

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1857	Case Officer:	Caroline Grist
Application Type:	Householder Application		
Proposal:	Proposed demolition and replacement of existing garage and covered area to side.		
Site:	Mulberries, Lewes Road, Horsted Keynes, Haywards Heath, West Sussex, RH17 7DP, ,		
Validation Date	28 Jul 2026	Overall Expiry Date:	28 Aug 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	22 Sep 2026
Target Date:	22 Sep 2026	Recommending Officer Signature:	<i>Caroline Grist</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
--	--	-------------------------------	---

Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	22 Sep 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1857

**Mulberries, Lewes Road, Horsted Keynes, Haywards Heath, West Sussex, RH17 7DP,
Proposed demolition and replacement of existing garage and covered area to side.
Mr Frank Marckus**

SUMMARY OF REPRESENTATIONS

No representations have been received in response to this application.

SUMMARY OF CONSULTEES

Conservation Officer

No objection, subject to conditions.

PARISH COUNCIL OBSERVATIONS

Support/No objection.

INTRODUCTION

Planning permission is sought to demolish and replace an existing garage and covered area to side.

RELEVANT PLANNING HISTORY

HK/015/87 - Ground and first floor addition. Permission.

HK/015/88 - Ground first floor rear addition and conversion of garden shed to bedroom with linking corridor. Permission.

07/01823/FUL - Single storey conservatory. Permission.

DM/20/3933 - Retrospective application for the removal of existing pedestrian gate and hedge and construction of new vehicular access over existing grass verge. Refused. Dismissed at appeal.

DM/24/0873 - A new garden outbuilding. Demolition of existing front porch and replaced with a new front porch. Withdrawn.

DM/25/0411 - Proposed side extension replacing existing conservatory and new porch replacing existing canopy. Permission.

DM/25/2289 - Proposed demolition of existing chimney. Permission.

DM/26/0734 - Two storey side extension incorporating the existing garage and a dormer window within the side roofslope. Refused.

SITE AND SURROUNDINGS

Mulberries is a south facing, detached, two storey dwelling, angled away from the highway. It is constructed of brick, with tile hanging at the first floor level, a plain tile roof and upvc windows. The dwelling is characterised by a cat slide roof to the side, with an adjoining flat roof garage and car port. The porch previously granted permission has been constructed.

The site is located within the built up area of Horsted Keynes. It is also within the High Weald Area of Outstanding Natural Beauty and the Horsted Keynes Conservation Area. Neighbouring dwellings are located to the north and south, whilst Lewes Road is to the east and Rixons the west. The dwelling is set back from the highway by a gravel frontage and garden. It should also be noted that the neighbour to the north, Rixons, is a Grade II listed building.

APPLICATION DETAILS

Planning permission is sought to demolish and replace an existing garage and covered area to the side of the dwelling. The new addition is to contain a garage and log store, which would be some 4.4 metres wide and 1.1 metres wide respectively. It is to be some 6.2 metres deep and set back approximately 0.5 metres from the front elevation. A monopitched roof is proposed with an eaves height of some 2.2 metres. The lowest part of the roof is to be approximately 2.4 metres high, whilst the ridge would be 2.7 metres.

The elevations are to be finished in materials to match the host dwelling, whilst the roof is to be finished in a membrane.

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

DP34 - Listed Buildings and Other Heritage Assets

DP35 - Conservation Areas

Site Allocations Development Plan Document

The Site Allocations DPD 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 made on 4th 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 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

DPC4 - High Weald Area of Outstanding Natural Beauty

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.

High Weald AONB Management Plan 2024 - 2029

National Planning Policy Framework (NPPF) (August 2026)

Legislation

Countryside and Rights of Way Act 2000

Levelling-Up and Regeneration Act 2023

Planning (Listed Buildings and Conservation Areas) Act 1990

ASSESSMENT

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 DP16 of the District Plan and policy HK9 of the Horsted Keynes Neighbourhood Plan require proposals in the National Landscapes to conserve or enhance natural beauty. However these policies carry very limited weight as they are materially inconsistent with the NPPF.

Policy N4 of the NPPF states:

'Development proposals within Protected Landscapes should be limited in scale and extent and sensitively located and designed to avoid harm to the statutory purposes and special qualities of the Protected Landscape. Substantial weight should be placed on the importance of conserving and enhancing the natural beauty of these areas, and to conserving and enhancing wildlife and cultural heritage in National Parks and the Broads.'

The application relates to extending an existing dwelling, sited within the built up area of Horsted Keynes, and therefore would not form an isolated development within the wider landscape. The proposal

would not have any adverse impact on the landscape quality of the AONB due to it being viewed in context with existing built forms within the village. As such the proposal would comply with the requirements of policy DP16 of the District Plan, policy HK9 of the Horsted Keynes Neighbourhood Plan, The High Weald Management Plan and policy N4 of the NPPF.

Design and impact upon heritage assets

The application site lies within the Horsted Keynes Conservation Area. 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'*.

Policies DP34 and DP35 of the District Plan, as well as Policy HK6 of the Neighbourhood Plan, relate to the impact of development on listed buildings and Conservation Areas. It is however considered that these policy attributes limited weight following the publication of the new NPPF.

