

## Delegated Decision

### Sign off Sheet

|                                              |                                                                                |                                        |                         |
|----------------------------------------------|--------------------------------------------------------------------------------|----------------------------------------|-------------------------|
| <b>Ref. No:</b>                              | DM/25/1357                                                                     | <b>Case Officer:</b>                   | Catherine Cardin        |
| <b>Application Type:</b>                     | Householder Application                                                        |                                        |                         |
| <b>Proposal:</b>                             | Proposed single storey rear / side extension and alterations                   |                                        |                         |
| <b>Site:</b>                                 | Deanlands, Stockcroft Road, Balcombe, Haywards Heath, West Sussex, RH17 6LN, , |                                        |                         |
| <b>Validation Date</b>                       | 27 May 2025                                                                    | <b>Overall Expiry Date:</b>            | 30 Jun 2025             |
| <b>Pre-Commencement Conditions Required:</b> |                                                                                | <b>Pre-Com Conditions Date Agreed:</b> |                         |
| <b>Recommendation:</b>                       | Permission                                                                     | <b>Recommendation Date:</b>            | 18 Jul 2025             |
| <b>Target Date:</b>                          | 22 Jul 2025                                                                    | <b>Recommending Officer Signature:</b> | <i>Catherine Cardin</i> |

|                                                        |  |                               |   |
|--------------------------------------------------------|--|-------------------------------|---|
| <b>Date Legal Agreement Completed: (if applicable)</b> |  | <b>No of Representations:</b> | 0 |
|--------------------------------------------------------|--|-------------------------------|---|

|                              |                        |              |             |
|------------------------------|------------------------|--------------|-------------|
| <b>Signed and Agreed By:</b> | <i>Stephen Ashdown</i> | <b>Date:</b> | 22 Jul 2025 |
| <b>Comments:</b>             |                        |              |             |

## **MID SUSSEX DISTRICT COUNCIL**

**DM/25/1357**

**Deanlands, Stockcroft Road, Balcombe, Haywards Heath, West Sussex, RH17 6LN,  
Proposed single storey rear / side extension and alterations  
Mr And Mrs Dobson**

### **SUMMARY OF REPRESENTATIONS**

None received.

### **SUMMARY OF CONSULTEES**

#### **MSDC Conservation Officer**

Deanlands is an unlisted detached house located within the Balcombe Conservation Area. The house, which is set back from the road behind a generous front garden, with similarly generous gardens to the rear, dates from the mid 20th century, and is not of any particular architectural or historical interest. It makes a neutral contribution to the character and appearance of the Conservation Area, although the gardens within which it is set contribute positively to the verdant character of Stockcroft Road.

The current proposal is for a single storey extension to the rear of the property, sitting in the angle of the main rear elevation and an existing rear two storey projecting wing.

Although the house does appear to have been previously extended, this further proposed addition is relatively modest in scale and sited at the rear of the house. It remains appropriately subordinate, and will not result in a significant loss of garden space. In this context, the principle of the proposal is not considered contentious.

The detailed design and materials of the proposal are likewise not generally considered contentious, although the proposed use of uPVC for the new French doors and sidelights (including to a set proposed to the existing two storey rear wing) would not normally be considered appropriate for a Conservation Area context. Unless a convincing justification can be made for the use of this material it should be substituted by painted timber.

Subject to this point, the proposal is considered to preserve the character and appearance of the site and of the wider Conservation Area. This meets the requirements of District Plan Policy DP35 and the relevant paragraphs of the NPPF. I would recommend the following conditions:

- Details of roofing and facing materials.
- Brickwork to match existing adjacent work in colour, texture and bonding pattern and in colour, texture and style of pointing
- New rainwater goods and other external pipework to be of painted metal
- Detailed drawings, at an appropriate large scale, including sections, and annotated to show materials and finishes, of the following:
  - typical examples of new windows and external doors
  - typical eaves detail to the extension

#### **MSDC Trees**

No objection.

### **PARISH COUNCIL OBSERVATIONS**

Balcombe Parish Council has raised no objections to the application and considers the proposed modifications to be reasonable.

## **INTRODUCTION**

Planning permission is sought for a proposed single storey rear and side extension.

## **RELEVANT PLANNING HISTORY**

BA/030/87- First floor addition to garage with first floor link to existing house. Permission.  
BA/068/88- Loft conversion and new dormer window. Permission.  
06/01538/FUL- Demolition of garage and erection of two storey side extension. Withdrawn.  
07/02725/FUL- Demolition of garage and two storey side extension. Permission.  
08/00491/FUL- Retrospective application for existing garden store and summer house. Permission.

## **SITE AND SURROUNDINGS**

Deanlands is a detached two storey dwelling. It is constructed of red brick, with white upvc windows and a plain tile roof. It has hanging tiles to the first-floor elevation. The property benefits from a two-storey side extension, off road parking to the front and a rear garden.

The property is located within the built-up area of Balcombe. The application site lies within the High Weald Area of Outstanding Natural Beauty and within Balcombe Conservation Area. Neighbouring properties are located to the north, south and east. Highway is located to the west.

## **APPLICATION DETAILS**

The application seeks construct a single storey rear and side extension. This would measure some metres in 8.9 width and some 2.9 metres in depth. This would have a crown roof with a height to the eaves of some 2.4 metres and a maximum height of some 3.4 metres. This would have plain roof tiles and facing brickwork to match the existing. It is proposed to use this as a dining room and sitting area.

