

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/3071	Case Officer:	Stefan Galyas
Application Type:	Householder Application		
Proposal:	Proposed construction of part two storey side extension, part first floor rear extension and part ground floor rear extension		
Site:	4 Jefferies, Horsted Keynes, Haywards Heath, West Sussex, RH17 7DR, , ,		
Validation Date	18 Dec 2024	Overall Expiry Date:	10 Jan 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	6 Feb 2025
Target Date:	12 Feb 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>Steven King</i>	Date:	7 Feb 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/3071

**4 Jefferies, Horsted Keynes, Haywards Heath, West Sussex, RH17 7DR, ,
Proposed construction of part two storey side extension, part first floor rear extension and part
ground floor rear extension
Mr S Wilson**

SUMMARY OF REPRESENTATIONS

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

SUMMARY OF CONSULTEES

None received.

PARISH COUNCIL OBSERVATIONS

Concerns over the general size of the extension, being more than 90% larger than current footprint, and it's not subservient to the existing building. This could lead to setting a precedent therefore we object to this application.

INTRODUCTION

The application seeks planning permission for the development of a two-storey side, a first-floor rear extension and a single storey rear extension.

RELEVANT PLANNING HISTORY

DM/18/3947 - 7 Jefferies. Demolish existing garage and remove chimney. Erect a two storey extension to flank and a 2 storey infill extension to rear. New porch to front elevation (Amended plans received 14 November 2018). Permission 18.12.2018.

SITE AND SURROUNDINGS

The application relates to 4 Jefferies, a semi-detached two storey dwelling set to the northern side of the highway with a half-hipped roof and a catslide roof pitch to the rear. The property is set back from the roadside by front garden amenity space and a gravelled driveway which provides an off-road parking space. The property is afforded ample garden amenity space to the rear and the site follows a linear plot form. The existing dwelling is composed of facing brickwork at ground floor level and plain tile hanging at first floor to the exterior walls, plain roof tiles and white uPVC windows and doors.

A number of different properties within the site's locality demonstrate a highly comparable appearance to the application property, utilising tile hanging at first floor level to provide visual interest within the street scene. Properties are set back from either side of the highway by front garden and driveways. Some dwellings within the locality have previously been extended to both their side and rear elevations.

With regard to policy constraints, the site is located within the Horsted Keynes built up area and the High Weald Area of Outstanding Natural Beauty.

APPLICATION DETAILS

The proposal would develop a two-storey side (eastern) elevation extension which would measure at approximately 8.9m in length, 4.5m wide, have an eaves height of 4.9m and a ridge height of 8.6m. A new first floor window would be added to the principal (south) elevation of the original property. The first-

floor rear (northern) extension would adjoin the side extension with a valley gutter at roof level and would utilise a hipped roof design. As for the single storey rear extension, this element of the proposal would measure at around 2.5m deep, 4m wide, 2.5m high to the eaves and 3.5m high to the top of the lean-to roof pitch. External materials would comprise brickwork at ground floor level with tile hanging above to match the existing, plain roof tiles to match to existing, white uPVC windows and white powder coated aluminium folding doors.

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 Horsted Keynes 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

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

Horsted Keynes Neighbourhood Plan (Made May 2023)

Policy HK4: Maintaining Local Character and Good Quality Design

Policy HK5: Infill Development and Domestic Extensions

Policy HK9: The High Weald Area of Outstanding Natural Beauty

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 the majority of 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

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)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 2, 8, 11, 39, 48, 131, 135, 139 & 189.

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
- High Weald AONB
- Impact on Neighbouring Amenities
- Biodiversity Net Gain

Design and Character

Policy 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.'*

The Horsted Keynes Neighbourhood Plan states under Policy HK4 that:

'All development should maintain the distinct local character and demonstrate good quality design. This means recognising the significance of the village setting, responding to it, and integrating with local surroundings and landscape context as well as the existing built environment and in particular:

- o achieving high quality design that respects the scale, bulk and character of existing and surrounding buildings; and*
- o ensuring proposals relate to established plot widths within streets where development is proposed, particularly where they establish a rhythm to the architecture in a street; and*
- o using good quality materials that complement the existing palette of materials used within Horsted Keynes; and*
- o demonstrating where possible innovation to achieve low carbon sustainable design (as per policy HK11); and*
- o adopting the principles of sustainable urban drainage, where applicable (as per policy HK12); and*
- o respecting the natural contours of the site and protecting and sensitively incorporating well-established natural features of the landscape including trees, species-rich hedgerows and ponds within the site; and*
- o providing sufficient external amenity space, refuse and recycling storage and car and bicycle parking to ensure a high quality and well managed streetscape.'*

With regards to domestic extensions, the Neighbourhood Plan states under HK5:

'Proposals for infill development and domestic extensions within the built-up area boundary will be supported where they comply with the following criteria:

o the spacing between buildings reflects the character of the street scene (in the case of domestic extensions, the scale, height and form must fit unobtrusively with and be subservient to the existing building); and

o existing gaps between buildings which provide important views out of the village to the surrounding countryside (as referenced within paragraph 5.29 above) are retained; and

o materials are compatible with materials of existing/surrounding buildings; and

o suitable access and on-site parking is provided without detriment to neighbouring properties; and

o there is no unacceptable harm to the amenity of adjoining residents in respect of access, noise, privacy, daylight, sunlight and outlook is retained.

o Preserving and enhancing heritage assets and their wider settings, including conservation areas, listed buildings and areas of archaeological interest (see also policy HK6).'

