

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0873	Case Officer:	Anna Tidey
Application Type:	Householder Application		
Proposal:	Rear and side single storey extension, front porch extension, changes to fenestration and render to upper parts.		
Site:	Blackbirds, Bramble Hill, Balcombe, Haywards Heath, West Sussex, RH17 6HR, ,		
Validation Date	31 Mar 2025	Overall Expiry Date:	1 Jul 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	11 Jul 2025
Target Date:	26 May 2025	Recommending Officer Signature:	Anna Tidey

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
--	--	-------------------------------	---

Signed and Agreed By:	Stephen Ashdown	Date:	11 Jul 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0873

**Blackbirds, Bramble Hill, Balcombe, Haywards Heath, West Sussex, RH17 6HR,
Rear and side single storey extension, front porch extension, changes to fenestration and render
to upper parts.
Mr And Mrs Harris**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Conservation Officer:

The application site, Blackbirds, is a detached modern house located within the Balcombe Conservation Area, built as an infill development between a run of mostly early 20th century houses to this western side of Bramble Hill. To the opposite side of the road is Victory Hall, the Grade II listed village hall, formerly the working men's club, which dates from c. 1901. The existing house on the site is intended to refer stylistically to the flanking early 20th century buildings, but is not a particularly successful composition, and makes at best a neutral contribution to the character and appearance of the Conservation Area and the setting of the Victory Hall.

The current proposal, which follows on from pre-application advice, is for various alterations and extensions to the property including:

- Replacement of an existing open sided porch and covered walkway to the southern side of the building with an enclosed porch under a pitched tiled roof and enclosed lean to addition.
- Introduction of a new window to the front facing gable at second floor;
- Replacement of an existing rear single storey element with a flat roofed extension on an enlarged footprint;
- Enlargement of the existing dormer to the main rear roofslope;
- Replacement of tile hanging at first floor to all elevations with render; and
- A new window to the northern side elevation.

To consider these works in turn:

- The replacement porch lean-to addition to the southern side of the building are not considered contentious, subject to detail. As was discussed in relation to a more ambitious scheme seen at pre-app, although the slight increase in bulk will result in some impact on the existing visual gap between the house and the adjacent Victory Hall, this is not considered detrimental to the street scene.
- The principle of a new window at second floor to the front gable was also discussed at pre-application and is not considered contentious. However, as shown the window does not appear sympathetic to the existing fenestration in its proportions or glazing pattern. A smaller opening, with a window to reflect those to the elevation below would be more positively viewed.
- The principle of the replacement of the existing rear extension along the lines now applied for was considered at pre-application and found to be acceptable. However, the current proposal is for an addition wider than the main rear elevation to the house- this will not be acceptable, as the extension does not appear appropriately subordinate to the host building, and with the proposed side extension wraps around the south western corner of the house. The sideways extent of the addition should be reduced to sit within the existing width of the main house, excluding the side extension now proposed. The facing material to the extension would also benefit from amendment to brickwork to match the remainder of the house at ground floor.

- The existing dormer to the rear of the building is in my opinion already overscaled, and detracts from the appearance of the house. The pre-application proposal was for the removal of this feature in favour of two smaller dormers, which was considered to be an improvement over the existing situation. It is regrettable that the current application is instead for the enlargement of the existing window, which would exacerbate its negative impact on the appearance of the building and detract from its contribution to the wider Conservation Area. This aspect of the proposal is therefore considered contentious.
- The proposal to remove the existing tile hanging to the first floor of the building in favour of render was considered at pre-application stage and found to be acceptable subject to detail on the basis that it reflects the palette of materials to other existing buildings along Bramble Hill.
- The new window to the side elevation is not considered contentious, subject to detail.
- As a general point, the use of uPVC is noted on the plans, e.g. to the external door to the new side extension. uPVC is not a material which is generally considered acceptable in a conservation area context, unless it is present throughout the existing building. This should be amended to painted timber or possibly metal, as appropriate.

In summary, although the majority of the proposals forming part of the application are acceptable in principle, amendments are required in some respects. The enlargement of the rear dormer is not acceptable, and should be omitted from the scheme.

