

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0076	Case Officer:	Caroline Grist
Application Type:	Householder Application		
Proposal:	Proposed rear facing dormer structure, 3no. new conservation style sky-lights to the front and side elevations and a new access door at ground floor level, also to the side elevation.		
Site:	Flagstones, Stockcroft Road, Balcombe, Haywards Heath, West Sussex, RH17 6LN, ,		
Validation Date	10 Jan 2025	Overall Expiry Date:	14 Feb 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	10 Apr 2025
Target Date:	7 Mar 2025	Recommending Officer Signature:	<i>Caroline Grist</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	10 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0076

**Flagstones, Stockcroft Road, Balcombe, Haywards Heath, West Sussex, RH17 6LN,
Proposed rear facing dormer structure, 3no. new conservation style sky-lights to the front and
side elevations and a new access door at ground floor level, also to the side elevation.
Pascoe**

SUMMARY OF REPRESENTATIONS

No representations have been received in response to this application.

SUMMARY OF CONSULTEES

Conservation Officer

The application site is an unlisted, detached house located within the Balcombe Conservation Area. The house, which is in a loosely vernacular style with brick and hung tile elevations, and a tiled roof with gablets and a side catslide, appears to date from c.2000 replacing an earlier mid 20th century property. It is sympathetic to the prevailing style of properties along Stockcroft Road, and with its generous front and rear gardens sits comfortably within the street scene. The gardens in particular contribute positively to the spacious and verdant character of this part of the Conservation Area.

The current proposal is for alterations to the house comprising a large box dormer extension to the rear roofslope, addition of three rooflights to the front and side roof slopes, and a new entrance door to the side elevation.

The Council's adopted Design Guide includes consideration at Design Principle DG52 of Loft Conversions and Roof Extensions. This notes that 'Roof accommodation is normally reliant on dormer windows and rooflights to provide light and ventilation. However, if they are out of scale or out of character with the roofscape and proportions of a dwelling they can have an adverse impact on the character of both the dwelling and the streetscape.' The accompanying figures 9G and 9H demonstrates how oversized or inappropriately designed dormers can be harmful to the appearance of a building. Chapter 6 (6.3.5 - 6.8) contains further guidance and notes that dormer windows should be visually subordinate to the roof slope, and that excessively wide dormers will often look out of proportion with the roof.

In my opinion, the large box dormer window which is proposed to the rear of Flagstones is excessive in its scale and of an inappropriate design. It will appear overprominent in views of the house from the rear garden and from the gardens to adjacent properties, and is unsympathetic in its proportions and detailed design to the existing fenestration to the house. This will detract from the appearance of the house and of the wider Conservation Area. Although a dormer may be acceptable in principle to this rear roofslope, any revised design should be of a very significantly reduced scale and of a more appropriate form, reflecting the vertical emphasis and detailed design of the existing fenestration to the house, and with a more sympathetic roof form, such as a hipped roof with a gablet reflecting the roof form of the adjacent rear wing.

The proposed rooflights are not considered contentious subject to detail (they should be flush fitting, metal framed, conservation style units), nor is the proposed new side entrance door.

As it stands, the proposal because of the inclusion of the rear dormer is considered to detract from the character and appearance of the house and of the wider Conservation Area. This will be contrary to the requirements of District Plan Policy DP35, and also of the Council's adopted Design Guide, which is a material planning consideration. In terms of the NPPF it results in less than substantial harm to the Conservation Area, such that paragraph 215 will apply.

PARISH COUNCIL OBSERVATIONS

Balcombe Parish Council have no objections.

INTRODUCTION

Planning permission is sought to construct a rear facing dormer structure, 3no. new conservation style sky-lights to the front and side elevations and a new access door at ground floor level, also to the side elevation.

RELEVANT PLANNING HISTORY

BA/001/92 - Removal of existing external metal staircase to be replaced with enclosed stair with entrance hall, and garden store below stairs. Permission.

BA/027/99 - Proposed house to replace existing. Permission.

BA/034/99 - Conservation area consent: Proposed house to replace existing. Permission.

DM/17/4531 - The proposed works include a small rear extension to enable an open kitchen space internally. The new rear wall is proposed to have bi-fold doors, and be constructed of brickwork and hung tiling, with a tiled pitched side roof, all to match existing materials. Permission.

