

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1056	Case Officer:	Peter Davies
Application Type:	Householder Application		
Proposal:	Proposed ground floor single storey rear extension		
Site:	Swallows, Cuckfield Lane, Warninglid, Haywards Heath, West Sussex, RH17 5UB, ,		
Validation Date	23 Apr 2025	Overall Expiry Date:	19 May 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	13 Jun 2025
Target Date:	18 Jun 2025	Recommending Officer Signature:	Peter Davies

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	13 Jun 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1056

**Swallows, Cuckfield Lane, Warninglid, Haywards Heath, West Sussex, RH17 5UB,
Proposed ground floor single storey rear extension
Tracy Jenkins**

REPRESENTATION RECEIVED

None received.

SUMMARY OF CONSULTEES

Southern Water

Following the weekly list sent on 28th April 2025, Southern Water has determined that the flow rate for the above site will remain consistent, so capacity is not an issue and no Southern Water assets will be affected. Therefore, Southern Water has no objections to this proposal.

Please note surface water should not be disposed of into a public foul sewer and must comply with the Hierarchy of H3 of the Building Regulations. For more details, refer to the Drainage and Waste Disposal: Approved Document H on the GOV.UK website.

Any new connections to the public sewerage system will require a New Sewer Connection application (also known as a Section 106) to be submitted and approved by Southern Water.

Due to legislative changes effective from 1st October 2011 regarding the ownership of sewers, it is possible that some previously private sewers, now deemed public, could be crossing the above property and may not be shown on Southern Water records. Therefore, if any additional sewers are discovered during construction, an investigation will be required to determine their condition, the number of properties served, and potential access methods before any further work can proceed on site.

PARISH COUNCIL OBSERVATIONS

SPC - No objection.

INTRODUCTION

The application seeks planning permission for a single storey rear extension.

RELEVANT PLANNING HISTORY

SV/046/89 - Proposed internal alterations and ground floor extension to provide granny annexe.
Permission

SV/026/93 - Upper storey addition above existing garage, plus conservatory and amended porch.
Permission

13/00379/FUL - Loft conversion, replacement windows and doors, replacement veranda and front porch.
Permission

SITE AND SURROUNDINGS

The application property is a detached two storey dwelling located on the south side of Cuckfield lane, within the built-up area boundary of Warninglid. The property is located within the High Weald Area of Outstanding Natural Beauty.

The property has a hipped roof and is constructed from brick with hanging tile at first floor, plain roof tiles and sage green fenestration. The dwelling is set back from the highway with off street parking and soft landscaping to the front. The locality is characterised by large, detached dwellings of varying form and design. To the south of the site is agricultural land.

APPLICATION DETAILS

The application seeks planning permission for a single storey extension on the south side of the dwelling with a width and depth of 2.73 metres and 3.93 metres. The extension will have a flat roof with a height of 3.55 metres. The extension will be constructed from materials to match the existing dwelling.

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 Slaugham 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

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.

Slaugham Neighbourhood Plan (made September 2019)

Relevant policies:

Policy 1: Protecting the Area of Outstanding Natural Beauty

Other Material Considerations

Mid Sussex District Plan 2021-2039 Consultation 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) is currently at Examination and 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 Policies:

DPS1 - Climate Change
DPS2 - Sustainable Design and Construction
DPC4 - High Weald Area of Outstanding Natural Beauty
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.

High Weald AONB Management Plan 2024 - 2029

National Planning Policy Framework (NPPF) (December 2024)

Paragraphs 8, 11, 131 and 135 are considered to be relevant.

National Planning Policy Guidance

ASSESSMENT

It is considered that the main issues that need to be considered in the determination of this application are as follows;

- Design and Character
- Impact on the High Weald AONB
- Impact on neighbouring properties
- Other matters
- Biodiversity Net Gain

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:

- *is of high quality design and layout and includes appropriate landscaping and greenspace;*
- *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;*
- *creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *protects valued townscapes and the separate identity and character of towns and villages;*
- *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);*
- *creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- *incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- *positively addresses sustainability considerations in the layout and the building design;*
- *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;*

optimises the potential of the site to accommodate development.'

