

Delegated Decision
Sign off Sheet

Ref. No:	DM/24/3046	Case Officer:	Hamish Evans
Application Type:	Householder Application		
Proposal:	Demolition of existing single storey rear/ side extension and construction of rear single storey extension. Increased cill of window at first floor to rear elevation. Reconstruction of chimney to match existing. Increase in basement footprint and associated internal and external alterations, largely as approved under DM/24/0265, with first floor infill extension and external landscaping works.		
Site:	29 High Street, Lindfield, Haywards Heath, West Sussex, RH16 2HJ, , ,		
Validation Date	16 Dec 2024	Overall Expiry Date:	18 Feb 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	20 Mar 2025
Target Date:	10 Feb 2025	Recommending Officer Signature:	Hamish Evans

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

Signed and Agreed By:	Steven King	Date:	20 Mar 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/3046

**29 High Street, Lindfield, Haywards Heath, West Sussex, RH16 2HJ, ,
Demolition of existing single storey rear/ side extension and construction of rear single storey extension. Increased cill of window at first floor to rear elevation. Reconstruction of chimney to match existing. Increase in basement footprint and associated internal and external alterations, largely as approved under DM/24/0265, with first floor infill extension and external landscaping works.**

Mrs J Murphy

SUMMARY OF REPRESENTATIONS

Two third-party representation letters have been received, they comment on the consultation period for the application and discrepancies with the submitted land ownership details.

SUMMARY OF CONSULTEES

MSDC Flood Risk and Drainage Team

No objection.

MSDC Conservation Officer

Objection due to proposal being harmful to the character and appearance of the house, the villa pair of which it is part, and the wider Conservation Area. The harm caused would be less than substantial, at around the low-mid range of that scale.

MSDC Tree Officer

No objection.

PARISH COUNCIL OBSERVATIONS

Lindfield Parish Council

No objection.

INTRODUCTION

The proposal seeks planning permission for a replacement single storey rear and side extension, a two-storey rear extension to replace an existing single storey rear extension, replacement rear facing first-floor window, replacement chimney, extension to existing basement and landscaping works at 29 High Street Lindfield RH16 2HJ.

RELEVANT PLANNING HISTORY

DM/24/0265. Demolition of existing single storey rear/ side extension and construction of rear single storey extension. Increased cill of window at first floor to rear elevation. Reconstruction of chimney to match existing. Increase in basement footprint. Associated internal and external alterations. Permission.

SITE AND SURROUNDINGS

The site is located within the Lindfield built up area boundary, the Lindfield Conservation Area and a WSCC Archaeological Notification Area for the historic core of Lindfield. The existing dwelling is a two-

storey semi-detached residential property which is characterised by bare brown brickwork and white render walls, brown clay roof tiles and white timber window and door frames. The existing dwelling is one half of a semidetached pair of 19th century houses which retain a number of original features and the original 'T' shaped footprint of the pair is considered to remain legible. High Street is located to the east of the site and residential properties are located to the north, south and west of the site. The surrounding area is characterised by predominantly residential properties with some commercial properties in the vicinity.

APPLICATION DETAILS

The proposed single storey rear and side extension measures some 4.6 metres in width, 5.4 metres in depth and a total height of 3.4 metres. It would be characterised by vertical clad timber and bare brickwork walls, single ply membrane roofing and crittal window and door frames.

The proposal also seeks consent to replace an existing first-floor rear facing window which will be reduced in height by some 0.2 metres. The proposal also seeks to replace the existing chimney. These works would be characterised by external materials similar in appearance to those used in the existing dwelling.

The proposal also seeks to enlarge the existing basement by some 4.0 metres in depth and 3.8 metres in width.

The proposed two-storey rear extension measures some 1.9 metres in width, 3.0 metres in depth, an eaves height of 5.4 metres and a total height of 6.8 metres. It would be characterised by external materials similar in appearance to those used in the existing dwelling.

A proposed landscaping plan has been submitted and shows a number of hard and soft landscaping works within the rear garden. The plan also show a garden structure within the rear garden however to scale plans have not been provided.

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 Lindfield and Lindfield Rural 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:

- DP26 - Character and Design
- DP34 - Listed Buildings and Other Heritage Assets
- DP35 - Conservation Areas
- DP37 - Trees, Woodland and Hedgerows
- 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.

