

Mid Sussex District Council
Planning – FAO Catherine Cardin
Oaklands
Oaklands Road
Haywards Heath
RH16 1SS

17th August 2026

Dear Ms Cardin,

Re: Planning Application for ‘Proposed single storey extension to rear and side of property, as well as garage and porch conversion, associated landscaping works to front, side and rear of property’.

**Site Address: ‘Villa Margarita’, 18 Paddockhall Road, Haywards Heath, West Sussex.
MSDC Application reference: DM/26/1734.**

We refer to the above planning application, which is made on behalf of Mr. Michael Strelly (the applicant), by Mr. Jack Dunckley (the agent).

We write on behalf of our clients, [REDACTED] who own and reside at ‘Southside’, No.16 Paddockhall Road. This semi-detached property neighbours the above site to its north side. On behalf of our clients, we wish to **OBJECT** in the strongest possible terms to the householder application, which is currently being considered by the District Council.

In summary, we **object** to the proposed development for the following reasons:

- The proposed rear and side extension would be positioned close to the shared boundary with our Client’s property. Given the proximity of the extension to the boundary, the number and position of affected windows, and the proposed false-pitched roof detail which would add to the perceived height, mass and bulk of the addition, the proposal would cause material harm to the living conditions of the occupiers of ‘Southside’ through the loss of natural light and an overbearing relationship. The development would therefore be contrary to the NPPF, **Policy DP26** of the District Plan, and the design principles set out in the Mid Sussex Design Guide.
- The proposed side-facing ground-floor window and the reliance on existing boundary vegetation do not adequately demonstrate that the privacy of neighbouring occupiers would be protected, contrary to the amenity objectives of Mid Sussex District Plan **Policy DP26** and the Mid Sussex Design Guide SPD.
- The application provides insufficient information regarding the proposed summerhouse, replacement front gates, landscaping, vegetation removal and replacement planting. As a result, the Council cannot properly assess the proposal’s impact on neighbouring amenity, trees and hedgerows, or the character and appearance of Lucastes Conservation Area, having regard to **Policies DP26, DP35 and DP37** of the Mid Sussex District Plan and the current NPPF. We also consider

that the existing property ('Southside') is a non-designated heritage asset, and the proposals conflict with District Plan **Policy DP34**.

(i) Planning Policy

It is a requirement that all planning applications must accord with relevant planning policies of the Development Plan. At the local level, the Mid Sussex District Plan 2014-2031 provides the most up-to-date local planning policy context. Mid Sussex District Council also have relevant Supplementary Planning Guidance in the form of **Design Guide SPD, November 2020**.

(ii) The proposal

The householder planning application for No.18 Paddockhall Road seeks permission to erect a single storey rear and side extension. Having had regard to the submitted drawings and the accompanying Design and Access Statement it is understood that the proposals comprise:

- The existing garage will be converted into an office/gym and shower room.
- The ground floor will be rearranged to include a snug, utility/dog room, cloakroom WC, office/gym, WC/shower room, kitchen and day room.
- A new enclosed front porch will replace the existing open entrance.
- The kitchen/day room will extend to the west side of the property.
- The first floor will remain unchanged.
- The works would include the removal of existing Leylandii hedging and metal gates to the road frontage and replacement with a new evergreen hedging (Portuguese Laurel, approximately 1.8m/ 6ft height) and a new electrically operated timber gate.
- A summer house is also proposed within the rear garden, however detailed plans do not accompany the application.

(iii) Residential Amenities

The proposed extension would project further into the site and along the shared northern boundary with our clients' property at 'Southside', 16 Paddockhall Road. The southern side elevation of 'Southside' contains nine windows, including two kitchen windows which provide the principal source of natural light to that room.

██████████ have occupied the property for approximately 25 years, and the affected windows are understood to have been in place for over 50 years. There may therefore be established private rights of light through those windows, most commonly arising by prescription after at least 20 years' uninterrupted enjoyment under section 3 of the Prescription Act 1832. It is understood that rights of light are a civil property matter and are separate from the planning process. However, the effect of the proposed development on neighbouring amenity, including daylight, outlook and overbearing impact, remains a material planning consideration. In this respect, the proposal conflicts with the objectives of the National Planning Policy Framework, which requires planning decisions to seek well-

designed places that function well, add to the overall quality of the area, and provide a high standard of amenity for existing and future users.

