

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1105	Case Officer:	Andrew Watt
Application Type:	Householder Application		
Proposal:	Demolition of existing rear/side conservatory, erection of single-storey rear/side extension and replacement roof to existing side extension.		
Site:	Yeoveney House, Cuckfield Lane, Warninglid, Haywards Heath, West Sussex, RH17 5SP, ,		
Validation Date	22 May 2025	Overall Expiry Date:	18 Jun 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	16 Jul 2025
Target Date:	17 Jul 2025	Recommending Officer Signature:	Andrew Watt

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	17 Jul 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1105

**Yeoveney House, Cuckfield Lane, Warninglid, Haywards Heath, West Sussex, RH17 5SP,
Demolition of existing rear/side conservatory, erection of single-storey rear/side extension and
replacement roof to existing side extension.
Rev, Dr And Mr Currer**

SUMMARY OF REPRESENTATIONS

None.

SUMMARY OF CONSULTEES

MSDC Tree Officer

I have reviewed the Arboricultural Impact Assessment (AIA), Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) for this proposal.

I note that a category B tree will be removed to facilitate the proposal, which would be a constraint to development. However, the area TPO which is in place at this property, would only protect trees planted at the time of making the order. It is evident that this tree would not have been standing in 1983, when the order was made, and so, would not be protected by TPO. It would not be a specimen that we would consider for TPO due to the location and limited public amenity value. However, I would hope that a replacement (native) tree could be planted elsewhere on the property.

I have no objection.

NatureSpace Partnership - West Sussex Newt Officer

Informative requested.

Southern Water

Southern Water has determined 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

Full planning permission is sought for demolition of existing rear/side conservatory, erection of single-storey rear/side extension and replacement roof to existing side extension.

RELEVANT PLANNING HISTORY

In May 2004, a Lawful Development Certificate was granted for construction of small single conservatory and art studio extension to rear SE corner and east side of existing private dwelling (04/00684/LDC).

SITE AND SURROUNDINGS

The site is a 2-storey, detached brick and tile dwelling with integral double garage to the front and a single-storey (art studio) extension to the side and a conservatory to the side/rear.

The site is located within the built-up area of Warninglid and within the High Weald Area of Outstanding Natural Beauty. It is also designated as a Great Crested Newt - Impact Risk Zone (Red).

There is a blanket Tree Preservation Order on the site (SV/01/TPO/83), associated with Hollingbury Court, which covers a substantial area to the south and east towards Colwood Lane.

APPLICATION DETAILS

Full planning permission is sought for the demolition of the existing rear/side conservatory, erection of a new single-storey rear/side extension (including new lantern light) and replacement roof to the existing (art studio) side extension with steeper roof pitch and new rooflight. An existing Holly tree will be removed.

The footprint of the proposed extension will be virtually the same as the existing conservatory (approximately 0.1m greater in depth), albeit with the corners infilled.

Materials will match those of the existing building (in terms of brickwork and clay roof tiles) together with powder coated aluminium framed doors and windows.

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 Mid Sussex District Plan, Site Allocations Development Plan Document (DPD) and the Slaugham Neighbourhood Plan.

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

Mid Sussex District Plan (Mar 2018)

The Mid Sussex District Plan 2014-2031 was adopted at Full Council on 28 March 2018.

Relevant policies:

Policy DP16: High Weald Area of Outstanding Natural Beauty

Policy DP26: Character and Design

Policy DP37: Trees, Woodland and Hedgerows

Policy DP38: Biodiversity

Site Allocations DPD

The SADPD was adopted on 29 June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

There are no relevant policies.

Slaugham Neighbourhood Plan (Sep 2019)

Mid Sussex District Council formally 'made' the Slaugham Neighbourhood Plan part of the Local Development Plan for the Parish of Slaugham as of 25 September 2019. The policies contained therein carry full weight as part of the Development Plan for planning decisions within Slaugham.

Relevant policies:

Policy 1: Protecting the Area of Outstanding Natural Beauty

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 31 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:

DPN1: Biodiversity, Geodiversity and Nature Recovery

DPN2: Biodiversity Net Gain

DPN4: Trees, Woodland and Hedgerows

DPC4: High Weald Area of Outstanding Natural Beauty

DPB1: Character and Design

Mid Sussex Design Guide Supplementary Planning Document (Nov 2020)

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 4 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.

Relevant design principles include:

Principle DG49: General principles for extensions

Principle DG50: Front and side extensions

Principle DG51: Rear extensions

Principle DG52: Loft conversions and roof extensions

National Planning Policy Framework (NPPF) (Dec 2024)

The National Planning Policy Framework (NPPF) 2024 is also a material consideration and paragraphs 8 (overarching objectives), 11 (presumption in favour of sustainable development), 131 and 135 (design), 187 (conserving and enhancing the natural environment), 189 (National Parks and National Landscapes) and 193 (biodiversity and ancient woodland) are considered to be relevant to this application.

High Weald AONB Management Plan 2024-2029 (2024)

This Plan has been prepared by the High Weald Joint Advisory Committee (including representatives from 15 local authorities, including Mid Sussex District Council) and sets out the long-term objectives for conserving this nationally important landscape.

