

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0299	Case Officer:	Deborah Lynn
Application Type:	Householder Application		
Proposal:	Single storey rear kitchen and utility room extension to provide access to garden from living area.		
Site:	Myrtle Villa, Chapel Lane, Horsted Keynes, Haywards Heath, West Sussex, RH17 7AF, ,		
Validation Date	5 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:	2 Apr 2026	Recommending Officer Signature:	Deborah Lynn

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Joanne Fisher	Date:	23 Mar 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0299

**Myrtle Villa, Chapel Lane, Horsted Keynes, Haywards Heath, West Sussex, RH17 7AF,
Single storey rear kitchen and utility room extension to provide access to garden from living
area.**

Mr David Jenkins

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

MSDC Conservation Officer

In respect of the above application, which is a resubmission of a previous approval from 2022, please refer to my comments on the previously approved scheme.

Southern Water

No objections.

HORSTED KEYNES PARISH COUNCIL OBSERVATIONS

Horsted Keynes Parish Council OBJECT to this application.

The planning committee considered the previous application DM/22/3881 and issued a holding objection noting the following comments:

The proposals appear to conflict with HK5 of the Horsted Keynes Neighbourhood Development Plan as the domestic extension does not preserve and enhance the Conservation Area and no Heritage Statement has been provided to support the application (which is a requirement of HK6).

- o Whilst a contemporary flat roof design might be acceptable to some rear extensions, in this situation the extension would appear prominent to the public when viewed from The Crown car park and the cricket pitch and it is out of keeping with, and likely to be harmful to, the Conservation Area. It is therefore not considered to be of the high quality design expected in section 6 of the MSDC Design Guide (with particular reference to item 6.3.10 Fig 6D)

- o The compound impact of the multiple extensions over time is likely to overwhelm the original design and thus be in conflict with DG49 of the MSDC Design Guide (reference Fig 9C)

- o The design needs to minimise light pollution in order to comply with HK13. Roof lanterns are not conducive to this aim. If the roof lantern is to be retained in the design the PC request that any approval is subject to a suitable condition relating to the installation of internal blinds.

It is understood that this application relates to the same proposals as the consented application and, having re-considered this, the planning committee confirm that their concerns, as set out above, remain unchanged.

It is also noted that the Conservation Officer previously expressed concerns about the application and her concerns were along the same lines, but expressed in more detail, to those submitted by the Parish Council. It is noted that the Case Officer for the previous application disagreed with the Conservation Officer. However there appeared to be no detailed justification given in the delegated report for contradicting the Council's expert advisor on heritage matters and there did not appear to be appropriate benefit to outweigh the harm that had been identified.

Whilst it is acknowledged that a Planning and Heritage Statement has been submitted by the applicant in support of the application, the planning committee consider that this document lacks sufficient detail to properly understand the impact on the Conservation Area. Also, the statement made in the document that "The extension will be screened from the public car park by the property's existing garden fencing" is

not completely accurate as it would only partly screen the structure and the important public views from the cricket pitch and PRow do not appear to have been adequately considered.

Since the previous application was submitted the High Weald National Landscape have issued the Planning Technical Advice Note: Dark Skies in the High Weald.

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.

If, having properly considered the appropriate advice from the Conservation Officer, MSDC are minded to approve this application the Parish Council would 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).

INTRODUCTION

This application seeks planning permission for a proposed single storey rear kitchen and utility room extension.

RELEVANT PLANNING HISTORY

07/01262/FUL - Two storey side extension with rear extension to extend kitchen. Conversion of loft into habitable space, to include rear dormer window and rooflight and a solar panel and two rooflights to the front. Permission granted 03.07.2007.

DM/21/0292 - Two storey rear extension. Refused 17.03.2021.

DM/22/3881 - Proposed single storey rear kitchen and utility room extension to provide access to garden from living area. Amended plan received 10/2/2023 removing zinc fascia detail and providing a brick parapet. Permission granted 10.03.2023.

SITE AND SURROUNDINGS

The application site is an unlisted semi-detached Edwardian villa located within the Horsted Keynes Conservation Area. The dwelling has previously been extended to the side over two storeys and is part of a handed pair.

Due to the orientation of the property side on to Chapel Lane, Myrtle Villa is more visible in views from the adjacent cricket ground, which is crossed by a public right of way, and a car parking area. From these areas all three elevations of the building (front, side and rear) are relatively prominent.

In terms of planning policy, the site is situated within the built up area of Horsted Keynes, Horsted Keynes Conservation Area and the High Weald Area of Outstanding Natural Beauty (AONB). The adjoining car park to the northeast serves The Crown Inn which is a grade II listed building.

