

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0741	Case Officer:	Deborah Lynn
Application Type:	Householder Application		
Proposal:	Erect a single storey garden Summer House		
Site:	St Anns House, Black Hill, Lindfield, Haywards Heath, West Sussex, RH16 2HE, ,		
Validation Date	23 Mar 2026	Overall Expiry Date:	24 Apr 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	20 May 2026
Target Date:	18 May 2026	Recommending Officer Signature:	Deborah Lynn

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	20 May 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0741

**St Anns House, Black Hill, Lindfield, Haywards Heath, West Sussex, RH16 2HE,
Erect a single storey garden Summer House
Mrs Julia Constable**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

MSDC Conservation Officer

The proposal is considered to meet the requirements of District Plan policies DP34 and DP35 and the relevant paragraphs of the NPPF.

Southern Water

No objections.

LINDFIELD PARISH COUNCIL OBSERVATIONS

Lindfield Parish Council has no objections to the application.

INTRODUCTION

This application seeks planning permission for a single storey garden summer house.

RELEVANT PLANNING HISTORY

07/02431/LBC - Conversion of outbuilding into a utility room and raising lean to roof. Removing ground floor wall. Moving partition at first floor to provide increased width to landing. Permission granted 03.10.2007.

10/03922/LBC - Formation of a new opening between two rooms to provide an enlarged living room, together with installation of a bathroom, minor internal alterations, and some external rendering of the brickwork. Description amended 10.01.2011 to include: external walls to be painted off-white from existing yellow. Permission granted 14.02.2011.

11/00410/FUL - Rendering existing external face brick and painted brick walls. Repainting all external walls a new colour: off-white. Description amended 22.02.11 to include: existing clay tiles on porch to be replaced with slates and entrance gate piers to be rendered and painted to match house. Permission granted 06.04.2011.

12/00299/LBC - Replacement Extension to garage. Permission granted 22.03.2012.

12/02493/LBC - Render external walls of garage to match house. Replace windows with French doors. Permission granted 31.08.2012.

SITE AND SURROUNDINGS

St. Anns is a detached grade II listed building dating from c. 1830, situated on a bend by the mini roundabout that serves Backwoods Lane and Black Hill in Lindfield. The property is located within a modest sized plot with main garden areas to the front and eastern side of the dwellinghouse. A detached garage is set back to the northwest corner of the dwelling, with a long driveway to front, located on the western side of the property. The driveway is enclosed by timber gates, with established hedging enclosing the front and eastern side of the property with Black Hill.

In terms of planning policy, the property lies within the built up area of Lindfield, Lindfield conservation area and a West Sussex County Council grade red Archaeological Notification Area. The site also lies within a designated Great Crested Newt Red Impact Risk Zone.

APPLICATION DETAILS

Proposed plans show that an oval shaped summer house is proposed within the eastern side garden of the property. This is shown to measure 2.52 metres wide by 4.46 metres long and 2.75 metres high with an oval Cedar shingle roof upon timber posts. The outbuilding is largely open sided with timber panels proposed to the eastern side.

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 the 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 character and design

DP34 listed buildings and other heritage buildings

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.

Lindfield and Lindfield Rural Neighbourhood Plan

The Neighbourhood Plan was made on the 23rd March 2016.

There are no relevant policies.

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 hearings were concluded on the 19th March 2026. The District Plan remains at Examination until the Inspector has published his report, until that time 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
DPS6 health and wellbeing
DPN4 trees, woodland and hedgerows
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.

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework is a material consideration. The following paragraphs are deemed relevant when considering this application:

202. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

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.

219. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

ASSESSMENT

The main issues deemed relevant to the consideration of this application are:

- Design and impact on character of area including conservation area
- Impact on setting of the listed building
- Impact on trees

Design and impact on character of area including conservation area

Policy DP26 of the District Plan relates to character and design and requires all proposals, including alterations and extensions, to be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside as well as addressing the character and scale of the surrounding buildings and landscape.

As the site lies within Lindfield conservation area, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

'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 preserving or enhancing the character or appearance of that area.'

