

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0225	Case Officer:	Deborah Lynn
Application Type:	Householder Application		
Proposal:	Demolition of existing conservatory and removal of existing veranda. Erection of a single storey rear extension and linking porch. Erection of a car barn with accommodation over (accommodation is ancillary to main dwelling) and with front and rear dormers, together with associated internal and external alterations including extewading the existing retaining wall within the curtilage of the site.		
Site:	Withy Cottage, Horsted Lane, Danehill, Haywards Heath, East Sussex, RH17 7HP, ,		
Validation Date	24 Mar 2026	Overall Expiry Date:	19 Aug 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	27 Aug 2026
Target Date:	19 May 2026	Recommending Officer Signature:	Deborah Lynn

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	27 Aug 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0225

**Withy Cottage, Horsted Lane, Danehill, Haywards Heath, East Sussex, RH17 7HP,
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Mr And Mrs Humphrey

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTATION

Southern Water

No objections.

HORSTED KEYNES PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

This application seeks planning permission to demolish an existing conservatory and erect a single storey rear extension and linking porch. The erection of a car barn with accommodation over (ancillary to the main dwelling) and front and rear dormer windows is also proposed together with associated internal and external alterations including extending the existing retaining wall within the curtilage of the site.

RELEVANT PLANNING HISTORY

HK/007/90 - Two storey rear extension. Rear dormer to enlarge existing bedroom. Front entrance porch. Permission granted 01.05.1990.

HK/017/90 - Proposed two storey rear extension (jointly with adj property 'Withy cottage'), rear dormer to enlarge existing bedroom, front entrance Porch. Permission granted 01.05.1990.

08/03999/FUL - Two storey side extension, internal alterations, and associated external works. Permission granted 02.03.2009.

13/00711/FUL - Erection of detached garage with games room over. Permission granted 24.04.2013.

SITE AND SURROUNDINGS

Withy Cottage is a semi-detached dwellinghouse located on the southern side of Horsted Lane. The dwellinghouse has two storeys, with first floor rooms located in the roof space which are served by dormer windows to the front and rear. The dwellinghouse has been previously extended with a storey side extension, conservatory and open veranda to the rear. A large driveway lies to the western side of the dwellinghouse which is accessed via entrance gates on Horsted Lane.

The dwellinghouse benefits from a large garden / plot with land levels falling to the southeast and northeast. Much of the plot is taken up by woodland which lies to the southeast of the dwellinghouse. A wooded parcel of land also adjoins the site to the northwest.

In terms of planning policy, the site lies within the countryside and the High Weald Area of Outstanding Natural Beauty (AONB).

APPLICATION DETAILS

Plans show that the existing conservatory and veranda to the rear of the dwellinghouse will be removed and replaced with a single storey rear extension that spans the width of the dwellinghouse, measuring approximately 13.5 metres wide by 2.4 metres deep with a central projection that extends to approximately 4.55 metres deep. A crown roof is proposed that measures approximately 3.75 metres high, with a central roof lantern proposed that measures 4.05 metres high. The proposed extension would provide a large dining / garden room and will be constructed from facing brickwork and a tiled roof to match the existing dwellinghouse.

A single storey porch extension is proposed to link the dining / garden room to a barn style building located to the south of the dwellinghouse. The proposed building would consist of a two bay garage, study and tool store at ground level with accommodation at first floor consisting of a bathroom, living space and bedroom. The accommodation is proposed for ancillary purposes to the dwellinghouse.

Amended plans have been submitted during the application process to show the proposed car barn building reduced in size. The building is shown to measure approximately 9.5 metres wide by 7.6 metres deep and 6.2 metres high with a barn hipped roof. A roof light and 2 no. dormer windows are proposed to the front roof slope (1.7 m wide x 2.35 m high x 2.9 m deep). To the rear roof slope, a larger dormer window (2.7 m wide x 2.7 m high x 3.1 m deep) and 2 no. roof lights are proposed. The building is proposed to be finished with facing brickwork and timber weatherboarding with a plain tiled roof. A lower eaves height of 2.6 metres is proposed to the rear, providing a covered storage area.

Plans also show that the driveway serving the property will be enlarged to the side with a new retaining wall. The extended driveway is proposed to be finished with gravel.

