

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1070	Case Officer:	Andrew Horrell
Application Type:	Full Application		
Proposal:	Demolition of existing bungalow and link attached flat roofed garage and construction of 1 no. new replacement dwelling with attached pitched roofed garage.		
Site:	Arosa, Oldlands Avenue, Balcombe, Haywards Heath, West Sussex, RH17 6LP, ,		
Validation Date	29 Apr 2026	Overall Expiry Date:	10 Aug 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	12 Aug 2026
Target Date:	24 Jun 2026	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	Stephen Ashdown	Date:	14 Aug 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1070

**Arosa, Oldlands Avenue, Balcombe, Haywards Heath, West Sussex, RH17 6LP,
Demolition of existing bungalow and link attached flat roofed garage and construction of 1 no.
new replacement dwelling with attached pitched roofed garage.
Mr And Mrs Jackson**

SUMMARY OF REPRESENTATIONS

A letter of support has been received from the neighbour at Coach House, Oldlands Avenue stating the proposal is in keeping with the local setting and a positive addition to the neighbourhood.

SUMMARY OF CONSULTEE

MSDC Conservation Officer:

Although the principle of the scheme is not considered contentious, aspects of the detailed design, in particular the treatment of the existing garage and some aspects of the proposed materials, require reconsideration. This is to ensure that the balance between heritage benefit and harm falls favourably, and the character and appearance of the Conservation Area is preserved. The increased height and bulk of the house result in some harm due to partial loss of the current relatively open views across the site, which would need to be mitigated by the improved architectural quality and detailing of the new building for the overall balance in heritage terms to be a neutral or (ideally) positive one.

West Sussex Nature Space: the proposed development would present a low risk to great crested newts and/or their habitats. However, as the development is within the amber Impact Risk Zone, as modelled by district licence mapping, I recommend that an informative should be attached to planning consent

PARISH COUNCIL OBSERVATIONS

Balcombe Parish Council had no objections to the proposed planning application and commented that they support the application.

INTRODUCTION

Planning permission is sought for the demolition of existing bungalow and flat roofed garage with the construction of 1 no. new replacement dwelling and attached pitched roofed garage.

RELEVANT PLANNING HISTORY

None relevant

SITE AND SURROUNDINGS

Arosa is a detached pitched roofed bungalow. The dwelling is characterised by face brickwork, upvc doors and windows and an existing attached flat roofed garage.

To the north of the site is the driveway to the set higher highway beyond, to the south - sloped down rear garden with woodland beyond, to the east of the site is the adjacent The Coppice which was previously a bungalow but has been altered to a two storey dwelling under 10/01423/FUL and west is the set forward Oldland which is a two storey dwelling.

The site is within the built-up area of Balcombe and within the Balcombe Conservation Area and within the High Weald National Landscape (Formally AONB).

APPLICATION DETAILS

The existing four bedroom pitched roofed bungalow measures some 10.8m in maximum depth, 16.4m in maximum width with a height to eaves of 2.65m and an overall height of 4.4m.

There is a link between existing dwelling and garage of some 1.6m in width and 3.5m in depth and 2.65m in height and attached flat roofed garage measures some 5.75m in depth, 5.65m in width with a height of 2.6m.

The proposed catslide hipped roofed dwelling measures 9.35m in depth, 18m in width with a height to eaves of 3.85m and an overall height of 10.5m. This is to be served by a kitchen dining room, utility room, living room, study, WC, hallway and wine storage room on the ground floor, five bedrooms, two en-suites, and a bathroom on the first floor and a plant room and storage area within the attic.

The proposed front porch measures some 1.25m in depth, 2.5m in width with a height to eaves of 2.2m and an overall height of 3.65m.

The proposed rear dormer measures some 2.5m in depth, 1.9m in width with a height to eaves of 1.1m and an overall height of 2.2m.

The proposed pitched roofed garage and workshop to the rear measures some 9m in depth, 6m in width with a height to eaves of 2.4m and an overall height of 5.75m.

External works include the installation of rear PV solar panels and rear and eastern side rooflights.

Other works includes the existing 1.7m front fence replaced with hedging and increasing the level of hardstanding to driveway and existing planting bed within the driveway removed. An Air Source Heat pump proposed to the western side of the dwelling and the existing rear shed to be removed.

