

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0233	Case Officer:	Deborah Lynn
Application Type:	Householder Application		
Proposal:	Single storey rear extension with rooflights and pergola structure		
Site:	Grindens Orchard, Church Lane, Horsted Keynes, Haywards Heath, West Sussex, RH17 7AR, ,		
Validation Date	3 Feb 2026	Overall Expiry Date:	3 Apr 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	19 Mar 2026
Target Date:	31 Mar 2026	Recommending Officer Signature:	Deborah Lynn

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	Joanne Fisher	Date:	23 Mar 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0233

**Grindens Orchard, Church Lane, Horsted Keynes, Haywards Heath, West Sussex, RH17 7AR,
Single storey rear extension with rooflights and pergola structure
Mr And Mrs Maguire**

SUMMARY OF REPRESENTATIONS

One letter received raising no objections.

SUMMARY OF CONSULTEES

WSCC Highways

No objection.

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.

Flood Risk and Drainage

No objection on flood risk grounds.

Southern Water

No objections.

HORSTED KEYNES PARISH COUNCIL OBSERVATIONS

Horsted Keynes Parish Council makes the following COMMENT relating to minimising potential light pollution resulting from the proposals.

The site is in the High Weald National Landscape an Area of Outstanding Natural Beauty and one of the key character components of the area is its Dark Skies.

By reference to the HW AONB Management Plan and the attached Planning Technical Advice Note, it is noted that:

"The High Weald AONB is characterised by having some of the darkest skies in the South-east of England, with the least skyglow. This gives the AONB a sense of remoteness and peacefulness and connects the natural environment to the cultural and historic landscape."

The HW AONB Management Plan includes the following objectives that are relevant to this application:

- o DS1 To preserve the dark skies of the High Weald AONB by minimising light pollution, obtrusive external lighting and internal light spill from domestic, commercial and public premises in both existing and new developments within the High Weald, and from highways lighting.

- o DS2 To protect wildlife and habitats from light pollution across the High Weald.

Within the parish there has been a very significant increase in planning applications during recent years that have included proposals to introduce roof lights and these, by their very nature, tend to cause light pollution by creating internal light spill.

The Parish Council is very keen to see the dark skies in and around the parish protected. It is one of the key priorities that has repeatedly been expressed by parishioners throughout the Neighbourhood Development Plan process and whenever applications such as this are considered.

The Parish Council therefore urge MSDC to ensure, through an appropriately worded condition, that the following mitigation measures are included within the design in order to have regard for the objectives set out in the HW AONB Management Plan and thereby make the proposals compliant with DP16:

1. Black out blinds that can be easily operated by the occupier.
2. Glazing to be less than 0.7 Visible Light Transmission (Ref: Part 2 of Planners' Check List in the attached Planning Technical Advice).

Attachment: High Weald National Landscape Planning Technical Advice Note Dark Skies in the High Weald.

INTRODUCTION

This application seeks planning permission for a single storey rear extension with roof lights and pergola structure.

RELEVANT PLANNING HISTORY

HK/055/95 - Demolish existing building with commercial use at side of 'Grindens' to provide access for one new dwelling on land to rear of 'hazelwood house' and 'grindens'. Permission granted 18.03.1996.

14/04253/HOUS - First floor extension and additional rear facing dormer. Permission granted 14.01.2015.

DM/16/3724 - Repeat application for proposed extension and alterations, incorporating revised proposal to the roof over the garage. Permission granted 11.10.2016.

DM/21/4270 - Removal of existing timber sheds and replacement with a garden gym outbuilding. Permission granted 31.01.2022.

SITE AND SURROUNDINGS

Grindens Orchard is a modern detached dwellinghouse located to the rear (east) of Walkersons on Church Lane in Horsted Keynes. The dwellinghouse is accessed via a private drive that runs along the southern boundary of Walkersons and benefits from a generous sized garden to the east. The dwellinghouse has a 'L' shaped plan form with a wing formed of 2 no. garages with bedroom above projecting from the front western wall of the house. The property is well enclosed by established hedging and trees to the rear and is surrounded by residential properties to the west, south and east with a large field adjoining the property to the north.

In terms of planning policy, the property lies within the built up area boundary of Horsted Keynes, Horsted Keynes conservation area and the High Weald Area of Outstanding Natural Beauty (AONB). Grade II listed buildings at The Cottage and White House adjoin the site to the south and southeast.

