

MID SUSSEX DISTRICT COUNCIL

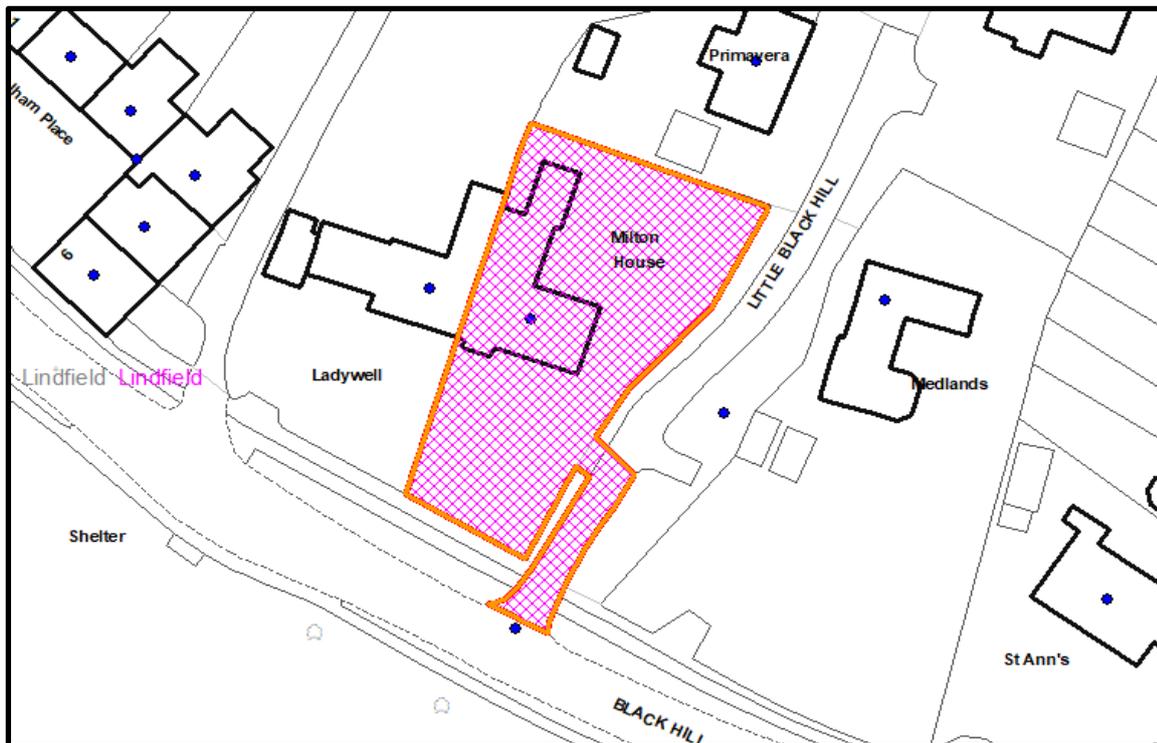
Planning Committee

15 JUL 2021

RECOMMENDED FOR PERMISSION

Lindfield

DM/21/0485



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**MILTON HOUSE BLACK HILL LINDFIELD HAYWARDS HEATH
PROPOSED TWO STOREY REPLACEMENT REAR EXTENSION.
AMENDED PLANS RECEIVED 13.05.2021 (INCLUDING REVISED
LOCATION PLAN) SHOWING ALTERATIONS TO DESIGN, SCALE AND
FORM OF EXTENSION.
MRS JUDITH HEYBURN**

POLICY: Article 4 Direction / Built Up Areas / Conservation Area / Pre 1974
Conservation Area Boundary / Classified Roads - 20m buffer /
Common Land / Aerodrome Safeguarding (CAA) / Sewer Line
(Southern Water) / Archaeological Notification Area (WSCC) /

ODPM CODE: Householder

8 WEEK DATE: 19th July 2021

WARD MEMBERS: Cllr Andrew Lea / Cllr Anthea Lea / Cllr Jonathan Ash-Edwards /

CASE OFFICER: Deborah Lynn

PURPOSE OF REPORT

To consider the recommendation of the Divisional Leader, Planning and Economy on the application for planning permission as detailed above.

EXECUTIVE SUMMARY

This application seeks planning permission to add a two storey replacement extension to the rear of the dwellinghouse. The property lies in Lindfield conservation area.