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, the Site Allocations Development Plan Document and the Balcombe Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Policy Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan

The District Plan was adopted in 2018. Relevant policies include:

- DP4 - Housing
- DP6 - Settlement Hierarchy
- DP16 - High Weald Area of Outstanding Natural Beauty
- DP21 - Transport
- DP26 - Character and Design
- DP27 - Dwelling Space Standards
- DP35 - Conservation Areas

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

The Balcombe Neighbourhood Plan was made on 22nd September 2016.

Relevant policies:

Policy 1 - Built Up Area Boundary

Policy 3 - Design

Other Legislation

Planning (Listed Building and Conservation Areas) Act 1990

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

'In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of conservation preserving or enhancing the character or appearance of that area'.

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 is currently at Examination with initial hearings held in February/March 2026. The Council is consulting on Main Modifications which are required to ensure the plan is legally compliant and sound. The District Plan remains at Examination until the Inspector has published his report, until that time 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:

DPN2 - Biodiversity Net Gain

DPC4 - High Weald Area of Outstanding Natural Beauty

DPB1 - Character and Design

DPB3 - Conservation Areas

DPT3 - Active and Sustainable Travel

DPH1 - Housing

DPH6 - Self and Custom Build Housing

DPH11 - Dwelling Space Standards

Supplementary Planning Documents (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.

The High Weald Area of Outstanding Natural Beauty Management Plan 2024-2029

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 8, 11, 131, 135, 189, 207 - 215 are considered to be relevant to this application.

ASSESSMENT

Principle

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 in this part of Mid Sussex consists of the Mid Sussex District Plan 2014-2031 (MSDP) and Site Allocations DPD.

As the proposed development is within the built-up area as defined in the MSDP, the principle of additional windfall housing development is acceptable under policy DP6 of the MSDP, which states:

'Development will be permitted within towns and villages with defined built-up area boundaries. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale (with particular regard to DP26: Character and Design), and not cause harm to the character and function of the settlement.'

The growth of settlements will be supported where this meets identified local housing, employment and community needs.'

Balcombe is a Category 3 settlement hierarchy listed under MSDP policies DP4 and DP6 deemed as medium sized village providing essential services for the needs of their own residents and immediate surrounding communities.

The site is located within the built-up area of Balcombe. Balcombe Neighbourhood Plan policy 1 states:

'Sustainable development proposals located inside the Built Up Area Boundary will be supported, provided they accord with planning policy, the other provisions of the Neighbourhood Plan and the Mid Sussex development plan'.

The application site is considered to be a sustainable location for residential development.

The principle of a replacement dwelling in this location thus accords with the development plan.

Impact on character and appearance of the area

Policy DP26 of the Mid Sussex District Plan relates to design and character and states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- 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 protects valued townscapes and the separate identity and character of towns and villages;*
- 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 (see Policy DP27);*
- o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible; o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- o positively addresses sustainability considerations in the layout and the building design;*

o 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; o optimises the potential of the site to accommodate development.'

Policy 3 of Balcombe Neighbourhood Plan relates to design and states:

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

In terms of impact on the Balcombe 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.'

Paragraphs 207, 212 - 215 of the NPPF are most relevant and state:

'207. In determining planning applications, local planning authorities should take account of:

o the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
o the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
o the desirability of new development making a positive contribution to local character and distinctiveness.

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* 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;
- c) and conservation by grant-funding or some form of 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.'

The Conservation Officer has been consulted on the application and has stated the following:

"The application site, Arosa, is an unlisted detached bungalow located to the southern side of Oldlands Avenue within the Balcombe Conservation Area. The building, which dates from the second half of the 20th century, is not of any particular architectural or historical interest and makes at best a neutral contribution to the character and appearance of the Area. The gardens in which it is set, however, are extensive and verdant and contribute positively to the Conservation Area, and to the transitional character of this side of Oldlands Avenue, which backs onto open countryside.

Although there is not an adopted character appraisal for the Balcombe Conservation Area, the Council's document 'Conservation Areas in Mid Sussex' contains a brief high-level analysis of the Area's key features. These include the large, detached houses, set predominantly in spacious gardens, and the extensive grass verges bordering wide roads which contribute to the overall open character of the residential area of Stockcroft Road, Deanland Road and Oldlands Avenue. Arosa is not a particularly large building, being only of a single storey, but the gardens and grass verge to the front of the property fit this pattern of development exactly. The low level of the existing bungalow also allows views across the site to the woodlands beyond- countryside views of this nature are another positive characteristic of the Area which is highlighted in the Council's document.

As present, the front gardens to Arosa are bounded to the verge-side by a solid panelled metal fence of an industrial character, which detracts from the street scene of Oldlands Avenue. This seems to have recently replaced a lower close boarded fence, although there seems to be no record of a relevant planning permission. Depending on the date when the fence was constructed, it would therefore be regarded as unauthorised.