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 the Horsted Keynes 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:

DP12 Protection and enhancement of countryside
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.

Horsted Keynes Neighbourhood Plan

The Neighbourhood Plan was made on the 24th May 2023.

Relevant policies:

- HK4 maintaining local character and good quality design
- HK5 infill development and domestic extensions
- HK9 The High Weald Area of Outstanding Natural Beauty

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.

Relevant policies:

- DPS2 sustainable design and construction
- DPS6 health and wellbeing
- DPC1 protection and enhancement of the countryside
- 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.

National Planning Policy Framework (NPPF) (August 2026)

The following policies are deemed relevant when considering this application:

S3: Presumption in favour of sustainable development

'1. Decisions on development proposals should apply a presumption in favour of sustainable development. This means:

- a. Policy S4 in this Framework should be applied when considering development proposals within settlements;
- b. Outside settlements, policy S5 should be applied; and
- c. In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.'

S5: Principle of development outside settlements

1. Only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework:

... c. The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the existing building. In the case of proposals for a replacement building, it should be for the same use and not disproportionately larger than the one it replaces;...

2. In applying this policy, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances...

ASSESSMENT

The main issues deemed relevant to the consideration of this application are:

- Design and impact on character of area;
- Impact on High Weald AONB;
- Impact on neighbouring amenities;
- Ancillary accommodation.

Design and impact on character of area

As the site lies within the countryside, policy DP12 of the District Plan is relevant. This states that development proposals will be permitted in the countryside provided they maintain or where possible enhance the quality of the rural and landscape character of the District.

Policy DP26 of the District Plan relates to character and design and requires all proposals, including alterations and extensions, to be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside as well as addressing the character and scale of the surrounding buildings and landscape.

A similar stance is followed under policy HK4 of the Neighbourhood Plan which requires all development to *'maintain the distinct local character and demonstrate good quality design. This means recognising the significance of the village setting, responding to it, and integrating with local surroundings and landscape context as well as the existing built environment...'*

Policy HK5 of the Neighbourhood Plan more specifically relates to domestic extensions and states in part that *the scale, height and form must fit unobtrusively with and be subservient to the existing building and that materials are compatible with materials of existing / surrounding buildings'* amongst other criteria.

The Council's Design Guide SPD is also a material planning consideration with design principles DG49, DG50, DG51 and DG52 deemed relevant to this application.

Principle DG49 relates to general principles for extensions and recommends that *'extensions should typically use simple, uncomplicated building forms to complement 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.'*

DG50 relates to front and side extensions and states in part that:

'Side extensions should normally be subservient to the original dwelling and typically be set-back from the front of the house to help define the original building.'

The gaps between dwellings can sometimes positively contribute to articulating (for example, through the consistent rhythm of repeated houses) and adding interest in a street frontage or by providing views / visible connections to the surrounding countryside. Side extensions will therefore need to appropriately respond to the character of the street form and will not normally be accepted where they close an important gap and view.'

DG51 relates specifically to rear extensions and states the following:

'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'.

DG52 concerns loft conversions and roof extensions and states in part that dormer windows that alter the existing ridge of the roof or significantly alter the roof profile of a building will not normally be acceptable.

The proposed single storey rear extension is considered acceptable in terms of design, form and scale to the dwellinghouse and will replace an existing conservatory and veranda. The extension will be attached to the proposed barn building via a single storey link extension.

The proposed barn building is considered substantial in size and scale, however, would appear subservient in height to the dwellinghouse and set back to the rear of the dwellinghouse as encouraged by design principle DG50.

Planning permission was previously granted for a detached garage with games room above in 2013, under application reference 13/00711/FUL, but was never implemented. The outline of the approved garage is shown on proposed floor plans and elevations under drawing no. 314.PL.03/H. Plans show that the barn building now proposed would be wider, deeper and marginally higher than the approved garage, and further set back within the site; however, the proposed building is a similar scale to that previously approved and is not significantly larger.

Proposed plans show that the building would have a barn hipped roof with traditional materials such as timber weatherboarding proposed, creating a heritage style / character that is sympathetic to the rural setting of the site. Cottage style dormer windows are proposed to the front roof slope with a larger dormer window proposed to the rear that reflects the larger rear dormers on the dwellinghouse. The proposed design and form of the building is considered sympathetic to the character of the existing dwellinghouse and its setting.

