

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0093	Case Officer:	Catherine Cardin
Application Type:	Removal/Variation of Condition		
Proposal:	Variation of conditions nos 2 and 3 relating to planning application DM/25/2678 : Replacement of windows and doors, removal of garage door and replaced with window, new mono pitch and flat roof over existing entrance and garage, re-roofing existing conservatory and internal alterations		
Site:	35 Hickmans Lane, Lindfield, Haywards Heath, West Sussex, RH16 2BN, , ,		
Validation Date	15 Jan 2026	Overall Expiry Date:	6 Feb 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	16 Feb 2026
Target Date:	12 Mar 2026	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	18 Feb 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0093

**35 Hickmans Lane, Lindfield, Haywards Heath, West Sussex, RH16 2BN, ,
Variation of conditions nos 2 and 3 relating to planning application DM/25/2678 : Replacement of windows and doors, removal of garage door and replaced with window, new mono pitch and flat roof over existing entrance and garage, re-roofing existing conservatory and internal alterations
Mr Wayne Boorer**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

None received.

PARISH COUNCIL OBSERVATIONS

Lindfield Parish Council has no objections.

INTRODUCTION

This application seeks permission to amend conditions 2 and 3 relating of planning application DM/25/2678- to allow for amendments to the design of the approved extensions at 35 Hickmans Lane, Lindfield, Haywards Heath. Works have yet to commence on site.

RELEVANT PLANNING HISTORY

DM/25/2678 - Replacement of windows and doors, removal of garage door and replaced with window, new mono pitch and flat roof over existing entrance and garage, re-roofing existing conservatory and internal alterations. Approved 01.12.2025

SITE AND SURROUNDINGS

35 Hickmans Lane is a two-storey dwelling. It is constructed of red brick, with white upvc windows and a pantile roof. The property benefits from a conservatory to the rear.

The property is located within the built-up area boundary of Lindfield. Neighbouring properties are located to the east and west. Highway is located to the south. To the south of the site is the West Common Stream. A public footpath is located to the north.

APPLICATION DETAILS

Planning permission was granted under application DM/25/2678 for replacement of windows and doors, removal of garage door and replaced with window, new mono pitch and flat roof over existing entrance and garage, re-roofing existing conservatory and internal alterations.

The current application has been submitted under Section 73 of the Town and Country Planning Act and seeks permission to vary Conditions 2 and 3 of planning application DM/25/2678.

Condition 2 of DM/25/2678 reads as follows:

'The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

Condition 3 of DM/25/2678 reads as follows:

'No external materials shall be used other than those specified on the approved plans and application form.'

Reason: To ensure that the development is compatible with the design of the building and to accord with policy DP26 of the District Plan and the Mid Sussex Design Guide.'

This application is made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. The Act states that *'On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and-*

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.'

The application has been supported with proposed floor plans, proposed elevations and a supporting statement. A detailed inspection of the approved plans against the now proposed plans confirms that the existing conservatory would have a flat roof with a single roof lantern.

It is also proposed to reposition the replacement door and window on rear (northern) elevation.

LEGAL FRAMEWORK AND LIST OF POLICIES

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocation Development Plan Document (DPD) and Lindfield and Lindfield Rural Neighbourhood Plan.

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

Mid Sussex District Plan

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

Relevant policies:

DP26 - Design and Character

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

Lindfield and Lindfield Rural Neighbourhood Plan was made in 2016.

Relevant policies:

Policy 7: Areas of Townscape Character

Other Material Considerations

Mid Sussex District Plan 2021 - 2039 - Submission Draft (Regulation 19)

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and the stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to some of the Policies in the draft District Plan and as such, only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant policies:

DPS2 - Sustainable Design and Construction

DPB1 - Character and Design

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

The result of this application would be to issue a new planning permission, so it is not considered necessary to go through all of the original planning issues in this report. The specific changes to the plans that are now proposed are considered below with regards to the design. It is necessary to consider the application against the relevant policies of the development plan and any other material planning considerations.

Design

District Plan Policy DP26 is relevant in the determination of this application. 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.'*

Policy 7 of the Lindfield and Lindfield Rural Neighbourhood Plan relates to areas of townscape character and states that:

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

Also relevant in the determination of the application is the design guidance contained in the Mid Sussex Design Guide, which seeks good design in house alterations and extensions. The Council has adopted this Design Guide as a Supplementary Planning Document (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 principle of the development at 35 Hickmans Lane was found acceptable under planning application DM/25/2678.

The proposed design amendments that are the subject of the current application represent minor alterations to those approved under the original consent. The changes accord with the Design Guide principles and are not out of keeping with the design or appearance of the original building. Consequently, the alterations that have been made are considered to accord with the aims of District Plan Policy DP26, policy 7 of the Lindfield and Lindfield Rural Neighbourhood Plan the principles of the Design Guide.

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

In conclusion, the amended proposal is considered to be appropriate in terms of design and appearance and would not negatively impact on the character and appearance of the dwelling or its setting. The proposal would accord with Policy DP26 of the District Plan, policy 7 of the Lindfield and Lindfield Rural Neighbourhood Plan and the Design Guide principles. Consequently, this application is recommended for approval.

Decision: Permission

Case Officer: Catherine Cardin