ASSESSMENT

Design and visual impact on the character and appearance of the area

Policy DP26 of the Mid Sussex District Plan states (in part):

'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;*
- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *positively addresses sustainability considerations in the layout and the building design;'*

Chapter 9 of the Mid Sussex Design Guide SPD relates to household extensions. Design Principle DG49 states that extensions should respond to the design of the original dwelling. Principle DG50 relates to front and side extensions and advises that side extensions should normally be subservient to the original dwelling and typically be set-back from the front of the house to help define the original building. Principle DG51 relates to rear extensions and advises that they should have consideration for the character of the existing building and the relationship with side boundaries and adjacent buildings and gardens. Principle DG52 refers to loft conversions and roof extensions and states that if dormers and rooflights are out of scale or character with the roofscape, they can have an adverse impact on the dwelling and the streetscape.

The proposed extension is considered to be of an appropriate scale and design in relation to the existing property and the fenestration would be appropriate as well. The increased roof pitch to the existing front section of the extension (the art studio) would - unlike the new extension - be visible from the street, but this would be marginal and viewed in context with a much larger dwelling and beyond very mature trees to the frontage.

Accordingly, it is considered that the proposal would comply with Policy DP26 of the Mid Sussex District Plan and the Mid Sussex Design Guide SPD.

Impact on the High Weald AONB

The site is located within 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 2000 (CRoW Act) which at Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty. Section 84 of the CRoW Act 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 DP16 of the Mid Sussex District Plan 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.'

Policy 1 of the Slaugham Neighbourhood Plan states:

'The extent of the High Weald Area of Outstanding Natural Beauty is shown on the Proposals Map.

Development proposals within the High Weald AONB will only be supported where they conserve or enhance natural beauty and have regard to the High Weald AONB Management Plan in particular:

- 1. The identified landscape features or components of landscape beauty and to their setting;*
- 2. The traditional interaction of people with nature and appropriate landscape management;*
- 3. Character and local distinctiveness, settlement pattern, sense of place and setting of the AONB; and*
- 4. The conservation of wildlife and cultural heritage.*

Small scale proposals which support the local economy and social wellbeing of the AONB will be supported where they are compatible with the conservation and enhancement of the AONB.

Development proposals on land that contribute 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 does not adversely affect the views into, and out of, the AONB by virtue of its location and/or design.'

Paragraph 189 of the NPPF states that:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, 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 these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimize adverse impacts on the designated areas.'

Given the modest scale of the proposals and that the site is located within a group of buildings, so is viewed in context with existing built forms, it is not considered that the scheme would detract from the visual quality of the Area of Outstanding Natural Beauty.

Accordingly, the scheme would comply with Policy DP16 of the Mid Sussex District Plan, Policy 1 of the Slaugham Neighbourhood Plan and paragraph 189 of the NPPF.

Impact on neighbouring amenity

Policy DP26 of the Mid Sussex District Plan states (in part):

'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 new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29)'*

The main properties affected by the proposal would be Laurel House to the east and 1 Colwood Cottages to the west.

Laurel House is set slightly further back from the road and hence to the rear of the application property. There is a first floor dormer window facing towards the rear garden of Yeoveney House and this is understood (from the applicants and the obscure glazing) that this serves a bathroom. It is therefore not considered that the modest increase in height of the roof above the art studio, nor the replacement extension to the conservatory, will be overbearing to the amenities of the adjoining occupants. Neither would the proposals result in a loss of privacy.

The extensions would be visible from the neighbouring rear garden of 1 Colwood Cottages but not from the property itself and would result in no harm.

Accordingly, the scheme would comply with Policy DP26 of the Mid Sussex District Plan.

Impact on trees

Policy DP37 of the Mid Sussex District Plan states (in part):

'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.*

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

The council's Tree Officer has raised no objection to the proposal but has requested an additional tree to be planted to compensate for the loss of the Holly tree. The applicants were not willing to be bound by such a condition, given that the existing rear garden is well shaded by existing tree cover to the south. In any event, as the Tree Officer explains in her comments, the TPO covers only those trees in situ when it was made. As the tree is younger than 1983, it would not be protected by the TPO and is also at the rear of the property where there is no public amenity value.

Accordingly, it is considered that the proposal would 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.

Other matters

The site is located within a designated Great Crested Newt - Impact Risk Zone (Red). Accordingly the West Sussex Newt Officer has made comments (reproduced at the start of this report), recommending that this matter can be dealt with by way of an informative on any permission. This would advise the

applicant of their duty in respect of Great Crested Newts and accordingly there would be no conflict with biodiversity legislation, policy and guidance.

PLANNING BALANCE AND CONCLUSION

The application is deemed to be of an appropriate scale and design in relation to the existing house and street scene, with no harm to the AONB, and would not cause significant detriment to surrounding residents. There would be no harm to biodiversity and the loss of a Holly tree is not objectionable. Accordingly it is considered that the proposed development would comply with Policies DP16, DP26, DP37 and DP38 of the Mid Sussex District Plan, Policy 1 of the Slaugham Neighbourhood Plan, the Mid Sussex Design Guide SPD and the NPPF and is therefore considered acceptable.

Decision: Permission

Case Officer: Andrew Watt