APPLICATION DETAILS

Proposed plans show that a single storey extension is proposed to the rear of the dwellinghouse. This will have a 'L' shaped plan form and will project between approximately 1.8 and 4.5 metres from the rear wall of the house. It will measure approximately 7.35 metres wide by 3.7 metres high with a gable pitched roof to the rear projection. The extension will be finished with facing brickwork with a plain tiled roof to match the dwellinghouse and will enlarge the existing kitchen dining area.

A pergola structure is proposed to infill the southeastern corner of the extension. Plans indicate that this will measure 2.5 metres high by 3.55 metres wide and 2.4 metres deep.

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 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
- DP41 flood risk and drainage

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.

Horsted Keynes Neighbourhood Plan

The Neighbourhood Plan was made on the 24th 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 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
- DPS4 flood risk and drainage
- 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.

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 Value⁷³. 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 exceptional⁷⁵.

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.

High Weald Area of Outstanding Natural Beauty Management Plan 2024-2029

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 neighbouring amenities
- Impact on setting of listed buildings
- Impact on High Weald AONB
- Flood Risk and Drainage

Design and impact on character of 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.

A similar stance is followed under policy HK4 of the Neighbourhood Plan which requires all development to *'maintain the distinct local character and demonstrate good quality design. This means recognising the significance of the village setting, responding to it, and integrating with local surroundings and landscape context as well as the existing built environment...'*

Policy HK5 of the Neighbourhood Plan more specifically relates to domestic extensions and states in part that *the scale, height and form must fit unobtrusively with and be subservient to the existing building and that materials are compatible with materials of existing / surrounding buildings'* amongst other criteria.

The Council's adopted Design Guide SPD is also a material planning consideration with design principles DG49 and DG51 deemed relevant to this application.

Principle DG49 relates to general principles for extensions and recommends that *'extensions should typically use simple, uncomplicated building forms to complement and coordinate with the scale, form and massing of the original dwelling.'*

DG51 relates to rear extensions and states that *'rear extensions which 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.'*

As the site lies within Horsted Keynes 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 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, amongst other criteria.

Policy HK6 of the Neighbourhood Plan follows this stance and requires proposals to have regard to the special features of the Horsted Keynes conservation area which includes the variety of age and style of buildings, several of which are listed buildings, and the use of traditional and natural building materials amongst others.

The proposed extension and pergola are considered acceptable in terms of design, form and scale to the existing dwellinghouse and will sit subordinately against the rear elevation of the dwellinghouse. The proposal should have limited visual impact within the locality being located to the rear of the house and obscured in views from Church Lane.

The Council's Conservation Officer has advised that it will have limited and acceptable impact upon the character and appearance of the conservation area. Officers agree with these comments.

The proposal therefore accords with policies DP26 and DP35 of the District Plan and policies HK4, HK5 and HK6 of the Neighbourhood Plan.

Impact on setting of listed buildings

Grade II listed buildings at The Cottage and White House adjoin the application site to the south and southeast.

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. This stance is also reflected under policy HK6 of the Neighbourhood plan.

The Council's Conservation Officer has provided comments on the proposal and notes the limited intervisibility between the site and listed building due to a high hedge on the boundary. She advises that 'the extension is modestly sized, and sympathetic in its design to the existing building. It will have limited and acceptable impact on the character and appearance of the Conservation Area and the setting of The Cottage.' She concludes that the proposal meets the requirements of policy DP35 and relevant paragraphs of the NPPF.

In view of these comments, the proposal is considered to conserve the settings of adjoining listed buildings, thereby according with policy DP34 of the District Plan and policy HK6 of the Neighbourhood Plan.

Impact on neighbouring amenities

Policy DP26 of the District Plan refers to amenity and states that development proposals should '*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*'.

Policy HK5 of the Neighbourhood Plan states that proposals will be supported where '*there is no unacceptable harm to the amenity of adjoining residents in respect of access, noise, privacy, daylight, sunlight and outlook is retained*'.

Under section 38(5) of the Planning and Compulsory Purchase Act 2004, if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published. As the Neighbourhood Plan was adopted at a later date to the District Plan, policy HK5 of the Neighbourhood Plan is considered to take precedence and therefore the test in this instance is whether the development would cause unacceptable harm to neighbouring amenities as outlined above.