In our opinion, the Planning Application should be supported by a technical Daylight Assessment, carried out by a suitably qualified professional, in order to confirm the level of harm that would arise to the amenities of our Clients by virtue of loss of daylight.

The proposal should also be assessed against Mid Sussex District Plan **Policy DP26: Character and Design**, which requires development to be of high quality, to respond positively to local context, and to avoid significant harm to the amenity of nearby residents and adjoining occupiers.

The Mid Sussex Design Guide SPD, adopted in November 2020, further advises that extensions should be carefully designed in relation to neighbouring properties and should protect residential amenity, including outlook, privacy and access to natural light. In this case, given the proximity of the extension to the boundary, the number and position of affected windows, and the proposed false-pitched roof detail which would add to the perceived height, mass and bulk of the addition, the proposal would have the potential to cause material harm to the living conditions of the occupiers of 'Southside' through loss of natural light and an overbearing relationship. The development would therefore be contrary to the NPPF, **Policy DP26** of the District Plan and the design principles set out in the Mid Sussex Design Guide SPD.

The proposal also includes an additional ground-floor window serving the kitchen/day-room extension. In view of the substantial rear glazing already proposed, this side-facing window appears unnecessary and would introduce an additional opportunity for overlooking towards 'Southside' and its private residential garden area. The side windows of 'Southside' include a first floor landing, off of which are two bathrooms. The proposed skylight would have views upwards into this window, thereby prejudicing the privacy currently enjoyed by the occupiers of 'Southside'.

Existing vegetation along the shared boundary cannot be relied upon as permanent mitigation, particularly where it is outside planning control or may be removed or reduced in the future. The proposal therefore fails to demonstrate that neighbouring privacy would be adequately protected, contrary to **Policy DP26** and the Mid Sussex Design Guide SPD.

(iv) Summer House and Front Gates

The accompanying Design and Access Statement refers to a proposed summerhouse, described as *"a single storey timber-framed summerhouse (3.5m x 4.5m, maximum height 4m to ridge) proposed within the rear garden, sited a minimum of 2m from the boundary"*. However, this structure appears only on the submitted Hard Landscaping Plan DWL 12 and is not supported by detailed floor plans, elevations or included on the submitted site plan. The omission is material because our Clients and the Council cannot properly assess its

scale, appearance, relationship to boundaries, impact on neighbouring amenity or effect on the character and appearance of the Conservation Area.

In addition, there are concerns relating to the proposed and potential use of this detached garden building. It is unclear whether it is to be used ancillary to the house, or if it is to be used as independent accommodation and/or for commercial purposes. Any use that would generate increased movements and activity would not be acceptable in this residential area. The application therefore lacks sufficient information to demonstrate compliance with the NPPF, **Policies DP26 and DP35** of the District Plan and the Mid Sussex Design Guide SPD.

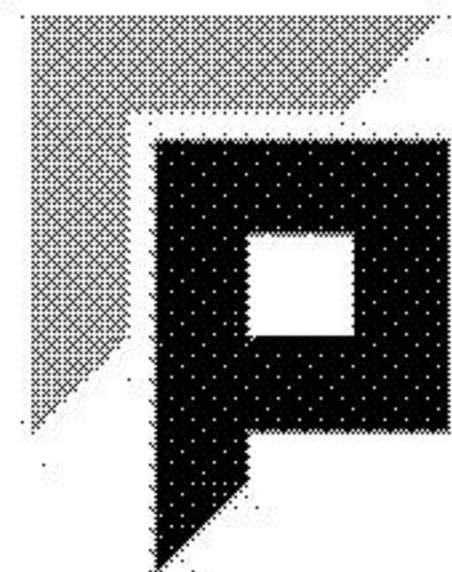
In the absence of this information, our clients are unable to comment fully on the likely impacts of the proposed summerhouse. We therefore respectfully request that the Planning Officer confirms whether the summerhouse forms part of the application. If it does, the application should not be determined until accurate plans and elevations have been submitted, neighbour re-consultation has taken place, and the Council is satisfied that the proposal would not give rise to unacceptable impacts on residential amenity, and the character and appearance of the Conservation Area.