Lindfield and Lindfield Rural Neighbourhood Plan (March 2016)

No relevant policies.

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

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:

DPS4: Flood Risk and Drainage

DPN4: Trees, Woodland and Hedgerows

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)

ASSESSMENT

The majority of the proposed works under this application were permitted under DM/24/0265. The replacement of the existing single storey rear extension with a two-storey rear extension and the proposed landscaping works were not permitted by the previous application and as such the below assessment is made on these new elements.

Impact on Heritage Assets and Character and Appearance

In terms of the impact on the Lindfield Conservation Area policy DP35 of the District Plan states:

'Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:
o New buildings and 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;
o Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character;

- o Traditional shop fronts that are a key feature of the conservation area are protected. Any alterations to shopfronts in a conservation area will only be permitted where they do not result in the loss of a traditional shopfront and the new design is sympathetic to the character of the existing building and street scene in which it is located;*
- o Existing buildings that contribute to the character of the conservation area are protected. Where demolition is permitted, the replacement buildings are of a design that reflects the special characteristics of the area;*
- o Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;*
- o New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area.*

Development will also protect the setting of the conservation area and in particular views into and out of the area.

New buildings of outstanding or innovative design may be acceptable in conservation areas provided that their impact would not cause material harm to the area.'

In terms of general design and character principles, Policy DP26 of the Mid Sussex District Plan in part 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 DP27);*
- 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.'*

Principle DG49 of the Mid Sussex Design Guide states: *'Extensions should typically use simple, uncomplicated building forms to compliment and coordinate with the scale, form and massing of the original dwelling. The design approach may benefit from coordinating with the existing pattern of window and door openings as well as employing facing materials to match those of the existing dwelling. Otherwise it should demonstrate the appropriateness of the alternative approach.'*

Principle DG50 of the Mid Sussex Design Guide states: *'Front and side extensions are typically visible from the public realm and will be resisted where they have an adverse impact on the street scene or the appearance of a dwelling.'*

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.'

Principle DG51 specifically 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.'*

The site is located within the Lindfield Conservation Area, as designated in 1969 and extended in 1989 and 1998. A Conservation Area is defined as an area of "special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance".

The below assessment is made whilst being mindful of this guidance and having regard to the statutory duty of the Council, as the Local Planning Authority, to have special regard to the desirability of preserving the heritage asset (the Lindfield Conservation Area), the site being within its boundary, and any features of special interest, as set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The majority of the proposed development has been permitted under DM/24/0265, with the new elements consisting of the two-storey rear extension and the proposed landscaping works.

The proposed two-storey rear extension would be characterised by external materials similar in appearance to the existing dwelling.

The Council's Conservation Officer has stated that the application site and its adjoining neighbour make a strong positive contribution to the character and appearance of the Conservation Area, with the front elevation of the building facing towards the pond and High Street being of particular significance.

They also state that the existing dwelling and its adjoining neighbour retain a number of original features including canted bay windows with sashes, and paired front entrances under a bracketed cornice and the original 'T' shaped footprint of the pair also remains legible.

The Council's Conservation Officer notes that the two-storey extension is set back from the line of the original rear range, and set down in height which does allow for some appreciation of the original form. However, it detracts from the original and characteristic T shaped plan and symmetry of the upper floor of the villa pair, and obscures or results in the loss of the majority of the original rear elevation of the main house. They also state that the proposed two-storey extension's scale is such that when viewed in conjunction with the proposed replacement addition at ground floor, it would be contentious in terms of the balance between the original house and the extensions to it.

The impact of the proposal on the wider Conservation Area will be exacerbated by the visibility of the upper floor and roofscape of the villa pair in views looking from Denmans Lane across the public car parking areas to the rear of the Co-Op building.

The proposed landscaping works are relatively modest in their nature and would reflect the character of the area.

Taking into account the above the proposed works, specifically the proposed two-storey rear extension, would not address the character and scale of the existing dwelling and they would be detrimental to the character and appearance of the application property and the wider Conservation Area. There is no reason for the Case Officer to disagree with the harm identified by the Conservation Officer and the concerns, regarding the scale, form and design of the proposal are also shared when assessing the proposal in design terms. As such, the proposal would be contrary to the requirements of policies DP26 and DP35 of the Mid Sussex District Plan and principles DG49, DG50 and DG51 of the Mid Sussex Design Guide SPD.