As the building would be well set back within the site and of a subordinate height to the existing dwelling, it is not considered that it would appear visually dominant in views from Horsted Lane, being well screened by existing gates that enclose the site. Nor is it considered that the additions would appear obtrusive within the wider landscape.

As such, the proposed development is deemed acceptable in terms of design, form and scale to the existing dwellinghouse and its setting and should maintain the rural and landscape character of the District, thereby according with policies DP12 and DP26 of the District Plan and policies HK4 and HK5 of the Neighbourhood Plan.

Impact on High Weald AONB

The application site lies within the High Weald Area of Outstanding Natural Beauty.

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 can be 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.

Policy N4 of the NPPF concerns protected landscapes and states in part that:

'1. Development proposals within Protected Landscapes should be limited in scale and extent and sensitively located and designed to avoid harm to the statutory purposes and special qualities of the Protected Landscape. Substantial weight should be placed on the importance of conserving and enhancing the natural beauty of these areas, and to conserving and enhancing wildlife and cultural heritage in National Parks and the Broads...'

A similar ethos can be found under policy DP16 of the District Plan, which states in part that development *'will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan'...* This stance is also reflected under policy HK9 of the Neighbourhood Plan which also advises that *'residential development should utilise the guidance in the High Weald Housing Design Guide (2019) in order to meet the requirement for landscape-led designs which conserve and enhance the special character of the AONB and also comply with policies HK4 and HK5 of this plan.'*

The proposed additions whilst substantial in size, are considered appropriate in scale to the existing dwellinghouse and should not appear obtrusive within the locality and wider landscape, thereby conserving the wider landscape and scenic beauty of the AONB in accordance with aforementioned policies.

Impact on amenity

Policy DP26 of the District Plan refers to amenity and states that development 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'.*

Policy HK5 of the Neighbourhood Plan states that proposals will be supported where *'there is no unacceptable harm to the amenity of adjoining residents in respect of access, noise, privacy, daylight, sunlight and outlook is retained.'*

Under section 38(5) of the Planning and Compulsory Purchase Act 2004, if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published. As the Neighbourhood Plan was adopted at a later date to the District Plan, policy HK5 of the Neighbourhood Plan is considered to take precedence and therefore the test in this instance is whether the development would cause unacceptable harm to neighbouring amenities as outlined above.

The proposed rear extension is shown to be the same depth as the existing conservatory that adjoins Powdermill Cottage. With the bulk of the proposed additions located away from the neighbouring boundary, it is not considered that the proposal would cause unacceptable harm in terms of impacting light levels, outlook, privacy or access.

The proposal therefore accords with policy HK5 of the Neighbourhood Plan.

Ancillary accommodation

District Plan policy DP15 concerns new homes in the countryside and states in part that new 'granny annexes' that are physically separate to the dwelling will be defined as a new home.

The proposed development includes first floor accommodation above the garage comprised of a bedroom, living space and bathroom, plus study at ground floor level. The accommodation would be attached to the main dwellinghouse via a link extension that adjoins the proposed dining / garden room. The applicant has advised that the accommodation would be used by a son as ancillary accommodation to the main dwellinghouse.

On the basis of the plans provided, the local planning authority is satisfied that the accommodation would be used for ancillary purposes to the dwellinghouse as no kitchen is proposed that would make the accommodation

self-contained. In addition, the accommodation would be internally connected to the dwellinghouse via the proposed ground porch floor extension.

A condition can be imposed on the decision notice to ensure that the proposal is used solely for ancillary purposes in connection with the dwellinghouse and is not used as a separate residential unit to ensure that the proposal complies with development plan policies for the countryside.

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 development, whilst substantial in size, is considered acceptable in terms of design, form and scale to the existing dwellinghouse and its setting and should not detract from the character and appearance of the area, nor have an unacceptable impact upon neighbouring amenities. The wider landscape and scenic beauty of the High Weald AONB should be conserved. The proposal therefore accords with policies DP12, DP16 and DP26 of the Mid Sussex District Plan, policies HK4, HK5 and HK9 of the Horsted Keynes Neighbourhood Plan and relevant policies of the NPPF.

Decision: Permission

Case Officer: Deborah Lynn