It is also proposed to install two pairs of white upvc French doors on the rear (northeastern) elevation. The proposal also seeks to replace an existing window on the rear (northeastern) elevation with white upvc French doors.

## **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 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 Area of Outstanding Natural Beauty  
DP26 - Character and Design  
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.

## **Neighbourhood Plan**

Balcombe Neighbourhood Plan made in 2016.

Relevant policies:

Policy 3 - Design

## **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

DPB1 - Character and Design

DPB3 - Conservation Areas

DPC4 - High Weald Area of Outstanding Natural Beauty

### *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)*

## **ASSESSMENT**

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

- Impact on Heritage Assets and Character and Appearance
- Impact on the High Weald AONB
- Impact on neighbouring properties
- Impact on trees
- Biodiversity Net Gain

## **Impact on Heritage Assets and Character and Appearance**

The site is located within the Balcombe Conservation Area, as designated in 1984. A Conservation Area is defined as an area of "special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance".

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;*

*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."*

Paragraphs 212 - 215 of the NPPF states:

*'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.'*

Policy DP26 of the Mid Sussex District Plan relates to design and character 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 DP29);*
- 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.'*

Policy 3 of the Balcombe Neighbourhood Plan relates to design and states in part that:

*'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.*

The Mid Sussex Design Guide SPD also provides advice for extensions to dwellings. Principle DG49 states that:

*'Extensions should respond to the design of the original dwelling and applicants will be expected to demonstrate how local character has informed the design proposal. Extensions should also normally be designed to be well-integrated with the existing scale, form and massing allowing the original building to remain the dominant element of the property whether it has one or several additions.'*

In terms of rear extensions, principle DG51 states that where they;

*'...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 below assessment is made whilst being mindful of this guidance and having regard to the statutory duty of the Council, as the Local Planning Authority, to have special regard to the desirability of preserving the heritage asset (the Balcombe Conservation Area), the site being within its boundary, and any features of special interest, as set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning permission is sought to construct a single storey rear and side extension. The Conservation Officer was consulted on the application and has provided a response. It has been advised that the application property dates from the mid-20th century and that the house at the application property

makes a neutral contribution to the character and appearance of the Conservation Area. They have further advised that the gardens contribute positively to the open and verdant character of the area. The Conservation Officer considers that the proposed extension is modest and not contentious. This view is shared. The Conservation Officer has not raised an objection to the proposal and has recommended that conditions relating to the proposed materials should be attached to any planning permission and that the proposed upvc French doors and sidelights should be substituted with painted timber. Given that the existing property has white upvc windows and doors and that the proposal would not be visible from the streetscene or public viewpoints it is considered that this condition is unreasonable. Similarly, regarding the rainwater goods, given that the existing property and extension have black upvc rainwater goods this condition is considered onerous. Furthermore, a schedule of external materials and eaves detail have been provided by the applicant and these are considered acceptable. These can be secured by a suitably worded condition.

The proposal is therefore considered to address the character of the existing dwelling and the surrounding buildings, and as such the proposal is deemed to comply with the above part of policy DP26 of the District Plan, policy 3 of the Balcombe Neighbourhood Plan and principles DG49 and DG51 of the Mid Sussex Design Guide SPD.

### **Impact on the High Weald AONB**

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

Paragraph 189 of the NPPF states:

*'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 DP16 in the District Plan seeks to protect the character of the countryside and states that development will be permitted where it maintains or where possible enhances the quality of the rural and landscape character of the District and is supported by a specific policy reference in the District Plan, Neighbourhood Plan or Development Plan Document. In this case policy DP26 is the relevant policy that supports high quality development.

The application relates to a proposed extension of an existing dwelling. It is situated within the built-up area of Balcombe. As such the proposal would not form an isolated development within the wider landscape. Due to the development being an extension, it is not considered to have an adverse impact on the overall landscape quality of the AONB.

As such the proposal would comply with the requirements of Policy DP16 of the District Plan, The High Weald AONB Management Plan and paragraph 189 of the NPPF.

### **Neighbouring Amenities**

Policy DP26 in part seeks to ensure that 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 (see Policy DP29);"*

To the southern side is Blackthorn. Given that this property has existing extension which would be deeper than the proposal, it is not considered that the proposal would be harmful to the outlook or light to the neighbour. As no windows are proposed on the side (southeastern) elevation it is not considered that the proposal would give rise to any significant overlooking concerns.

To the northern side is Flagstones. As the application property itself would largely screen the development it is not considered that the proposal would be harmful to the amenities of this neighbour.

Due to the domestic nature of the proposed development, it is considered that there would not be a harmful impact in terms of noise, air and light pollution.

The proposal is therefore considered to comply with Policy DP26 of the District Plan, and the relevant principles of the Mid Sussex Design Guide SPD.

### **Impact on trees**

Policy DP37 of the Mid Sussex Plan relates to trees and 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.'*

A total of 7 trees are in proximity of the proposed extension. The MSDC Tree Officer was consulted on the application and considered the proposal. No objection has been raised providing a condition is included to secure the Tree Protection 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 appropriate in terms of design, size and scale to the dwellinghouse and locality, and would not cause harm to the Balcombe Conservation Area, the High Weald AONB or to the amenities of neighbouring properties.

In conclusion, the proposal complies with Mid Sussex District Plan policies DP16, DP26, DP35 and DP37, policy 3 of the Balcombe Neighbourhood Plan, and the relevant provisions of the NPPF. The application is therefore recommended for approval.

Decision:       Permission

Case Officer: Catherine Cardin