As it stands, the proposal is for the reasons given above considered to detract from the character and appearance of the house and of the wider Conservation Area contrary to the requirements of District Plan Policy DP35. The proposal is also contrary to the requirements of the Council's adopted Design Guide, specifically Design Principle DG49 (General Principles for Extensions) and paras. 6.3.5- 6.3.8 which relate to dormer windows. In terms of the NPPF, the proposal will result in less than substantial harm to the Conservation Area, so that the balancing exercise set out in paragraph 215 will apply.

Amended Plans:

Further comments on the above application following the receipt of revised plans.

- The new window at second floor to the front facing gable has been amended to show a window more in keeping with the proportions and design of the existing fenestration. This aspect of the proposal is therefore now considered acceptable, subject to detail.
- The rear extension has been revised to reduce its width to the northern side, so that this is now in line with the existing house's side elevation, and to show a crown roof form. However, the extension still projects beyond the southern elevation of the building so that it attaches to the side extension, and in combination the additions continue to wrap around the corner of the building, which remains contrary to the guidance contained within the Council's adopted Design Guide (Design Principle DG49). As a result of this sideways projection, the extension also appears off centred in the rear elevation, giving an unbalanced appearance. I would again suggest that the width of the rear extension should be kept within the bounds of the existing rear elevation of the house, so that the side and rear extensions do not conjoin, and so that the rear addition can be centred on the rear elevation.
- The proposed amendments to the rear dormer have now been removed from the scheme.
- Reference to uPVC has been removed from the plans, which is welcomed. Further details of windows and doors could be secured by condition, were an approval to be forthcoming.

In summary, although the proposal has moved forward since its submission, the footprint and scale of the rear extension and its relationship with the proposed side addition and the rear elevation of the house remain of concern. Further amendment is necessary to ensure that the character and appearance of the house and the Balcombe Conservation Area are preserved, meeting the requirements of District Plan Policy DP35.

Naturespace Newt Officer:

The proposed development is not considered to be relevant to the District Licensing Scheme in this case and we consider there would be no likely impact on Great Crested Newts or their habitats. I therefore have no comments

PARISH COUNCIL OBSERVATIONS

Balcombe Parish Council expressed a preference for retaining the existing exterior tiles rather than replacing them with render. While the Council did not object in principle to the addition of a window on the front elevation, they raised concerns regarding the proposed window's dimensions. Specifically, they considered the size to be disproportionate and overly large, making it out of keeping with the character and scale of the existing property.

Amended Plans: Balcombe Parish Council have no objections to the proposed changes in the planning application.

The Council wish to thank the property owner for addressing the concerns and comments previously raised. Members are satisfied that the revised design is a significant improvement and are now supportive of the application in its current form.

INTRODUCTION

This application seeks planning permission for the construction of a new single storey side and rear extension, a porch addition and changes to the fenestration and the introduction of new areas of render on a residential property at Blackbirds, Bramble Hill in Balcombe.

RELEVANT PLANNING HISTORY

04/02891/FUL. Adding brick skin and tile hanging to exterior walls of building. Approved January 2005.

04/02411/FUL. Single Storey rear extension with roof. Approved November 2004.

BA/021/94. New church building and house. Approved July 1994.

SITE AND ITS SURROUNDINGS

Blackbirds is a detached two storey dwelling, with converted loft space, located in a set back position on Bramble Hill next to the United Reform Church. The road is characterised by a variety of residential dwellings of various designs and materials.

The property is sited on the northern side of Bramble Hill. Directly to the south is the Village Hall building, which is Grade II Listed. The site lies in the setting of the Listed Building.

The house benefits from a high gabled roof and has been enlarged by the addition of a large rear roof dormer. There are three first floor bedrooms and a further bedroom and study located on the second floor, within the extended loft space.

The property is located in the High Weald AONB, within the Balcombe Conservation Area and within the Built up Area boundary of Balcombe.

APPLICATION DETAILS

This application seeks planning permission for works to enlarge the ground floor living area. There is an existing single storey rear extension, which attaches to a wrap around open side canopy and front porch. It is proposed to replace and enlarge the rear extension and to adapt and infill below the side and front open canopy to enlarge the ground floor area.

Amended plans have been submitted during the course of determining the application to reduce the scale of the proposed additions and to retain the existing rear roof dormer, rather than to increase its width and roof form.

As originally submitted the plans showed the removal of the 1.8m deep by 6.4m wide rear single storey projection, which currently accommodates an open plan dining area, off the family room, and the rear section of the kitchen and its replacement with a 5.6m deep by 9.5m wide (approx) extension, projecting 1.13m to the north eastern side wall of the house.

