

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0743	Case Officer:	Beth Howland-Smith
Application Type:	Householder Application		
Proposal:	Retrospective application for erection of a greenhouse in the rear garden		
Site:	Rosemary Cottage, 80 High Street, Lindfield, Haywards Heath, West Sussex, RH16 2HP, ,		
Validation Date	26 Mar 2025	Overall Expiry Date:	25 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	19 May 2025
Target Date:	21 May 2025	Recommending Officer Signature:	Beth Howland-Smith

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	Stephen Ashdown	Date:	19 May 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0743

**Rosemary Cottage, 80 High Street, Lindfield, Haywards Heath, West Sussex, RH16 2HP,
Retrospective application for erection of a greenhouse in the rear garden
Mr Ian Dumbrell**

SUMMARY OF REPRESENTATIONS

- o The greenhouse is an overbearing and imposing structure. Due to the gradient of the gardens, it towers above the garden to the south.
- o Due to its height and proximity to the boundaries with neighbouring properties, it appears to breach the planning condition for outbuildings not exceeding 2.5 metres in height.
- o The applicant has omitted the distances of the greenhouse to the north and south boundaries.
- o The applicant states that the greenhouse is 2.5 metres high but the drawings show it to be 3.1 metres high, likely because the brick platform upon which the greenhouse sits has not been taken into account.
- o The greenhouse does not add architectural interest.
- o The structure is highly visible to neighbouring properties and obstructs views of gardens and neighbouring listed buildings.
- o Although the applicant has compared the structure to those in neighbouring properties, the most recent outbuilding respected the 2.5 metre height condition.
- o Neighbouring examples are thoughtfully sited.
- o Allowing this greenhouse would set a precedent for other overbearing and imposing structures close to the boundaries of neighbouring properties.

SUMMARY OF CONSULTEES

MSDC Conservation Officer

Rosemary Cottage is a Grade II listed attached house dating from c.1830 and located within the Lindfield Conservation Area. The attached property to the north, Osborn Cottage, is also Grade II listed, as are a number of the other houses further north and south to this side of the High Street. The houses have long back gardens stretching to the east, which back onto a public footpath leading between Alma Road and Brushes Lane. These gardens are attractive and provide a verdant context for the buildings along the High Street, contributing positively to the settings of the various listed buildings forming part of the row, and to the semi-rural, 'villagey' character of the Conservation Area, although public views of them are limited by surrounding fences and planting.

The current proposal is for the retention of a detached metal framed greenhouse which has been constructed within the rear garden of no. 80.

The greenhouse is modestly sized and located towards the eastern end of the garden. It is partly screened in views from the house by a pre-existing rear outbuilding which sits across most of the width of the garden closer to the house. It is sympathetic in its design and materials to the context. In my opinion, although its construction will have resulted in the loss of a small area of garden space, the structure is not unduly visually prominent even though it is set on a slightly raised brick plinth, and does not detract from either the settings of the listed buildings to the west, or the character and appearance of this part of the Conservation Area. It is not visible from the path to the end of the garden because of intervening screening.

In my opinion therefore the building preserves the setting of the listed buildings at 80 and 82 High Street and the character and appearance of the Lindfield Conservation Area, meeting the requirements of District Plan Policies DP34 and DP35 and the relevant paragraphs of the NPPF.

PARISH COUNCIL OBSERVATIONS

10/04/2025 - The Parish Council has no objection to this planning application

INTRODUCTION

Planning permission is sought for a greenhouse in the rear garden of the property.

RELEVANT PLANNING HISTORY

No relevant planning history

SITE AND SURROUNDINGS

Rosemary Cottage is a Grade II listed, two storey, mid-terrace dwelling located along the eastern side of High Street, Lindfield, within the Lindfield Conservation Area. The dwelling dates from c.1830. It is white stuccoed with slate tiles. A tented wooden trelliswork porch is located on the front elevation. The immediately surrounding area is predominantly residential in character. Low, white picket fencing fronts the highway along this particular stretch of road. The garden to the rear is long and relatively narrow, with a footpath to the rear, running between Alma Road and Dukes Road. Adjoined to the north of the dwelling is 82 High Street, a grade II listed building. Adjoined to the south of the dwelling is 78 High Street, which is not listed.

APPLICATION DETAILS

The application is for a small, white, metal-framed greenhouse in the rear garden area of the property. Taking into account the raised brick base, the overall height of the greenhouse up to the finials, along the crested ridge detailing, is approximately 3 metres, with a ridge height of approximately 2.8 metres and an eaves height of approximately 1.7 metres. The greenhouse is approximately 2.6 metres in length and 2 metres in width. It is located midway down the garden, along the southern boundary with 82 High Street.

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 Lindfield and Lindfield Rural 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

DP34 - Listed Buildings and Other Heritage Assets

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.

Lindfield and Lindfield Rural Neighbourhood Plan

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:

DPB1 - Character and Design

DPB2 - Listed Buildings and Other Heritage Assets

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.

