

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0680	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Single storey rear extension. Existing side window adapted to form new side entrance door with canopy over. Replace existing rear door with a new window.		
Site:	Bonfire Cottage, Bonfire Lane, Horsted Keynes, Haywards Heath, West Sussex, RH17 7AJ, ,		
Validation Date	14 Mar 2025	Overall Expiry Date:	18 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	2 May 2025
Target Date:	9 May 2025	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	2 May 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0680

**Bonfire Cottage, Bonfire Lane, Horsted Keynes, Haywards Heath, West Sussex, RH17 7AJ,
Single storey rear extension. Existing side window adapted to form new side entrance door with
canopy over. Replace existing rear door with a new window.
Mr And Mrs Lewis**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

MSDC Conservation Officer: The application site is a semi-detached late 19th/early 20th century cottage located within the Horsted Keynes Conservation Area. The current proposal is for a single storey rear extension under a pitched roof, alteration of a rear door to window, and alteration of side window to a door, with a porch canopy over. The property has been previously extended, however the addition now proposed is relatively modest in scale and will have only a limited impact on views of the house from outside its gardens. Subject to detail, this aspect of the proposal is not considered contentious. The proposed alterations to window and door openings are also minor in nature and are not considered contentious.

The proposal is therefore considered to preserve the character and appearance of the Conservation Area, meeting the requirements of District Plan Policy DP35 and the relevant paragraphs of the NPPF.

MSDC Tree Officer: I have reviewed the Arboricultural Impact Assessment and Tree Protection Detail for this proposal and have no objection.

Please do condition these documents.

Southern Water: Following the weekly list sent on 24th March 2025, Southern Water has determined that the flow rate for the above site will remain consistent, so capacity is not an issue and no Southern Water assets will be affected. Therefore, Southern Water has no objections to this proposal.

PARISH COUNCIL OBSERVATIONS

No objection

INTRODUCTION

Planning permission is sought for a single storey rear extension, the existing side window adapted to form new side entrance door with canopy over and the existing rear door is to be replaced with a new window.

RELEVANT PLANNING HISTORY

00/00356/FUL - Demolish existing lean-to fuel store and construct new extension to provide a new bedroom and ground floor WC and utility space. (approved)

SITE AND SURROUNDINGS

Bonfire Cottage is a semi-detached two storey pitched roofed dwelling, the walls are face brickwork with timber doors and windows.

To the north of the site is the driveway to highway beyond, to the south of the site is the rear garden with close boarded fencing to neighbouring Buckhurst Place beyond, to the west of the site is the adjoining Fern Cottage and to the east of the side garden with close boarded fencing to garage of neighbouring Bell House beyond.

The site is within the built-up area of Horsted Keynes, The High Weald AONB and the Horsted Keynes Conservation Area.

APPLICATION DETAILS

The proposed single storey rear extension approximately measures 4.64m in depth, 3.9m in width with a height to eaves of 2.25m and an overall height of 3.35m. This will serve a breakfast dining room. Internal works will enlarge the existing utility room.

Further external alterations include the existing side window adapted to form new side entrance door with canopy over which measures approximately 3.3m in overall height and the existing rear door is to be replaced with a new window with an additional rear window to the utility room.

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 Horsted Keynes Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Policy Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.
Relevant policies:

DP16 - High Weald Area of Outstanding Natural Beauty
DP26 - Character and design
DP35 - Conservation Area
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.

Horsted Keynes Neighbourhood Plan

The Horsted Keynes Neighbourhood Plan was formally adopted on 24th May 2023

Relevant Policies:

HK4 - Maintaining Local Character and Good Quality Design
HK5 - Infill Development and Domestic Extensions
HK6 - Conserving Local Heritage
HK9 - The High Weald Area of Outstanding Natural Beauty

Other Legislation

Planning (Listed Building and Conservation Areas) Act 1990

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'*.

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:

DPN4 - Trees, Woodland and Hedgerows
DPC4 - High Weald Area of Outstanding Natural Beauty
DPB1 - Character and Design
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.

THE HIGH WEALD AREA OF OUTSTANDING NATURAL BEAUTY MANAGEMENT PLAN 2024-2029

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 8, 11, 131, 135, 189 and 207-215 are considered to be relevant to this application.

Character and Design

Policy DP26 of the 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;*
- *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 HK4 of the Horsted Keynes Neighbourhood Plan in part states:

'All development should maintain the distinct local character and demonstrate good quality design. This means recognising the significance of the village setting, responding to it, and integrating with local surroundings and landscape context as well as the existing built environment and in particular:

- *achieving high quality design that respects the scale, bulk and character of existing and surrounding buildings; and*
- *ensuring proposals relate to established plot widths within streets where development is proposed, particularly where they establish a rhythm to the architecture in a street; and*
- *using good quality materials that complement the existing palette of materials used within Horsted Keynes'*

Policy HK5 of the Horsted Keynes Neighbourhood Plan states:

'Proposals for infill development and domestic extensions within the built-up area boundary will be supported where they comply with the following criteria:

- *materials are compatible with materials of existing/surrounding buildings; and*
- *there is no unacceptable harm to the amenity of adjoining residents in respect of access, noise, privacy, daylight, sunlight and outlook is retained.*
- *Preserving and enhancing heritage assets and their wider settings, including conservation areas, listed buildings and areas of archaeological interest (see also policy HK6)'*

Principle DG49 relates to extensions generally and states:

'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.'

