

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1174	Case Officer:	Deborah Lynn
Application Type:	Householder Application		
Proposal:	Demolition of existing garage and erection of new garage. Two storey side extension and new porch to front elevation.		
Site:	Stumble Cottage, Oldlands Avenue, Balcombe, Haywards Heath, West Sussex, RH17 6LY, ,		
Validation Date	11 May 2026	Overall Expiry Date:	12 Jun 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	3 Jul 2026
Target Date:	6 Jul 2026	Recommending Officer Signature:	Deborah Lynn

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Joanne Fisher	Date:	6 Jul 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1174

**Stumble Cottage, Oldlands Avenue, Balcombe, Haywards Heath, West Sussex, RH17 6LY,
Demolition of existing garage and erection of new garage. Two storey side extension and new porch to front elevation.
Mr Stuart**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

MSDC Conservation Officer

The proposal is therefore considered to preserve the setting of the Conservation Area, meeting the requirements of District Plan Policy DP35 and the relevant paragraphs of the NPPF.

Southern Water

No objections.

BALCOMBE PARISH COUNCIL OBSERVATIONS

Balcombe Parish Council had no objections to the modified planning application and stated that the previously made comments still stand.

INTRODUCTION

This application seeks planning permission for the demolition of the existing garage and erection of a new garage, plus two storey side extension and new porch to front elevation.

RELEVANT PLANNING HISTORY

DM/23/0657 - Two storey side extension, new porch to front elevation, demolition of existing garage and erection of new garage. Amended plans received 18.08.2023 and 06.09.2023 showing revisions to porch and fenestration. Amended plans received 08.12.2023 and 19.12.2023 showing further changes to proposed fenestration and cladding. Additional elevational drawings received 08.02.2024 showing existing and proposed garage. Permission granted 04.04.2024.

DM/24/1813 - Demolition of existing garage and erection of new garage. Two storey side extension and new porch to front elevation. Permission granted 19.09.2024.

SITE AND SURROUNDINGS

Stumble Cottage is a detached dwellinghouse dating from 1924, located within a large plot on the southern side of Oldlands Avenue which is a private road. The dwellinghouse has not previously been extended and benefits from a detached garage located on its eastern side with driveway to the front. The property benefits from a large garden to the rear, with woodland area beyond which includes an area of ancient woodland known as Upper Stumble Wood. The front boundary of the property is lined with a picket fence and established hedging, with timber gates enclosing the driveway.

In terms of planning policy, the site lies within the built up area of Balcombe and the High Weald Area of Outstanding Natural Beauty. Balcombe Conservation Area adjoins the front boundary of the property.

The site also lies within an area where there is suitable habitat for and a high risk of great crested newts.

APPLICATION DETAILS

This application is similar to that approved under planning permission DM/24/1813, with the exception that 2 no. additional first floor windows are proposed to the front gable of the original dwellinghouse. Internally, the kitchen and living room have swapped positions.

A two storey side extension is proposed to the western side of the dwellinghouse. Proposed plans show that this will be set back 250 mms from the front wall of the house and will measure 5 metres wide by 8.13 metres deep and 7.17 metres high with a gable roof finished with slate tiles. The extension will have a contemporary appearance with a modern two storey gable projection (with large window and glazed doors) proposed to the rear; this will extend a further 200 mms beyond the rear wall of the side extension. The extension will provide an open plan living room at ground floor level and a master bedroom and ensuite at first floor level. The external walls will be finished with facing brickwork at ground level and timber cladding at first floor level; full length windows are proposed at ground level to the side elevation.

The proposed porch is shown to be open sided with a gable pitched roof and is shown to measure 2 metres wide by 3.31 metres high.

The existing detached garage on the eastern side of the property is proposed to be demolished and replaced with a garage / workshop building that measures 4.1 metres wide by 8.5 metres long and 3.87 metres high with a gable pitched roof.

Plans show that 2 metre high fencing will be installed on the side boundaries of the property.

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 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 at Full Council on 28th March 2018.

Relevant policies:

DP16 High Weald Area of Outstanding Natural Beauty

DP26 character and design

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.

Balcombe Neighbourhood Plan

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

Relevant policies:

1 built up area boundary

3 design

Other Material Considerations

Mid Sussex District Plan 2021 - 2039 - Submission Draft (Regulation 19)

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the

NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and hearings were concluded on the 19th March 2026. 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:

DPS2 sustainable design and construction

DPS6 health and wellbeing

DPC4 High Weald Area of Outstanding Natural Beauty

DPB1 character and design

DPB3 conservation areas

Mid Sussex Design Guide Supplementary Planning Document (SPD)

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

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

The legal framework for AONBs 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'.

National Planning Policy Framework (NPPF) (December 2024)

202. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

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

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) 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* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional⁷⁵.

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.

219. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

ASSESSMENT

The main issues deemed relevant to the consideration of this application are:

- Design and impact on character of area, including conservation area;
- Impact on High Weald Area of Outstanding Natural Beauty (AONB);
- Impact on neighbouring amenities.

Design and impact on character of area

Policy DP26 of the District Plan relates to character and design and requires all proposals, including alterations and extensions, to be well designed and reflect the distinctive character of the towns and villages as well as addressing the character and scale of the surrounding buildings and landscape.

