

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0394	Case Officer:	Catherine Cardin
Application Type:	Householder Application		
Proposal:	Proposed conservatory.		
Site:	The Old Distillery, Jeremys Lane, Bolney, Haywards Heath, West Sussex, RH17 5QE, ,		
Validation Date	14 Feb 2025	Overall Expiry Date:	18 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	24 Apr 2025
Target Date:	11 Apr 2025	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	24 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0394

**The Old Distillery, Jeremys Lane, Bolney, Haywards Heath, West Sussex, RH17 5QE,
Proposed conservatory.
Mr Barry Evans**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

None received.

Southern Water

No objection.

PARISH COUNCIL OBSERVATIONS

Due to personal interests, the Planning Committee will not be submitting any comments on this application.

INTRODUCTION

Planning permission is sought for a conservatory.

RELEVANT PLANNING HISTORY

02/00427/FUL- Erection of stable block containing hay store, tack room, and two loose boxes for family use. Withdrawn.

07/01533/FUL- Extension to existing self contained annexe. Permission.

10/03184/FUL- Proposed living room extension with bedroom over and garden room extension. Permission.

DM/15/2624- Single storey side and front kitchen extension. Permission.

DM/22/3790- Proposed front dormer and balcony. Permission.

SITE AND SURROUNDINGS

The Old Distillery is a detached chalet bungalow. It has elevations that are finished in cream painted brick, decorative roof tiles and sage green uPVC windows. The dwelling has benefited from several extensions, including a single storey side and front extension.

The application site lies outside of a defined built-up area and is therefore within the countryside and within the High Weald Area of Outstanding Natural Beauty. Neighbouring properties are located to the south, east and west, whilst fields are to the north. The dwelling is set well back from the highway by a front driveway and neighbouring property. North Cottage and South Lodge which are residential properties, are located to the west of the site and are grade II listed buildings.

APPLICATION DETAILS

Planning permission is sought for a conservatory on the front elevation. The extension would measure some 3.8 metres in width and some 4.1 metres in depth. The extension would have a glazed hipped

roof, with a height to the ridge of some 3.9 metres, and a height to the eaves of some 2.6 metres. The proposed extension will be partially glazed, with brickwork to match the existing.

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 Bolney 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:

- DP12 - Protection and Enhancement of Countryside
- DP16 - High Weald Area of Outstanding Natural Beauty
- DP26 - Character and Design
- DP34 - Listed Buildings and Other Heritage Assets

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.

Neighbourhood Plan

Bolney Neighbourhood Plan was made in 2016.

Relevant policies:

- Policy BOLD1- Design of New Development and Conservation

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:

- DPS1 - Sustainable Design and Construction
- DPS6 - Health and Wellbeing
- DPC1 - Protection and Enhancement of the Countryside
- DPC4 - High Weald Area of Outstanding Natural Beauty
- DPB1 - Character and Design
- DPB2 - Listed Buildings and Other Heritage Assets

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)

ASSESSMENT

It is considered that the main issues that need to be considered in the determination of this application are as follows;

- High Weald AONB
- Heritage Assets
- Design and Character
- Neighbouring amenity
- Biodiversity Net Gain

High Weald AONB

Mid Sussex District Plan policy DP16 states:

'Development within the High Weald Area of Outstanding Natural Beauty (AONB), as shown on the Policies Maps, will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan, in particular;

- the identified landscape features or components of natural beauty and to their setting;*
- the traditional interaction of people with nature, and appropriate land management; - character and local distinctiveness, settlement pattern, sense of place and setting of the AONB; and*
- the conservation of wildlife and cultural heritage.*

Small scale proposals which support the economy and social well-being of the AONB that are compatible with the conservation and enhancement of natural beauty will be supported. Development on land that contributes to the setting of the AONB will only be permitted where it does not detract from the visual qualities and essential characteristics of the AONB, and in particular'.

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 is found within the High Weald Area of Outstanding Natural Beauty Management Plan.

The application relates to extending an existing dwelling, sited within the countryside and within a pocket of existing development. Given this location it is considered that it would not form an isolated development within the wider landscape. Due to the development being an extension, it is considered that there would not be an adverse impact on the landscape quality of the AONB. As such the proposal would comply with the requirements of Policy DP16 of the District Plan, The High Weald AONB Management Plan and paragraph 189 of the NPPF.

Setting of Listed Buildings

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states 'In considering whether to grant planning permission (or permission in principle) 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.'

Policy DP34 of the Mid Sussex District Plan states:

"Listed Buildings Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*
- Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;*
- Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;*
- Special regard is given to protecting the setting of a listed building;*
- Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.*

Other Heritage Assets

Development that retains buildings which are not listed but are of architectural or historic merit, or which make a significant and positive contribution to the street scene will be permitted in preference to their demolition and redevelopment.

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.

Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.'