The Amended Plans have scaled the size of the rear extension down. They still show the removal of the rear single storey projection. In its place an amended 5.3m deep by 8.3m wide addition will be constructed, taking the area below the current open side canopy into the living space of the house, to a position in line with the existing north eastern side wall of the house. The extended area is shown on the plans to be created into a family dining room at the rear of the house, with internal stepped access from the relocated kitchen.

Externally the rear extension is shown to be constructed in facing brickwork on the south western side elevation and the rear north western elevations. The north eastern side elevation of the rear extension is shown to be rendered on the plans. The extension will be constructed with a tiled crown roof, with the tiles extending off the existing side canopy roofline. Two 2.4m deep by 1m wide roof lights are proposed within the recessed flat roof of the extension to light the new family/dining space. In the rear wall of the extension a 6m wide set of sliding glazed door panels re proposed to provide access from the extension onto steps leading into the lower rear garden.

The existing kitchen is to be relocated into the original house, in place of the current family room, and a new utility room will be provided in the vacated space, and within part of the new side infill addition. An external door will allow access from the utility room into the retained side access pathway. It is also proposed to create a new toilet and a new cupboard off the enlarged hallway. The covered porch addition will have a stepped access leading to a new front door with full height glazed side lights and a new tiled roof to match the existing.

Other alterations that are shown on the proposed plans include the addition of a new 1.8m wide by 1.1m high (approx.) casement window in the north east side wall of the existing house to light and ventilate the relocated kitchen. A new 0.7m wide by 1m high sash style window is also proposed in the front facing gable to serve the study room at second floor level.

It is also proposed to remove the first floor and gable end vertical tile hanging to provide a new rendered finish above the retained ground floor brickwork around the building.

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.

Specifically Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to application,*
- b) And local finance considerations, so far as material to the application, and*
- c) Any other material considerations.'*

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy, but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

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.

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 the 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 AONB

DP26 Character and design

DP34 Listed Buildings and other Heritage Assets

DP35 Conservation Areas

DP38 Biodiversity

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.

Neighbourhood Plan

Balcombe Neighbourhood Plan, made on 22 September 2016.

Relevant policies:

Policy 1 Built up area boundary

Policy 3 Design

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

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:

DPS2 Sustainable Design and Construction

DPN1 Biodiversity, Geodiversity and Nature Recovery

DPS6 Health and Wellbeing

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.

High Weald Area of Outstanding Natural Beauty Management Plan 2019-2024

The legal framework for AONBs 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 High Weald Housing Design Guide 2020

High Weald National Landscape - Technical Advice Note: Dark Skies Planning Advice Note - July 2024

National Planning Policy Framework (NPPF) (December 2024)

Para's 210 and 212 to 215 are of particular relevance.

ASSESSMENT

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

- Design
- Impact upon the Conservation Area
- Impact upon the Listed Building
- Impact upon the High Weald AONB
- Impact on residential amenities
- Biodiversity
- Biodiversity Net Gain

Design

Policy DP26 of the District Plan seeks to promote well located and designed development, to protect valued characteristics of the built environment for their historical and visual qualities and support sustainable communities and create accessible environments. The wording of Policy DP26 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 DP29);*
- * 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.'*

Also relevant in the determination of the application is Policy 3 of the Balcombe Neighbourhood Plan, which states:

'The scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, will be required to reflect the architectural and historic character and scale of the surrounding buildings and to avoid any significant detrimental effect on the landscape and natural beauty of the High Weald AONB and the significance and character or appearance of the Balcombe Conservation Area, where a building will command a view.'

Unless otherwise proposed in Policy 2, development proposals will be expected to demonstrate they accord with the provisions of the Balcombe Village Design Guide and with the following principles:

- i. approximately 75% of the total number of dwellings of the scheme, and especially the affordable homes, are no larger than 3 bedroom dwellings with a proportion suited to occupation by households of retirement age;*
- ii. approximately 25% of the total number of dwellings of the scheme to comprise dwellings of no more than 4 bedrooms;*
- iii. they comply with affordable housing requirements of the Mid Sussex development plan;*
- iv. new and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community; and*
- v. new residential and commercial development will be permitted where there is sufficient infrastructure capacity currently available or where the necessary capacity can be provided to an agreed timetable.*

Proposals that involve the change of use of listed buildings within the settlement boundary for housing as 1, 2 or 3 bedroom units, including buildings judged to make a positive contribution to the special historic or architectural interest or character and appearance of the conservation area, will be supported provided it can be demonstrated they will sustain the significance of these heritage assets.'