The planning agent also refers to the replacement of the existing front gates within the Design and Access Statement and on the indicative street scene. However, no detailed elevation plans or dimensions have been provided. It is therefore unclear whether the gates would exceed 1 metre in height adjacent to the highway and whether planning permission is required. Given the site's location within Lucastes Conservation Area, the design, height, materials and visual impact of any new gates are important matters. Concerns are raised that the lack of detailed information prevents a proper assessment against **Policies DP26 and DP35** of the District Plan and the Mid Sussex Design Guide SPD. **We respectfully request that the planning officer confirms whether the gates form part of the current proposal and, if so, requires full details to be submitted and the opportunity for further neighbour comment prior to determination.**

(v) Character and Appearance of the Conservation Area

The application site is located within Lucastes Conservation Area, which was designated in 1989. MSDC's 'Conservation Areas in Mid Sussex' document, dated August 2018 says the following with respect to the Lucastes Conservation Area: *"There are a number of features which contribute to the special character of the Conservation Area:*

- *The variety of buildings which represent a range of age types and architectural styles;*
- *The spacious nature of development, which is characterised by buildings set back from the road frontage, with wide grass verges along Lucastes Avenue and Lucastes Road;*
- *The presence of trees, hedges and ponds;*
- *The late sixteenth century farmhouse called Lucas's and the barn which are listed as being of special architectural and historic interest; and,*



