

## Delegated Decision

### Sign off Sheet

|                                              |                                                                                                      |                                        |                      |
|----------------------------------------------|------------------------------------------------------------------------------------------------------|----------------------------------------|----------------------|
| <b>Ref. No:</b>                              | DM/25/2875                                                                                           | <b>Case Officer:</b>                   | Stefan Galyas        |
| <b>Application Type:</b>                     | Householder Application                                                                              |                                        |                      |
| <b>Proposal:</b>                             | Proposed two storey and single storey rear extension, new side windows and replacement front windows |                                        |                      |
| <b>Site:</b>                                 | 2 Preston Cottages, The Green, Slaugham, Haywards Heath, West Sussex, RH17 6AQ, ,                    |                                        |                      |
| <b>Validation Date</b>                       | 21 Jan 2026                                                                                          | <b>Overall Expiry Date:</b>            | 18 Mar 2026          |
| <b>Pre-Commencement Conditions Required:</b> |                                                                                                      | <b>Pre-Com Conditions Date Agreed:</b> |                      |
| <b>Recommendation:</b>                       | Permission                                                                                           | <b>Recommendation Date:</b>            | 19 Mar 2026          |
| <b>Target Date:</b>                          | 18 Mar 2026                                                                                          | <b>Recommending Officer Signature:</b> | <i>Stefan Galyas</i> |

|                                                        |  |                               |   |
|--------------------------------------------------------|--|-------------------------------|---|
| <b>Date Legal Agreement Completed: (if applicable)</b> |  | <b>No of Representations:</b> | 3 |
|--------------------------------------------------------|--|-------------------------------|---|

|                              |                      |              |             |
|------------------------------|----------------------|--------------|-------------|
| <b>Signed and Agreed By:</b> | <i>Joanne Fisher</i> | <b>Date:</b> | 19 Mar 2026 |
| <b>Comments:</b>             |                      |              |             |

## MID SUSSEX DISTRICT COUNCIL

**DM/25/2875**

**2 Preston Cottages, The Green, Slaugham, Haywards Heath, West Sussex, RH17 6AQ,  
Proposed two storey and single storey rear extension, new side windows and replacement front  
windows  
Stevens And Hawkes**

### SUMMARY OF REPRESENTATIONS

There was a total of three letters of representation received in response to the proposed development. Two letters were received in response to the original proposal and sought to object for the following reasons:

- The proposal resulting in an overbearing impact towards the neighbouring dwelling and garden amenity space.
- There being an overshadowing impact as a result of the proposal.
- The proposed windows resulting in a loss of privacy.
- The proposed Juliet balcony to the rear elevation resulting in a loss of privacy for the neighbouring occupiers.

The scheme was subsequently revised to reduce the size of the two storey element and to remove the rear Juliet balcony. A further letter of representation was received which objected to the revised scheme for the following reasons:

- An overbearing impact being incurred towards the neighbouring dwelling and garden amenity space.
- An adverse impact on neighbouring outlook.
- There being a loss of privacy to the neighbouring property through overlooking from the proposed side ground floor window and double doors.

### SUMMARY OF CONSULTEES

**Conservation Officer:** *'The scale of the first floor extension remains significant, but on balance, and in the context of the existing additions to the rear of the attached neighbour I think a continuing objection would be difficult to sustain.'*

*On balance therefore, and subject to detail to be reserved by condition, the revised proposal is considered to preserve the character and appearance of the Conservation Area, and the setting of the adjacent listed building. This meets the requirements of District Plan Policies DP34 and DP35 and the relevant paragraphs of the NPPF.'*

**Southern Water:** No objection.

**Tree Officer:** No objection.

### PARISH COUNCIL OBSERVATIONS

No objection. Defer to Heritage Officer's comments.

### INTRODUCTION

The application seeks planning permission for the development of a proposed part two storey and part single storey rear extension, proposed new side elevation windows and replacement front windows.

### RELEVANT PLANNING HISTORY

10/00788/FUL - Rear extension to enlarge and open up kitchen with pitched tiled roof. Permission 10.05.2010.

## **SITE AND SURROUNDINGS**

The application relates to 2 Preston Cottages, a two-storey semi-detached residential dwelling which features a part pitched, part hipped roof form. The existing dwelling is positioned to the eastern side of the road and is set back from the roadside edge by a gravelled front driveway. Further garden amenity space is located to the rear (east) of the dwelling and borders an open field to the rear boundary. In terms of existing materials, the existing dwelling is composed of brick walls with brick detailing around the windows and corners, tile hanging at first floor level to the principal elevation, flat grey concrete roof tiles, white uPVC and timber windows and doors.