The application has been called-in to be determined at planning committee by Councillors Andrew Lea and Jonathan Ash-Edwards, due to concerns regarding impact upon neighbouring amenities and the appearance and character of the conservation area.

Plans show that the existing modern two storey flat roofed extension to the rear of the dwellinghouse will be demolished and replaced with a two storey extension with increased footprint and gable pitched roof. A single storey extension is proposed to the west of the two storey extension, adjacent to the boundary with Ladywell; a new glazed single storey extension is also proposed, linking the two storey extension with the main part of the dwellinghouse.

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 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.

The proposed extension is considered acceptable in terms of design, form and scale to the existing dwellinghouse and should enhance its appearance within the locality. Consequently, the proposal is considered to enhance the appearance and character of the conservation area, whilst protecting the setting of nearby listed buildings. The

proposal should not be harmful to Milton House, which can be considered as a non-designated heritage asset. Considering the existing relationship between properties, it is not considered that the proposal would be significantly harmful to adjoining amenities in terms of affecting light levels, outlook, privacy or appearing overbearing.

The proposal is therefore deemed to comply with policies DP26, DP34 and DP35 of the Mid Sussex District Plan and relevant paragraphs of the NPPF.

RECOMMENDATION

It is recommended that permission be granted subject to the conditions outlined at Appendix A.

SUMMARY OF REPRESENTATIONS

A total of 12 letters of objection received. 8 received in response to the original plans and 4 in response to the amended plans, raising the following concerns:

- Proposal will have unacceptable impact in terms of loss of amenity to neighbours, harmful to Lindfield conservation area and setting of listed buildings
- Land levels drop off steeply to north with adjoining property, Primavera, situated at a lower level. Increase in height of existing flat roof extension by 3 metres will create overbearing structure with significantly loss of outlook and sunlight to garden at Primavera
- Existing flat roof to extension appears in line with main roof of Milton House when viewed from Primavera; increase in mass will add to dominance of structure, creating sense of oppressiveness from adjoining gardens
- Extension lies 3 metres from boundary with Primavera and will be due south; extension will reduce sunlight, create overshadowing to greenhouse and garden at Primavera during critical growing season
- Extension will be constructed right up to boundary with Ladywell, with increase height of extension significantly reducing sunlight and outlook and creating overshadowing; will eliminate much of morning sun, especially in winter
- Extension will adjoin boundary with Ladywell, making it impossible to maintain without entering garden of Ladywell
- Intrusive and unneighbourly to both adjoining properties, contrary to policy DP26
- Proposal fails to preserve or enhance appearance and character of conservation area, in contravention of 1990 Act and policy DP35 of the District Plan
- Milton House is a handsome property that contributes to character of Lindfield's built environment. Pevsner refers to it as "good Victorian gothic Milton House". Is not listed but is of architectural / historic merit. The loss of two ground floor gothic windows contravenes policy DP34 of the District Plan
- Milton House forms part of setting of listed buildings of St. Ann's to the east and Pelham Place Cottages to the west. Fails to preserve the setting of the listed buildings, adversely affecting views, contrary to 1990 Act and policy DP34 of the District Plan
- Proposal would set precedent and signal to developers that similar schemes are viable across the district

- Applicant does not own all land within red line of application site; should serve notice on adjoining owners
- Size of extension rivals that of main house, does not reflect architecture of main building
- Proposed materials such as timber boarding and aluminium windows are not in keeping and contrary to policy DP35 and Design Principle DG49. Appropriate materials had to be used for Little Black Hill development.
- Consideration should be given to reducing size
- Access to Little Black Hill should be kept clear for emergency services and not blocked
- Services to the three houses in Little Black Hill run down both sides of the access road and could be damaged by excavations
- Whilst slight reduction in height of extension, no material change to overall bulk, will continue to have an unacceptable impact on neighbours, conservation area and setting of listed buildings
- Increase in height of 1.5 metres will still block sunlight and outlook to adjoining gardens and kitchen and rear bedroom at Ladywell
- Revised scheme creates awkward niche around Victorian gothic windows
- Size of footprint remains unchanged
- No objection to replacing existing ugly two storey extension
- Building right up to boundary wall with Ladywell will appear overbearing and oppressive. Gutter would sit just above boundary wall requiring garden hedge to be removed
- Gutter to roof impossible to maintain without accessing garden at Ladywell.