APPLICATION DETAILS

This application is a re-submission of a scheme previously approved under planning permission DM/22/3881.

A single storey rear extension is proposed to infill the northern corner of the dwellinghouse. This will be inset from the flank wall of the dwelling by approximately 0.4 metres and is shown to measure 4.6 metres wide by 5.1 metres deep with an overall height of 3.2 metres.

The external walls of the extension will be finished with facing brickwork with a flat roof and a central roof lantern. A parapet wall with brick detail band and coping is proposed.

The extension will provide an enlarged kitchen and family living / dining space with a utility room.

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 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
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.

National Planning Policy Framework (NPPF) (December 2024)

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 building
- Impact on High Weald AONB.

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.

As previously noted, the proposed development is a resubmission of a scheme previously granted permission in 2023 under planning reference DM/22/3881; the permission expired on the 10th March 2023.

The Council's Conservation Officer has been consulted on the proposal and has referred to her previous comments submitted under application DM/22/3381 in which she raised concerns regarding the footprint, form and detailed design of the extension, advising that the proposed extension would detract from the character and appearance of the building and conservation area, causing less than substantial harm, at around the low-mid range of that scale.

Whilst these concerns were noted, the Planning Case Officer disagreed with the comments and considered "that the proposal whilst of a contemporary nature and spanning along the rear of the dwelling, including the two storey side extension, the proposal would not dominate the dwelling and would still retain the integrity of the original architecture of the dwelling. Whilst concerns have been raised in respect of the in combination impact with the existing two-storey side addition, it is considered that due to the single storey nature that the dwelling would still retain its original form and character. As such, it is considered that due to the single storey flat roofed nature the proposal would form a modest extension which would result in a neutral impact to the Conservation Area."

The proposed development was therefore deemed appropriate in terms of design, size and scale and was considered to conserve the character and appearance of the conservation area in accordance with policy DP35 of the District Plan and policy HK6 of the Neighbourhood Plan.

In their comments for the current application, the Parish Council has expressed concerns that the proposal would fail to preserve the character and appearance of the Conservation Area and would appear prominent to the public when viewed from The Crown car park and the cricket pitch. They also raise concerns that the Heritage Statement provided does not sufficiently consider impact upon the conservation area.

Whilst these concerns are noted, it is not considered that the proposal would appear unduly prominent in views from the adjoining car park or cricket pitch considering that the extension would appear of a subordinate scale against the existing dwellinghouse.

The fact that the scheme has previously been granted planning permission is a material consideration when assessing this current scheme. It is not considered that there has been a significant shift in planning policy since the last application was approved in March 2023. Whilst the Horsted Keynes Neighbourhood Plan had not been formally adopted when the previous application was considered, it was afforded significant weight in the planning assessment.

With the above in mind, the proposed extension is considered acceptable in terms of design, scale and form to the existing dwellinghouse and surrounding properties and should not detract from the character of the area thereby according with policies DP26 and DP35 of the District Plan and policies HK4, HK5 and HK6 of the Neighbourhood Plan.

Impact on setting of listed building

The car park serving The Crown Inn (a grade II listed building) adjoins the site to the northeast with the public house located approximately 47 metres from the side boundary of the property.

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.

No concerns or reference were previously made by the Council's Conservation Officer or Planning Case Officer regarding impact upon the setting of the listed building under application DM/22/3381, implying that the proposal was not considered to adversely affect the setting of the listed building.

Given the distance of the proposal from the public house and the large intervening pub car park which forms part of its setting, it is not considered that the proposal would have a harmful impact upon the setting of the listed building.

The setting of the listed building would therefore be preserved in accordance with policy DP34 of the District Plan, policy HK6 of the Neighbourhood Plan and relevant paragraphs of the NPPF.

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.

Due to the siting and single storey nature of the extension it is not considered that the proposal would cause unacceptable harm to the amenities of neighbouring properties through an overbearing impact or a loss of light.

Accordingly, the scheme would comply 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.*'

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 1 no. roof light and 1 no. roof lantern 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.

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 extension is considered acceptable in terms of design, form and scale to the existing dwellinghouse and surrounding properties and would preserve the character and appearance of the Horsted Keynes conservation area and setting of the listed building. The proposal would conserve the landscape and scenic beauty of the High Weald AONB and would not cause unacceptable harm to neighbouring amenities. The proposal therefore accords with policies DP16, DP26, DP34 and DP35 of the Mid Sussex District Plan, policies HK4, HK5, HK6 and HK9 of the Horsted Keynes Neighbourhood Plan, the High Weald AONB Management Plan 2024-2029 and relevant paragraphs of the NPPF.

Decision: Permission

Case Officer: Deborah Lynn