

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1631	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Proposed two storey building to be erected around the existing swimming pool with dormer windows to SW elevation and roof light windows to the NE elevation		
Site:	33 Dukes Road, Lindfield, Haywards Heath, West Sussex, RH16 2JQ, , ,		
Validation Date	2 Jul 2025	Overall Expiry Date:	24 Jul 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	26 Aug 2025
Target Date:	27 Aug 2025	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	Steven King	Date:	26 Aug 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1631

**33 Dukes Road, Lindfield, Haywards Heath, West Sussex, RH16 2JQ, ,
Proposed two storey building to be erected around the existing swimming pool with dormer
windows to SW elevation and roof light windows to the NE elevation
Mr P Lewry**

SUMMARY OF REPRESENTATIONS

A letter of objection has been received from 8 Alma Road on the following grounds:

- Noise
- Overlooking
- Use of Alma Road for access to building works

SUMMARY OF CONSULTEES

Southern Water: Construction of the development shall not commence until details and diagrams of the proposed means of foul/surface water drainage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

PARISH COUNCIL OBSERVATIONS

Lindfield Parish Council has no objection to this application

INTRODUCTION

Planning permission is sought for the erection of a two-storey building around the existing swimming pool with dormer windows to south west elevation and roof light windows to the north east elevation.

RELEVANT PLANNING HISTORY

CU/084/78 - Utility room extension. (approved)

CU/057/83 - Lounge and Master Bedroom Extension, Formation of Carport and internal alterations to this two-storey residence. (approved)

09/01621/FUL - Single storey front and rear extensions (approved)

DM/25/0143 - Proposed two storey side extension and alterations. (approved)

DM/25/1632 - Proposed variation of condition 2 relating to planning application DM/25/0143 for alterations to the approved plans in relation to the roof (approved)

SITE AND SURROUNDINGS

33 Dukes Road is a two-storey detached hipped roofed dwelling within a cul-de-sac serving 31-36 Dukes Road. The walls are a mix of face brickwork, hanging tiles, painted render. The property is characterised by an existing front gable and front flat roofed dormer with white upvc windows and mix of timber and upvc doors.

To the north of the site is the adjacent No.34, to the south of the site is close boarded fencing to neighbouring No.32, to the east of the site is the driveway to highway beyond and to the west of the site is the rear garden to neighbouring No.8 Alma Road beyond.

The site is within the built-up area of Lindfield.

APPLICATION DETAILS

The existing swimming pool approximately measures 6.7m in depth and 3.5m.

The proposed two storey pool building measures 11.9m in depth, 7.3m in width with an approximate height to eaves of 3.8m and an overall height of 6.5m. The building has two dormers on the southeast elevation which measure 1.5m in depth, 2.05m in width with a height to eaves of 1.25m and an overall height of 2.4m. and four rooflights on the northeast elevation measure 0.8m by 0.8m each. The building serves a shower/changing room on the ground floor serving the existing swimming pool and a playroom, study and WC on the first floor.

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 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 policies:

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.

Lindfield and Lindfield Rural Neighbourhood Plan

The Lindfield and Lindfield Rural Neighbourhood Plan was formally made on 23 March 2016

Relevant policies:

None relevant

Mid Sussex District Plan 2021-2039 Submission Draft

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) was published for public consultation on 12th January 2024 for six weeks and as a result of this consultation there are unresolved objections to the majority of Policies in the draft District Plan. 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 policies:

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)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 8, 11, 131 and 135.

ASSESSMENT

Design and Character

Policy DP26 of the Mid Sussex 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 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.'*

The outbuilding is proposed to be sited to the southwest of the dwellinghouse where there is a significant fall in land levels. The building will be significant in scale and has a footprint that is similar in size to the surrounding dwellinghouses in Alma Road. The site is relatively well vegetated with established shrubs and hedging; however the local planning authority has concerns that the outbuilding, by virtue of its size and scale, will appear visually prominent within the locality, particularly when viewed from Alma Road. It is considered that the proposed building will loom behind existing screening, forming an obtrusive feature to the detriment of the appearance and character of the locality.

Therefore, the proposal is seen as out of character with the area and therefore contrary to policy DP26 of the Mid Sussex District Plan.

Neighbouring Amenities

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan states that it must be demonstrated that any development 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.

Principle DG47 of the Mid Sussex Design Guide SPD relates to neighbouring amenities in terms of light and states:

'All dwellings should benefit from daylight and sunlight levels that conform to BRE (Better Regulation Executive) standards'.

With the removal of the side window to the study, there will be no direct overlooking windows towards neighbouring properties and their gardens. Therefore, the impact on overlooking and privacy is not deemed harmful. Given the distance to the neighbouring properties, the impact on light and outlook is not deemed harm.

In terms of noise, as internal the noise from the use of the swimming pool is not deemed significantly harmful. The agent has confirmed that the existing plant used for the outside pool would still be used as turned into an indoor pool. Having verbally consulted the Councils environmental health team, it is not certain whether the existing plant would be able to be used for the proposed indoor pool. However, simply changing the plant/machinery within the existing structure on the site would not amount to 'development' as defined in planning legislation. Therefore, if the plant was changed and it resulted in additional noise, this would be a matter that would need to be addressed by the Councils Environmental Health team to determine whether this change resulted in a statutory nuisance that could be addressed under environmental health legislation.

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

Other

The neighbour at 8 Alma Road has commented on the development if approved would use Alma Road to access for building materials and deliveries. This is not a planning matter, and a private matter.

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 outbuilding, by virtue of its design, size and scale would form an obtrusive and overbearing feature that would be out of character with the area. The proposal would therefore be contrary to policy DP26 of the Mid Sussex District Plan, the Council's Design Guide SPD and relevant paragraphs of the NPPF which require good quality design.

It is therefore recommended that planning permission should be refused.

Decision: Refusal

Case Officer: Andrew Horrell