SUMMARY OF CONSULTEES

MSDC Conservation Officer

Comments received 21.06.2021

The application has been amended following officer advice to show a lower roofline and more sympathetic gabled roof form to the proposed replacement rear extension. The elevational treatment including the fenestration has also been amended to be less visually assertive and more in keeping with the existing building. The form and footprint of the link between the replacement extension and the main house have also been amended to ensure that the pair of characterful tripled arched Gothic windows to the rear elevation of the building remain both fully exposed to external views.

Subject to detail I consider that the revised proposal will, given the existing unattractive flat roofed rear addition to the building, enhance the character and appearance of the house and of the Lindfield Conservation Area. This would meet the requirements of District Plan Policy DP35, the Council's Design Guide, and the relevant paragraphs of the NPPF.

Comments received 20.04.2021

Having now had a chance to visit the above site I remain of the opinion that the replacement extensions raise concerns in terms of their height, bulk, form and detailed design...

As it stands I consider that for the reasons given in my previous comments the proposal is harmful to the character and appearance of the Lindfield Conservation Area, and to the special interest of Milton House in the local context, as a potential non designated heritage asset. This would be contrary to the requirements of District Plan Policies DP34 and DP35, and of the Council's Design Guide. In terms of the NPPF I would consider the harm caused to both assets to be less than substantial, such that paragraph 196 would apply.

LINDFIELD PARISH COUNCIL OBSERVATIONS

Comments received 08.06.2021

Lindfield Parish Council (LPC) considers that its previous objections remain apposite notwithstanding the slight reduction in the proposed roof height, although LPC welcomes the amendments to leave the gothic windows in plain view.

Comments received 11.03.2021

Lindfield Parish Council strongly objects to this application which as proposed would be overbearing and result in a loss of outlook for neighbouring property. Further, the changes to the property are considered to be unsuited to the Conservation Area and indeed to the property itself, which is considered to be a Heritage Asset...

The significant impact on the neighbouring properties Primerva and Ladywell, within the Conservation Area, when considered in the light of both DP 26 and DP 35, should be sufficient to refuse an application of this scale, especially recognising its proximity to the neighbouring properties. The further loss of two gothic windows within Milton House and wider impact on the setting of nearby Listed Buildings further underlies the unsuitable nature of the works as currently proposed.

INTRODUCTION

This application seeks planning permission to add a two storey replacement extension to the rear of the dwellinghouse.

This application has been called-in to be determined at planning committee by Councillors Andrew Lea and Jonathan Ash-Edwards, due to concerns regarding impact upon neighbouring amenities and the appearance and character of the conservation area.

RELEVANT PLANNING HISTORY

LF/041/85 - Erection six detached houses and garages and associated private roads rear of Ladywell/Milton House. Refused 22.11.1985.

LF/027/86 - Erection of four detached houses and garages/associated private roads. - Refused 13.06.1986.

LF/090/86 - Erection 3 detached houses and garages and associated private roads. Permission granted 30.03.1987.

LF/043/87 - Application for approval of reserved matters - erection of three detached houses and garages and associated private roads. Not Proceeded With - 31.03.1988.

LF/055/88 - Erection of three detached dwellings together with garages and private estate road. Permission granted 20.10.1988.

SITE AND SURROUNDINGS

Milton House is a large semi-detached Victorian dwellinghouse, built in the Gothic style. The building, together with the adjoining property, Ladywell, originally formed one detached house, but appears to have been divided into two dwellings in the mid 20th century. The property has previously been extended to the rear with a large two storey addition and sits in relatively large grounds with a large driveway to the front and garden area to the side and rear (northeast). The front boundary of the property is lined with an established hedge with established trees behind.

A private access road serving properties at Little Black Hill lies to the east of the site, with the detached property at Primavera lying to the north of the site at a lower level. The attached property at Ladywell adjoins the site to the west.

In terms of planning policy, the site lies within the built up area of Lindfield and Lindfield conservation area. Grade II listed buildings at Pelham Place Cottages are located further to the west of the site, with a grade II listed building at St. Ann's lying further to the east of the site, adjacent to Medlands.

APPLICATION DETAILS

Plans show that a replacement two storey extension is proposed to the rear of the dwellinghouse, replacing an existing two storey rear extension with flat roof.

