

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0146	Case Officer:	Catherine Cardin
Application Type:	Householder Application		
Proposal:	Demolition of existing conservatory. Erection of a single-storey side extension with pitched roof and gable end.		
Site:	45 Newlands, Balcombe, Haywards Heath, West Sussex, RH17 6JA, , ,		
Validation Date	6 Feb 2025	Overall Expiry Date:	3 Mar 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	24 Mar 2025
Target Date:	3 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 Mar 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0146

**45 Newlands, Balcombe, Haywards Heath, West Sussex, RH17 6JA, ,
Demolition of existing conservatory. Erection of a single-storey side extension with pitched roof
and gable end.
Mr Douglas Butcher**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

MSDC Tree Officer

No objection.

PARISH COUNCIL OBSERVATIONS

Balcombe Parish Council have no objection in principle. BPC do have concerns over the hard standing areas and water drainage.

INTRODUCTION

Planning permission is sought for the demolition of existing conservatory and the erection of a single-storey side extension.

RELEVANT PLANNING HISTORY

BA/001/94- Erection of a conservatory on side of property. Permission.

SITE AND SURROUNDINGS

45 Newlands is a two storey, semi-detached property. It is constructed of red brick, with grey UPVC windows and a plain tile roof. The dwelling benefits from a conservatory extension to the side of the property.

The application site lies within the built-up area of Balcombe, within the High Weald Area of Outstanding Natural Beauty and is located on an elevated corner plot. Neighbouring properties are located to the north and east. The dwelling is set back from the highway by a front garden, with highway located to the west.

APPLICATION DETAILS

Planning permission is sought for the erection of a single storey side extension that would replace an existing conservatory. The proposed extension is to be used as a kitchen and would measure some 2.8 metres in width and have a length of some 5.4 metres. The extension would have a pitched roof design, with gable end that would have a maximum height of some 3.8 metres and a height to the eaves of some 2.5 metres. The extension would be clad in black timber, with red clay tiles to match existing. The proposed windows and doors would be black aluminium.

A window on the side (southern) elevation is also proposed. This would measure some 2.9 metres in length and be approximately one metre in height. In addition, two new aluminium framed sky lights are proposed on the eastern and western roof slopes.

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 Balcombe 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 - Design and Character

DP37 - Trees, Woodland and Hedgerows

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

There are no relevant policies.

Neighbourhood Plan

Balcombe Neighbourhood Plan was made in 2016.

Relevant policies:

Policy 3- Design

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

DPB1 - Character and Design

DPN4 - Trees, Woodland and Hedgerows

DPC4 - High Weald Area of Outstanding Natural Beauty

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;

- Impact on the High Weald AONB
- Design and Character
- Neighbouring amenity
- Impact on Trees
- Biodiversity Net Gain

Impact on the High Weald AONB

Mid Sussex District Plan policy DP16 relates to the High Weald AONB 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 and policy 3 of the Balcombe Neighbourhood Plan.

The application relates to extending an existing dwelling, sited within the built up area of Balcombe. As the works are to take place within the built up area, the proposal 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, Policy 3 of the Balcombe Neighbourhood Plan, The High Weald Management Plan and paragraph 189 of the NPPF.

Design and Character

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:

- is of high quality design and layout and includes appropriate landscaping and greenspace;*
- 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;*
- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- protects open spaces, trees and gardens that contribute to the character of the area;*
- protects valued townscapes and the separate identity and character of towns and villages;*
- 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);*
- creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- positively addresses sustainability considerations in the layout and the building design;*
- 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;*
- optimises the potential of the site to accommodate development.'*

Policy E3 of the Balcombe Neighbourhood Plan states that:

The scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, will be required to reflect the architectural and historic character and scale of the surrounding buildings and to avoid any significant detrimental effect on the landscape and natural beauty of the High Weald AONB and the significance and character or appearance of the Balcombe Conservation Area, where a building will command a view.

Principle DG49 of the MSDC Design Guide 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.

Furthermore, principle DG50 of the MSDC Design Guide relates to side extensions and states that:

'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 residential area of Balcombe, where properties are of a similar age and design.

The proposal seeks to replace an existing conservatory with a single storey side extension. It is considered that the scale of the extension would appear subservient in relation to the host dwelling. As the extension is set-back from the front it is considered that the original building would remain defined. Whilst the proposed design is modern, it is considered that it would still respond appropriately to the application property and is therefore not considered harmful to the character of the property.

As the extension is to the side of the property and is on a corner plot in an elevated position, it will be visible from the streetscene. Whilst a contemporary approach to the extension has been proposed, particularly through the choice of materials, it is considered that the chosen design has taken cues from the existing building and the character of the surrounding area. Furthermore a similar palette of materials can be found within the street. As such, it is considered that the proposed extension would not have an harmful impact on the streetscene.

Given the single storey nature of the extension and that it would replace an existing extension, it is considered that the proposal would not result in any important gaps being wholly enclosed within the streetscene.

The proposal is therefore considered to comply with Policy DP26 of the District Plan, policy 3 of the Balcombe Neighbourhood Plan and the relevant principles of the Mid Sussex Design Guide SPD.

Impact on 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);'

The proposed extension is single storey. With regard to the neighbour at 44 Newlands, due to the setback of the proposal from the front elevation, it is not considered that this neighbour would be affected by any loss of light or outlook. Given that the extension would be on the side, (southern) elevation facing the highway, it is considered that the proposal would not give rise to any overlooking regarding this neighbour.

With regard to the neighbour at 46 Newlands, the proposed extension would be set back from the shared boundary by some 2.9 metres, and as such it is not considered that this neighbour would be affected by any significant loss of light or outlook. Given that no windows are proposed on the rear (eastern) elevation, it is not considered that the extension would give rise to any significant overlooking concerns.

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.

Impact on Trees

Policy DP37 of the Mid Sussex Plan states:

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected. Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.'

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose. Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
 - prevents damage to root systems and takes account of expected future growth; and*
 - where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
 - has appropriate protection measures throughout the development process; and*
 - takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*
 - does not sever ecological corridors created by these assets.*
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- Proposals for works to trees will be considered taking into account:*
 - the condition and health of the trees; and*
 - the contribution of the trees to the character and visual amenity of the local area; and*
 - the amenity and nature conservation value of the trees; and*
 - the extent and impact of the works; and*
 - any replanting proposals.*

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties. Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary.'

A total of four trees are in proximity of the proposed extension.

The MSDC Tree Officer was consulted on the application and has considered the proposal. No objection has been raised, providing a condition is included to secure the Arboricultural Impact Assessment , Arboricultural Method Statement and the Tree Protection 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 proposal is appropriate in terms of design and will not negatively impact on the host dwelling, nor the character of the High Weald AONB, and will not harm neighbouring amenities and is acceptable in terms of the impact on trees.

In conclusion, the proposal would accord with the requirements of policies DP16, DP26, and DP37 of the Mid Sussex District Plan, policy E3 of the Balcombe Neighbourhood Plan, the MSDC Design Guide and the NPPF.

Decision: Permission

Case Officer: Catherine Cardin