existing dwelling appears to have previously been extended to the side (north) elevation through the addition of a pitched two storey extension. The dwelling is afforded ample garden amenity space to the rear and there is heavy woodland immediately to the north of the site. The existing dwelling is composed of brick exterior walls with rendering at first floor level, a tiled roof and white coloured windows and doors.

With regards to the site's locality, there are primarily residential properties with varying set backs from the roadside and sporadically placed to either side of the road.

The site is within the Ardingly (West) Conservation Area and the High Weald Area of Outstanding Natural Beauty (AONB).

### **APPLICATION DETAILS**

The proposal would develop a single storey rear extension which would measure at approximately 3m in length, 2.4m in width, 1.9m high to the eaves and 3.3m high to the ridge.

The proposed two storey extension would measure at approximately 2.4m in length, 4.4m wide, have an eaves height of 4.5m and a ridge height measuring at 6.3m high. The adjoining single storey extension would measure at circa 1.6m in length, 4.4m wide, 2.2m high to the eaves and 3.8m high to the highest point.

The proposed front porch would measure at circa 0.5m in length, 1.4m wide, 2m high to the eaves and 3m high to the ridge.

The aforementioned extensions would utilise matching facing brickwork walls, plain roof tiles and white uPVC windows and doors.

In terms of the extension to the existing garage, the new garage outbuilding would have a total length of 2.7m, 2.7m wide, have an eaves height of 1m and a ridge height of 2.4m high. The outbuilding would be constructed of facing brickwork walls, plain roof tiles and a sectional garage door.

## **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 Ardingly 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

DP16: High Weald Area of Outstanding Natural Beauty

DP21: Transport

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.

### **Neighbourhood Plan**

Ardingly Neighbourhood Plan (Made November 2014)

Policy ARD 5: Housing Design

Policy ARD 9: Heritage Assets

### **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

DPT4 - Parking and Electric Vehicle Charging Infrastructure

#### *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, 115-117, 131, 135, 139, 189, 207, 208, 209, 212-215, 219 & 220.

### **ASSESSMENT**

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

- Impact on Heritage Assets, Including Character and Design
- High Weald AONB
- Impact on Neighbouring Amenities
- Highways
- Biodiversity Net Gain

### **Design and Character**

In terms of the impact on the Horsted Keynes 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."*

Significance is defined in Annex 2 of the NPPF as *"The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting."*

Paragraph 208 of the NPPF requires the Local Planning Authority to identify and assess the particular significance of any heritage asset that may be affected and take this into account when considering the impact of a proposal.

The Horsted Keynes Conservation Area, by virtue of its designation, is significant in heritage terms and this significance is likely to arise from its aesthetic (fortuitous) value and historical (illustrative) value.

The NPPF states that 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.

Paragraphs 212 - 215 of the NPPF states:

*"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\* listed 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; and*
- c) conservation by grant-funding or some form of not for profit, 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.*

Policy ARD5 of the Ardingly Neighbourhood Plan requires all developments to be sympathetic to the character and scale of the surrounding buildings and landscape.

The below assessment is made whilst being mindful of this guidance and having regard to the statutory duty of the Council, as the Local Planning Authority, to pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area in accordance with the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

DP26 of the District Plan 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'*

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.*

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 largest element to the extension would be the two storey rear extension which would drop down into a single storey lean to extension. It is considered that the proposed two storey extension would assimilate well into the existing through a continuation of the existing pitched roof. Whilst this element would lack subservience towards the existing dwelling, the use of matching external materials are considered to help the extension assimilate into the existing. As for the two proposed single storey rear extensions, it is considered that these would clearly be read as subservient towards the host dwelling, owing to their limited size and scale.

To the front of the property, the proposed pitched roof front porch would help establish the main point of entry to the building through an architectural feature. The porch is considered to be of a lightweight structure and would mimic the existing gables to the principal elevation. As such, this element is considered to be of an acceptable design.

Additionally, the proposal would extend the existing garage in footprint and raise the existing ridge height. The proposed pitch of the roof would follow a similar angle to the existing and would still be of a single storey size and scale, albeit with a larger footprint. Furthermore, the use of matching brickwork external materials are not considered to appear overly incongruous within the site's context.

The existing vehicle cross over would be grassed up as part of the proposal, with the new access being moved further down to the south. It is considered that the new hedge and grass verge to be planted in the former access place would help integrate the site within the wider verdant street scene.

The proposal is therefore considered to comply with Policies DP26 and DP35 of the District Plan, Policies ARD5 and ARD9 of the Ardingly Neighbourhood Plan, the relevant principles of the Mid Sussex Design Guide SPD and the relevant paragraphs of the NPPF.

## **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.

Policy DP16 of the District Plan requires proposals in the AONB to conserve or enhance natural beauty.

Paragraph 189 of the NPPF is also relevant as it states:

*'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 would develop sheds within the existing established residential curtilage, sited in the same location as the previous sheds. Accordingly, the development would not constitute an isolated development within the wider landscape.

In this instance, the proposal is considered to conserve the landscape quality of the AONB due to it being viewed within the existing established residential curtilage. As such, the proposal would comply with the requirements of Policy DP16 of the District Plan and all the requirements of the High Weald Management Plan and the NPPF.

## **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);'*

The proposed single storey rear extension to the south of the site would be set within a close proximity to the neighbouring site at Old Knowles Cottage which also projects out to the rear through a single storey pitched roof element. It is noted that there would be no facing side (north) elevation windows at the neighbouring site which may be affected by the development proposal. As such, it is not considered that the proposal would give rise to an overbearing or overshadowing impact in this regard.

The proposed two storey rear extension would be offset from both shared boundaries and as such is not considered to result in an overbearing impact. There would however be two side (northern) elevation windows installed to the original property, however the neighbouring site at Kitfields is considered to be set at a distance from the application property. Accordingly, the proposal is not considered to result in 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.

## **Highways**

Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or residual cumulative impacts on the road network would be severe. Additionally, Policy DP21 of the District Plan requires development proposals to protect the safety of road users and pedestrians.

The Highways Engineer was consulted in response to the proposal, however raised no objection towards the proposal and noted that the access would be subject to formal approval from the private road's proprietor.

#### 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, its immediate setting or the Ardingly (West) Conservation Area nor the High Weald Area of Outstanding Natural Beauty and will not result in harm towards neighbouring amenities.

The proposal will comply with Policies DP12, DP16, DP21, DP26, DP35 of the District Plan, Policies ARD5 and ARD9 of the Ardingly Neighbourhood Plan, the MSDC Design Guide and the requirements of the NPPF.

Decision:       Permission

Case Officer: Stefan Galyas