Amended plans were submitted on the 13.05.2021 following discussions with your officers, who had raised concerns regarding the scale and design of the scheme as originally proposed.

Amended plans show that the replacement two storey extension will be sited in the same position as the existing but will be extended in width by 1.8 metres eastwards. It will measure a maximum of approximately 6.3 metres wide by 9.9 metres deep and will have a gable pitched roof that measures some 7.3 metres high. It will be finished

with matching brickwork and painted feather edge boarding to the first floor, with a traditional slate pitched roof.

A ground floor extension is proposed to the western side of the two storey extension, infilling between the extension and boundary wall and replacing the existing external flight of steps to the rear of the building. The extension will have a shallow lean-to roof that measures 3.3 metres high; 3 no. roof lights are proposed. The eaves of the roof and gutter are shown to be set above the boundary wall.

The existing single storey extension linking the two storey rear extension to the main house will be increased in width by 0.3 metres with the existing roof replaced. An upper glazed section is proposed that reaches a maximum of 5 metres high.

The extension will allow the existing layout of the lower ground and ground floor of the house to be reconfigured with the proposed extension providing a kitchen, utility, wet room and gym studio at lower ground floor level and a guest bedroom, dressing room and en-suite at ground floor.

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 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.

Relevant policies:

DP26	character and design
DP34	listed buildings and other heritage assets
DP35	conservation areas

Lindfield and Lindfield Rural Neighbourhood Plan

The neighbourhood plan was 'made' on the 23rd March 2016 and forms part of the development plan.

There are no policies deemed relevant to this application.

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) (Feb 2019)

The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three overarching objectives economic, social and environmental. This means ensuring sufficient land of the right types is available in the right places and at the right time to support growth; supporting strong, vibrant and healthy communities by ensuring a sufficient number and range of homes can be provided; fostering a well-designed and safe built environment; and contributing to protecting and enhancing the natural, built and historic environment; and using natural resources prudently.

Paragraph 47 states: *'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.'*

Paragraphs 124, 127, 192, 193, 194, 195, 196, 197 and 200 are relevant to this application.

'192. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

193. 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.

194. 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.*

195. 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.*

196. 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.

197. 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.

200. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.'

National Planning Practice Guidance

ASSESSMENT

The main issues considered relevant to this application are the proposed design and impact on the character of the conservation area, impact on the setting of the listed buildings and impact on neighbouring amenity.

Design and impact on the character of the area

Policy DP26 of the District Plan is deemed relevant when considering this application. This states in part that:

'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;*
- *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);'*

As the site lies within Lindfield conservation area, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

'In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

This stance is reflected under policy DP35 of the District Plan which states in part that:

'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:

- *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;'*

In the Council's guide to 'Conservation Areas in Mid Sussex' dated August 2018, Lindfield conservation area is noted as having the following features which contribute to its character, amongst others:

- the variety of buildings both in terms of age and architectural style and detail including timber framing, a variety of brick bonds, original features such as windows, chimneys and doors;
- the use of natural and traditional building materials including clay tiled roofs, sandstone, Horsham Stone roofs, mathematical tiles, tile hanging and stucco;
- the presence of trees and hedges around and between the buildings in Black Hill which contribute to the overall character and appearance of the area;
- the large residential properties in Black Hill set well back from the road in spacious grounds.

In addition to the above, the Council's Design Guide SPD is a material planning consideration with design principles DG49 and DG51 deemed relevant.

Design 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.'

DG51 relates to rear extensions and states that:

'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 existing modern two storey extension to the rear of the building has a flat roof and is considered unsympathetic to the host dwelling and the character and appearance of the conservation area. The principle of demolishing and replacing the extension is therefore not considered contentious.

The revised scheme shows that the two storey extension will be sited in the same position as the existing extension. The two storey extension is not considered to be significantly larger in size and scale than the existing extension, being increased in width by 1.8 metres. The existing extension has a height of 5.8 metres. The replacement extension will have a gable pitched roof which is shown to have a lower eaves height than the existing extension, measuring approximately 5 metres; the ridge of the roof will measure 7.5 metres high.

