



Appeal Decision

Site visit made on 20 July 2022

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th August 2022

Appeal Ref: APP/D3830/D/22/3298142

Chestnut Corner, Snowdrop Lane, Lindfield, RH16 2QE.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Daniel Ross against the decision of Mid Sussex District Council.
 - The application Ref DM/21/4259, dated 13 December 2021, was refused by notice dated 24 March 2022.
 - The development proposed is described as two storey extension including garage conversion. Relocated front entrance door. Rear infill. Entrance gates and piers.
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Decision

1. The appeal is dismissed insofar as it relates to a pair of entrance gates and piers. The appeal is allowed insofar as it relates to a two storey extension including garage conversion, relocated front entrance door and rear infill at Chestnut Corner, Snowdrop Lane, Lindfield, RH16 2QE, in accordance with the terms of the application, DM/21/4259, dated 13 December 2021, and the plans submitted with it, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The two storey extension including garage conversion, relocated front entrance door and rear infill hereby permitted shall be carried out in accordance with the following approved plans: CC/Planning/01, CC/Planning/02, CC/Planning/03, CC/Planning/04, CC/Planning/05, CC/Planning/06, CC/Planning/07, CC/Planning/08, CC/Planning/09, CC/Planning/10, CC/Planning/11 and CC/Planning/12.
 - 3) Prior to the commencement of development, samples and a schedule of materials and finishes to be used for the external walls and roofs of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details.
 - 4) No development shall be carried out unless and until large scale detailed drawings, including sections and annotations to show materials and finishes

of the new windows and external doors, 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.

- 5) The rooflights hereby permitted shall be flush fitting, conservation rooflights.
- 6) The development hereby permitted shall be carried out in accordance with the submitted Arboricultural Impact Assessment: (dated 25.01.2022).

Main Issue

2. The main issue is the effect of the proposal on the character of the host dwelling, the area, and the character, appearance and significance of the Lewes Road Conservation Area (LRCA) and the setting of the LRCA and Oldfield, which is a grade II listed building.

Reasons

3. The LRCA is a linear conservation area that straddles Lewes Road and is located between the main built-up area of Haywards Heath and the open countryside. It is characterised by individually designed large detached houses of various ages, which predominantly occupy spacious mature landscaped plots. This together with the abundance of hedges and trees, grass verges, minimal pavements and the absence of street lighting all contribute to spacious, verdant and semi-rural character and appearance of the LRCA and contribute to its significance.
4. Oldfield comprises a grade II listed "L" shaped two storey house which occupies a large mature landscaped plot. The dwelling is located some distance away from the appeal site and is separated from it by a large outbuilding. The site and buildings at Oldfield are screened from the appeal site and the adjacent roads by a mature hedges, shrubs and trees. At the time of the appeal site visit neither the house nor the outbuildings were visible from Snowdrop Lane or the appeal property.
5. The access driveway leading to the appeal dwelling is located within the northeast section of the LRCA. Oldfield and Chestnut Corner have a shared crossover, which leads to two separate access drives on either side. Other than in the vicinity of the crossover the access drive and the access gates to Oldfield are screened from Snowdrop Lane by a combination of fencing trees and hedging. The planting makes a valuable contribution to the verdant and semi-rural character and appearance of Snowdrop Road and the LRCA.
6. The remainder of the appeal site falls just outside the southerly and easterly boundaries of the LRCA. It abuts the mature landscaped grounds to Oldfield and Little Oldfield and faces towards Warren House, which occupies a generous sized and mature landscaped plot. On the western side of Snowdrop Lane the development is more intensive. Notwithstanding this, due to the extensive front boundary planting, grass verges, absence of pavements and street lighting and views towards the open countryside, this part of Snowdrop Lane similarly has a semi-rural character. It contributes to the transition between the main built-up area to the northwest and the open countryside a short distance to the northeast and south.

