

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0621	Case Officer:	Catherine Cardin
Application Type:	Householder Application		
Proposal:	Demolish existing outbuilding and replace with a single storey building with two roof light windows, situated to the front of the main dwelling, to be used as home office, hobby room and storage space.		
Site:	The Coach House, Haywards Heath Road, Balcombe, Haywards Heath, West Sussex, RH17 6PG, ,		
Validation Date	17 Mar 2025	Overall Expiry Date:	18 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	8 May 2025
Target Date:	12 May 2025	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>Steven King</i>	Date:	9 May 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0621

The Coach House, Haywards Heath Road, Balcombe, Haywards Heath, West Sussex, RH17 6PG, Demolish existing outbuilding and replace with a single storey building with two roof light windows, situated to the front of the main dwelling, to be used as home office, hobby room and storage space.

Mr Peter Huxley

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Southern Water

No objection.

Nature Space

It is considered that the proposed development would present a low risk to great crested newts and/or their habitats.

PARISH COUNCIL OBSERVATIONS

In principle Balcombe Parish Council do not object to the proposed planning application and changes to the property. A comment was made with regards to concerns over the proximity to the hedge line and therefore the longevity of the hedge at the boundary of the two properties.

INTRODUCTION

Planning permission is sought to replace an existing outbuilding with a single storey outbuilding.

RELEVANT PLANNING HISTORY

11/03126/FUL- Demolition of rear lean-to conservatory. Addition of two storey rear extension and ground floor window on East side. Replacement of 1970s windows on North and South sides, with Victorian style windows. Permission.

SITE AND SURROUNDINGS

The application site is a two-storey detached dwelling which is characterised by painted brick walls, a plain tile roof and uPVC sash windows. The site is in an elevated position and is partially screened from the road by a mature hedge boundary.

The site is located within the built-up area boundary of Balcombe and lies with the Balcombe Conservation Area. Properties are located to the east, west and south of the site, whilst an area of open

countryside lies to the north. Properties to the western side of the site are a similar age and design, whilst properties to the eastern side of the site are a range of designs and ages.

APPLICATION DETAILS

The proposed outbuilding would be sited to the front of the application property in the northeastern corner of the site. This would be single storey and is proposed to be used as a home office/ hobby room. The proposed outbuilding would measure some 6.6 metres in length and some 4 metres in depth. This would have a dual pitch roof, with a height to the ridge of some 4.3 metres.

It is proposed to install a single door and window on the side (western elevation), a window on the southern elevation and two windows on the northern elevation. It is also proposed to install two roof lights on the side (eastern) elevation.

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 Balcombe 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

DP35 - Conservation Areas

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.

Neighbourhood Plan

Balcombe Neighbourhood Plan made in 2016.

Relevant policies:

Policy 3 - Design

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 policies:

DPS2 - Sustainable Design and Construction

DPS6 - Health and Wellbeing

DPB1 - Character and Design

DPB3 - Conservation Areas

DPC4 - High Weald Area of Outstanding Natural Beauty

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

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

- Impact on Heritage Assets and Character and Appearance
- Impact on the High Weald AONB
- Neighbouring Amenities
- Biodiversity Net Gain

Impact on Heritage Assets and Character and Appearance

The site is located within the Balcombe Conservation Area, as designated in 1989. A Conservation Area is defined as an area of "special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance"

Policy DP35 of the District Plan states:

Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:

- o New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials;*
- o Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character;*
- o Traditional shop fronts that are a key feature of the conservation area are protected. Any alterations to shopfronts in a conservation area will only be permitted where they do not result in the loss of a traditional shopfront and the new design is sympathetic to the character of the existing building and street scene in which it is located;*

Existing buildings that contribute to the character of the conservation area are protected. Where demolition is permitted, the replacement buildings are of a design that reflects the special characteristics of the area;

- o Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;*
- o New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area. Development will also protect the setting of the conservation area and in particular views into and out of the area. New buildings of outstanding or innovative design may be acceptable in conservation areas provided that their impact would not cause material harm to the area."*

Policy DP26 of the Mid Sussex District Plan relates to design and character and 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."*

Paragraphs 212 - 216 of the NPPF states:

'212. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

213. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

214. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
 - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;*
- and c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

216. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

Balcombe Neighbourhood Plan policy 3 relates to design and in part states that:

The scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, will be required to reflect the architectural and historic character and scale of the surrounding buildings and to avoid any significant detrimental effect on the landscape and natural beauty of the High Weald AONB and the significance and character or appearance of the Balcombe Conservation Area, where a building will command a view.