The replacement extension will sit subordinately in relation to the main building and is considered to be more sympathetic in design and form to the host dwelling, representing an improvement upon the existing extension. Traditional materials are proposed such as facing brickwork, a slate roof and timber weatherboarding. Whilst the timber weatherboarding is not a feature of the existing property, it is a feature of other properties within Lindfield conservation area and consequently is not considered to be out of keeping in the locality; such details can be controlled via a planning condition.

The Council's Conservation Officer has commented on the revised scheme as follows:

"The application has been amended following officer advice to show a lower roofline and more sympathetic gabled roof form to the proposed replacement rear extension. The elevational treatment including the fenestration has also been amended to be less visually assertive and more in keeping with the existing building. The form and footprint of the link between the replacement extension and the main house have also been amended to ensure that the pair of characterful tripled arched Gothic windows to the rear elevation of the building remain both fully exposed to external views.

Subject to detail I consider that the revised proposal will, given the existing unattractive flat roofed rear addition to the building, enhance the character and appearance of the house and of the Lindfield Conservation Area. This would meet the requirements of District Plan Policy DP35, the Council's Design Guide, and the relevant paragraphs of the NPPF."

With the above in mind, the proposal is deemed acceptable in terms of design, form and scale to the existing dwelling and should enhance its appearance within the locality. The proposal is therefore considered to enhance the appearance and character of Lindfield conservation area, thereby according with policies DP26 and DP35 of the District Plan.

Impact on setting of the listed buildings

Representations have been received, raising concerns that the proposed development will be harmful to the setting of nearby listed buildings.

A group of grade II listed buildings at Pelham Place Cottages, lie further to the west of the site, separated from Ladywell by a lane. A grade II listed building dating from the 1830s, St. Ann's, lies further to the east of the site, adjacent to Medlands.

Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that:

'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

This stance is reflected under policy DP34 of the District Plan which states in part that special regard will be given to protecting the setting of a listed building.

The Council's Conservation Officer, in her initial comments advised that:

"I note that submissions made in respect of the application also refer to the impact on the setting of nearby listed buildings at St Anne's House to the south east, and Pelham Place Cottages to the north west. From my knowledge of the area I suspect that in fact intervisibility between the site of the proposed works at the rear of the building and these listed buildings will be limited or non-existent due to intervening screening by built form and/or vegetation. Although intervisibility is not the only determinant of an impact on setting, in this case given an apparent lack of historic relationship between the site and the listed buildings, and the different contexts within which they would be experienced, I am doubtful that the proposal will in fact impact on the settings of either listed structure."

It is considered that the proposed extension, being sited to the rear of the building, will have limited visibility with the locality. Glimpses of the extension may be visible from the private lane to the west of the adjoining property at Ladywell.

Given that the proposed extension is considered to enhance the appearance of Milton House within the locality, it is considered that the setting of the listed buildings will be protected in accordance with policy DP34 of the District Plan.

Representations have also been made that the development will be harmful to Milton House which should be considered as a heritage asset.

Policy DP34 of the District Plan refers to other heritage assets, stating in part that:

'Development that retains buildings which are not listed but are of architectural or historic merit, or which make a significant and positive contribution to the street scene will be permitted in preference to their demolition and redevelopment.

The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic.

Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.'

The Council's Conservation Officer, in her initial comments, advises that:

'The application site is an unlisted semi-detached property dating from the early-mid 19th century and originally a single dwelling (Milton House) set in extensive grounds. The house, a substantial building in the Gothic style, appears to have been divided into two dwellings in the mid 20th century. Although altered and extended to the rear, the building retains significant character and a number of distinctive features including Gothic arched windows and steeply pitched patterned slate roofs. The property, with its attached neighbour, makes a strong positive contribution to the character and appearance of the Lindfield Conservation Area, and may be regarded as a non designated heritage asset (NDHA).'

Officer concerns were raised in respect of the original scheme, which proposed the partial loss of one of the pair of triple arched Gothic windows to the rear elevation. The scheme has now been amended to ensure that the pair of characterful tripled arched Gothic windows to the rear elevation of the building remain both fully exposed to external views.

The scheme as revised is not considered to be harmful to the significance of the non-designated heritage asset at Milton House. The proposal therefore accords with policy DP34 of the District Plan and relevant paragraphs of the NPPF.

Impact on amenity

Policy DP26 of the District Plan relates to amenity and states in part 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'.

Concerns have been raised by both neighbours at Primavera to the north and Ladywell to the west that the replacement extension will appear overbearing, restricting outlook and light levels to the adjoining properties and creating a feeling of oppressiveness.