RODWAY PLANNING
CONSULTANCY LIMITED

- *The absence of on-street parking and a low traffic flow.”*

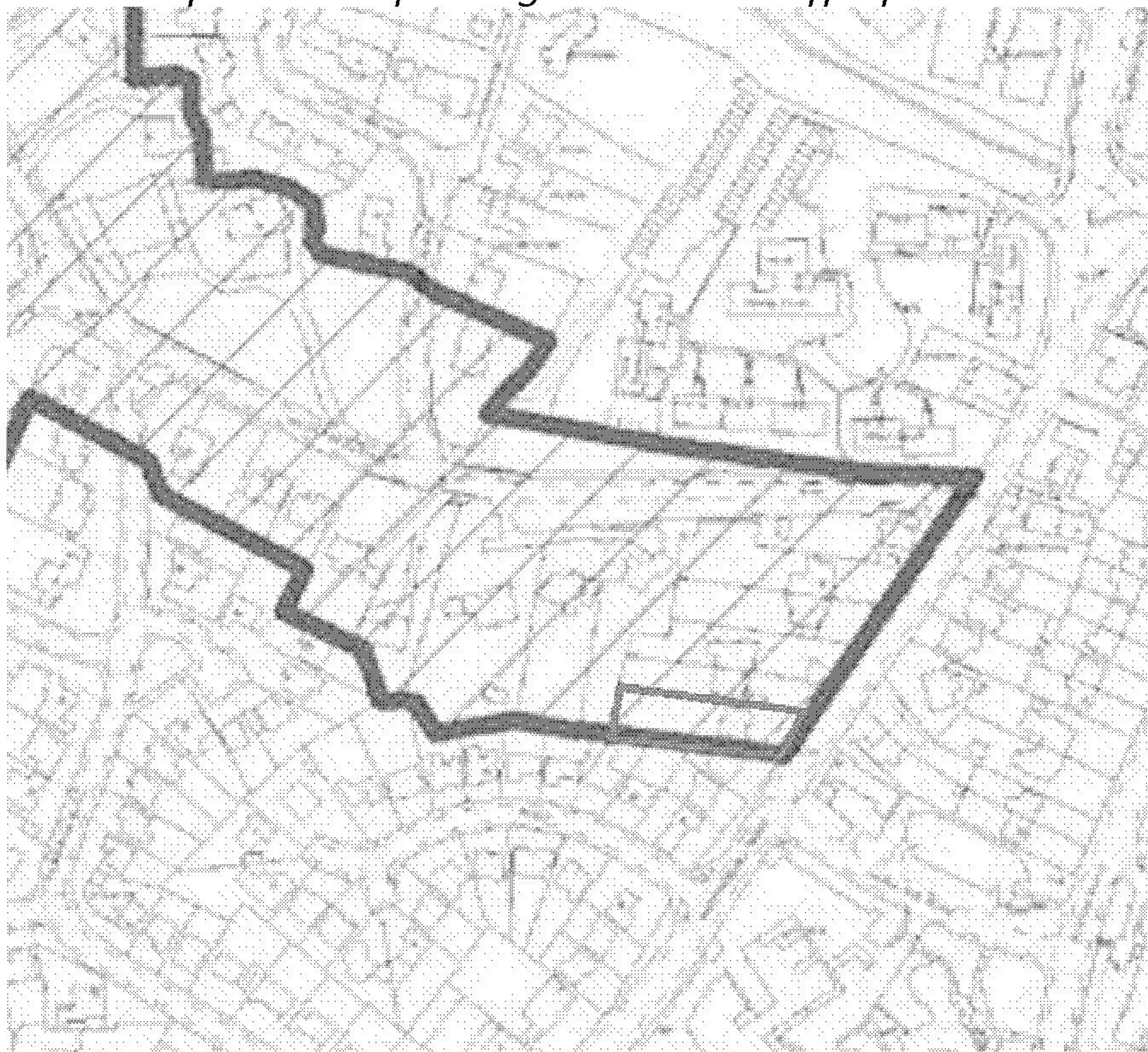


Fig 3. Extract from Lucastes Conservation Area map (site outlined in red for ease of reference), taken from MSDC’s ‘Conservation Areas in Mid Sussex’ document, dated August 2018.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. The NPPF similarly requires great weight to be given to the conservation of designated heritage assets, with any harm requiring clear and convincing justification.

Policy 35 of the District Plan relates to Conservation Area, noting 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;*
- *Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character; ...”*

It is relevant to consider the historical importance of the subject property. We are advised that No.18 was originally part of the 'Thorpe Estate' with No's 14 and 16 combined called 'Thorpe House'. The covenants on the land go back to 1867 and 'Thorpe House' was built in the very early 20th century. Although the property is not statutorily listed, it is an Edwardian house linked to the history of Haywards Heath. 'Thorpe House' is understood to have originally owned the plots which are today 14, 16 and 18 Paddockhall Road and 3 plots at the back on Lucastes Avenue. The building is of an attractive appearance, and is greatly unchanged from its construction during the Edwardian period, and our position is that this is a building of historic and architectural importance for the area. Therefore it is reasonable to conclude that the building could be assessed as a Non-designated heritage asset (NDHA) in planning policy terms. Consequently it is vitally important that the proposals are considered by the District Council's Conservation Officer.

With respect to consideration of the property as a NDHA, Policy DP34 of the District Plan is relevant. This says (inter alia) that *"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."*

Paragraph 216 of the NPPF explains that *"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."*

In this context, the proposed extension, summerhouse, frontage works and associated landscape changes must be assessed cumulatively. Based on the submitted information, the proposal has not demonstrated that it would preserve or enhance the Conservation Area and/or not lead to harm to the significance of what we consider to be an NDHA. The proposed extension's proximity to the shared boundary, its massing and roof form, the absence of detailed plans for the summerhouse and gates, and the uncertainty regarding vegetation removal all weigh against the proposal. It is our Client's position that the loss of vegetation at this site, particularly that which screens their property from No.18 and Paddockhall Road itself, would be detrimental to the living conditions, and would also harm the verdant character and appearance of the area.

The application should therefore be refused unless and until adequate information is provided to demonstrate compliance with the NPPF, **Policies DP26, DP34, DP35, and DP37** and the Mid Sussex Design Guide SPD.

(vi) Hardstanding

There appears to be an increase in the amount of hardstanding to the front of the property and subsequent loss of vegetation. This will have a harmful impact upon the character and appearance of the site, as viewed from the Conservation Area, contrary to guidance contained within the NPPF and **policies DP26, DP35 and DP37** and the Mid Sussex Design Guide SPD.

(vii) Landscaping

The Applicant's agent confirms within their Design and Access Statement that they intend to replace the existing *"Leylandii hedge with evergreen Portuguese Laurel hedging will maintain equivalent, and over time enhanced, boundary screening and habitat value along the road frontage. There are two oak trees in the front garden that have TPO, and no works will affect the trees"*.

The site lies within a Conservation Area, where works to trees are subject to specific controls where the relevant statutory thresholds are met. The submitted information does not clearly identify the full extent of vegetation to be removed and there are concerns that the applicant intends to remove vegetation in addition to the front hedging, as part of the development. **Policy DP37** seeks to protect trees, woodland and hedgerows where they contribute to character, biodiversity, amenity or landscape value, while **Policy DP35** requires open spaces, gardens, landscaping and boundary features that contribute to the special character of a Conservation Area to be protected. The NPPF also requires planning decisions to recognise the intrinsic character and beauty of the countryside, support the enhancement of green infrastructure, and conserve and enhance the historic environment. In the absence of adequate arboricultural and landscaping information, we are not satisfied that the proposal would protect existing landscape features or provide suitable replacement planting.