In terms of the site's locality, there are a number of other residential properties from varying time periods fronting either side of the highway edge. Tile hanging features prominently throughout the street scene to add visual interest and there is some variance from this with the use of ashlar stone in some instances.

The application site is not located within any defined built up area boundary. The property is set within the Slaugham Conservation Area as well as the High Weald Area of Outstanding Natural Beauty (National Landscapes). There are a number of grade II listed properties located along The Green within the site's locality.

## **APPLICATION DETAILS**

The proposed development would extend the existing dwelling through the addition of a rear (east) elevation two storey extension. This would measure at approximately 3.6m in length, 4m wide, 4.8m high to the eaves and 7.4m high to the ridge.

With regard to the proposed single storey extension, this would measure at approximately 4.6m in length, 3.7m wide, 3m high to the eaves and 3.6m high to the top of the roof lantern.

Proposed external materials to the proposed extensions would comprise brickwork external walls, grey concrete roof tiles and a single ply flat roof membrane, timber frame windows and bi-fold doors.

The existing side and front elevation windows would be also replaced as part of the development proposal with timber frames 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 the Slaugham 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

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**

Slaugham Neighbourhood Plan (Made September 2019)

Policy 1: Protecting the Area of Outstanding Natural Beauty

Policy 4: Conservation Areas

## **Other Legislation**

*Planning (Listed Buildings and Conservation Areas) Act 1990*

Section 66(1) - Special regard to be had to the preservation of a listed building or its setting.

Section 72(1) - Special attention to be paid to preserving or enhancing the character or appearance of a conservation area.

## **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) was published for public consultation on 12th January 2024 for six weeks and as a result of this consultation there are unresolved objections to the majority of Policies in the draft District Plan. 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

DPC4: High Weald Area of Outstanding Natural Beauty

DPB:1: Character and Design

DPB2: Listed Buildings and Other Heritage Assets

DPB3: Conservation Areas

DPN4 - Trees, Woodland and Hedgerows

### *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)*

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 2, 8, 11, 39, 48, 131, 135, 139, 207, 208, 209, 212-215, 219 & 220.

### *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;

- Impact on Character and Design, Including Heritage Assets
- Impact on the High Weald AONB
- Impact on Neighbouring Amenities
- Impact on Trees
- Biodiversity Net Gain

### Impact on Character and Design, Including Heritage Assets

With regard to the setting of the listed building, DP34 requires:

*'Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:*

- o 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;*
- o 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;*
- o Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- o 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;*
- o Special regard is given to protecting the setting of a listed building;*
- o 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.'*

In terms of the impact on the Slaughtam 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.'*

Paragraph 207 of the NPPF requires the applicant to describe the significance of any heritage asset affected. Significance is defined in Annex 2 of the NPPF as *"The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting."* The applicant has provided a Heritage Statement in support of the application which

assesses the proposals impact on the relevant heritage assets. Therefore, this requirement of the NPPF is considered to have been met.

Paragraph 208 of the NPPF requires the Local Planning Authority to identify and assess the particular significance of any heritage asset that may be affected and take this into account when considering the impact of a proposal.

The NPPF states that 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.

Paragraphs 212 - 215 of the NPPF states:

*"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 exceptional.*

*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.*

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'*

Moreover, Policy 4 of the Neighbourhood Plan states that:

*'Development proposals within Handcross, Slaugham or Warninglid Conservation Areas will be supported where they conserve or enhance the character or appearance of the Conservation Area*

concerned, and comply with the requirements in Policy DP35 (Conservation Areas) of the MSDP.

Development proposals which respect the following features:

1. St. Mary's Church, Slaugham;
2. The Street (Park Road), Slaugham
3. Slaugham Place;
4. The Street, Warninglid; and
5. High Street, Handcross.

will be supported where such proposals would conserve or enhance the specific part of the Conservation Area and its immediate setting.'

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 elaborates further on what constitutes 'good design' in relation to side extensions:

*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.*

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 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 listed building or its setting in accordance with the requirements of Section 66, and to pay special attention to the desirability of preserving or enhancing the character or appearance of that area in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The application site is considered to be read within a pair of semis, with the adjoining neighbouring property at No.1. The pair of semis are flanked on either side by grade II listed buildings and accordingly form the immediate setting of these nearby heritage assets. It was noted within the Conservation Officer's response that the pair of semis retain some period features and on balance make a positive contribution towards the character and appearance of the Conservation Area.