National decision-making policies HE5 and HE6 of the NPPF relate to "Assessing effects on heritage assets" and "Proposals affecting designated heritage assets". Policy HE9 of the NPPF relates to Conservation Areas.

Policy DP26 of the District Plan as well as policies HK4 and HK5 of the Neighbourhood Plan relate to character and design. These policies, however, are considered to have very limited weight as they are materially inconsistent with the NPPF, and greater weight should be given to policy DP3 of the NPPF.

Policy DP3 in part states:

'To create well-designed places, development proposals should also reflect relevant aspects of the following principles, as appropriate to the nature of the development and its location.

e. Built Form: use the pattern of buildings to define the arrangement of streets, squares and other spaces, promote compact forms of development to optimise the site's potential, distinguish between public and private areas, create focal points and, where appropriate, enhance views into and out of the scheme;

g. Identity: create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting'.

Principle DG49 of the Mid Sussex Design Guide relates to extensions and states:

'Extensions should typically use simple, uncomplicated building forms to compliment 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. Otherwise it should demonstrate the appropriateness of the alternative approach.'

Principle DG50 relates specifically to side extensions and states:

'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.

The gaps between dwellings can sometimes positively contribute to articulating (for example, through the consistent rhythm of repeated houses) and adding interest in a street frontage or by providing views / visible connections to the surrounding countryside. Side extensions will therefore need to appropriately respond to the character of the street form and will not normally be accepted where they close an important gap and view'.

The application relates to a detached, unlisted, dwelling that is situated within the Horsted Keynes Conservation Area. It dates from the mid 20th century and is of a loosely vernacular style. To the north east of the site is Rixons, a Grade II listed timber framed house that dates from the 17th century. Given the position of the dwelling in relation to heritage assets, the Conservation Officer has commented on this application.

The Conservation Officer has commented that the existing garage and car port are not considered to be a positive feature of the building, detracting from its appearance and its contribution to both the Conservation Area and the setting of Rixons. No objection has therefore been raised in principle to their removal and replacement.

With regards to the proposed extension, it is acknowledged that it will be slightly larger and more solid in nature than the existing structure. The Conservation Officer has advised, however, that the proposed replacement structure is somewhat improved in terms of its design and materials, being faced with brick and hung tile to match the original house, and having side opening timber garage doors rather than the existing roller shutter door. On balance the Conservation Officer has concluded that the improved appearance of the structure outweighs any harm which would arise from its increased scale and solidity, such that the setting of Rixons and the character and appearance of the Horsted Keynes Conservation Area will be preserved.

This view is shared from a design perspective. The proposed extension remains of a simple form and design that has used materials to relate it to the host dwelling and would represent an improvement on the existing structure. Whilst larger than the existing garage and store, the proposal would not dominate the existing building and is assisted by being set back from the front elevation. Due to the single storey nature of the development it would not result in any important gaps or views being enclosed.

Conditions have been recommended by the Conservation Officer to secure details of roofing and facing materials, for the new brick work to match the existing work as well as detailed drawings of the eaves and garage doors. Given the proximity of this part of the house to public vantage points, it is considered reasonable and necessary for these details to be provided so that the works remain sympathetic to the host dwelling. A condition has also been suggested in relation to new rainwater goods; however none are shown on the submitted plans.

It is therefore considered that, with the inclusion of the above conditions, the development would accord with policies DP26, DP34 and DP35 of the Mid Sussex District Plan, policies HK4, HK5 and HK6 of the Horsted Keynes Neighbourhood Plan, the Mid Sussex Design Guide and policies HE5, HE6 and DP3 of the NPPF.

Impact on neighbouring amenity

In assessing the potential impact of the proposed development works upon the neighbouring amenities consideration needs to be given to policy DP26 of the District Plan. However, policy DP26 is considered to have very limited weight as it is materially inconsistent with the NPPF, and greater weight should therefore be given to policies L2 and P3 of the NPPF.

Policy L2 of the NPPF relates to making effective use of land. Part L2(1dii) requires proposals to have *'acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space'*.

Policy P3 of the NPPF relates to living conditions and pollution. Part 2(b) of this policy requires proposals *'Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site'*.

Furthermore, Policy HK5 of the Neighbourhood Plan, among other matters, states that proposals should not cause unacceptable harm towards neighbouring amenities. This is considered to align with Policy P3 of the NPPF and therefore can be attributed full weight in regard to neighbouring amenities.

Due to the position of the extension in relation to neighbouring dwellings and its single storey nature, it is considered that the proposal would not result in a loss of light or outlook to neighbouring properties. No new windows are proposed as part of this scheme and as such no concerns would arise in relation to overlooking. Due to the domestic nature of the development there would not be a harmful impact in terms of noise, air or light pollution.

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

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the development plan and then to take account of other material planning considerations including the NPPF.

In conclusion, the proposal is considered acceptable in terms design, impact to heritage assets, it will not harm neighbouring amenities and result in an acceptable impact on the High Weald National Landscapes. The application would therefore comply with policies DP16, DP26, DP29 and DP35 of the Mid Sussex District Plan, Policies HK4, HK5, HK6 and HK9 of the Horsted Keynes Neighbourhood Plan, the MSDC Design Guide and policies L2, P3, N4, HE5, HE6, HE9 and DP3 of the National Planning Policy Framework and is considered acceptable.

Decision: Permission

Case Officer: Caroline Grist