The adjoining property at Primavera is situated at a lower level to Milton House, with the rear garden and a greenhouse located directly north of the proposed extension. The boundary between the properties is lined with a 1.7 metre high close boarded fence, with trees within the garden of Primavera serving as an effective screen during the summer months. The replacement extension will be sited no closer to the boundary with Primavera than the existing extension, which is sited approximately 3.4 metres away.

The replacement extension is not considered to be significantly larger than the existing, being increased in width by 1.8 metres and increased in height by 1.7 metres. Whilst the extension will appear relatively imposing from the adjoining garden area which is set at a lower level, considering the existing relationship between the properties, it is not considered that the proposal would result in significant harm to adjoining amenities, in terms of affecting privacy, outlook or light levels.

Neighbours at Primavera have raised concerns that the proposed extension will affect light levels to their green house during the growing season; the greenhouse is sited approximately 10.8 metres to the north of the extension. Given the distance between the buildings, it is not considered that the extension would result in significant overshadowing onto the greenhouse. The proposal would be likely to mainly affect light levels to the adjoining garden area; the main house and immediate garden area to the rear of the house should not be significantly affected. Two first floor windows are proposed to the northern wall of the replacement extension which will result in potential overlooking onto the adjoining garden area; these are shown to serve a guest bedroom. However, as there are two first floor clear glazed windows in the northern wall of the existing extension, it is not considered that the windows would result in a significant increase in potential overlooking; as such it is not deemed reasonable to impose a condition that such windows are obscure glazed. The trees at Primavera should help to screen the extension and windows during summer months.

The western boundary of the property with Ladywell is lined with a 1.8 metre high brick wall which appears to be topped with tree ivy. The existing two storey extension is sited approximately 2.6 metres from the western boundary.

The replacement two storey extension will be sited no closer to the western boundary than the existing extension and will not be increased in depth on its western side. The replacement roof will be higher than the existing structure but will have a reduced eaves height (by 0.8 metres) with the pitched roof sloping away from the property at Ladywell. With this in mind, and considering the existing relationship between the properties, it is not considered that the extension would appear

overbearing from Ladywell. Whilst there may be some impact upon light levels, particularly early morning sunlight, this should not be significant. The property at Ladywell benefits from a very large garden and the proposed extension is likely to affect light levels to just a small proportion of this. Light levels and outlook to the adjoining kitchen and rear bedroom, should not be significantly affected considering the extension relationship between the properties.

The roof of the adjoining single storey extension will be visible above the boundary wall, but this will sit subordinately against the wall of the two storey extension and should not appear overbearing. Whilst concerns are noted in respect of maintaining the gutter and roof to the single storey extension, this is not considered to be a planning policy consideration.

The proposal may result in the removal of vegetation covering the boundary wall such as tree ivy, however it is not considered that the proposal should result in the loss of a boundary hedge.

In view of the above, whilst there may be an impact upon neighbouring amenities in terms of affecting light levels, outlook and privacy, considering the existing relationship between properties it is not considered that the proposal would result in significant harm as to warrant refusal of the application. The proposal therefore accords with policy DP26 of the District Plan.

Other matters

All relevant land owners appear to have been notified with the applicant serving written notice on adjoining residents of Little Black Hill on the 19th May 2021.

Concerns have been raised that the development may damage services to the properties in Little Black Hill, which run down both sides of the access road. As the proposed works will be concentrated within the rear garden of Milton House, it is unlikely that this should be an issue, however the matter is not considered to be a material planning consideration and would be a private matter to be addressed, should an issue arise.

CONCLUSION

The proposed extension is considered acceptable in terms of design, form and scale to the existing dwellinghouse and should enhance its appearance within the locality. Consequently, the proposal is considered to enhance the appearance and character of the conservation area, whilst protecting the setting of nearby listed buildings. The proposal should not be harmful to Milton House, which can be considered as a non-designated heritage asset. Considering the existing relationship between properties, it is not considered that the proposal would be significantly harmful to adjoining amenities in terms of affecting light levels, outlook, privacy or appearing overbearing.

The proposal is therefore deemed to comply with policies DP26, DP34 and DP35 of the Mid Sussex District Plan and relevant paragraphs of the NPPF.

It is therefore recommended that planning permission should be granted.