The proposed extension and pergola will be sited to the rear of the dwellinghouse and will be well screened in views from neighbouring properties by established hedging and trees that line the rear and side boundaries of the property. Even if such vegetation were lost, given the distances between the dwellinghouse and neighbouring dwellings, it is not considered that the proposal would cause unacceptable harm to neighbouring amenities in terms of affecting light levels, outlook or privacy etc.

The proposal therefore accords with policy HK5 of the Neighbourhood Plan.

Impact on High Weald AONB

The application site also lies 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 (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 can be 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 that:

'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 and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.'

A similar ethos can be found under policy DP16 of the District Plan, which states in part that development *'will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan'*... This stance is also reflected under policy HK9 of the Neighbourhood Plan which also advises that *'residential development should utilise the guidance in the High Weald Housing Design Guide (2019) in order to meet the requirement for landscape-led designs which conserve and enhance the special character of the AONB and also comply with policies HK4 and HK5 of this plan.'*

The proposed extension and pergola are subordinate in scale to the existing dwellinghouse and will have limited visibility within the locality, being well screened by established hedging and trees that enclose the property to the rear. As such, the proposed development should not appear obtrusive in wider countryside views.

It is noted that the Parish Council has raised concerns regarding the need to preserve the dark skies of the AONB and to protect wildlife and habitats from light pollution across the High Weald as set out under objectives DS1 and DS2 of the High Weald AONB Management Plan 2024 - 2029. The parish also reference the Planning Technical Advice Note: Dark Skies in the High Weald and request that an appropriately worded condition is imposed to the planning permission requiring that the proposed roof lights are installed with black out blinds and that glazing has less than 0.7 Visible Light Transmission.

The proposed development concerns a residential property located within the built up settlement boundary of Horsted Keynes and proposes a total of 3 no. roof lights which is not considered excessive. Proposed plans do not show any external lighting. Whilst the proposal may lead to increased light spillage from the property, it is not considered that this would have a significant impact within the locality as to have a detrimental impact upon the dark skies of the AONB. Interestingly, the Planning Technical Advice Note on page 16 advises that *'while operational measures such as blackout blinds and shutters cannot be used as mitigation for inappropriate light spill - while they can be effective, they are entirely dependant on behavioural habits of the building user, and as such cannot be used as conditions on planning permissions as they would fail tests of reasonableness and enforceability.'* In addition, it is considered that a condition requiring glazing to have a reduced visible light transmission would be difficult to enforce.

In view of the above and having regard to the modest scale of the proposal, the proposed development is deemed acceptable in that it should conserve the landscape and scenic beauty of the High Weald AONB, thereby according with aforementioned policies.

Flood Risk and Drainage

District Plan policy DP41 relates to flood risk and states in part that:

'Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates.'

The Council's Flood Risk and Drainage Team has commented on the proposal and advised that "the site lies within Flood Zone 1 and is therefore at very low risk of fluvial flooding. The Risk of Flooding from Surface Water mapping suggests the site is shown to be at very low to high surface water flood risk (comparable to flood zones 1 to 3b). This is associated with a low spot in the front garden.

The proposed extension (built footprint) is located outside of the Flood Zone 3b extent for surface water.

The proposed application is a minor development and fits within the EA Standing Advice.

We have no objection to the proposed development on flood risk grounds."

The proposed development is therefore deemed acceptable from a flood risk perspective thereby according with policy DP41 of the 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.

PLANNING BALANCE AND CONCLUSION

The proposed development is deemed acceptable in terms of design, form and scale to the existing dwellinghouse and surrounding properties and should preserve the appearance and character of the conservation area and the settings of adjoining listed buildings. The proposal should also conserve the landscape and scenic beauty of the High Weald AONB and should not cause unacceptable harm to neighbouring amenities. The proposal therefore accords with policies DP16, DP26, DP34, DP35 and DP41 of the Mid Sussex District Plan, policies HK4, HK5, HK6 and HK9 of the Horsted Keynes Neighbourhood Plan, the High Weald AONB Management Plan and relevant paragraphs of the NPPF.

Decision: Permission

Case Officer: Deborah Lynn