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.

The Design Guide contains principles relevant in the consideration of extensions to residential dwellings. Principle DG49 states:

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

Extensions should typically use simple, uncomplicated building forms to complement 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.

Extensions should not result in a significant loss to the private amenity area of the dwelling.

There are two general approaches to extending a property:

*-designing in the style of the existing building by closely matching its facing materials, architectural features, window sizes and proportions; and
-designing in a contemporary style that takes its cues from key aspects of the existing building that might include its underlying form and proportions, facing materials, window design and other specific architectural features. The success of this approach is particularly reliant on high quality facing materials and finishes, and this will normally need to be demonstrated through detailed elevations and section drawings.*

Both approaches can create successful, well designed extensions that can be mutually beneficial to both the house and the wider area. All extensions and alterations should consider their impact on neighbouring properties (refer to Chapter 8 on residential amenity).'

The Design Guide also contains Principle DG51 which specifically 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.'

The design of the proposed additions are complementary to the style of the original dwelling and the bulk of the additional building work is sited at the rear of the house. Whilst the concern of the Conservation Officer is appreciated, regarding the side projection/wrap around form of the proposed extension, it is accepted that the reason for this is that the proposed addition partly infills the open space below the existing open side canopy. To simplify the roof form on the rear extension the crown roof will extend off the existing canopy roofline. The consequent 1.25m projection from the side wall of the main house is therefore considered minor in scale and does not impinge upon public vantage points. Overall the scale of the amended additions are considered appropriate to, and subordinate in form to, the existing house.

The proposed construction materials for the additions will blend in with those of the existing house. The proposed change in the external finish on the dwelling, to remove tile hanging and replace it with first floor render, is considered acceptable, given the mix of house types and material finishes on the buildings located within the immediate area.

Consequently the appearance of the proposed extensions and related alterations are considered to accord with District Plan Policy DP26, Balcombe Neighbourhood Plan Policy 3 and the Design Guide principles and the proposal can be supported in design terms.

Impact upon the Conservation Area

Blackbirds is located within the Balcombe Conservation Area, which was established in August 1984 and extended in March 1990.

The District Plan contains Policy DP35, which requires development to conserve or enhance the special character and appearance of Conservation Areas. The Policy 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.'*

The NPPF is also a material consideration and para's 210 and 212 to 215 are relevant when considering the impact on a heritage asset. In addition regard also needs to be given to the statutory duty of the Council, as the Local Planning Authority, to have special regard to the desirability of preserving the character or appearance of the Balcombe Conservation Area, as set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

NPPF Paragraphs 210 and 212 to 215 are set out below:

'210. In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) 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 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.'

The Conservation Officer describes the house at Blackbirds as making '*at best a neutral contribution to the character and appearance of the Conservation Area and the setting of the Victory Hall (listed building)*'. The house is set back from the road and represents a more modern infill development, rather than being an established older property, unlike the many of the neighbouring buildings. The Conservation Officer's view is supported in this regard. The changes that are proposed on the amended plans are considered to improve the design of the alterations and will help the changes to make a more positive contribution to the appearance of the Balcombe Conservation Area.

The main changes to the front elevation of the property, and that will be publicly visible, include the porch alterations, the change in the tile hanging to a rendered finish and the insertion of the new second floor window in the front facing gable. The proposed changes to the building will be visible to public users of the pavement and highway past the site, and would create a visual impact.

Whether the changes are harmful to the character and appearance of the Conservation Area has to be carefully considered.

The Conservation Officer has provided detailed comments on the proposed works at preapplication stage and for the Conservation Officer considered that the proposal would result in 'less than substantial harm' to the Conservation Area, in terms of the NPPF. In respect of the amended proposals, she still considers that certain elements need further consideration (the rear extension). Due to the siting of the house, which backs onto other neighbouring gardens, no public views can be seen from the back garden at the rear of the house. Given the Design Guide advice at Principle DG51 (see above) it is considered that the form of the addition can be supported in this instance. The character of the existing building is not symmetrical, as a result of the side canopy. The design of the rear addition is therefore supported in this case.

