

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2980	Case Officer:	Deborah Lynn
Application Type:	Full Application		
Proposal:	Erection of boundary fence, widening of existing driveway, installation of new patio and general landscaping works.		
Site:	26B Pelham Road, Lindfield, Haywards Heath, West Sussex, RH16 2ER, , ,		
Validation Date	25 Nov 2025	Overall Expiry Date:	24 Feb 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	3 Mar 2026
Target Date:	20 Jan 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:	13 Mar 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2980

**26B Pelham Road, Lindfield, Haywards Heath, West Sussex, RH16 2ER, ,
Erection of boundary fence, widening of existing driveway, installation of new patio and general landscaping works.**

Timothy King

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Not applicable.

LINDFIELD PARISH COUNCIL OBSERVATIONS

The Parish Council has no objections.

INTRODUCTION

This application seeks planning permission to erect a boundary fence, widen the existing driveway, install a new patio and general landscaping works.

RELEVANT PLANNING HISTORY

There are no previous applications deemed relevant.

SITE AND SURROUNDINGS

No. 26B Pelham Road is a flat located in a two storey building on the corner of Appledore Gardens and Pelham Road in Lindfield.

The entrance to the property faces southwest onto Pelham Road and benefits from one off road parking space to the front, with a long garden to the southeast. The garden was previously enclosed with hedging, with a large, landscaped grass verge located to the southwest. All hedging and the majority of shrubs and plants have been removed by the current owner.

In terms of planning policy, the property lies within the built up area of Lindfield and a Great Crested Newt red impact zone.

APPLICATION DETAILS

Proposed plans show that the existing driveway to the southwest of the building will be widened from 2.93 to 15.01 metres wide and will utilise the existing vehicular crossover from Pelham Road. The driveway will be finished with permeable concrete block paving in a mid grey colour.

Plans as originally submitted showed that a 1.9 metre high close boarded fence would be installed adjacent to the existing patio area, separating the driveway from the rear garden. The fence would extend around the parking area and line the boundary of the property with the pavement, enclosing the former verge area within the rear garden. Plans have subsequently been amended following officer concerns to show that the fence will no longer enclose the former grass verge and will be set back 5.73 metres from the boundary of the property with the pavement. The close boarded fence will measure approximately 22.5 metres in length.

Other works include the proposed installation of a new patio and footpath within the rear garden.

The proposal seeks to improve security and off-road parking provision at 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 Lindfield and Lindfield Rural 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 policy:

DP26 - Design and Character.

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.

Lindfield and Lindfield Rural Neighbourhood Plan

The Neighbourhood Plan was made on the 23rd March 2016.

There are no relevant policies.

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 the stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to some of the Policies in the draft District Plan and as such, only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant policy:

DPB1 - Character and Design

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)

ASSESSMENT

Design and impact on character of area

Policy DP26 of the District Plan relates to character and design and states in part that:

'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 (see Policy DP29);...
o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;...'

Sections 6.5.6 and 6.5.7 of the Design Guide refers to boundary treatments and advise that 'usually properties should have a boundary that defines public and private space' and that 'boundary treatments should be reflective of the area and local traditions in terms of height, structure and materials.'

The loss of the Beech hedge that previously enclosed the rear garden of the property is regrettable, however it is not considered unreasonable that the applicant should wish to install a more solid and secure boundary treatment to enclose their rear garden area.

The street scene in Pelham Road is open and spacious in character with just a couple of dwarf walls present to the front of properties. The large grass verge that lies to the front (southwest) of no. 26B is considered to make a positive contribution to the open and spacious character of the street scene. The application as originally submitted was considered to have a detrimental impact upon the street scene, with the 1.9 metre fence proposed to be sited on the boundary adjoining the pavement, enclosing part of the grass verge and appearing visually obtrusive within the street scene.

The application as amended shows the 1.9 metre fence to be set back 5.73 metres from the boundary of the property with the pavement so that the fence does not protrude beyond the front building line of adjoining properties at no.'s 24a and 24B. Whilst the proposed fence would be relatively long at 22.5 metres, it is not considered that it would have a detrimental impact upon the appearance and character of the street scene by reason of its siting and the grass verge being retained to the front.

Part of the grass verge would be replaced by hardstanding to accommodate more off-road parking. Whilst the area of hardstanding would be significantly increased, it is not considered that this would have a harmful effect on the street scene considering that some front garden areas to properties are fully paved. The open and spacious character of the street scene would be retained.

The proposed scheme, as amended, is deemed acceptable in that it would not have a harmful impact upon the appearance and character of the area, thereby according with policy DP26 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.

Householder applications are exempt from the requirement to provide biodiversity net gain. However, as the proposal concerns a flat, which is not classed as a dwellinghouse under Article 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the proposal would not benefit from a householder planning application and therefore a full planning application has been submitted for the proposal.

As the proposed hardstanding area would impact more than 25 square metres of on-site habitat, the proposal cannot be considered de-minimis in terms of BNG.

The Local Planning Authority (LPA) has previously dealt with full applications for development on land outside of the domestic curtilage of a dwellinghouse, whereby the development is required in association with the dwellinghouse. One such application was for proposed solar panels in an adjoining paddock to Portways House, Cuckfield Lane, Warninglid (DM/24/0814) whereby the LPA took the view that as the proposal would serve the existing dwellinghouse, the full planning application would fall within the remit of a householder application as set out under section 2 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and as such would be exempt from the requirement to provide biodiversity net gain.

In this case, were the property in question a dwellinghouse, then the proposal would be considered as a householder application and would be exempt from BNG. As the proposed development would serve a private domestic residence which is located within a two storey building that has the appearance of a dwellinghouse, the LPA considers that the requirement to provide BNG is not applicable in this instance.

PLANNING BALANCE AND CONCLUSION

The proposed development is deemed acceptable in that it would not have a harmful impact upon the appearance and character of the street scene. The proposal therefore accords with policy DP26 of the Mid Sussex District Plan.

Decision: Permission

Case Officer: Deborah Lynn