SITE AND SURROUNDINGS

Flagstones is a detached, west facing, two storey dwelling. It is constructed of red brick, with tile hanging at the first floor level, a plain tile roof and brown upvc windows. The dwelling is characterised by a gable projection, at the first floor level, which creates an open entrance below. To the side is an integral garage and the dwelling has a Dutch gable roof.

The site is located within the built up area of Balcombe. Neighbouring dwellings are located to the north, south and east, whilst the public highway is to the west. The house is set back from the highway by a paved frontage. The application site is also within the High Weald Area of Outstanding Natural Beauty and Balcombe Conservation Area.

APPLICATION DETAILS

Planning permission is primarily sought to undertake a loft conversion, which would comprise a dormer window to the rear and three conservation style rooflights across the front and side roofslopes. A bedroom with en-suite is to be created within this space.

The proposed dormer window is to be of a flat roof design, measuring some 3.8 metres wide and 2.3 metres high. It is to be clad in tiles to match the host dwelling. Two of the rooflights are to be sited on the front roofslope, with the third on the southern, side, roofslope.

It is also proposed to install a new door on the southern elevation.

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 Allocations Document (DPD) and 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 Area of Outstanding Natural Beauty

DP26 - Character and Design

DP35 - Conservation Areas

Mid Sussex Site Allocations Document (DPD)

The Site Allocations DPD 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

The Balcombe Neighbourhood Plan was formally made on 22nd September 2016.

Relevant policies:

Policy 1 - Built Up Area Boundary

Policy 3 - Design

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:

DPC1 - Protection and Enhancement of the Countryside

DPC4 - High Weald Area of Outstanding Natural Beauty

DPB1 - Character and Design

DPB3 - Conservation Areas

Mid Sussex Design Guide

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.

High Weald AONB Management Plan 2024 - 2029

National Planning Policy Framework (NPPF) (December 2024)

ASSESSMENT

Impact on the High Weald Area of Outstanding Natural Beauty

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.

Paragraph 189 of the NPPF states:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks.'

Policy DP16 of the Mid Sussex District Plan relates to the AONB and states that:

'Development within the High Weald Area of Outstanding Natural Beauty (AONB), as shown on the Policies Maps, will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan, in particular:

- o the identified landscape features or components of natural beauty and to their setting;*
- o the traditional interaction of people with nature, and appropriate land management;*
- o character and local distinctiveness, settlement pattern, sense of place and setting of the AONB;*
- and*
- o the conservation of wildlife and cultural heritage'.*

This is also reflected in policy 3 of the Balcombe Neighbourhood Plan.

The application relates to extending an existing dwelling, sited within the built up area of Balcombe. As the works are to take place within the built up area, the proposal would not form an isolated development within the wider landscape. Due to the development being an extension it is considered that there would not be an adverse impact on the landscape quality of the AONB. As such the proposal would comply with the requirements of Policy DP16 of the District Plan, Policy 3 of the Balcombe Neighbourhood Plan, The High Weald Management Plan and paragraph 189 of the NPPF.

Design and impact to the Balcombe 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 legislative requirement is reflected in Mid Sussex District Plan policy DP35.

Policy DP35 of the Mid Sussex 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'.

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 - 216 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.

216. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

Policy DP26 of the Mid Sussex District Plan relates to design and 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 protects valued townscapes and the separate identity and character of towns and villages;*
- 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 (see Policy DP27);*
- o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- o positively addresses sustainability considerations in the layout and the building design;*
- o 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;*
- o optimises the potential of the site to accommodate development.'*

Policy 3 of the Balcombe Neighbourhood Plan also requires the scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings to reflect the architectural and historic character and scale of the surrounding buildings.

The Mid Sussex Design Guide SPD also provides advice for extensions to dwellings. Principle DG49 states that:

'Extensions should respond to the design of the original dwelling and applicants 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 allowing the original building to remain the dominant element of the property whether it has one or several additions'.

Principle DG52 relates to dormer windows and roof enlargements and states:

'Roof accommodation is normally reliant on dormer windows and rooflights to provide light and ventilation. However, if they are out of scale or out of character with the roofscape and proportions of a dwelling they can have an adverse impact on the character of both the dwelling and the streetscape. The roof pitch and form are intrinsic to a building's character and roof extensions should be sensitive to this. Roof extensions and dormer windows that alter the existing ridge of the roof or significantly alter the roof profile of a building will not normally be acceptable, particularly on the front roof slope, and where there is a strong established roofline.

