

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1307	Case Officer:	Tracie Axford
Application Type:	Householder Application		
Proposal:	Single storey rear extension.		
Site:	3 Tall Oaks, Lindfield, Haywards Heath, West Sussex, RH16 2QD, , ,		
Validation Date	20 May 2025	Overall Expiry Date:	31 Jul 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	28 Jul 2025
Target Date:	15 Jul 2025	Recommending Officer Signature:	<i>Tracie Axford</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	<i>Steven King</i>	Date:	29 Jul 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1307

**3 Tall Oaks, Lindfield, Haywards Heath, West Sussex, RH16 2QD, ,
Single storey rear extension.
Hewitt**

SUMMARY OF REPRESENTATIONS

One comment was received raising concerns over parking arrangements during construction as Tall Oaks is a private road, with no parking permitted on the road. Construction working hours were also raised as a concern.

SUMMARY OF CONSULTEES

Southern Water made no objection to this proposal.

TOWN/PARISH COUNCIL OBSERVATIONS

Lindfield Rural Parish Council made no comment.

INTRODUCTION

The application seeks planning permission for a single storey rear extension.

RELEVANT PLANNING HISTORY

03/00007/FUL - Demolition of existing dwelling and out buildings and erection of 13 no. dwellings.
Permission 2003-06-05

03/00007/AP1 - Amended Plans Application: Demolition of existing dwelling and outbuilding and erection of 13 no dwellings. Revisions to details of fencing and gates adjacent to Northlands Avenue, plots 1-4.
Permission 2004-09-17

03/00007/AP2 - Amended plans application: Demolition of existing dwellings and outbuildings and erection of 13 no dwellings. Revision to details of fencing and gates at rear of plots 5-10. Permission 2004-09-17

SITE AND SURROUNDINGS

The application property is a detached two storey five-bedroomed dwelling. To the rear of the property is a garden and access to the garage, situated to the south of the rear garden.

The property is located near the entry to Tall Oaks, which is accessed off of Lyoth Lane. Developed in the early 2000s, Tall Oaks is a private residential road leading on to Lark Rise close, a cul-de-sac, which together accommodate a total of 24 dwellings comprising a mix of terraced, semi-detached and detached homes. To the south west of this development, the boundary is heavily tree lined, creating a verdant setting. To the northeast of the development is Lyoth Lane, a single track road connecting Northlands Avenue to Snowdrop Lane and the A272 to the south.

APPLICATION DETAILS

The application is for a proposed extension measuring 5.27m in width, 4m in depth and a height of 2.9m. The roof and walls of the extension are proposed to be zinc seamed cladding.

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 Lindfield and Lindfield Rural Neighbourhood Plan 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

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.

Lindfield and Lindfield Rural Neighbourhood Plan

The Lindfield and Lindfield Rural Neighbourhood Plan was made in 2016.

There are no relevant policies.

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:

DPS1 - Climate Change

DPS2 - Sustainable Design and Construction

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.

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 properties
- Biodiversity Net Gain

Design and Character

Policy DP26 of the Mid Sussex 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:

- 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;*
- protects valued townscapes and the separate identity and character of towns and villages;*
- 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);*
- creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- positively addresses sustainability considerations in the layout and the building design;*
- 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;*
- optimises the potential of the site to accommodate development.'*

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.'*

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'*

It is proposed that the extension will measure 5.3m wide and extend 4m from the rear elevation of the property creating a dining space off of the existing kitchen. Sliding doors are proposed on the side and rear elevations of the corner of the extension, which will lead out to the rear garden.

The rear elevation is set in a discrete position which is not visible from the public domain. In terms of proposed external materials, the walls and roof of the proposed extension will have a contemporary zinc seamed cladding, which will create a contrast with the cream-coloured render of the existing property.

Given the design, form and scale of the proposal in relation to the surrounding properties, the proposal is considered to comply with policy DP26 of the District Plan, the Lindfield and Lindfield Rural Neighbourhood Plan and the relevant principles of the Mid Sussex Design Guide SPD.

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 Policy DP29);'

No. 3 Tall Oaks is on a corner plot on the southern side of the highway. To the eastern elevation of the property is a double garage and driveway, providing parking spaces for Nos 1 and 2 Tall Oaks. To the western elevation is the highway and opposite is a row of terraced houses. Opposite the front elevation

are two pairs of semi-detached properties and to the south of the property is the rear garden, and associated driveway and garage. 3 Tall Oaks is therefore physically separated from the neighbouring properties with only the rear garden of No.1 having a boundary with the rear garden of No. 3. It is therefore considered that the proposed development would not give rise to any significant overlooking impact. It is also considered that the proposal would not result in any significant overbearing impact as the extension will not be close to any neighbouring properties.

Given the domestic nature of the proposed development, it is not considered that there will be any significant harm or impact in terms of noise, air or light pollution. One comment was received raising concerns over parking arrangements during construction as Tall Oaks is a private road, with no parking permitted on the road and construction working hours. The requirements of the Environmental Protection Act 1990 with regard to the duty of care not to cause the neighbours of the site a nuisance, request that:

- Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 - 1800 hrs, Saturdays 0900 - 1300 hrs, No construction/demolition work on Sundays or Public Holidays.
- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- No burning of materials shall take place on site at any time.

This is a modest domestic extension and it is not considered that the works to implement the planning permission would cause significant harm to neighbouring amenities. The parking of vehicles on a private road would be a private matter between those that own the road and have rights to use it. The modest scale of the proposed development would not result in a level of vehicular activity that would cause a severe impact on the highway network.

Therefore, in terms of neighbouring amenities, the proposal 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.

Other matters

Southern Water have no objection to the proposal. They also advise that *'should any other sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and the potential means of access before any further works commence on site.'*

PLANNING BALANCE AND 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. Therefore, the proposal complies with DP26 of the Mid Sussex District Plan, principles DG49-51 of the Mid Sussex Design Guide and the relevant paragraphs of the NPPF and is considered acceptable.

Decision: Permission

Case Officer: Tracie Axford