As noted at pre-application stage, the existing bungalow is not of any great age or architectural interest, and its demolition and replacement are not considered contentious in principle.

The proposed replacement dwelling is placed against the same front building line as the existing, but with an enlarged footprint which sets the bulk of the house slightly further forward. The new house is also shown as being of 2½ storeys rather than one, with a hipped roof with a barn hip to the western side and a catslide to the east.

The proposed replacement dwelling will be of a significantly greater height and bulk than the existing, and will consequently be more prominent in views from Oldlands Avenue. However, the neighbouring building to the west is of a similar height or slightly higher than the proposal. In terms of the impact on the street scene, this aspect of the scheme is therefore considered acceptable in principle.

A further consideration will however be the impact on views across the site from Oldlands Avenue towards the countryside beyond. Due to the single storey nature of the existing building, at present the woodlands beyond the property's garden are quite visible in these views. The greater scale of the proposed replacement will largely block this outlook, although the catslide to the east and the lower height of the garage will allow some continued views across this end of the site. This in my opinion amounts to a low level of less than substantial harm to the character and appearance of the Conservation Area, which in heritage terms would stand to be weighed against any benefit to the Area arising from other aspects of the scheme.

The proposed new dwelling is shown as noted above as a two and half storey dwelling with a hipped roof, including a side barn hip and catslide. It is loosely in the Sussex vernacular style, with tiled roofs, and elevations of brick and/or stone at ground floor, with tile hanging above. An oak framed porch, and casement windows are also shown. This is sympathetic to the context; there are many existing houses within this part of the Conservation Area which have a broadly vernacular/Arts and Crafts aesthetic. However, the submitted elevations indicate the use of uPVC windows and rainwater goods, which will not be acceptable in a Conservation Area context, and should be amended. Windows should be of timber, with painted metal rainwater goods and external pipework.

At pre-application stage the garage was shown as remodelled with a hipped roof, which was considered a benefit of the scheme, as the existing flat-roofed structure is unattractive and does not relate well to the Conservation Area context. The hipped roof also tied the retained structure in with the rebuilt house, in architectural terms. As now submitted however the garage's flat roof is retained, but enlarged to the rear with the addition of a workshop. In my opinion this is unacceptable, as the retained and enlarged structure does not sit well with the 'vernacular' character of the rebuilt house, and appears as an ill-conceived addition to it, which detracts from the quality of the proposal. This in turn affects the balance of heritage gain versus harm in the context of the replacement of the bungalow with a building of potentially enhanced architectural quality vs the increased height and bulk and impact on the openness of views across the site. I would therefore strongly recommend that this aspect of the proposal is reconsidered.

The proposal shows solar PV panels to the rear roof slope of the building; this is not considered contentious in principle given the rearward aspect, however I would recommend that the applicant consider inline, colour matched panels to minimise their visual impact. No detail of the panels is given as part of the application, although the submitted 3D visualisation within the DAS suggests they are proud of the roof slope. Given that this is in effect a new build rather than a retrofitting exercise, I would expect that this situation could be avoided. It would be helpful if further detail including a typical section could be provided as part of this application, although this could possibly be dealt with by condition with the proviso that the applicant notes that panels mounted above the surface of the roof covering may not be favourably viewed.

With respect to the landscaping scheme associated with the proposal, I note that the existing unattractive (and possibly unauthorised) metal fencing to the front boundary is to be removed in favour of a more a native species hedgerow. This is welcomed, although given the uncertain status of the existing fence I am unsure that it can be considered a heritage benefit as suggested by the applicant.

The proposal also includes the enlargement of the existing hardstanding area to the front garden of the property to provide further parking. The partial loss of the soft landscaping to this part of the site will result in a level of harm to the character and appearance of the Conservation Area, to which garden spaces make an important contribution. This harm, in addition to that relating to the impact on views mentioned above, will stand to be weighed against the potential benefit of the scheme in replacing the bungalow with a building of a potentially higher architectural quality.

In summary although the principle of the scheme is not considered contentious, aspects of the detailed design, in particular the treatment of the existing garage and some aspects of the proposed materials, require reconsideration. This is to ensure that the balance between heritage benefit and harm falls favourably, and the character and appearance of the Conservation Area is preserved. The increased height and bulk of the house result in some harm due to partial loss of the current relatively open views across the site, which would need to be mitigated by the improved architectural quality and detailing of the new building for the overall balance in heritage terms to be a neutral or (ideally) positive one".