In terms of the NPPF, the harm caused to the designated heritage asset is considered to be less than substantial by the Conservation Officer, therefore the criteria set out in paragraph 215 of that document

would apply. The Conservation Officer has advised that the harm would be at around the low-mid range of the less than substantial scale. This is the balancing exercise that must be undertaken by the decision maker, ensuring that considerable importance and weight is given to the less than substantial harm to the heritage asset that has been identified. It should be noted that National Planning Practice Guidance states that public benefit 'should not just be a private benefit'. The property remains in its original use, as a dwelling, and is not considered to be currently at risk. Taking into account the householder nature of the scheme, there are considered to be no public benefits. Due to the nature of the proposal and the above guidance it is concluded that the proposal as submitted harms the character and appearance of the Lindfield Conservation Area and is not outweighed by any public benefits.

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 Policy DP29);'

A similar ethos is contained within the Mid Sussex Design Guide SPD.

The proposed replacement chimney and replacement rear window would be located within a similar position and of a similar appearance and scale to the existing chimney and window. The proposed extension to the existing basement would be modest in its scale. The scale of the proposed single storey side and rear extension is modest and due to the existing boundary treatment the proposed openings would not have direct views into neighbouring properties private amenity spaces. The proposed two-storey extension would be set away from the boundaries of the site and is set down from the ridge of the existing dwelling. It also does not include any first-floor side facing opening. As such it is considered that the proposal would not cause significant harm to the amenities of nearby residents including taking account of the impact on overlooking and loss of privacy, reduction in sunlight and daylight and a loss of outlook. The proposal is therefore, considered to comply with the above-mentioned part of policy DP26 and the Mid Sussex Design Guide SPD.

Trees, Woodland and Hedgerows

Policy DP37 of the Mid Sussex District Plan in part 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.'

The proposed works would be within 15 metres of an existing tree at the neighbouring property and as such an Arboricultural Impact Assessment has been submitted with the application. The proposal does not seek to remove any of the existing trees and tree protection measures have been proposed. The Council's Tree Officer has raised no objection to the proposal and the submitted AIA can be secured by a planning condition.

Taking into account the above the proposal is considered to adequately protect the existing trees on the site and the proposal would comply with policy DP37 of the Mid Sussex District Plan.

Flood Risk and Drainage

Policy DP41 of the Mid Sussex District Plan in part states:

'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 site is located in an area of increased surface water flood risk. The Council's Drainage Engineer has raised no objection to the application subject to the measures being implemented as stated. As such the proposal is considered to be acceptable in respect of its impact on flood risk and drainage and it would comply with the above part of policy DP41 of the Mid Sussex District Plan.

Archaeology

Policy DP34 of the Mid Sussex District Plan takes into account a range of heritage assets, including archaeology, in a manner appropriate to their significance. The application site is located in an Archaeological Notification Area, as it is the site of the historic core of Lindfield. Due to the modest nature of the proposed development it is not considered there would be an adverse impact on this heritage asset; however a condition would be attached to any consent to ensure that if any remains are discovered appropriate action would be undertaken.

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.

Other Matters

Third-party letters of representation have been received which comment on the consultation period for the application and issues with the land ownership of the site. Land Ownership Certificate A was submitted with the application and no information has been provided that shows this to be incorrect. It should also be noted that land ownership disputes are separate legal issues and not dealt with by the planning regime.

PLANNING BALANCE AND CONCLUSION

In conclusion, the proposed works, specifically the proposed two-storey rear extension, would not address the character and scale of the existing dwelling and they would be detrimental to the character and appearance of the application property and the wider Conservation Area. This harm is identified as less than substantial, however there are no public benefits identified that would outweigh this harm. The proposal is therefore considered to be contrary to the entirety of policies DP26 and DP35 of the Mid Sussex District Plan, the Lindfield and Lindfield Rural Neighbourhood Plan, the Mid Sussex Design Guide SPD, the NPPF and Section 72 of the Listed Building and Conservation Area Act 1990.

Decision: Refusal

Case Officer: Hamish Evans