Further, our clients are concerned that the removal or reduction of frontage and boundary vegetation would open up the site, reduce privacy and increase the perception of noise and disturbance from Paddockhall Road. The existing vegetation also contributes to the verdant and spacious character of the area and to the setting of the Conservation Area. The proposed replacement Portuguese Laurel hedge, at approximately 1.8 metres in height, would not necessarily provide equivalent screening, seasonal enclosure or ecological value, particularly in the short to medium term. A robust landscaping condition, including details of retained vegetation and its protection, replacement planting, implementation and long-term maintenance, would therefore be required if the Council were minded to approve the application.

The importance of retaining meaningful landscape screening is reinforced by nearby developments at Nos. 20 and 22 Paddockhall Road, where the removal of substantial vegetation has, in our clients' experience, increased exposure to road noise and reduced privacy. The Council should therefore ensure that any approved scheme at No.18 retains

existing mature planting wherever possible and secures appropriate replacement planting of sufficient maturity and density to preserve neighbouring amenity and the character of the Conservation Area.

Finally, there is also no clear assessment of seasonal screening, particularly given that much existing foliage appears to be deciduous and would provide materially reduced screening outside the summer months.

(viii) Other Matters

If the event that the application is approved, we respectfully request that a condition is imposed limiting building works and deliveries to reasonable working hours Monday-Friday. No works should take place on weekends or bank holidays.

We would request that the Water Company is consulted to ensure where the Sewers are located.

We are advised by our Clients that there are legally binding covenants relating to building on the land and access to utility pipes and cables etc. We wish to question whether the Applicants have obtained appropriate legal advice in respect of these matters?

Finally, No's 14 and 16 have been incorrectly labelled on the submitted block plan. We would request that this is amended.

(ix) Summary

In conclusion, it is considered that the proposed development has not been adequately justified and would give rise to unacceptable planning impacts. The proposed single storey rear and side extension, together with the garage and porch conversion, associated landscaping works, replacement frontage treatment and the unresolved references to a summerhouse and front gates, must be considered cumulatively in the context of Southside, 16 Paddockhall Road, and Lucastes Conservation Area.

The extension would be positioned close to the shared boundary with our clients' property and would affect windows serving habitable accommodation, including the kitchen at Southside. The proposal has not sufficiently demonstrated that it would protect neighbouring residential amenity in terms of daylight, outlook, privacy and overbearing impact. It is therefore considered to conflict with the amenity and design objectives of the National Planning Policy Framework, **Policy DP26** of the District Plan and the Mid Sussex Design Guide SPD.

The application also fails to provide sufficient information regarding the proposed summerhouse, front gates and the full extent of vegetation removal. This prevents the Council from properly assessing the proposal's effect on neighbouring amenity, landscape character, existing trees and hedgerows, and the character and appearance of Lucastes

Conservation Area. The proposal has therefore not demonstrated compliance with **Policies DP35 and DP37** of the Mid Sussex District Plan.

Given the site's location within Lucastes Conservation Area, special attention must be paid to the desirability of preserving and enhancing its character or appearance. On the basis of the submitted plans and supporting information, the development fails to demonstrate that it would preserve neighbouring living conditions, nor would it conserve or enhance the Conservation Area, and it would also lead to harm to the significance of what we consider to be an NDHA.

For these reasons, the proposal conflicts with relevant national and local planning policy and guidance. It is therefore respectfully requested that planning permission be refused. If the Council is not minded to refuse the application, it is requested that determination is deferred until accurate and complete plans have been submitted and neighbour re-consultation has taken place.

In the event that the Council are minded to approve the application, we would respectfully request that appropriate conditions are secured in relation to hours of construction, landscaping, boundary treatment, tree protection and any permitted outbuilding or gates.

I trust the above comments will be taken into consideration in the determination of the application. If the Council's Planning Department requires any further information, please do not hesitate to contact me.

Yours sincerely,

Rodway Planning Consultancy Limited

 16 Paddockhall Road, Haywards Heath