

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0908	Case Officer:	Catherine Cardin
Application Type:	Removal/Variation of Condition		
Proposal:	Variation of condition no 2 relating to DM/25/2298 - to allow amendments to the aproved drawings.		
Site:	12 Brook Lane, Lindfield, Haywards Heath, West Sussex, RH16 1SG, , ,		
Validation Date	14 Apr 2026	Overall Expiry Date:	6 May 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	1 Jun 2026
Target Date:	9 Jun 2026	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	2 Jun 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0908

**12 Brook Lane, Lindfield, Haywards Heath, West Sussex, RH16 1SG, ,
Variation of condition no 2 relating to DM/25/2298 - to allow amendments to the approved drawings.**

Mr And Mrs J Nicholas

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

MSDC Tree Officer

No objection.

Southern Water

No objection.

PARISH COUNCIL OBSERVATIONS

Lindfield Parish Council has no objection to this application.

INTRODUCTION

This application seeks permission to amend condition 2 of planning application DM/25/2298 to allow for amendments to the design of the approved extensions at 12 Brook Lane, Lindfield, Haywards Heath. Works have yet to commence on site.

Planning permission is sought to construct a two-storey side extension, single storey rear extension, new front porch and new entrance gates.

RELEVANT PLANNING HISTORY

CU/261/77- Proposed alterations and extension to an existing residential unit. Permission.

LF/018/88- Two storey extension to form dining room and bedroom. Permission.

12/00616/FUL- Proposed single storey rear extension. Permission.

DM/25/2298- Householder application to allow for a two storey side extension, two storey and single storey rear extension, new front porch and new entrance gates. Permission.

SITE AND SURROUNDINGS

The application property is a three-storey detached dwelling. The property is characterised by red brick, with white upvc windows and a plain tile roof. The property benefits from off street parking to the front and side of the property, and an attached garage to the rear.

The property is located within a cul-de-sac within the built-up area boundary of Lindfield. Neighbouring properties are located to the east, west and north. The highway lies to the south.

APPLICATION DETAILS

Planning permission was granted under application DM/25/2298 for the demolition of an existing garage and to construct a two-storey side extension, single storey rear extension, new front porch and new entrance gates.

The current application has been submitted under Section 73 of the Town and Country Planning Act and seeks permission to vary Condition 2 of planning application DM/25/2298.

Condition 2 of DM/25/2298 reads as follows:

'The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

Section 73 of the Town and Country Planning Act 1990 allows for the variation of conditions attached to an existing planning permission.

The assessment is therefore limited to the acceptability of the proposed amendments in comparison to the approved scheme.

The application has been supported with a Planning Statement, floor plans, roof plans, elevations and sections.

A detailed comparison between the approved plans and the proposed amendments indicates that the development seeks to increase the height of the parapet wall to the existing ground floor extension, resulting in a flat roof with an approximate height of 3.7 metres. Separately, the height of the proposed rear extension would be increased, resulting in an overall height of 3.5 metres.

In addition, the proposal includes the installation of black-framed windows and door frames on the rear elevation, alterations to the existing patio door on the rear (northern) elevation and the installation of two rooflights on the rear (northern) roof slope.

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.

No relevant policies.

Neighbourhood Plan

Lindfield and Lindfield Rural Neighbourhood Plan made in 2016.

Relevant policies:

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 hearings were concluded on 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

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

The result of this application would be to issue a new planning permission, so it is not considered necessary to go through all of the original planning issues in this report. The specific changes to the plans that are now proposed are considered below with regards to the design and neighbouring amenity. It is necessary to consider the application against the relevant policies of the development plan and any other material planning considerations.

Design and Character

Policy DP26 of the District Plan relates to character and design and requires all proposals to be well designed, reflect the distinctive character of the towns and villages, and be sensitive to the countryside. The policy also requires development to respond to the character and scale of the surrounding buildings and the landscape. In part the policy expects proposals to achieve high-quality design and layout, incorporate appropriate landscaping and greenspace; and create a strong sense of place.

Also relevant in the determination of the application is the design guidance contained in the Mid Sussex Design Guide, which seeks good design in house alterations and extensions. The Council has adopted this Design Guide as a Supplementary Planning Document (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.

The principle of the development at 12 Brook Lane was found acceptable under planning application DM/25/2298.

The proposed design amendments that are the subject of the current application represent minor alterations to those approved under the original consent. The changes accord with the Design Guide principles and are not out of keeping with the design or appearance of the original building. Consequently, the alterations that have been made are considered to accord with the aims of District Plan Policy DP26 and the principles of the Design Guide.

Impact on Neighbouring Amenities

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan states 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 amendments would result in a modest increase in height to elements of the approved extensions. Given the scale of the changes, the separation distances to neighbouring properties and the established built-up context, it is not considered that the proposal would result in any material harm in terms of loss of light, outlook or privacy.

The proposal is therefore considered to comply with Policy DP26 in respect of safeguarding residential amenity.

Biodiversity Net Gain

Biodiversity net gain (BNG) is required under Schedule 7A of the Town and Country Planning Act 1990 unless an exemption applies. The proposed development falls within the definition of a householder application as set out in Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Householder development is exempt from the statutory biodiversity gain condition. Accordingly, the development would not be subject to the requirement to secure biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

In conclusion, the amended proposal is considered to be appropriate in terms of design and appearance and would not result in material harm to the character and appearance of the dwelling or its setting. The proposal would accord with Policy DP26 of the District Plan, the Lindfield and Lindfield Rural Neighbourhood Plan and the Design Guide principles. Consequently, this application is recommended for approval.

Decision: Permission

Case Officer: Catherine Cardin