

Delegated Decision
Sign off Sheet

Ref. No:	DM/25/0692	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Demolition of the existing conservatory and replaced with an orangery. A new car port/car cover to the front of the garage.		
Site:	The Slatch, 50 Hickmans Lane, Lindfield, Haywards Heath, West Sussex, RH16 2PX, ,		
Validation Date	17 Mar 2025	Overall Expiry Date:	6 Jun 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	8 Oct 2025
Target Date:	12 May 2025	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	Steven King	Date:	7 Oct 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0692

**The Slatch, 50 Hickmans Lane, Lindfield, Haywards Heath, West Sussex, RH16 2PX,
Demolition of the existing conservatory and replaced with an orangery. A new car port/car cover
to the front of the garage.**

Mrs Kerr

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

MSDC Conservation Officer: The Slatch is an unlisted c. mid 20th century detached house located within the Lindfield Conservation Area. It is located to the rear (west) of the buildings lining the western side of the High Street south of Hickmans Lane, a number of which are listed, including the Well House and Barnlands (II*), The Barn (II). I would also regard it as being within the setting of 99-99A High Street (II), which is located on the northern side of Hickmans Lane at its junction with the High Street. The Slatch is relatively modest 1 ½ storey house of brick and timber cladding under a pan tile roof, and is relatively sympathetic to the more historic buildings surrounding it within the Conservation Area. It makes a neutral contribution to the Conservation Area and to the settings of the adjacent listed buildings.

Although the car port is less subservient than the existing garage in terms of its relationship with the house, and will be more prominent in views from Hickmans Lane, it is a lightweight, open structure. The crown roof, although not a roof form which is considered appropriate in all circumstances within a Conservation Area, is arguably more sympathetic to the broadly 'vernacular' style of the house. On balance, this aspect of the proposal is therefore not considered contentious, subject to detail which could be reserved by condition.

The existing conservatory to the rear of the house is not of any particular interest, and its removal is not considered contentious. The proposed new orangery extension is similar in width across the elevation to this existing structure, but deeper towards the boundary with the neighbour to the south. It is also of a more solid construction, although substantial glazed elements are retained. Given the nature of the host building, and the well screened location, this aspect of the proposal is not considered contentious in principle, however the tall stove flue pipe with supporting straps or struts which is shown rising from the southern edge of the roof has an incongruous appearance and adds unwelcome clutter at roof level, which may be visible from neighbours' gardens. I would suggest that this element of the proposal is either removed from the scheme or reconsidered.

Following the submission of amended plans the Conservation Officer stated the following:

The amendments include simplification of the footprint of the proposed car port by squaring it off- whilst I would not consider this contentious in heritage terms in its own right, it appears to involve the removal of a tree. Trees contribute positively to the character and appearance of the Conservation Area, so this loss may be contentious, unless it is agreed by the Tree Officer to be appropriate.

The previously proposed large flue and supporting straps has been revised to show a slightly smaller flue with no supports.

On balance, given the rearward position of this work, this aspect of the proposal is now considered acceptable.

In summary the proposal is generally considered acceptable in terms of its impact on the character and appearance of the Conservation Area.

MSDC Tree Officer: Given the state of the yew tree, I have no objection.

PARISH COUNCIL OBSERVATIONS

Lindfield Parish Council has no objection to this application, subject to appropriate tree/root protection where the garage cover extension is planned.

INTRODUCTION

Planning permission is sought for the demolition of the existing conservatory and its replacement with an orangery, and a new car port/car cover to the front of the garage.

RELEVANT PLANNING HISTORY

07/03751/FUL - Boundary wall alterations and replacement of conservatory (approved)

DM/24/2997 - Upgrade and improve the windows and kitchen door. (Refused)

SITE AND SURROUNDINGS

The Slatch is a detached pitched roofed dwelling. The walls are a mix of face brickwork and timber cladding (first floor) with an existing front gable and a front pitched roofed dormer. The windows are a mix of white painted timber and upvc windows and doors.

To the north-west of the site is close boarded fencing and woodland to neighbouring 42 Compton Road, to the north-east is the driveway to highway, to the south-west of the site is the rear garden with brick wall to rear garden of 91 High Street beyond and to the south east is the side garden with hedging and close boarded fencing with detached garages to neighbouring The Barn, Hickmans Lane beyond

The site is within the built-up area of Lindfield and the Lindfield Conservation Area and an Article 4 Direction.

APPLICATION DETAILS

The existing rear conservatory to be removed approximately measures 3.6m in depth, 6.6m in width with a height to eaves of 2m and an overall height of 2.7m.

The proposed orangery measures 4.98m in depth, 6.9m in width with a flat roofed height of 3m with the roof lantern adding 0.25m. It will have a 1.375m high flue.

The new car port to front of the garage approximately measures 4.8m in depth, 4.7m in width with a height to eaves of 2.5m and an overall height of 3.1m.

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)
DP37 (Trees, Woodland and Hedgerows)

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 formally made on 23 March 2016

No relevant policies.

Other Legislation

Planning (Listed Building and Conservation Areas) Act 1990

Other Material Considerations

Mid Sussex District Plan 2021-2039 Submission 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 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:

DPN4 - Trees, Woodland and Hedgerows
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 (NPPF) 2024 is also a material consideration and paragraphs 8, 11, 131, 135 and 207 - 215 are considered to be relevant to this application.