Neighbouring dwellings Oldlands and The Coppice are two storey dwellings with the latter changed from a single storey dwelling akin to the proposal in 2010 under reference 10/01423/FUL. The size and scale of the proposed dwelling is not out of keeping with the area.

The Conservation Officer has raised concern that the scale of the proposed replacement dwelling will largely block the outlook of the woodland to the rear of the site. It is noted that the catslide roof to the east and the lower height of the garage will allow for continued views of the woodland to the rear from this end of the site.

Whilst the Conservation Officer felt that less than substantial harm to the character and appearance of the Conservation Area would be caused, the planning officer feels that given the accepted nature of a two-storey dwelling and that the design has maintained a view of the woodland primarily from the eastern side of the dwelling, this is deemed to have a neutral impact on the Conservation Area.

The Conservation Officer has raised concerns regarding the use of uPVC, advising that this material would not normally be considered appropriate within a Conservation Area, where timber windows would typically be expected in order to preserve the character of the Conservation Area.

A justification statement has been provided that outlines how the proposed materials namely face brickwork, clay hanging tiles, uPVC windows and aluminium doors will not be out of character with the character of the area.

Further details in relation to the uPVC windows have been provided and it is understood that this element of the scheme has been considered carefully having regard to the site's location within the Balcombe Conservation Area.

Notwithstanding the above advice from the Conservation Officer, it is acknowledged that each application must be determined on its own merits, taking into account the specific context of the site.

In this instance, it is noted that the application property already displays a mix of window types and materials, and that uPVC windows are widely present within the immediate and surrounding street scene.

It is also noted that the proposed Residence 9 windows are made to be a recreation of traditional heritage style design windows. Therefore, the windows would have appropriate proportions and glazing patterns, which would help to retain an established appearance of the dwelling. Taking all of the above into account, and on balance, it is considered that the proposed materials would result in a neutral impact on the Conservation Area. The materials shall be conditioned accordingly.

The insertion of a Solar Panels within the rear roof slope has also been assessed. Given that similar panels characterise the rear roof slopes of neighbouring properties and therefore this feature is not considered to be out of keeping with the established character of the area. However, it is noted that the intended solar panel product is undecided and therefore their design will be conditioned to be agree prior to their installation.

The oak framed porch and rear clay hung tile dormer and rooflights are of a style in keeping with principles DG50 and DG52 of the Mid Sussex Design Guide.

The amended plans altered the garage design from flat roofed to pitched roofed which is a sympathetic and subservient addition to the main dwelling. It will be a clear improvement on the existing flat roofed garage which as noted by the Conservation is seen to detract from the Conservation Area.

The landscaping alterations to create enlarged hardstanding from parking and the removal of the existing planting bed within the existing driveway. The Conservation Officer considers that the partial loss of the soft landscaping to this part of the site will result in a level of harm to the character and appearance of the Conservation Area, to which garden spaces make an important contribution.

In the planning officers view, the enlargement of the existing driveway (some 5m by 5m) is modest in relation to the existing paved driveway with grass retained (maximum 6.7m by 16.5m) between the driveway and front hedge which is to replace the existing front boundary fence. Therefore, it is deemed to have a neutral impact on the conservation area. The landscaping will be conditioned.

Overall, the proposed dwelling and associated is considered acceptable in design terms and would preserve the character and appearance of the dwellinghouse and Conservation Area, in accordance with policies DP26 and DP35 of the District Plan and policy 3 of the Balcombe Neighbourhood Plan.

Impact on the 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.

Paragraph 189 of the NPPF 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 and the Broads 66. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.'

Given the design, form and scale of the proposal in relation to the existing site and materials within the locality, and the fact that the replacement dwelling would be viewed in the context of similarly scaled surrounding built form, rather than an isolated development within the wider landscape, it is considered that the proposal would not have a negative impact on the AONB and would conserve it.

Therefore, the proposal is deemed to comply with policy DP16 of the Mid Sussex District Plan and the relevant paragraphs of the NPPF.

Access and Parking

Policy DP21 the Mid Sussex District Plan requires development to: be sustainably located to minimise the need for travel; promote alternative means of transport to the private car, including provision of suitable facilities for secure and safe cycle parking; not cause a severe cumulative impact in terms of road safety and increased traffic congestion; be designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages; and provide adequate car parking in accordance with parking standards as agreed by the Local Planning Authority or in accordance with the relevant Neighbourhood Plan.