North Cottage and South Lodge which are a pair of semi-detached residential properties, are located to the west of the site and are grade II listed buildings. They adjoin the southwestern boundary of the application site but are not attached to the application property.

The proposed works are of a modest nature, they would be of a similar design and appearance to the existing dwelling and there would be limited views of the works from the surrounding area. Taking into account the above, the proposal is considered to protect and preserve the setting of the listed buildings to the west and complies with policy DP34 of the Mid Sussex District Plan.

Design and Character

The site is located outside of a defined built-up area boundary and, as such, is within the countryside. Policy DP12 of the Mid Sussex District Plan seeks to protect the countryside 'in recognition of its intrinsic character and beauty' and supports new development 'provided it maintains or where possible enhances the quality of the rural and landscape character of the District'.

Policy DP26 of the Mid Sussex District Plan relates to design and character and states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and

villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- o is of high quality design and layout and includes appropriate landscaping and greenspace;*
- o contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- o protects open spaces, trees and gardens that contribute to the character of the area;*
- o protects valued townscapes and the separate identity and character of towns and villages;*
- o does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29);*
- o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- o positively addresses sustainability considerations in the layout and the building design;*
- o take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- o optimises the potential of the site to accommodate development.'*

Policy BOLD1 of the Bolney Neighbourhood Plan relates to design and states that:

Planning permission for new development will ordinarily be permitted subject to the following criteria:

- It is designed to a high quality which reflects Bolney's rural nature and responds to the heritage and distinctive character by way of;*
- height, scale, spacing, layout, orientation, design and materials of buildings, and*
- the scale, design and materials of the public realm (highways, footways, open space and landscape); and*
- It does not have an unacceptable impact on the setting of any heritage asset; and*
- It respects the natural contours of a site and protects and sensitively incorporates well-established natural features of the landscape including trees, species-rich hedgerows and ponds within the site; and*
- It creates a safe, accessible and well-connected environment that meets the needs of its users; and*
- It will not result in unacceptable levels of light, noise, air or water pollution, and*
- Where possible, it provides lock-up facilities for storage of bicycles, children's pushchairs and mobility vehicles to encourage walking and cycling and to assist accessibility.*

Principle DG49 of the MSDC Design Guide establishes design principles for extensions to dwellings and states that:

Extensions should respond to the design of the original dwelling and applicants will be expected to demonstrate how local character has informed the design proposal. Extensions should also normally be designed to be well-integrated with the existing scale, form and massing allowing the original building to remain the dominant element of the property whether it has one or several additions. Extensions should typically use simple, uncomplicated building forms to complement 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. Extensions should not result in a significant loss to the private amenity area of the dwelling.

The application site lies in the countryside. The surrounding area is rural in nature and existing development is loose knit. Properties along this section of Jeremy's Lane are a variety of ages and designs. The proposed conservatory is modest in size and scale and would sit subordinately against the existing dwellinghouse, with proposed materials to match the dwellinghouse. The design of the extension is therefore considered to integrate well with the existing property. As the development would be well

screened by neighbouring properties and would not be visible from the street scene, it is not considered that the proposal would be harmful to the character of the area.

The proposal is therefore considered to address the character of the existing dwelling and the surrounding buildings, and as such the proposal is deemed to comply with the above part of policy DP26 of the District Plan, Policy BOLD1 of the Bolney Neighbourhood Plan and principles DG49 and DG51 of the Mid Sussex Design Guide SPD.

Neighbouring Amenities

In terms of impact upon neighbouring amenities, Policy DP26 in part seeks to ensure that development:

'does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see DP29);'

Regarding the neighbour at Apuldrum, to the east, this neighbour is separated by the access to the application site. Given the separation distance between the two properties, it is not considered that there would be any harm to the amenities of this neighbour.

Regarding the neighbour at Oak Cottage, to the south, given the separation distance from the shared boundary, it is not considered that there would be any harm to the amenities of this neighbour.

Regarding the neighbours at North Cottage and South Lodge, to the west, given the siting of the proposal, it is not considered that there would be any harm to the amenities of this neighbours.

Due to the domestic nature of the proposed development, it is considered that there would not be a harmful impact in terms of noise, air and light pollution.

The proposal is therefore considered to comply with Policy DP26 of the District Plan, and the relevant principles of the Mid Sussex Design Guide SPD.

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

In conclusion, the proposal is considered appropriate in terms of design and will not negatively impact the host dwelling, the character of the area or the High Weald AONB, the setting of Listed Buildings, and will not harm neighbouring amenities.

The proposal would therefore accord with the requirements of policies DP12, DP16, DP26 and DP34 of the Mid Sussex District Plan, Bolney Neighbourhood Plan, the Mid Sussex Design Guide SPD and the relevant provisions of the NPPF.

Decision: Permission

Case Officer: Catherine Cardin