The below assessment is made whilst being mindful of this guidance and having regard to the statutory duty of the Council, as the Local Planning Authority, to have special regard to the desirability of preserving the heritage asset (the Balcombe Conservation Area), the site being within its boundary, and any features of special interest, as set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The application relates to an established residential area of Balcombe, where properties are loose knit and are a variety of ages and designs.

The proposed outbuilding would be of an appropriate scale and design which would respond appropriately to the existing dwelling. The proposal would be in an elevated position in relation to the road, behind a mature hedge boundary. The existing building is largely screened from the road but given that the proposal is taller than the existing outbuilding, it is considered that the proposal would be more visible from the street scene and that the proposed exterior materials should be secured by suitably worded conditions.

Advice was sought from the MSDC Conservation Officer and they have raised no objection to the proposal, subject to suitably worded conditions relating to the proposed materials in regard to windows, the external door and rainwater goods.

The applicant has raised concerns that the proposed conditions relating to the rainwater goods and rooflights are unnecessary and excessive given the materials of the application dwellinghouse and the surrounding materials of neighbouring properties. The MSDC Conservation Officer has further advised that:

"The facing and roofing materials as submitted appear acceptable.

The conditions re the rainwater goods and the rooflight style are standard for applications in a Conservation Area and I would argue that they should be imposed notwithstanding the situation with the house- the most recent pp here seems to date from 2011, so is outside the current policy context, and relates to an extension to the existing house rather than a new building. For a new (or replacement) building, we would be looking to achieve the best result in terms of the character and appearance of the Area, which includes the use of traditional or appropriate materials and appropriate detailing. This reflects the wording of District Plan Policy DP35, which requires that:

'New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials;'

One of the special characteristics of the Balcombe Conservation Area is the use on many of the buildings of traditional materials and detailing- I have no doubt that standard velux windows and plastic guttering are present- these may in some cases predate the designated of the Area, or have been installed under PD- but they will be considered to detract from rather than contribute positively to the Area."

Policy DP35 of the District Plan requires that development should conserve or enhance the special character and appearance of Conservation Areas. It is considered that the rainwater goods would appear less visible from the street scene, given their scale, so it is not considered necessary to secure these by condition. However, it is considered that the rooflights on the side (eastern) elevation would be more visible from the street scene given their elevated position and scale, and that standard velux windows would detract from the special characteristics of the Balcombe Conservation Area, contrary to policy DP35 of the District Plan. Therefore, it is considered appropriate that conservation rooflights should be secured by condition.

The concerns of the Parish Council regarding the hedge boundary are noted. However, as the Planning Authority has limited control over hedges, this cannot be considered as part of the application. Regardless, the outbuilding is considered acceptable in design terms along with suitably worded conditions in this instance.

Taking into account the above, the proposal, along with suitably worded conditions, is considered to address the character of the existing dwelling and the surrounding area, and as such the proposal is deemed to comply with the above part of policy DP26 and DP35 of the District Plan, policy 3 of the Balcombe Neighbourhood Plan and the Mid Sussex Design Guide SPD.

Impact on the High Weald 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.'

The application relates to replacing an existing outbuilding. It is situated within the built-up area of Balcombe. As such the proposal would not form an isolated development within the wider landscape. Due to the development being a replacement of an existing building it is not considered to have an adverse impact on the overall landscape quality of the AONB.

As such the proposal would comply with the requirements of Policy DP16 of the District Plan, The High Weald AONB Management Plan and paragraph 189 of the NPPF.

Neighbouring Amenities

Policy DP26 in part 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);"

Regarding the neighbour at Prospect Cottage, as the proposal is limited to a single storey and incorporates a gable roof design, it is considered that there would not be a significant loss of light or outlook to this neighbour. Given the single storey scale of the proposal, it is also considered that this development would not cause significant overshadowing or enclosure. As no windows are proposed on the side (eastern) elevation, it is not considered that the proposal would give rise to any overlooking concerns.

Regarding the neighbour at Wealden Ridge, the proposed development would be a considerable distance from the development of over some 21 metres so it is not considered that this proposal would be harmful to the amenities of this neighbour.

Due to the domestic nature of the proposed development, it is considered that there would not be a harmful impact in terms of noise, air and light pollution.

The proposal is therefore deemed to comply 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. 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, due to the design, scale, position and nature of the proposed works along with suitably worded conditions, the proposal would address the character and scale of the existing buildings and landscape, would not cause significant harm to the amenities of nearby residents, and would conserve the character and appearance of the Conservation Area. The proposal is not considered harmful to the High Weald AONB.

Therefore, the application complies with policies DP16, DP26 and DP35 of the Mid Sussex District Plan, the Balcombe Neighbourhood plan, and the relevant provisions of the NPPF.

Decision: Permission

Case Officer: Catherine Cardin