Principle DG51 of the Mid Sussex Design Guide SPD relates specifically to rear extensions states the following:

'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 vast majority proposal would not be visible from the streetscene, it is subservient to the main dwelling with matching materials to be used. The only element visible from the streetscene is the side canopy which is deemed sympathetic to the existing dwelling. The new doors and windows are visually similar to the existing.

The proposal therefore complies with policy DP26 of the Mid Sussex District Plan, policies HK4 and HK5 of the Horsted Keynes Neighbourhood Plan and principles DG49 and DG51 of the Mid Sussex Design Guide SPD.

Impact on Conservation 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:

- 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;*
- 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;*
- 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;*
- 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;*
- Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;*
- 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.'

Policy HK6 of the Horsted Keynes Neighbourhood Plan has a similar ethos and states:

'Development proposals should preserve or enhance the special character and setting of the Horsted Keynes and Birch Grove Conservation Areas, and preserve or enhance the special architectural or historic interest of listed buildings and their settings, and will be assessed against policies DP34 and DP35 of the Mid Sussex District Plan.

In particular, development proposals should have regard to the following special features of the two conservation areas:

Horsted Keynes

- the spacious character of The Green, the attractive groupings of buildings around The Green and the sense of enclosure created by both buildings and landscaping*
- the variety of age and style of buildings, several of which are listed buildings*
- the use of traditional and natural building materials*
- the extensive views of the countryside from within the Conservation Area, especially around St Giles Church and the views of the church from within the village*
- the hedgerows, trees and banked verges, including those in Church Lane, Bonfire Lane and Wyatts Lane.'*

The MSDC Conservation Officer has confirmed they have no objections subject to conditions relating to roofing and facing materials, materials and finishes of new doors and windows, new rainwater goods and pipework to be painted metal and the rooflight to be flush fitting metal and of a conservation style.

The planning statement makes clear that clay tiles and brick walls to match the existing house are to be used and therefore the suggested condition in terms of roofing and facing materials is not deemed necessary as the standards materials condition will be placed on any approval. Coupled with this, the agent has shown that the existing pipework at the property is black upvc and therefore the request for

them to be metal would be out of character with the existing dwelling and therefore does not meet the requirements of paragraph 57 of the NPPF.

Notwithstanding this, the proposal is deemed to comply with policy DP35 of the Mid Sussex District Plan and HK6 of the Horsted Keynes Neighbourhood Plan in terms of impact on the Horsted Keynes Conservation Area.

Impact on the High Weald Area of Outstanding Natural Beauty

The legal framework for AONBs, (also known as National Landscapes) in England and Wales is provided by the Countryside and Rights of Way Act (CROW) 2000 which at Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty. Section 84 of the CROW requires Local Planning Authorities to *'take all such action as appears to them expedient for accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB'*. The Levelling-up and Regeneration Act (2023) amended section 85 of the CROW Act, to create a new duty on relevant authorities to *'seek to further the purpose of conserving and enhancing the natural beauty of the area' when discharging their functions in AONBs*. A similar ethos is found within The High Weald Area of Outstanding Natural Beauty Management Plan which is a material consideration in the determination of planning applications in the AONB.

Policy 16 of the District Plan requires proposals in the AONB to conserve or enhance natural beauty.

Paragraph 189 of the NPPF is also relevant. This states, in part:

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

Policy HK9 of the Horsted Keynes Neighbourhood Plan has a similar ethos.

Given the domestic nature of the proposal, it would not harm the scenic beauty of the High Weald AONB.

As such it would not have any adverse impact on the landscape quality of the AONB and it complies with the requirements of policy DP16 of the District Plan, High Weald AONB Management Plan 2024-2029 and paragraph 189 of the NPPF as the character of the AONB would be conserved.

Impact on Neighbouring amenities

Policy HK5 states that proposals should "not cause unacceptable harm" to adjoining neighbours amenity whereas policy DP26 of the MSDP states that development should 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. 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 HK5 of the Horsted Keynes NP is considered to take precedence and therefore the test in this instance is whether the development causes unacceptable harm to neighbouring amenities as outlined above.

Given the inset location of the proposal in relation to the adjoining neighbour, the impact on light and outlook is not deemed to be unacceptable. Given the single storey nature of the proposal, outlook and privacy is not deemed to be unacceptably harmed.

Therefore, the proposal is deemed to comply with policies DP26 of the Mid Sussex District Plan and HK5 of the Horsted Keynes Neighbourhood Plan in terms of neighbouring amenities.

Impact on Trees

DP37 of the Mid Sussex District Plan states the following:

'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:

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

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'.

The MSDC tree officer has confirmed that they have no objection to the proposal subject to condition.

The proposed therefore subject to condition 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 an appropriate design that is in keeping with the existing dwelling and will not cause harm to the surrounding area, would not be harmful to nearby trees, would conserve the natural Beauty of the High Weald AONB and preserve the Horsted Keynes Conservation Area and unacceptable harm is not deemed to be caused to neighbouring amenities.

In conclusion, the proposal would accord with the requirements of policies DP16, DP26, DP35 and DP37 of the Mid Sussex District Plan as well as policies HK4, HK5, HK6 and HK9 of the Horsted Keynes Neighbourhood Plan, The High Weald Area Management Plan, the Mid Sussex Design Guide SPD and the requirements of the NPPF. The application is therefore recommended for approval.

Decision: Permission

Case Officer: Andrew Horrell