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework 2024 (NPPF) is a material consideration. Paragraphs 8, 11, 131, 135, 207, 208 and 210 are of particular relevance

ASSESSMENT

The main matters for consideration are:

- o Design and impact on the Listed Building and Conservation Area
- o Impact on neighbouring properties

Design and impact on the Listed Building and Conservation Area

80 High Street is a grade II listed building dating. Its listing details are noted as follows:

'TQ 3426 LINDFIELD HIGH STREET (east side) 6/197 No 80 (Rosemary Cottage)) 6.4.70 GV II Cottage. c1830. Stuccoed with slate roof. 2 storeys, 2 windows. 2 16 pane sashes and central blank. Central doorcase with rectangular fanlight, moulded architrave and Regency 3 panelled door with Greek key design. Tented wooden trelliswork porch. 2 chimney stacks behind ridge.'

Attached to the north is 82 High Street, a grade II listed building.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states 'In considering whether to grant planning permission (or permission in principle) for development which affects a listed

building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Policy DP34 of the District Plan states that development will be required to protect listed buildings and their settings by ensuring that:

- o A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal
- o Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;
- o Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;
- o Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;
- o Special regard is given to protecting the setting of a listed building;
- o Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.

The dwelling also lies within Lindfield conservation area. 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.'

This is reflected in Policy DP35 of the District Plan, which states, in part, that all development in conservation areas will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it by:

- 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;

Policy DP26 of the District Plan relates to character and design and states, in part, that states that all development will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. Applicants will need to demonstrate that development such as this greenhouse is of a high quality design and is in keeping with the character and scale of surrounding buildings and landscape.

The Council's Conservation Officer has provided detailed comments on the scheme, which are set out at the beginning of this report. These comments are accepted in their entirety in that the scale, location, design, materials and lack of visual prominence of the greenhouse do not impact the settings of the listed buildings at 80 and 82 High Street, nor do they adversely impact the character and appearance of the conservation area.

The third party comments that the greenhouse is a modern commodity greenhouse that does not add architectural interest are noted. Notwithstanding these comments, it is considered that the greenhouse is of a sufficiently high quality with attractive ridge detailing, in keeping with its surroundings.

The proposal therefore accords with Policies DP26, DP34 and DP35 of the Mid Sussex District Plan.

Impact on neighbouring properties

Policy DP26 of the District Plan is clear that development should not cause significant harm to the amenities of existing nearby residents, including taking into consideration the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution.

The greenhouse is located approximately 30 metres from the rear elevations of 78-82 High Street, a long way down the long garden. As such, no significant harm in relation to loss of privacy or light arise to 78 and 82 High Street as a result of the greenhouse.

In relation to 82 High Street, the greenhouse has been positioned along the mutual boundary in a location that is screened by mature foliage. There is no significant harm by way of impact on outlook in this regard.

The third party comments have been carefully considered and a site visit to the dwelling at 78 High Street has been undertaken in order to assess the impact of the greenhouse on the enjoyment of this property. The site visit was undertaken when the natural boundary screening was in full leaf, so the owners of 78 High Street have provided photographs of the greenhouse during the winter when it is more visible from their garden.

It is clear that the garden of 78 High Street is lower than that of 80 High Street. In the summer months, with full leaf cover, the greenhouse is well screened from most vantage points within the garden of the property with the only meaningful views of the building possible when standing at the rear of the garden, looking westwards. In the winter months, the structure will be much more visible. This said, a greenhouse is a typical garden structure and its visibility does not automatically equate to significant harm. The greenhouse roof is dual pitched away from both neighbouring properties so as to minimise the impact on them.

The scale of the greenhouse, in combination with its location far from the rear elevation of 78 High Street and the size of the garden at 78 High Street, leads officers to conclude that the greenhouse, which is largely translucent save for its frame, is not an imposing structure when viewed from 78 High Street and therefore does not cause significant harm in relation to outlook.

The proposal therefore accords with Policy 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

The majority of the third party representation has been addressed within the body of this report.

In relation to the point made that the greenhouse exceeds the planning condition that outbuildings should not exceed 2.5 metres in height, it should be clarified that this is in relation to permitted development rights where the eaves of an outbuilding cannot exceed 2.5 metres where any part of the structure is within 2 metres of a boundary, and the height, in the case of a dual pitched roof, cannot exceed 4 metres. This consideration is not relevant here as listed buildings do not have permitted development rights in relation to outbuildings.

In respect of the structure being highly visible to the neighbouring properties and obstructing views of the beautiful garden vegetation and neighbouring listed buildings, it should be clarified that there is no right to a view in planning terms.

With regard to setting a precedent for future buildings in the immediate surroundings, it should be noted that every application for express planning permission is determined on its own merits and, in this regard, there is no such thing as a setting a precedent.

PLANNING BALANCE AND CONCLUSION

The proposed development is considered acceptable in terms of location, design, form and scale. It protects the settings of the listed buildings and preserves the character and appearance of Lindfield conservation area. The proposal is not considered to have a significant harmful impact upon neighbouring amenities. It therefore accords with Policies DP26, DP34 and DP35 of the Mid Sussex District Council and the relevant paragraphs of the NPPF.

Decision: Permission

Case Officer: Beth Howland-Smith