The proposal does not seek to alter the existing vehicular entrance to the site and due to the nature of the application it is considered that a similar level of vehicular movements will occur at the site. As such it is not considered to adversely impact the wider road network.

In terms of parking provision, as a larger dwelling (5 bedroom instead of 4 bedroom) is proposed, parking standards must be assessed.

In this location, West Sussex County Council Guidance on Parking at New Developments (September 2020) outlines that 2.7 off parking spaces should be provided within this location. The proposed plans show parking for more than 3 cars within the driveway and a garage available to use.

Taking into account the above, it is considered that policy DP21 would be met and therefore there are no highway, access or parking grounds to resist the proposal

Impact on Neighbouring Amenities

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan states proposals 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'*.

With the change from a single storey to a two storey dwelling, there will be an impact on light and outlook to the neighbouring properties. It is noted however, that the dwelling with the set further northwards than the existing dwelling and the detached nature of the relationship as well as the level of impact within the built-up area. Therefore, the level of harm in terms of outlook and light is not deemed significantly harmful.

In terms of privacy and overlooking, the only side window is within the attic looking towards Oldland, therefore significant harm is not deemed to be caused. Whilst the creation of a first floor with front and rear windows will increase the level of overlooking towards neighbouring gardens, a degree of overlooking is expected within the built-up area.

Therefore, in terms of neighbouring amenities, the proposal is deemed to comply with policy DP26 of the Mid Sussex District Plan.

Standard of accommodation

The Government's Technical Housing Standards - Nationally Described Space Standards document was published in March 2015 and sets out space standards for all new residential dwellings to secure a satisfactory standard of accommodation for future residents. Policy DP27 of the District Plan seeks to ensure that Dwelling space standards comply with The Government's Technical Housing Standards - Nationally Described Space Standards document, which sets out space standards for all new residential dwellings to secure a satisfactory standard of accommodation for future residents.

In this case the plans show that the house would exceed the required space standards.

The proposals would therefore comply with Policy DP27 of the Mid Sussex 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. Self and Custom Build development is exempt from providing biodiversity net gain, meaning development which:

- i) consists of no more than 9 dwellings
- ii) is carried out on a site which has an area no larger than 0.5 hectares, and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in Section 1(A1) of the Self Build and Custom House Building Act 2015).

The application has been submitted as a proposal for Self-build and custom build development on a site of <0.5 hectares. In this case mandatory BNG is not required as the proposal is exempt because it is for a self-build dwelling.

PLANNING BALANCE AND CONCLUSION

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the Development Plan and then to take account of other material planning considerations including the NPPF. The Development Plan in this instance consists of the Mid Sussex District Plan, the Site Allocations Development Plan Document and the Balcombe Neighbourhood Plan.

The proposed replacement dwelling and associated works is considered acceptable in respect of its location within the built-up area, its scale, design and appearance and would be sensitive to the character of the area. It is considered that the proposal would not be harmful to the High Weald AONB, would have a neutral impact upon the Balcombe Conservation Area and would not be significantly harmful to the amenities of neighbours.

As the Council is currently unable to demonstrate a five year supply of deliverable housing sites, it follows that the relevant policies for the supply of housing from the development plan are out-of-date (footnote 8 of paragraph 11 NPPF). As such, reduced weight should be given to these policies.

In these circumstances paragraph 11 of the NPPF provides for a presumption in favour of sustainable development which means that planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole (having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination), or specific policies in the NPPF that protect areas or assets of particular importance provide a strong reason for refusing the development.

The proposal would not result in a net increase in dwellings on the site. The proposal would result in construction jobs over the life of the build. Because, however, of the small scale of the development proposed these benefits would be very limited.

The proposal would have a neutral effect in terms of design/character, impact on the Conservation area, the High Weald National landscape (AONB) highways and parking, neighbouring amenity, ecology, sustainable design and housing standards.

In weighing up these issues, when taken together, it is considered that there are no adverse impacts of the development which would significantly or demonstrably outweigh the benefits of the proposal.

There are no other material considerations that would alter the above planning balance.

Overall, the planning balance is considered to fall significantly in favour of granting planning permission.

The development therefore complies with policies DP4, DP6, DP16, DP21, DP26, DP27 and DP35 of the Mid Sussex District Plan, policies 1 and 3 of the Balcombe Neighbourhood Plan, the Mid Sussex Design Guide and the relevant paragraphs of the NPPF. It is therefore considered acceptable and recommended for approval.

Decision: Permission

Case Officer: Andrew Horrell