APPENDIX A – RECOMMENDED CONDITIONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Approved Plans

2. 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 Applications".

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

3. No development above ground floor slab level shall be carried out unless and until a schedule and/or samples of materials and finishes to be used for the external walls and roofs of the proposed extension have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To preserve or enhance the appearance and character of the conservation area and protect the significance of the non-designated heritage asset to accord with policies DP34 and DP35 of the Mid Sussex District Plan.

4. No development above ground floor slab level shall be carried out unless and until detailed drawings at an appropriate large scale, including sections and annotated to show the materials and finishes of typical examples of new doors and windows, have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To preserve or enhance the appearance and character of the conservation area and protect the significance of the non-designated heritage asset and to accord with policies DP34 and DP35 of the Mid Sussex District Plan.

5. No development above ground floor slab level shall be carried out unless and until detailed drawings at an appropriate large scale, including annotations to show the materials and finishes of a typical sectional detail through the link extension upper storey and roof structure, have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To preserve or enhance the appearance and character of the conservation area and protect the significance of the non-designated heritage asset and to accord with policies DP34 and DP35 of the Mid Sussex District Plan.

6. No development above ground floor slab level shall be carried out unless and until detailed drawings at an appropriate large scale, including sections and annotated to show the materials and finishes of a typical eaves detail, have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To preserve or enhance the appearance and character of the conservation area and protect the significance of the non-designated heritage asset and to accord with policies DP34 and DP35 of the Mid Sussex District Plan.

7. The roof lights hereby permitted shall be flush fitting metal framed conservation style rooflights.

Reason: To preserve or enhance the appearance and character of the conservation area and protect the significance of the non-designated heritage asset and to accord with policies DP34 and DP35 of the Mid Sussex District Plan.

8. The rainwater goods hereby permitted shall be of painted metal.

Reason: To preserve or enhance the appearance and character of the conservation area and protect the significance of the non-designated heritage asset and to accord with policies DP34 and DP35 of the Mid Sussex District Plan.

INFORMATIVES

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance.

Accordingly, you are requested that:

- Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 - 1800 hrs; Saturdays 0900 - 1300 hrs; No construction/demolition work on Sundays or Public Holidays.
- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- No burning of materials shall take place on site at any time.

If you require any further information on these issues, please contact Environmental Protection on 01444 477292.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Existing Floor Plans	01	—	08.02.2021
Existing Floor Plans	02	—	08.02.2021
Existing Roof Plan	02	—	08.02.2021
Existing Elevations	03	—	08.02.2021
Proposed Floor Plans	05	A	13.05.2021
Proposed Roof Plan	05	A	13.05.2021
Location Plan			13.05.2021
Block Plan			13.05.2021
Proposed Floor Plans	04	B	13.05.2021
Proposed Elevations	06	B	13.05.2021
Proposed Elevations	07	—	13.05.2021

APPENDIX B – CONSULTATIONS

MSDC Conservation Officer

Comments received 21.06.2021

Comments on the above application. Please read these in conjunction with my previous comments on the proposal as originally submitted.

The application has been amended following officer advice to show a lower roofline and more sympathetic gabled roof form to the proposed replacement rear extension. The elevational treatment including the fenestration has also been amended to be less visually assertive and more in keeping with the existing building. The form and footprint of the link between the replacement extension and the main house have also been amended to ensure that the pair of characterful tripled arched Gothic windows to the rear elevation of the building remain both fully exposed to external views.

Subject to detail I consider that the revised proposal will, given the existing unattractive flat roofed rear addition to the building, enhance the character and appearance of the house and of the Lindfield Conservation Area. This would meet the requirements of District Plan Policy DP35, the Council's Design Guide, and the relevant paragraphs of the NPPF.

I would suggest the following conditions:

- Details of roofing and facing materials
- Detailed drawings at an appropriate large scale including sections and annotated to show materials and finishes of:
 - typical examples of new windows and external doors
 - typical sectional detail through the link extension upper storey and roof structure
 - typical eaves detail
- new rooflights to be flush fitting metal framed conservation style rooflights
- rainwater goods to be of painted metal

Comments received 20.04.2021

Having now had a chance to visit the above site I remain of the opinion that the replacement extensions raise concerns in terms of their height, bulk, form and detailed design. As there is not an in principle objection to the replacement of the existing flat roofed rear addition it may

be that an online meeting to discuss a revised scheme may be beneficial, but it would be of course at your discretion whether this should form part of the current application or should follow on from withdrawal or refusal of the current scheme (I do consider that the amendments required would be quite significant).