This stance is reflected under policy DP35 of the District Plan which requires development proposals in a conservation area to conserve or enhance its special character and appearance by ensuring that new buildings 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, amongst other criteria. Open spaces and gardens that contribute to the special character of the area shall be protected.

The Council's Conservation Officer has provided the following comments on the proposal:

'In other circumstances the construction of a new building within the front garden of a property within the Conservation Area might be considered contentious, particularly where that property is listed. However, in this case the house has no rear garden to speak of where such a building could otherwise be sited, and the front garden is well screened to all sides. The proposed summer house also replaces play equipment in the same position. The building is modest in scale, and of a relatively lightweight construction, employing sympathetic materials, and I do not believe it will be visible in more than glimpsed views from outside the gardens of the house.'

In view of these comments, she advises that the proposal should preserve the character and appearance of the conservation area, meeting the requirements of District Plan policy DP35.

The Planning Case Officer has no reason to disagree with these comments and as such the proposal is considered to accord with policies DP26 and DP35 of the District Plan.

Impact on setting of the listed building and other heritage assets

St. Anns is a grade II listed building dating from c. 1830.

Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that:

'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

This stance is reflected under policy DP34 of the District Plan which requires development proposals to protect listed buildings and their settings, with special regard given to protecting the setting of a listed building.

The listing details for St. Anns is noted as follows:

'TQ 3426 LINDFIELD BLACK HILL (north east side) 6/150 St Anne's 6.4.70 II House C1830. Painted brick with hipped slate roof having end chimney stacks. 3 parallel ranges, 2 storeys. Front elevation has two 24 pane sashes and central doorcase with rectangular fanlight under later lean-to conservatory. The left side elevation has a porch with engaged Tuscan columns and 3 sashes, one of which is tripartite.

Listing NGR: TQ3459325198'

In view of previous comments, the Council's Conservation Officer has advised that the proposal is considered to preserve the setting of the listed building in accordance with policy DP34 of the District Plan.

The Conservation Officer has recommended that a planning condition is imposed on the decision notice requiring any rainwater goods to be painted metal. The planning agent for the application has confirmed that no rainwater goods would be installed due to the oval shape of the roof that prevents guttering of any type from being fitted.

In addition to being listed, the property also falls within a grade red WSCC Archaeological Notification Area which covers the historic core of Lindfield.

Policy DP34 also relates to other heritage assets and states that *'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.'*

The planning agent for the application has advised that no foundations will be dug for the outbuilding. Instead, the summerhouse will be placed on a dry base system designed to over sail the existing ground. As such the proposal should not affect the significance of the Archaeological Impact Area.

The proposed development is therefore considered to accord with policy D34 of the District Plan.

Impact on Trees

Policy DP37 of the District Plan relates to trees, woodland and hedgerows and states in part that: *'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.'*

An established tree, potentially a Lime tree, is located at the eastern corner of St Anns with no. 1 High Street and will fall in proximity to the summer house. The tree is considered to makes a positive contribution to the character and appearance of the street scene and the conservation area.

The tree is sited close to the proposed summer house, however no further details have been provided with the application to indicate whether the root protection area (RPA) of the tree is likely to be impacted by the proposal.

As the agent has confirmed that the summer house will be sited on a dry base foundation which will involve no digging, the Council's Tree Officer has advised that the proposal should not adversely affect the tree. A condition can be imposed to ensure that a dry base (no dig) foundation is used for the development in accordance with submitted details.

Great Crested Newts

The site lies within a designated Great Crested Newt Red Impact Risk Zone which indicates that there is a high risk of Great Crested Newts on the site. Having regard to the residential nature of the proposal and scale of the development, it is not considered that the proposal would have any impact upon newts

or their habitat. However, an informative can be attached to the planning consent to advise the applicant on action to be taken should Great Crested Newts be found during construction works.

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 proposed development is deemed acceptable in terms of design, form and scale such that it should protect the setting of the listed building and preserve the character and appearance of Lindfield conservation area. The proposal should not adversely impact nearby trees. The proposal therefore accords with policies DP26, DP34, DP35 and DP37 of the Mid Sussex District Plan and relevant paragraphs of the NPPF.

Decision: Permission

Case Officer: Deborah Lynn