

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2992	Case Officer:	Peter Davies
Application Type:	Householder Application		
Proposal:	Proposed single storey rear extension with pitched roof and metal cladding.		
Site:	Rossendale, 5 Wellfield, Ashurst Wood, East Grinstead, West Sussex, RH19 3SX, ,		
Validation Date	6 Dec 2024	Overall Expiry Date:	7 Jan 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	28 Jan 2025
Target Date:	31 Jan 2025	Recommending Officer Signature:	Peter Davies

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	29 Jan 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2992

**Rossendale, 5 Wellfield, Ashurst Wood, East Grinstead, West Sussex, RH19 3SX,
Proposed single storey rear extension with pitched roof and metal cladding.
Mr Simon Lawrence**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Southern Water - no objection

PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

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

RELEVANT PLANNING HISTORY

06/00958/FUL - New rear conservatory. Permission.

SITE AND SURROUNDINGS

The application property is a detached two storey dwelling located at the end of the cul-de-sac Wellfield, located within the countryside.

The dwelling has a hipped roof with a catslide roof on the northwestern side. The dwelling is constructed from brick with hanging tile cladding at first floor with plain roof tiles and uPVC fenestration. The dwelling is set back from the highway with off street parking and a detached garage to the side. The locality is characterised by detached single storey and two storey dwellings of varying scale and design.

APPLICATION DETAILS

The application seeks planning permission for a single storey rear extension on the south side of the dwelling with a width and depth of 5.40 and 6.30 metres. The extension will have a hipped roof with an eaves height of 2.51 metres and an overall height of 3.40 metres. The extension will have bifold doors across the rear elevation with a floor to ceiling window on the east side and 2 no. rooflights. The extension will be externally clad in grey metal 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 Ashurst Wood 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
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.

Ashurst Wood Neighbourhood Plan (made June 2016)

ASW1 - Protection of the Countryside
ASW14 - Design and Character

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 stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to the majority of 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
DPC1 - Protection and Enhancement of the Countryside
DPC4 - High Weald Area of Outstanding Natural Beauty
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)

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

National Planning Policy Guidance

ASSESSMENT

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

- Design and Impact on character of area
- Impact on the High Weald AONB
- Impact on neighbouring properties
- Other Matters
- Biodiversity Net Gain

Design and Impact on character of area

Policy DP12 of the Mid Sussex District Plan in part 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.'*

Policy ASW1 of the Ashurst Wood Neighbourhood Plan states:

'Outside of the Built Up Area Boundary, which is defined in Map 1, priority will be given to protecting and enhancing the countryside from inappropriate development. A proposal for development will only be permitted:

- a) in exceptional circumstances for essential utility infrastructure where no other feasible alternative site is available, or where*
- b) Specific provision has been made in this Plan or the proposal is in accordance with other planning policies applying to the area, and*
- c) The proposal would conserve and enhance landscape and scenic beauty, having regard to the objectives of the High Weald AONB Management Plan, and*
- d) It would maintain the character and appearance of the countryside and its distinction from the Built Up Area, and (e) It demonstrates good quality design, which respects the existing character and appearance of the surrounding area, and meets the criteria set out in Policy 14 where appropriate.'*

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.'

Policy ASW 14 of the Ashurst Wood Neighbourhood Plan states:

'All new development (including extensions and additions to individual properties) must demonstrate good quality design and respect the existing character and appearance of the surrounding area. All proposals will be expected to identify how they address the local surroundings and landscape context by:

- (a) Using design that respects the scale and character of existing and surrounding buildings with reference to the Character Assessment; and*
- (b) Demonstrating that the design of the particular development has addressed and protected the positive features of the character of the local area; and*
- (c) Using materials which are compatible with the materials of the host or surrounding buildings; and*
- (d) Respecting established building lines where relevant and using green hedging and / or trees for highway boundaries wherever possible and in keeping with the existing streetscape; and*
- (e) Ensuring safe access for pedestrians, cyclists and other road users; and*
- (f) Providing adequate refuse and recycling storage incorporated into the scheme to minimise visual impact; and*
- (g) Adopting the principles of sustainable drainage where appropriate; and*
- (h) Providing private garden amenity space proportionate to the size of the dwelling; and*
- (i) Providing off-street parking space in accordance with Policy 21 and ensuring that garages reflect the architectural style of the house they serve and are set back from the street frontage wherever possible to reflect the local character and context. Parking should be positioned between dwellings, rather than in front, so it is not prominent in or does not dominate the street scene to the detriment of local character; and the visual impact of parking areas should be minimised wherever possible by the use of alternative surfaces and screening; and*
- (j) Ensuring that the living conditions of adjoining residents (including privacy, daylight, sunlight and outlook) are safeguarded; and*
- (k) Ensuring that lighting schemes will not cause unacceptable levels of light pollution particularly in intrinsically dark areas'*

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.'*

Principle DG51 relates to rear extensions and 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.'*

Whilst relatively large in size, the proposed extension is shown to be subordinate to the form of the original dwellinghouse and the contemporary design is considered acceptable. The extension will not be visible from the street scene and would not have a harmful impact on the character of the area.

The proposal is therefore considered to comply with policies DP12 and DP26 of the District Plan and policies ASW1 and ASW14 of the Ashurst Wood Neighbourhood Plan.

Impact on 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.

Mid Sussex District Plan policy DP16 states:

'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;

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

Small scale proposals which support the economy and social well-being of the AONB that are compatible with the conservation and enhancement of natural beauty will be supported.

Development on land that contributes to the setting of the AONB will only be permitted where it does not detract from the visual qualities and essential characteristics of the AONB, and in particular'

Whilst relatively large, the proposed extension is of a subordinate scale to the existing dwellinghouse and will not be visible from the street scene. It is not considered that the proposal would appear obtrusive within the locality as to detract from the wider landscape of the AONB, which would be conserved by the proposal.

The proposal is deemed to comply with Policy DP16 of the District Plan, The High Weald Management Plan and Para 189 of the NPPF.

Impact on neighbouring properties

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan states that it must be demonstrated that any 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.

Policy ASW14 of the Ashurst Wood Neighbourhood Plan in part states:

'(j) Ensuring that the living conditions of adjoining residents (including privacy, daylight, sunlight and outlook) are safeguarded'

There is therefore some conflict between the District Plan and Neighbourhood Plan in this respect.

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published. As such, policy DP26 is considered to take precedence and therefore the test in this instance is whether the development causes significant harm to neighbouring amenities as outlined above.

The proposed extension is single storey. To the west is no. 6 Wellfield, however the application property has an existing single storey rear extension along the western side and will therefore not create additional harm to the amenity areas to this neighbouring property. To the northeast is no. 4 Wellfield. The shared boundary is marked by mature hedging. The application property also has a detached garage and close boarded fencing to the side. the extension will therefore not create significant harm to the neighbour amenities.

Therefore, in terms of neighbouring amenities, the proposal complies with policy DP26 of the Mid Sussex District Plan and policy ASW14 of the Ashurst Wood Neighbourhood Plan.

Other Matters

Southern Water have provided comments on the proposal and state that any new connection would require a new sewer connection application to be submitted and approved by Southern Water.

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 considered to be acceptable in terms of design, size and scale to the dwellinghouse and locality, would not cause significant harm the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policies DP12, DP16 and DP26, ASW 1 and ASW14 of the Ashurst Wood Neighbourhood plan and with the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Peter Davies