As it stands I consider that for the reasons given in my previous comments the proposal is harmful to the character and appearance of the Lindfield Conservation Area, and to the special interest of Milton House in the local context, as a potential non designated heritage asset. This would be contrary to the requirements of District Plan Policies DP34 and DP35, and of the Council's Design Guide. In terms of the NPPF I would consider the harm caused to both assets to be less than substantial, such that paragraph 196 would apply.

Comments received 07.04.2021

Initial comments on the above planning application. Apologies for the delay in getting these to you, which has been caused by pressure of other work.

The application site is an unlisted semi-detached property dating from the early-mid 19th century and originally a single dwelling (Milton House) set in extensive grounds. The house, a substantial building in the Gothic style, appears to have been divided into two dwellings in the mid-20th century. Although altered and extended to the rear, the building retains significant character and a number of distinctive features including Gothic arched windows and steeply pitched patterned slate roofs. The property, with its attached neighbour, makes a strong positive contribution to the character and appearance of the Lindfield Conservation Area, and may be regarded as a non designated heritage asset (NDHA).

I note that submissions made in respect of the application also refer to the impact on the setting of nearby listed buildings at St Anne's House to the south east, and Pelham Place Cottages to the north west. From my knowledge of the area I suspect that in fact intervisibility between the site of the proposed works at the rear of the building and these listed buildings will be limited or non-existent due to intervening screening by built form and/or vegetation. Although intervisibility is not the only determinant of an impact on setting, in this case given an apparent lack of historic relationship between the site and the listed buildings, and the different contexts within which they would be experienced, I am doubtful that the proposal will in fact impact on the settings of either listed structure. However, I will reserve final comment on this until I have had a chance to visit the site in person (see below).

The current proposals relate to works to the rear of the building and are for the demolition and replacement of an existing two storey (basement and ground floor) flat roofed addition with a two storey extension on an enlarged footprint and with a significantly higher roofline. An enlarged link extension between this two storey element and the main house is also proposed.

The existing modern rear extensions to the property are not of a high architectural standard and are unsympathetic to the host building and the character and appearance of the Conservation Area. The principle of demolition and replacement and/or alteration is therefore not considered contentious. However, I have concerns regarding the scale of the proposed replacement/altered extensions, which appears excessive in relation to the host both in terms of footprint and roof height, the impact on the fabric of the house and significant features to the rear elevation including the partial loss of one of the pair of imposing triple Gothic arched windows, and the form and detailed design of the new or altered additions, which appear unsympathetic to the context.

I would suggest as I have not yet had a chance to make a site visit to view the proposal in person (the above comments being made from photographs of the site) that I should arrange this for a date after my return from leave next week. After this, an online Teams meeting with the applicant and/or their architect to discuss alternative proposals may be beneficial?

Lindfield Parish Council

Comments received 08.06.2021

Lindfield Parish Council (LPC) considers that its previous objections remain apposite notwithstanding the slight reduction in the proposed roof height, although LPC welcomes the amendments to leave the gothic windows in plain view.

Comments received 11.03.2021

Lindfield Parish Council strongly objects to this application which as proposed would be overbearing and result in a loss of outlook for neighbouring property. Further, the changes to the property are considered to be unsuited to the Conservation Area and indeed to the property itself, which is considered to be a Heritage Asset.

The proposal does not meet a number of Mid Sussex District Plan policies including:

DP 26 - Character and Design which requires development that "... 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 ..." It is notable that the topography of the site leads to a significant impact on surrounding property, which is not evident from the plans alone.

DP 35 - Conservation Areas which requires "...extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design..."

DP 34 - Listed Buildings and Other Heritage Assets which requires the council "...to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic..."

The significant impact on the neighbouring properties Primerva and Ladywell, within the Conservation Area, when considered in the light of both DP 26 and DP 35, should be sufficient to refuse an application of this scale, especially recognising its proximity to the neighbouring properties. The further loss of two gothic windows within Milton House and wider impact on the setting of nearby Listed Buildings further underlies the unsuitable nature of the works as currently proposed.