Impact to Setting of Listed Building

The site is deemed to be within the setting of a number of listed buildings.

The LPA is under a duty by virtue of s.66(1) of the Planning (Listed Building and Conservation Area) (LBCA) Act 1990:

'In considering whether to grant planning permission...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 is relevant and states:

'Development will be required to protect listed buildings and their settings. This will be achieved 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.'*

Paragraphs 207, 212 - 215 of the NPPF are most relevant and state:

'207. In determining planning applications, local planning authorities should take account of:

- o the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- o the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- o the desirability of new development making a positive contribution to local character and distinctiveness.*

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* 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;*
- c) *and conservation by grant-funding or some form of 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.'

The Conservation Officer has confirmed that the proposal preserves the setting of the adjacent listed buildings. The planning officer has no reason to disagree and therefore the proposal is deemed to comply with policy DP34 of the Mid Sussex District Plan and the relevant paragraphs of the NPPF.

Design and Character and Impact on the Conservation Area

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:

- 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.'*

The Design Guide refers to household extensions in Chapter 9.

Principle DG49 states that:

'Extensions should respond to the design of the original dwelling' and '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.'

Also relevant is Principle DG50: side extensions, which states:

'side extensions are typically visible from the public realm and will be resisted where they have an adverse impact on the street scene or the appearance of a dwelling.'

Side extensions should normally be subservient to the original dwelling and typically be set-back from the front of the house to help define the original building.

The gaps between dwellings can sometimes positively contribute to articulating (for example, through the consistent rhythm of repeated houses) and adding interest in a street frontage or by providing views / visible connections to the surrounding countryside. Side extensions will therefore need to appropriately respond to the character of the street form and will not normally be accepted where they close an important gap and view.'

Design Guide Principle DG51 refers 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.'

The proposed orangery is a modest enlargement on the existing conservatory and will not be visible from the streetscene. Coupled with this, sympathetic materials (face brickwork) are to be used with the removal of existing uPVC elements to be replaced with painted timber and aluminium.

The car port would be visible from the streetscene but is not set forward of the existing dwelling and is clearly subservient. Matching materials (face brickwork) are to be used. Therefore, the proposal is deemed to comply with policy DP26 of the Mid Sussex District Plan, principles DG49-DG51 of the Mid Sussex Design Guide SPD and the relevant paragraphs of the NPPF.

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'.*

Policy DP35 of the 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.'

Principle DG11 of the Mid Sussex Design Guide states:

'Heritage assets and historic landscapes should be celebrated, enhanced and preserved where appropriate, for the enjoyment of existing and future residents. Where appropriate and providing it does not cause harm to the heritage assets or their setting, they should be carefully integrated into development proposals as they help to reinforce a sense of place and local identity.'

Elsewhere new development should generally reflect the scale of adjacent areas and the settlement context within which it is located to deliver a coherent and consistent urban fabric. There may be potential to introduce a new character / development form and massing:

- *On larger urban extensions; this will typically be within the middle of the site and associated with a new neighbourhood centre, spine road or the main open space.*
- *In town centre locations defined as coarse grain areas and nearby sites identified on the brownfield sites register.'*

The relevant paragraphs of the NPPF are outlined within the Setting of the listed buildings section of the report outlined above.

The Conservation Officer confirms that the proposal conserves the character of the Conservation Area. The planning officer has no reason to disagree.

Therefore, the proposal complies with policy DP35 of the Mid Sussex District Plan and the relevant paragraphs of the NPPF.

Neighbouring Amenities

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.

Principle DG47 of the Mid Sussex Design Guide SPD relates to neighbouring amenities in terms of light and states:

'All dwellings should benefit from daylight and sunlight levels that conform to BRE (Better Regulation Executive) standards'.

Given the nature of the proposals and the relationship with the neighbouring properties, light and outlook is not deemed to be harmed. In terms of overlooking and privacy, as single storey the harm would be no more than the existing relationship.

Therefore, in terms of neighbouring amenities, the proposal is not deemed significantly harmful and complies with this element of policy DP26 of the Mid Sussex District Plan.

Impact on Trees

Policy DP37 of the Mid Sussex District Plan states:

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected. Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.'

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

o incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and
o prevents damage to root systems and takes account of expected future growth; and
o where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and
o has appropriate protection measures throughout the development process; and
o takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and
o does not sever ecological corridors created by these assets.

Proposals for works to trees will be considered taking into account:

o the condition and health of the trees; and
o the contribution of the trees to the character and visual amenity of the local area; and
o the amenity and nature conservation value of the trees; and
o the extent and impact of the works; and
o any replanting proposals.

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary'.

The tree officer has no objections to the works to the car port given the health of the affected Yew Tree which is diseased and dying, therefore the proposal is deemed to comply with policy DP37 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.

PLANNING BALANCE AND CONCLUSION

The proposal is considered to be of a design that conserves the special character and appearance of the Conservation Area. It deemed to preserve the setting of the neighbouring Listed buildings. The proposal is also not considered to cause significant harm to the amenity of neighbouring properties and is acceptable in relation to its impact on trees.

Therefore, the proposal is considered to comply with policies DP26, DP34, DP35 and DP37 of the Mid Sussex District Plan, the Lindfield Neighbourhood Plan, the Mid Sussex Design Guide SPD and the NPPF.

Decision: Permission

Case Officer: Andrew Horrell