Subject to recommended conditions controlling details of the render finish and the details of the new windows and doors, and notwithstanding the comments from the Conservation Officer, it is considered that the proposed changes and alterations to the house at Blackbirds will not have a detrimental or harmful effect upon the wider character and visual appearance of this part of the Balcombe Conservation Area.

The proposed external alterations will therefore meet the requirements of District Plan Policy DP35, the aims of Policy 3 of the Balcombe Neighbourhood Plan and the aims of the NPPF with regards to preserving heritage assets.

Impact upon the Listed Building

Blackbirds is located in the setting of the Village Hall, which is Grade II Listed. The Village Hall is orientated to front onto Stockcroft Road. The presence of the Listed building is largely obscured from public views in Bramble Hill and from the property at Blackbirds by the presence of a thick roadside boundary hedgerow.

The Council, as the Local Planning Authority, has a statutory duty to have special regard to the desirability of preserving heritage assets. Listed Buildings and their settings are afforded special protection under the planning regime by virtue of Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCAA); paragraphs 210-215 of the NPPF and Policy DP34 of the District Plan.

District Plan Policy DP34 is relevant in the determination of this application. It states:

'DP34: Listed Buildings and Other Heritage Assets

Listed Buildings

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.*

Other Heritage Assets

Development that retains buildings which are not listed but are of architectural or historic merit, or which make a significant and positive contribution to the street scene will be permitted in preference to their demolition and redevelopment.

The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic.

Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.'

It is considered that the proposed works at Blackbirds would not have an impact upon the setting of the Listed building at the Village Hall. As such the proposal would meet the aims of District Plan Policy DP34 and the relevant paragraphs of the NPPF.

Impact upon the High Weald AONB

The proposed development is located within the High Weald AONB , where District Plan Policy DP16 is also relevant. This 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 should not adversely affect the views into and out of the AONB by virtue of its location or design'.

Also relevant in the determination of the application are Paragraphs 189-190 of the NPPF, which state:

'189. 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 and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

190. When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.'*

A similar ethos is found within The High Weald Area of Outstanding Natural Beauty Management Plan.

The rear extension would extend from the back wall of the property, but would not impinge on local views. The alterations will not impinge upon the wider character of the area. Consequently this application accords with Policy DP16 of the Mid Sussex District Plan and the relevant NPPF and AONB guidance.

Impact on residential amenities

In assessing the potential impact of the proposed works upon the neighbouring amenities consideration needs to be given to District Plan Policy DP26. Policy DP26 requires that 'All applicants will be required to demonstrate that development does not cause significant harm to the amenities of existing nearby residents and future occupants of the new dwellings.'

In addition Principle DG45 in the Design Guide refers to the need to consider privacy of existing and future residents and it is noted that privacy may be affected by the relationship of buildings to each other.

The immediate neighbouring properties are the houses immediately adjoining the site, including: Bramble Cottage at the rear and the flats next door at Hope Cottage. These properties are located some distance from the property at Blackbirds and there is a good degree of vegetation and fence screening between the proposed additions and alterations and the neighbouring private amenity spaces.

It is considered that the proposed extensions and alterations would not have a significant level of harm upon the amenities of the neighbouring residents. The proposals are therefore considered to accord with the requirements of District Plan Policy DP26 and the Design Guide Principles.

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

Overall the scale and design of the amended additions are considered appropriate to, and subordinate in form to, the existing house and are considered to accord with District Plan Policy DP26, Balcombe Neighbourhood Plan Policy 3 and the Design Guide principles.

The proposed alterations and extensions will preserve this part of the Balcombe Conservation Area. This accords with the aims of District Plan Policy DP35 and the aims of the NPPF with regards to preserving heritage assets.

The proposal would not harm the special interest of the adjacent listed building at the Village Hall. The proposal therefore meets the requirements of District Plan Policy DP34 and the relevant paragraphs of the NPPF.

The rear extension would extend from the back wall of the property, but would not impinge on local views in the High Weald AONB. The alterations will not impinge upon the wider character of the area. Consequently this application accords with Policy DP16 of the Mid Sussex District Plan and the relevant NPPF and AONB guidance.

The application is therefore recommended for approval.

Decision: Permission

Case Officer: Anna Tidey