

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0416	Case Officer:	Stuart Malcolm
Application Type:	Householder Application		
Proposal:	Proposed replacement garage and single storey side extension to the East and two storey side extension to the West.		
Site:	2 By Sunte, Lindfield, Haywards Heath, West Sussex, RH16 2DF, , ,		
Validation Date	17 Feb 2025	Overall Expiry Date:	28 Mar 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	20 Jun 2025
Target Date:	14 Apr 2025	Recommending Officer Signature:	<i>Stuart Malcolm</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	24 Jun 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0416

**2 By Sunte, Lindfield, Haywards Heath, West Sussex, RH16 2DF, ,
Proposed replacement garage and single storey side extension to the East and two storey side extension to the West.
McGlinchey**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

MSDC Drainage: No objection to the proposed development on flood risk and drainage grounds.

Southern Water: No objections

Environment Agency: No objections subject to condition

LINDFIELD PARISH COUNCIL OBSERVATIONS

No objection

INTRODUCTION

This application (DM/25/0416) seeks permission for a proposed replacement garage and single storey side extension to the east and two storey side extension to the west at 2 By Sunte, Lindfield.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

SITE AND SURROUNDINGS

The application site is a two storey detached dwelling located in a residential setting of largely detached properties. Although on the southern side of By Sunte, the site occupies a corner plot location with its western flank located along the eastern side of Portsmouth Lane.

The nearest neighbour, and those most likely to be affected by the proposals, are located just beyond the boundary to the south at 24 Portsmouth Lane and to the east at 4 By Sunte.

A 'main river' watercourse runs through the garden.

In policy terms the site is within the built up area of Lindfield. It also falls within Flood Zones 2 and 3 and is within the Area of Townscape Character defined within the Lindfield and Lindfield Rural Neighbourhood Plan.

APPLICATION DETAILS

The Design and Access Statement describes the works as follows:

"The application seeks approval for the demolition of the existing garage & timber bay window to the west & construction of a replacement garage with a utility room behind. To the west a new 2 storey

extension to the sitting room which would extend no further to the west than the existing bay window. The extension would be 2-storey providing an enlarged sitting room & office to the ground floor, a master bedroom & additional bedroom to the first floor.

The proposed extensions will be finished in face brickwork to the ground floor with white painted render over. The roof would be tiled in plain clay tiles, the new doors & windows would be white uPVC all matching the existing."

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, the Site Allocations Development Plan Document and the 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 in 2018. The most relevant policy is:

DP26 - Character and Design
DP41 - Flood Risk and Drainage

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 Neighbourhood Plan is made so forms part of the development plan. The most relevant policies are:

Policy 7: Areas of Townscape Character

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.

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 is a material consideration. Paragraphs 8, 131, 135 and 181 (and the rest of Chapter 14) are considered to be particularly relevant to this application.

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 residential amenity;
- Flood Risk and Drainage ; and
- Biodiversity net gain.

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 7 of the Neighbourhood Plan states that:

"Development proposals in an Area of Townscape Character will be supported, provided applicants can demonstrate they have had regard to their impact on the character and appearance of the area and have sought to retain features important to the character of the area, as defined in the Lindfield Village Design Statement. In particular, proposals should:

- i. retain trees, frontage hedgerows and walls which contribute to the character and appearance of the area;*
- ii. retain areas of open space, (including private gardens) which are open to public view and contribute to the character and appearance of the area; and*
- iii. avoid the demolition of existing buildings which contribute to the character and appearance of the area."*

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".

In this case the design, size and scale of the extensions are in keeping with the size and appearance of the existing house as well as those properties in the surrounding area. The site occupies a prominent corner plot but the proposals are sensitively designed so that the character of the area is preserved. The Area of Town Character policy requires that features important to the character of the area are retained. In this case the openness around the dwelling is one such feature as a result of its corner plot setting and the 'openness' derived from the private garden. There is still sufficient distance to the site boundaries to ensure that the 'openness' is satisfactorily retained to be policy compliant.

In residential amenity terms, the test of development here is whether or not it causes 'significant harm' to neighbouring amenity as per DP26.

There is little impact on the neighbour to the east at 4 By Sunte as the extensions on this side of the site (the east) are single storey and there are no new openings facing towards this property at ground or first floor level.

The two storey extension on the western side is set an adequate distance away from 24 Portsmouth Lane to ensure it will not cause significant harm to the amenity of this neighbour through loss of light or by being overbearing. The proposals do however include a new bedroom window in the south elevation at first floor level to serve an extended bedroom. At present, there are no south facing first floor windows in the property that look towards no.24. There is a north facing first floor window in the side elevation of no.24 with this being the only opening clearly visible above the height of the boundary vegetation. The first floor window of the neighbouring property is located approximately 16 metres away from the new bedroom window. The neighbouring window is at a slightly higher level owing to the change in levels and there is also a degree of obliqueness to the relationship between the two as they are not square on to each other. These factors mean that, whilst some degree of overlooking may be possible, the proposal will not constitute significant harm which is a high bar to breach.

In regard to construction disruption, the applicant will be advised via informative of their responsibilities under the Environmental Protection Act 1990 and the duty of care not to cause the neighbours of the site a nuisance.

It can be concluded therefore that the proposal will not cause significant harm to neighbouring residential amenity by causing a loss of light, outlook or sense of enclosure.

Flood Risk and Drainage

Policy DP41 of the District Plan states in part that:

"Proposals for development will need to follow a sequential risk-based approach, ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. The District Council's Strategic Flood Risk Assessment (SFRA) should be used to identify areas at present and future flood risk from a range of sources including fluvial (rivers and streams), surface water (pluvial), groundwater, infrastructure and reservoirs.

Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates."

Paragraph 181 of the NPPF states that:

"When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment⁶³. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
- d) any residual risk can be safely managed; and*
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan."*

Both the Council's Drainage team and the Environment Agency (EA) have reviewed the applicant's submissions which includes a brief Flood Risk Assessment and an Environment Agency Flood Zone document.

The EA has commented that:

"We have no objection to the proposed development as submitted, provided that the following condition be attached to any planning permission granted, and that the details in relation to the condition be submitted and approved by the Local Planning Authority."

Condition

The development shall be carried out in accordance with the submitted flood risk assessment (on Behalf of M McGlinchey & A Taylor, dated February 2025) and the following mitigation measures it details:

- Proposed finished floor levels of the extension shall be set no lower than existing floor levels*

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reasons

To reduce the risk of flooding to the proposed development and future occupants.

The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change."

Following receipt of the EA comments, the Drainage team has confirmed that:

"We have no objection to the proposed development on flood risk and drainage grounds. Due to the nature of the development, drainage should be managed via Building Regulations/Control."

Southern Water has also commented but has not raised any objections.

In light of these comments, and subject to the imposition of the requested conditions relating to the proposed mitigation, it can be concluded the application complies with Policy DP41 of the District Plan and the NPPF.

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.

CONCLUSION

In conclusion, the proposal is acceptable in respect of its design, the impact on neighbouring residential amenity insofar as significant harm cannot be demonstrated and the risk of flooding is reduced. As such the proposal accords with the requirements of Policies DP26 and DP41 of the Mid Sussex District Plan, Policy 7 of the Lindfield and Lindfield Rural Neighbourhood Plan, the Mid Sussex Design Guide and the NPPF.

The application therefore accords with the development plan and there are no material planning considerations which indicate an alternative conclusion should be reached.

Planning permission should therefore be granted.

Decision: Permission

Case Officer: Stuart Malcolm