7. As indicated in the council's delegated report the dwelling at Chestnut Corner was constructed during or after 1985 and a bay window was added at the front of the property in the early 1990's. The dwelling faces towards the LRCA and comprises a traditionally designed part two storey and part chalet styled house with white rendered walls under a deep plain tiled roof with gable ends. The dwelling has an integral garage and utility room with a deep pitched roof that sits below the main ridge line of the dwelling.
8. Overall, the appeal dwelling respects the form, appearance and external materials of the existing dwellings in Snowdrop Lane and nearby within the LRCA which, other than Little Oldfield, comprise two storey houses.
9. The appeal dwelling is largely screened from Snowdrop Lane by a combination of fencing, tall hedges and trees. It is most prominent in views from the junction with The Rushes, where the deeper chalet style section of the dwelling, and its gable end are clearly visible above the boundary hedge. This is due to their proximity to the highway and the white rendered finish of the gable wall. Where the dwellings can be partially seen it blends in readily with the street scene, where there are a number of white rendered/painted houses and a diverse range of roof forms. It also respects the verdant, spacious and low density character of the eastern side of Snowdrop Lane and the LRCA as a whole. This is due to the generous sized gaps between the appeal dwelling and the adjacent dwellings and the abundance of hedges and trees around the property.
10. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when assessing proposals for new development within a conservation area, special attention shall be paid to the desirability of preserving or enhancing its character or appearance. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when assessing proposals for new development which affects a listed building or its setting, special attention shall be paid to the desirability of preserving or enhancing its character or appearance. Amongst other things policies DP34 & DP35 of the Mid Sussex District Plan 2014-2031 (DP) and policy E9 of the Haywards Heath Neighbourhood Plan 2016 (NP) seek to protect the character, appearance and setting of heritage assets.
11. Section 16 of the National Planning Policy Framework 2021(framework), states that when considering the impact of a development on the significance of a designated heritage asset great weight should be given to its conservation. Any harm to, or loss of significance, from its alteration, or from development within its setting requires clear and convincing justification. Where a proposal would lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
12. Collectively LP Policy DP26, NP Policies E9 & H9 and paragraph 130 of the Framework promote well located and designed development that reflects the identity of settlements and the landscape. Development should create a sense of place, whilst addressing the scale and character of the locality. The scale, height and form of extensions should fit unobtrusively with the existing building and the character of the street scene. The spacing between dwellings should respect the character of the street scene and traditional boundary treatments are retained and where possible reinforced.

13. Principles DG49 and DG50 of the SPD advise that the design of extensions should be informed by local character and should respond to the design of the original building. They should normally be designed to be well integrated with the existing scale, form and massing allowing the original building to remain the dominant element of the building. Extensions should typically use simple and uncomplicated building forms to complement and coordinate with the scale, form and massing of the original building. Side extensions should normally be subservient to the host dwelling and typically set back from the front of the original building.
14. DP Policy DP37 seeks to retain and protect trees which contribute to the character of the area. Paragraph 131 of the Framework states that trees make an important contribution to the character and quality of urban environments and can help mitigate and adapt to climate change. Existing trees should be retained wherever possible.
15. The proposed two storey side extension would be set back from the prominent chalet styled section of the house and would be seen as a continuation of the two storey part of the house. It's mass, proportions, fenestration and external materials would match those of the host dwelling and it would respect and reflect the strong horizontal lines of the dwelling. The proposed extension would be seen as an integral part of the host dwelling and whilst it would increase its overall width and size, the chalet style section of the house would remain dominant. This is due to its prominent position. The proposed garage conversion, repositioning of the front door and the small rear infill would have a negligible impact on the character and appearance of the dwelling.
16. As a result of these factors the resultant dwelling would be well proportioned and would respect the scale, character and diverse range of dwellings in the immediate and wider area, including within the LRCA. This is subject to adherence to the submitted drawings; the use of conservation roof lights; the use of the same external materials and finishes for the walls and roof of the extension as the existing house; and the use of windows and doors that respect the host dwelling and preserve the character and appearance of the adjacent heritage assets. This would provide certainty and ensure the extension respected both the character and appearance of the host dwelling and the heritage assets. As suggested by the council these matters could be dealt with through the imposition of conditions.
17. Within Snowdrop Lane the gaps between dwellings and their side boundaries vary from approximately one metre to in excess of 16 metres. The gaps between dwellings similarly vary between approximately two metres to in excess of 30 metres. With the proposal, the flank wall of the proposed extension would be just over one metre from the side boundary fence at its closest point. It would also be in excess of 30 metres from the house at Oldfield and the distance between the resultant dwelling and the dwellings to the south, west and north would be unchanged. Accordingly, the siting of the proposed extension respect the existing spatial pattern of the immediate and wider area.
18. The proposed extension would be sited on land which is currently hard surfaced. The area of land which would be used to form a side access is largely bare, with patches of ground cover. Whilst there was previously a small Cypress tree and a Holly tree within this area they have been removed.