It is noted that the adjoining semi has previously been extended through the addition of a two-storey rear extension which in part forms the application sites northern boundary. It is considered that this extension is of a considerable size and scale and it was noted within the Conservation Officer's response that this was unsympathetic to its sensitive location on the Conservation Area and within the setting of nearby listed buildings. Moreover, it is considered that this permission was granted prior to the adoption of the District Plan and Design Guide.

The current development proposal would extend the property through a two-storey rear extension, however the proposed depth would not be as significant as the immediate adjoining semis two storey extension. The proposed two storey element would utilise a hipped roof form which is considered to reflect the rear roof forms as utilised at present. Furthermore, the two-storey extension would be set slightly set in from the existing side elevation. It is considered that this detail will allow the extension to be read as a later addition to the property as it has evolved over time. Whilst the two-storey extension

would not necessarily be subservient towards the host dwelling, it is considered that the features as outlined above would help the extension embed into its surroundings.

A further single storey flat roofed rear extension would be added which would include a roof lantern and parapet. It is considered that the proposed single storey extension would be of an overall limited size and scale and would therefore appear subservient towards the existing dwelling. Whilst the use of the flat roof is not considered to be optimal, it is considered that this would help limit the proposed extensions overall size and bulk.

A number of the existing windows to the front and side of the property would be replaced with a timber frame so that they match elsewhere on the dwelling. It is considered that this would be acceptable, subject to further details which can be secured through a pre-commencement condition which has been agreed with the Applicant prior to the issuing of the decision. It is considered that further details of the proposed materials would be relevant and necessary in this instance.

In light of the above, the proposal is considered to preserve the special interest of the nearby listed buildings and would result in a neutral impact on the Slaugham Conservation Area. The proposal would comply with the provisions of Policies DP26 and DP34 and DP35 of the District Plan, Policy 4 of the Slaugham Neighbourhood Plan and the statutory duties as set out within the Listed Buildings and Conservation Areas Act.

## **High Weald AONB**

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 relates to the High Weald Area of Outstanding Natural Beauty and requires proposals to conserve or enhance natural beauty.

Policy 1 of the Neighbourhood Plan notes that:

*'Development proposals within the High Weald AONB will only be supported where they conserve or enhance natural beauty and have regard to the High Weald AONB Management Plan in particular:*

- 1. The identified landscape features or components of landscape beauty and to their setting;*
- 2. The traditional interaction of people with nature and appropriate landscape management;*
- 3. Character and local distinctiveness, settlement pattern, sense of place and setting of the AONB; and*
- 4. The conservation of wildlife and cultural heritage.'*

Paragraph 189 of the NPPF is also relevant. This states:

*'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 proposal would be viewed in context of the existing dwellinghouse and would not result in an isolated form of development. As such it would not have any adverse impact on the wider landscape quality of the AONB and the complies with the requirements of policy DP16 of the District Plan, Policy 1 of the Slaugham Neighbourhood Plan, the High Weald AONB Management Plan 2024-2029 and paragraph 189 of the NPPF.

## **Impact on Neighbouring Amenities**

DP26 states that the development will be permitted provided it;

*'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 found within Principles DG45, 46 47 and 48 of the Mid Sussex Design Guide.

The relevant amenity issues in terms of the proposals impact will be assessed in turn below:

### Overshadowing

The proposed two storey extension would be set approximately 1.7m away from the side elevation of the adjacent neighbouring dwelling at No.1 Bosworth Cottages. There are two rear elevation unobscured glazed first floor rear elevation windows which serve a bathroom and landing respectively. In terms of light impact to the rear windows, Principle DG47 of the Design Guide states among other matters that all dwellings should benefit from daylight and sunlight levels that conform to BRE (Better Regulation Executive) standards. Further guidance is set out within the "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" document. The "45 degree approach" should be taken whereby a 45 degree line is drawn from the top of the elevation and a second 45 degree line is taken from the end of the projection. If the neighbouring properties window lies within the centre of both lines, then the building will likely cause a significant reduction in light received to the concerned window. This guidance is taken as a rule of thumb and each planning application is assessed based on its own merits.

When assessed as an estimate against the 45-degree test, the proposed two storey element would likely pass in elevational format but would fail when tested in plan format. Whilst some loss of light may be experienced, it is considered that due to the positioning of the application site to the north of the neighbours, less direct sunlight would be received from this direction in any case. Moreover, whilst both these first-floor windows are unobscured glazed and primary windows to the rooms they serve, these are not considered to be habitable rooms.