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.'

Moreover, Principle DG51 of the Design Guide notes:

'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.'

It is recognised that the proposed development would constitute a discernible increase in size when compared to the existing arrangement. Furthermore, the existing property displays a high level of uniformity with the adjoining semi through the use of matching materials throughout. There is a regular pattern with the spacing between buildings to the northern side of the road, with decent and substantial gaps between each property.

There is a distance of around 11.3m between the application property and the neighbouring property to the east at No.5. This gap is considered to be substantial and provides space for the existing dwelling to extend. Whilst the proposed side extension would not be offset from the existing ridge height, it is considered that the proposed materials such as matching brickwork, tile hanging and a tiled roof would help the proposal assimilate better into its surroundings. Furthermore, the use of a half-hip to the side (east) elevation is considered to be of a sympathetic design and reflective of the current side elevation design.

To the rear of the property, the side extension would step down into a hipped roof pitch which would be offset from the main ridge height. This offset would be increased further through the addition of the first-floor extension which would also make use of a hipped roof design. It is considered that the reduction in ridge height coupled with the lower eaves height and hipped roof pitch, the perceived size, scale and bulk would be reduced. As such, the two storey rear elements to the proposal are not considered to be overly visually incongruous.

A single storey rear extension would also be added which would be set against the shared boundary with the adjacent neighbouring property at No.3. This element is considered to be visibly subservient to the host dwelling and would largely infill the existing 'L' shape from the previous cat-slide roof rear projection.

Whilst each planning application is considered based on its own merits, the previous permission DM/18/3947 to the east at the property at No.7 Jefferies is considered to be a material planning consideration in this instance.

The proposed design is considered to be highly reflective of this previous permission and would even replicate the extended length window to the principal elevation at first floor level. Although the current proposal would not replicate this previous extension in a like for like manner, it is considered to be highly reflective of the previous design used.

In summary, it is considered that the proposal would comply with the provisions of policy DP26 of the District Plan, Policies HK4 and HK5 of the Horsted Keynes Neighbourhood Plan and the relevant principles of the Mid Sussex Design Guide SPD.

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 requires proposals in the AONB to conserve or enhance natural beauty.

The Horsted Keynes Neighbourhood Plan notes among other matters in Policy HK9 that development proposals in the High Weald AONB should conserve and enhance in a manner appropriate to its scale, nature and location. Developments should respect the existing settlement pattern of the parish and use local materials.

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 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.'

In this instance, the proposal is considered to conserve the landscape quality of the AONB due to it being viewed within the existing established residential curtilage. As such, the proposal would comply with the requirements of Policy DP16 of the District Plan, Policy HK9 of the Horsted Keynes Neighbourhood Plan, all the requirements of the High Weald Management Plan and the NPPF.

Impact on Neighbouring Amenities

Policy HK5 of the Horsted Keynes Neighbourhood Plan states that proposals should not cause 'unacceptable harm' to adjoining neighbouring amenity whereas policy DP26 of the MSDP states that development should 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. There is therefore some conflict between the District Plan and Neighbourhood Plan in this respect. Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last

document to be adopted, approved or published. As such, Policy HK5 of the Horsted Keynes Neighbourhood Plan is considered to take precedence and therefore the test in this instance is whether the development causes unacceptable harm to neighbouring amenities as outlined above.

It is noted that there are a number of side (west) elevation windows at both ground and first floor level to the neighbouring property at No.5. One of the ground floor windows uses an obscure glazed finish whilst the rest are unobscured. Whilst the proposed side extension would increase the existing buildings overall footprint, a distance of approximately 7.3m would remain between the two properties. This is considered to be a substantial distance which would overcome an unacceptable overbearing and overshadowing impact towards these windows.

There would be both a side (east) elevation ground floor window and first floor extension which would be added to the proposed side extension. At ground floor level, the window would be contained to a high level and therefore offer a limited level of outlook towards the neighbouring dwelling. As for the proposed first floor side elevation window, this would serve a bathroom and likely utilise an obscure glazed finish. As such, it is not considered that the proposed side windows would give rise to an unacceptable overlooking impact.

To the rear (north) elevation, the two storey elements would be offset from the shared boundary with the adjoining semi by approximately 4m with the proposed single storey extension between. This offset coupled with the reduced ridge height and hipped roof design are considered to help alleviate the proposed extensions overshadowing and overbearing impact. As for the proposed rear elevation windows at first floor level, these are considered to offer obscure views towards the neighbouring gardens and would not likely result in an unacceptable loss of privacy towards the adjacent neighbouring occupiers.

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. This is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. As a householder application this development is exempt from the requirement to provide biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

In conclusion, the proposal is appropriate in terms of design and will not negatively impact on the host dwelling nor its immediate setting, have an acceptable impact upon the High Weald AONB and will not result in harm towards neighbouring amenities.

The proposal will comply with Policies DP16 and DP26 of the District Plan, Policies HK4, HK5 and HK9 of the Horsted Keynes Neighbourhood Plan, the MSDC Design Guide and the requirements of the NPPF.

Decision: Permission

Case Officer: Stefan Galyas