Principle DG49 of the Mid Sussex Design Guide states: *'Extensions should typically use simple, uncomplicated building forms to compliment 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. Otherwise it should demonstrate the appropriateness of the alternative approach.'*

Principle DG51 relates to rear extensions and states: *'Rear extensions which are not visible from the street and do not negatively impact on neighbouring properties can be expressed in many forms, including by adopting a contemporary architectural approach. With reference to DG49, they should nevertheless have consideration for the character of the existing building and the relationship of the extension with the side boundaries and adjacent buildings and gardens.'*

The proposed rear extension is considered to be of a design, form and scale which would be proportionate and appropriate to the existing dwelling and the character of the area. The extension would not be visible from the street scene and the proposed materials will be matching to the existing dwelling. The proposal therefore considered to comply with policy DP26 of the District Plan.

Impact on 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.'

Mid Sussex District Plan policy DP16 states:

'Development within the High Weald Area of Outstanding Natural Beauty (AONB), as shown on the Policies Maps, will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan, in particular;

- *the identified landscape features or components of natural beauty and to their setting;*
 - *the traditional interaction of people with nature, and appropriate land management;*
 - *character and local distinctiveness, settlement pattern, sense of place and setting of the AONB;*
- and*
- *the conservation of wildlife and cultural heritage.*

Small scale proposals which support the economy and social well-being of the AONB that are compatible with the conservation and enhancement of natural beauty will be supported.

Development on land that contributes to the setting of the AONB will only be permitted where it does not detract from the visual qualities and essential characteristics of the AONB, and in particular'

Policy 1 of the Slaughtam Neighbourhood Plan States:

'The extent of the High Weald Area of Outstanding Natural Beauty is shown on the Proposals Map. Development proposals within the High Weald AONB will only be supported where they conserve or enhance natural beauty and have regard to the High Weald AONB Management Plan in particular:

- 1. The identified landscape features or components of landscape beauty and to their setting;*
- 2. The traditional interaction of people with nature and appropriate landscape management;*
- 3. Character and local distinctiveness, settlement pattern, sense of place and setting of the AONB; and*
- 4. The conservation of wildlife and cultural heritage.*

Small scale proposals which support the local economy and social wellbeing of the AONB will be supported where they are compatible with the conservation and enhancement of the AONB.

Development proposals on land that contribute to the setting of the AONB will only be permitted where it does not detract from the visual qualities and essential characteristics of the AONB, and in particular does not adversely affect the views into, and out of, the AONB by virtue of its location and/or design.'

The proposed extension is to the rear elevation, not visible from the street scene. It is not considered that the proposal would appear obtrusive within the locality as to detract from the wider landscape of the AONB, which would be conserved by the proposal.

The proposal is deemed to comply with Policy DP16 of the District Plan, policy 1 of the Slaugham Neighbourhood Plan, The High Weald Management Plan and Para 189 of the NPPF.

Impact on neighbouring properties

DP26 of the Mid Sussex District Plan seeks to ensure that 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 (see Policy DP29);'*

The proposed extension is single storey and of an acceptable size. The extension is located approximately 3.5 metres from the shared boundary with Ridgcroft to the east with mature hedging along the boundary and no windows to be located on the side. The extension is located approximately 12.5 metres from the shared boundary with Boundary's Edge to the west marked by mature hedging. Due to the distance and with no overlooking into the neighbouring properties amenity areas, it is not considered to cause significant harm. The proposal therefore complies with policy DP26 of the Mid Sussex District Plan.

Other Matters

Southern Water have provided comments on the proposal and state surface water should not be disposed of into a public foul sewer and that any new connection would require a new sewer connection application to be submitted and approved by Southern Water.

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

In conclusion, the proposal is considered to be appropriate in terms of design, size and scale to the dwellinghouse and locality, would not cause significant harm to the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policies DP16 and DP26, policy 1 of the Slaugham Neighbourhood Plan and with the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Peter Davies