It is considered that the proposed two storey and single storey extension has the potential to impact the neighbouring conservatory at No.1 Bosworth Cottages. When assessed as an estimate against the 45-degree test, it is considered that the neighbouring conservatory would pass in both plan and elevational format against the two-storey element. However, the proposed single storey extension would likely breach the 45-degree test in plan format but pass the elevational test. The neighbouring conservatory is considered to benefit from an extensive amount of glazing throughout and would likely continue to receive sufficient light. The northern positioning of the neighbouring single storey extension would not likely lead to a significant loss of direct sunlight.

### Overbearing

The shared boundary between the neighbouring site at No.1 Bosworth Cottages and the application site slightly curves moving towards the east. At its closest point, the proposed extensions would be set circa 1m away from the shared boundary. Accordingly, the single storey element would be set within the closest proximity to the shared boundary whilst the two storey extension would be set the furthest away.

Whilst the proposal would introduce new built form within a proximity to the boundary, the circa 1.7m offset from the two-storey element to the boundary is considered to help mitigate against its impact. Furthermore, the proposed two storey extension is considered to be limited in length to 3.6m and would not introduce a significant expanse of blank elevation within a close proximity to the shared boundary. The use of the hipped roof form is also considered to minimise the proposed two storey extensions overall size and bulk.

Furthermore, whilst the proposed single storey extension is set within a closer proximity to the shared boundary, the limited single storey size and scale is considered to overcome its overbearing impact.

It is noted that concerns were raised in terms of the change in land levels between the sites. Whilst there might be some step up in natural ground floor level, it is not considered that this is so significant to result in the proposed extensions being substantially higher as a result of this.

In terms of loss of outlook from the neighbouring property, the right to a private view is not considered to be protected and does not form a material planning consideration.

### Overlooking

Concerns have been raised in response to the application in relation to the potential overlooking impact incurred. A new side elevation first floor window would be added, however the proposed elevations detail that this window is to be obscured glazed and would serve a non-habitable bathroom. A condition ensuring that this window remains obscured glazed in perpetuity is considered relevant and necessary should permission be granted in the interest of protecting neighbouring amenities. The other first floor landing window would be increased in size, however, this is considered to reflect the current level of outlook offered and would continue to serve a landing.

At ground floor level, the side elevation windows would be re-arranged. Two new side windows would be added to serve a non-habitable kitchen and dining room. Whilst the existing fence on site does drop to follow the natural ground floor level and lowers moving east, it is still considered that this would substantially obscure views offered from the proposed windows. The windows would not be set at a significantly elevated position and due to the close boarded design of the fence, this would not allow for any permeability up to a certain height.

The other two side elevation windows would serve a non-habitable entrance hall and bathroom. It is considered that these windows would face out towards the neighbouring side elevation and therefore would not give rise to a significant overlooking impact.

To the rear elevation, a first-floor primary window serving habitable accommodation in a master bedroom. It is worth highlighting that some degree of overlooking into neighbouring residential gardens should be reasonably expected in this location owing to the proximity of the dwellinghouses with one another. The proposed bi-fold doors at ground floor level are considered to be limited in their outlook, with views again likely to be obscured by the boundary treatment.

In light of the above, the proposed development is considered to result in an acceptable impact in terms of overshadowing, overbearing and overlooking towards the neighbouring properties. The proposal is therefore considered to comply with the provisions of DP26 of the District Plan.

### **Trees Impact**

In relation to new developments impact on trees, DP37 of the District Plan states that:

*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 Tree Officer commented in response to the application that a tree had been removed within the rear garden amenity space whilst the application was live. As such the original Arboricultural Impact Assessment was not considered to be valid as this tree was shown as being retained and protected. An updated Arboricultural Impact Assessment, Tree Constraints Plan and Survey Schedule have since been submitted. No further objections have been raised in response to this information from the Councils Trees Officer.

The proposed development is therefore considered to result in an acceptable impact on trees and would comply with DP37 of the District 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**

To summarise, it is considered that the proposal result in a neutral impact on the Slaugham Conservation Area, will have an acceptable impact on the nearby listed buildings, the character and appearance of the area, the High Weald AONB, neighbouring amenities and trees. As such, the application complies with Policies DP16, DP26, DP34, DP35 and DP37 of the Mid Sussex District Plan, Policies 1 and 4 of the Slaugham Neighbourhood Plan, the Mid Sussex Design Guide, Section 66(1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) act and the National Planning Policy Framework.

Decision:       Permission

Case Officer: Stefan Galyas