

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2769	Case Officer:	Stefan Galyas
Application Type:	Full Application		
Proposal:	Removal and replacement of the existing rear conservatory, and installation of solar panels to the SSW facing roof of the existing host building		
Site:	Cedar Cottage, Cansiron Lane, Ashurst Wood, East Grinstead, West Sussex, RH19 3SD, ,		
Validation Date	4 Nov 2025	Overall Expiry Date:	8 Dec 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	12 Dec 2025
Target Date:	30 Dec 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Joanne Fisher</i>	Date:	15 Dec 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2769

**Cedar Cottage, Cansiron Lane, Ashurst Wood, East Grinstead, West Sussex, RH19 3SD,
Removal and replacement of the existing rear conservatory, and installation of solar panels to
the SSW facing roof of the existing host building
Robert Lewin**

SUMMARY OF REPRESENTATIONS

There were no letters of representation received in response to the proposed development.

SUMMARY OF CONSULTEES

Drainage: No objection.

Southern Water: No objection.

TOWN/PARISH COUNCIL OBSERVATIONS

Parish Council: No objection.

INTRODUCTION

The application seeks planning permission for the removal and replacement of the rear conservatory and the installation of solar panels on the rear roof pitch of the original dwelling.

RELEVANT PLANNING HISTORY

13/02931/FUL - Replacement of existing conservatory with a new contemporary 'glass room' plus the introduction of doors and a new balcony at first floor level. Permission 17.10.2013.

SITE AND SURROUNDINGS

The application relates to Cedar Cottage, a detached two storey dwelling featuring a pitched roof form. The property appears to have previously been extended to its rear elevation through the addition of a single storey conservatory. An existing tarmacked driveway and front garden amenity space sets the property back from the highway edge to the north. To the rear, the dwelling is afforded ample garden amenity space with vast views out to the distance looking southwards. In terms of existing materials, the existing dwelling is composed of brick and some tile hanging at first floor level to the walls, a clay tiled roof and uPVC windows.

In terms of the site's locality, there are a number of other two storey residential properties which are set within generous plot sizes. There is some variance in the form and layout of the dwellings featured throughout this stretch of the street scene.

The site is not located within any built up area boundary but is set within the High Weald Area of Outstanding Natural Beauty (National Landscapes).

APPLICATION DETAILS

The proposed development would demolish the existing rear conservatory and, in its place, develop a single storey conservatory which would be of slightly larger footprint. The proposed conservatory would measure at approximately 3.3m in length, 3.8m wide and 2.8m in maximum height. The proposed extension would be composed of aluminium and glazing throughout.

To the rear (south-west) roof slope, 8 solar photovoltaic panels would be installed.

LEGAL FRAMEWORK AND LIST OF POLICIES

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocation Development Plan Document (DPD) and the Ashurst Wood 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 the Countryside

DP16: High Weald Area of Outstanding Natural Beauty

DP26: Character and Design

DP39: Sustainable Design and Construction

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

Ashurst Wood Neighbourhood Plan (Made June 2016)

Relevant Policies:

ASW1: Protection of the Countryside

ASW14: Design and Character

Other Material Considerations

Mid Sussex District Plan 2021-2039 Consultation Draft

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 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 - Climate Change

DPS2 - Sustainable Design and Construction

DPB1 - Character and Design

DPC1 - Protection and Enhancement of the Countryside

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 2023)

The National Planning Policy Framework (NPPF) 2023 is a material consideration. Paragraphs 2, 8, 11, 38, 47, 131, 135, 139 & 189.

National Design Guide (Published January 2021)

High Weald AONB Management Plan 2024-2029

High Weald Housing Design Guide (November 2019)

ASSESSMENT

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

- Design and Character
- Protection, Conservation and Enhancement of the High Weald AONB and Countryside
- Impact on Neighbouring Properties
- Biodiversity Net Gain

Design and Character

DP26 of the District Plan 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 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"*

Policy ASW14 of the Ashurst Wood Neighbourhood Plan requires that:

'All new development (including extensions and additions to individual properties) must demonstrate good quality design and respect the existing character and appearance of the surrounding area. All proposals will be expected to identify how they address the local surroundings and landscape context by:

- (a) Using design that respects the scale and character of existing and surrounding buildings with reference to the Character Assessment; and*
- (b) Demonstrating that the design of the particular development has addressed and protected the positive features of the character of the local area; and*
- (c) Using materials which are compatible with the materials of the host or surrounding buildings; and*
- (d) Respecting established building lines where relevant and using green hedging and/ or trees for highway boundaries wherever possible and in keeping with the existing streetscape; and*
- (e) Ensuring safe access for pedestrians, cyclists and other road users; [...]*

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.'

In terms of rear extensions, principle DG51 states:

'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 proposed conservatory would be slightly larger in footprint than the existing arrangement and would be of a marginally greater width. The proposed roof form would be arranged so that the highest point would be set furthest away from the host property with a gutter between the new conservatory and the existing single storey element. Furthermore, the proposed conservatory is considered to be of a relatively modern appearance, utilising aluminium and glazing throughout. It is considered that the extension would be set to a discrete position in terms of public views. Accordingly, it is not considered that the extension would result in a significantly adverse impact on the character and appearance of the area.

To the rear (south-western) roof slope, several solar panels would be added. These solar panels would also be positioned to minimise their visual impact on the existing street scene and public vantage points. As such, it is considered that the solar panels would have an acceptable impact on the character and appearance of the locality.

The proposal is therefore considered to comply with Policy DP26 of the District Plan and Policy ASW14 of the Ashurst Wood Neighbourhood Plan.

Protection, Conservation and Enhancement of the High Weald AONB and Countryside

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 is 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.

Policy DP16 of the District Plan requires proposals in the AONB to conserve or enhance natural beauty.

Paragraph 189 of the NPPF is also relevant as it states:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.'

With regard to development within the countryside, Policy DP12 of the District Plan states that:

'The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

- o it is necessary for the purposes of agriculture; or*
- o it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.'*

Policy ASW1 of the Ashurst Wood Neighbourhood Plan states that:

'Outside of the Built Up Area Boundary, which is defined in Map 1, priority will be given to protecting and enhancing the countryside from inappropriate development.'

The proposal is considered to protect the intrinsic character and beauty of the countryside whilst also conserving the natural beauty of the High Weald AONB due to it being viewed within the existing established residential curtilage. As such, the proposal would comply with the requirements of Policies DP12 and DP16 of the District Plan, Policy ASW1 of the Ashurst Wood Neighbourhood Plan, all the requirements of the High Weald Management Plan and the NPPF.

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 increase in size to the extension would be limited and, in any circumstance, the enlargement would be significantly offset from both shared boundaries to the east and west. As such, the proposed extension is not considered to result in a significant overbearing or overshadowing impact on the adjacent neighbouring occupiers.

In terms of the proposed rear solar panels, there are no adjacent neighbouring properties immediately to the south. As such, the solar panels are not considered to result in a glint and glare impact.

Accordingly, the proposal is considered to comply with the provisions of DP26 of the Mid Sussex District Plan in terms of neighbouring amenities.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain this application is comprises development below the de-minimis threshold meaning that this development is exempt from providing biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

In conclusion, the proposal is appropriate in terms of design, will not negatively impact on the host dwelling nor its immediate setting and will not harm neighbouring amenities.

The proposal will comply with Policies DP12, DP16, DP26 and DP39 of the District Plan, Policies ASW1 and ASW14 of the Ashurst Wood Neighbourhood Plan and the requirements of the NPPF.

Decision: Permission

Case Officer: Stefan Galyas