Where a clear rhythm of fenestration is established, the position and proportion of dormer windows should respond to existing windows and / or doors'.

This principle also includes reference to further dormer window guidance in Chapter 6 of the Design Guide under sections 6.3.5 to 6.3.7 which state:

'6.3.5 While dormer windows can sometimes be prominent features in the streetscene, care needs to be taken with their design, proportions and position on the roof. The choice of design should be informed by the character and appearance of the local vernacular.

6.3.6 Dormer windows should be visually subordinate to the roof slope, enabling a large proportion of the main roof to remain visible. Excessively wide dormers are likely to look unsatisfactory as they will often be out of proportion with the existing roof.

6.3.7 Dormer windows should normally be positioned below the ridge-line, and above the eaves line'.

The application relates to an unlisted, detached house located within the Balcombe Conservation Area. The proposal has been reviewed by the Conservation Officer, who has commented on the application. In terms of the existing property, whilst it is a more recent addition, it has been advised that the property is sympathetic to the prevailing style of properties along Stockcroft Road, and, with its generous front and rear gardens, sits comfortably within the street scene. The gardens in particular are considered to contribute positively to the spacious and verdant character of this part of the Conservation Area.

With regards to the proposed development, the Conservation Officer has concluded that the large box dormer window would appear excessive in scale and the design would be inappropriate, through unsympathetic proportions and the design of the fenestration compared to the host dwelling. Furthermore it is considered that it would appear overprominent in views of the house from the rear garden and from the gardens to adjacent properties.

It has been further advised that a dormer window, of a significantly reduced scale and more appropriate form, reflecting the vertical emphasis and detailed design of the house, may be considered appropriate.

Lastly no objection has been raised regarding the proposed rooflights, subject to detail, and the side door.

In design terms, it is considered that the proposed dormer would have a substantial form that would extend across a large proportion of the roofslope, thereby creating a large feature with proportions that would not appear visually subordinate within the roofslope. The dormer window would also conflict with the vertical proportions of the existing house and the existing window forms found within it, which would create an unsympathetic addition. Lastly it would also be taller than the rear gable projection which, particularly from the side view, would also appear discordant, and would also be visible in views from Stockcroft Road.

It is therefore concluded that the scale, form and detailing of the proposed dormer window would result in a dominant and unsympathetic addition to the dwelling and would detract from the character and appearance of the Conservation Area. The Conservation Officer has identified that the harm to the Conservation Area would be less than substantial.

Where the harm would be less than substantial, in terms of the NPPF, the criteria set out in paragraph 215 of that document would apply. This is the balancing exercise that must be undertaken by the decision maker, ensuring that considerable importance and weight is given to the less than substantial harm to the heritage asset that has been identified. It should be noted that National Planning Practice Guidance states that public benefit 'should not just be a private benefit'. The property remains in its original use, as a dwelling, and is not considered to be currently at risk. As no public benefits have been identified that would outweigh the harm identified in heritage terms, the proposal would fail the assessment within the NPPF and would not comply with policies DP26 and DP35 of the Mid Sussex District Plan, Policy 3 of the Balcombe Neighbourhood Plan, the Mid Sussex Design Guide and the NPPF.

Impact to neighbouring amenity

Policy DP26 of the Mid Sussex District Plan states:

'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);'

With regards to the impact on neighbouring dwellings, the scale and form of the dormer window is such that it would not result in a loss of light or outlook. In terms of privacy, no windows are proposed that would result in any direct overlooking.

Due to the domestic nature of the proposed development, it is considered that there would not be a significant level of harm with regards to noise, air or light pollution.

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 would be acceptable regarding neighbouring amenity. However, the proposal due to its scale, form and design would fail to create subordinate or proportionate addition to the original dwelling and would be out of keeping with the character of the existing property. It would also have a detrimental impact on the character and appearance of the Balcombe Conservation Area. The harm is considered to be less than substantial and thus para 215 of the NPPF applies. In this case there are not considered to be any material public benefits resulting from the development that would outweigh the identified harm. The proposal is therefore considered to be contrary to the requirements of policies DP26 and 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.

Decision: Refusal

Case Officer: Caroline Grist