Neighbourhood Plan policy 3 relates to design and states in part that:

'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.'

As the site adjoins Balcombe conservation area, policy DP35 of the District Plan is relevant, stating in part that development proposals *'will also protect the setting of the conservation area and in particular views into and out of the area.'*

The Council's Design Guide SPD is also a material planning consideration with design principles DG49, DG50 and DG52 deemed relevant to this application.

Principle DG49 relates to general principles for extensions and recommends that *'extensions should typically use simple, uncomplicated building forms to complement 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.'*

DG50 relates to front and side extensions and states in part that:

'Where front extensions are considered acceptable, they should normally be limited to a modest single storey or porch-type extension that reflect the character of the existing property...

Side extensions should normally be subservient to the original dwelling and typically be set-back from the front of the house to help define the original building.

The gaps between dwellings can sometimes positively contribute to articulating (for example, through the consistent rhythm of repeated houses) and adding interest in a street frontage or by providing views /

visible connections to the surrounding countryside. Side extensions will therefore need to appropriately respond to the character of the street form and will not normally be accepted where they close an important gap and view.'

Principle DG52 relates to roof extensions and advises in part that *'the roof pitch and form are intrinsic to a building's character and roof extensions should be sensitive to this. Roof extensions and dormer windows that alter the existing ridge of the roof or significantly alter the roof profile of a building will not normally be acceptable, particularly on the front roof slope, and where there is a strong established roofline.'*

The proposal is not significantly different from that previously approved under planning permission DM/24/1813 which was approved for the following reason:

"The proposed extensions, alterations and replacement garage are deemed appropriate in terms of design, form and scale to the existing dwellinghouse and surrounding properties and should not detract from the character and appearance of the area. The proposal should protect the setting of Balcombe conservation area and should conserve the wider landscape and scenic beauty of the High Weald AONB. Whilst the proposal is likely to impact neighbouring amenities it is not considered that such impact would cause significant harm. The proposal therefore accords with policies DP16, DP26 and DP35 of the Mid Sussex District Plan and policies 1 and 3 of the Balcombe Neighbourhood Plan."

The additional windows proposed to the front gable projection of the original dwelling are deemed acceptable and are not considered to detract from the character and appearance of the dwellinghouse.

The Council's Conservation Officer has commented on the proposal and advised that the changes are not considered contentious and are considered to preserve the setting of the conservation area.

In view of these comments, the proposed development is deemed acceptable in terms of design, form and scale to the existing dwellinghouse and surrounding properties and should not detract from the appearance and character of the area. The setting of Balcombe conservation area and views into and out of the conservation area shall be protected.

The proposal therefore accords with policies DP26 and DP35 of the Mid Sussex District Plan and policy 3 of the Balcombe Neighbourhood Plan.

Impact on High Weald AONB

The application site also lies within the High Weald Area of Outstanding Natural Beauty.

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 can be 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 that:

'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. 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.'

A similar ethos can be found under policy DP16 of the District Plan, which states in part that development *'will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan'...*

Policy 3 of the Balcombe Neighbourhood Plan states in part that development proposals should *'avoid any significant detrimental effect on the landscape and natural beauty of the High Weald AONB.'*

The proposed extensions and garage will sit subordinately in relation to the existing dwellinghouse and being located within a built up residential area are not considered to appear obtrusive within the locality and wider landscape.

Consequently, it is considered that the landscape and scenic beauty of the High Weald AONB will be conserved in accordance with aforementioned policies.

Impact on amenity

Policy DP26 of the District Plan refers to amenity and states that development 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'.*

The proposed development is similar to that considered under planning permission DM/24/1813 which, subject to condition, was not considered to cause significant harm to neighbouring amenities in terms of affecting light levels, outlook or privacy, thereby according with policy DP26 of the District Plan.

The additional first floor windows proposed to the front elevation of the original dwelling are not considered to cause undue overlooking onto neighbouring properties.

The proposal is therefore considered to accord with policy DP26 of the District Plan.

Other matters

The proposed development may result in the removal of established shrubs and vegetation to accommodate the side extension and replacement garage, however, is not considered to result in the removal of trees of any note or merit.

Great Crested Newts

The site lies within a designated Great Crested Newt Red Impact Risk Zone which indicates that there is a high risk of Great Crested Newts on the site. Having regard to the residential nature of the proposal and scale of the development, it is not considered that the proposal would have any impact upon newts or their habitat. However, an informative can be attached to the planning consent to advise the applicant on action to be taken should Great Crested Newts be found during construction works.

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

The proposed extensions, alterations and replacement garage are deemed appropriate in terms of design, form and scale to the existing dwellinghouse and surrounding properties and should not detract from the character and appearance of the area. The proposal should protect the setting of Balcombe Conservation Area and should conserve the wider landscape and scenic beauty of the High Weald AONB. Whilst the proposal is likely to impact neighbouring amenities it is not considered that such impact would cause significant harm. The proposal therefore accords with policies DP16, DP26 and DP35 of the Mid Sussex District Plan and policies 1 and 3 of the Balcombe Neighbourhood Plan.

Decision: Permission

Case Officer: Deborah Lynn