Beyond the side boundary fence is a Laurel hedge and a number of small individual trees. They screen the appeal dwelling from the grounds of Oldfield and the LRCA. Subject to the protection measures set out in the submitted Arboricultural Impact Assessment the proposal would not harm the long-term health or retention of the hedge and trees. As suggested by the council this could be secured through the imposition of a condition.

19. The proposed extension would fall outside the canopy of all existing trees and hedges within and adjacent to the appeal site. It would however fall within the notional circular root protection area (rpa) of two mature Oak trees, one of which is the subject of a tree preservation order. This tree is located adjacent to the front boundary of the appeal site and the encroachment within its rpa would be less than 2%. The encroachment into the rpa of the Oak tree situated to the rear of the appeal site would be just 0.25%. Whilst the level of encroachment is small, it would be important that the tree protection measures set out in the Arboricultural Impact Assessment were fully adhered. This is to ensure that the health of the trees is maintained and that they are fully protected throughout the construction stage.
20. For these reasons I find that the proposed extension, garage conversion, repositioning of the front door and rear infill would respect and would fit unobtrusively with the existing building, the character of the street scene and the surrounding area. The existing hedges, trees and area of lawn would be fully retained and would continue to contribute to the verdant and semi-rural character and appearance of Snowdrop Lane, Oldfield and the adjacent LRCA. As a consequence, the proposed extensions and alterations to the appeal dwelling would preserve the character and appearance of Oldfield and the LRCA and would not detract from their significance.
21. Conversely, the proposed solid gates and associated piers would have a visually hard and suburbanising impact where they could be glimpsed from the existing crossover and through the planting along the lane frontage. Whilst it is acknowledged that there are tall gates and piers at the entrance to Oldfield, they are not visible from the street scene. Also, tall solid gates are not a common feature in Snowdrop Lane or the north-eastern section of the LRCA.
22. Of more concern is the proposed felling of two semi-mature Beech trees. As stated in the Arboricultural Impact Assessment these trees are in good condition and have an expected life span of at least 20 years. Both of these trees help to screen the driveway from Snowdrop Lane and make a valuable contribution to the verdant and semi-rural character and appearance of the locality and the LRCA. Their removal would fail to preserve or enhance the character and appearance of the LRCA and would detract from its significance.
23. Whilst this harm would be less than substantial, it nonetheless needs to be assessed against any public benefits that would result from the proposed gates. In this instance no public benefits have been cited by the appellant.
24. The above concerns are not something that could be satisfactorily addressed through the imposition of conditions. They would also outweigh the benefits for the appellants and their family that would result for the proposed entrance gates.
25. I conclude on the main issue that the proposed two storey extension including garage conversion, relocated front entrance door and rear infill would respect

the character and appearance of the host dwelling and the surrounding area, including the setting to Oldfield and the LRCA. It would preserve the character and appearance of Oldfield and the LRCA and would not cause any harm to their significance. Accordingly, the proposal would comply with DP Policies DP26, DP34, DP35 & DP37, NP Policies E9 & H9, SPD Principles DG49 & DG50 and Sections 16 and paragraphs 130 & 131 of the Framework. The proposed entrance gates and piers would unacceptably harm the character and appearance of the street scene, the setting to Oldfield and the LRCA. They would fail to preserve the character or appearance of Oldfield and the LRCA and the harm that would be caused to their significance would not be outweighed by any public benefits. Accordingly, this aspect of the proposal would conflict with DP Policies DP26, DP34, DP35 & DP37, NP Policy E9 and Section 16 and paragraphs 130 & 131 of the Framework.

Conclusion

26. In view of the acceptability of the proposed two storey extension including garage conversion, relocated front entrance door and rear infill, I have considered the possibility of issuing a split decision. As they are physically and functionally independent from the proposed gates and associated piers, I am able to issue a split decision in this instance.

Elizabeth Lawrence

INSPECTOR