

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/2046	Case Officer:	Hamish Evans
Application Type:	Removal/Variation of Condition		
Proposal:	Variation of condition no 2 relating to planning application DM/26/0532 - to allow for design changes.		
Site:	6 Chaloner Road, Lindfield, Haywards Heath, West Sussex, RH16 2NQ, , ,		
Validation Date	19 Aug 2026	Overall Expiry Date:	17 Sep 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	23 Sep 2026
Target Date:	14 Oct 2026	Recommending Officer Signature:	Hamish Evans

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	24 Sep 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/2046

**6 Chaloner Road, Lindfield, Haywards Heath, West Sussex, RH16 2NQ, ,
Variation of condition no 2 relating to planning application DM/26/0532 - to allow for design changes.**

Mrs Kalina Dunin-Brzezinska

SUMMARY OF REPRESENTATIONS

No third-party representation letters have been received.

SUMMARY OF CONSULTEES

WSCC Highways

No objection, recommend informative.

PARISH COUNCIL OBSERVATIONS

Lindfield Parish Council

No objection.

INTRODUCTION

This application seeks permission, under section 73 of the Town and County Planning Act 1990, to vary condition 2 and of planning permission DM/26/0532 which was granted on the 11th June 2026 for the 'Proposed change of use of amenity land to form vehicle crossing, dropped kerb and paved driveway' at 6 Chaloner Road, Lindfield, RH16 2NQ.

RELEVANT PLANNING HISTORY

DM/26/0532. Proposed change of use of amenity land to form vehicle crossing, dropped kerb and paved driveway. Permission.

SITE AND SURROUNDINGS

The application site is located within the Lindfield built-up area boundary. The site consists of a two-storey mid terrace residential property and an area of amenity land to the front of the existing dwelling. The existing dwelling is characterised by bare brick walls, brown pantile roofing and white uPVC window and door frames. The site includes a front garden which is paved and surrounded by a hedgerow. The area to the west of the existing dwelling is a grassed area of public amenity land. Chaloner Road is located to the west of the site and residential properties are located to the north, south and east of the site. There are several tarmac crossings over public amenity areas within the surrounding area.

APPLICATION DETAILS

The application seeks to amend the plans approved under planning permission DM/26/0532 which was granted on the 11th June 2026 for the 'Proposed change of use of amenity land to form vehicle crossing, dropped kerb and paved driveway.' at 6 Chaloner Road, Lindfield, RH16 2NQ.

The proposed change consists of the re-siting of the proposed access some 1.0 metres to the south of the previously approved access. This would provide a minimum of 1.0 metre separation from the

adjacent shared pedestrian pathway which was requested from WSCC Highways during the VCO Licence process.

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 Mid Sussex Site Allocations 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.

DP21 - Transport
DP26 - Character and Design
DP37 - Trees, Woodland and Hedgerows

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 adopted March 2016

None considered relevant.

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.

DPN4: Trees, Woodland and Hedgerows
DPB1: Character and Design
DPT4: Parking and Electric Vehicle Charging Infrastructure

Mid Sussex Design Guide Supplementary Planning Document

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 (August 2026)

Planning Practice Guidance

ASSESSMENT

The application is submitted under Section 73 of the Town and Country Planning Act 1990. The Act states that *"On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—*

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application."

The principle of the development has been established by virtue of the previous permission. As such it is only necessary to consider the specific changes that are proposed to the previously approved development. The proposed change consists of the re-siting of the proposed access some 1.0 metres in the south of the previously approved access. This would provide a minimum of 1.0 metre separation from the adjacent shared pedestrian pathway which was requested from WSCC Highways during the VCO Licence process.

Character and Design

Policy DP26 of the District Plan relates to character and design. However, this is considered to have very limited weight as it is materially in-consistent with the NPPF, and greater weight should be given to policy DP3 of the NPPF.

Policy DP3 of the NPPF sets out the key principles for well-designed places. This sets out in part that proposals should respond to their context, so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.

The proposed alteration is relatively modest in its nature and the development would remain similar in appearance and nature to existing development within the surrounding area.

As such it is considered that the development would respond to its context and integrate with the surrounding area. Therefore, the proposal is considered to comply with policy DP26 of the Mid Sussex District Plan, the Mid Sussex Design Guidance SPD and policy DP3 of the NPPF.

Highways

Policy DP21 of the District Plan relates to transport. However, this policy is considered to have very limited weight as it is materially inconsistent with the NPPF and great weight should be given to policy TR6 of the NPPF instead.

Policy TR6 of the NPPF relates to assessing transport impacts and part 4 of this policy states that development should be refused if there would be a severe adverse impact on the transport network or an unacceptable impact on highway safety.

The Local Highways Authority have raised no objection to the proposal and advised that the impact on the transport network and highways safety are acceptable. As such the proposal is considered to comply with policy DP21 of the Mid Sussex District Plan and policy TR6 of the NPPF.

Trees, Woodland and Hedgerows

Policy DP37 of the Mid Sussex District Plan relates to the protection of trees, woodland and hedgerows. Very limited weight is given to this policy as it is considered to be materially inconsistent with the NPPF. Greater weight should be given to policy N2 of the NPPF.

Policy N2 of the NPPF relates to conserving existing natural features of visual and nature conservation value such as established trees.

The proposed works do not include the removal or felling of any existing trees. The development would be closer to the existing tree but the distance is relatively modest and the previously approved protection measures would be retained. As such the proposal is considered to sufficiently protect the existing trees and the proposal complies with policy DP37 of the Mid Sussex District Plan and policy N2 of the NPPF.

CONCLUSION

In conclusion the proposed alterations are considered to respond to their context and integrate with the surrounding area. The proposed alterations are also considered to be acceptable in respect of highways impact and impact on trees. Therefore, the proposal is considered to comply with policies DP21, DP26 and DP37 of the Mid Sussex District Plan, the Mid Sussex Design Guidance SPD, the Lindfield and Lindfield Rural Neighbourhood Plan and policies DP3, TR6 and N2 of the NPPF.

Decision: Permission

Case Officer: Hamish Evans