

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/3095	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Proposed first floor rear extension to form bedroom, and a new porch and roof dormer to front elevation		
Site:	40 Gander Hill, Haywards Heath, West Sussex, RH16 1QX, , ,		
Validation Date	2 Dec 2025	Overall Expiry Date:	20 Feb 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	7 Apr 2026
Target Date:	27 Jan 2026	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	5
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Signed and Agreed By:	Stephen Ashdown	Date:	8 Apr 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/3095

**40 Gander Hill, Haywards Heath, West Sussex, RH16 1QX, , ,
Proposed first floor rear extension to form bedroom, and a new porch and roof dormer to front elevation
Mr And Mrs Payne**

SUMMARY OF REPRESENTATIONS

Letters of objections have been received from Nos. 38 and 42 Gander Hill and Bramston and Sun Ridge, Summerhill Lane on the following grounds:

- Light and outlook
- Out of character
- Light pollution
- Overdevelopment

SUMMARY OF CONSULTEES

Southern Water: Following on from the Weekly list, Southern water has that a Build Over application is to be submitted to Southern Water for approval. Any new connections to the public sewerage system will require a New Sewer Connection application (we sometimes refer to this as a Section 106) to be submitted and approved by Southern Water.

TOWN COUNCIL OBSERVATIONS

The Town Council notes the submission of additional BRE rule of thumb documentation. However, after scrutiny, this does not mitigate the Town Council's concerns regarding the loss of light. Therefore, the Town Council wishes to reiterate its comments submitted on 30/01/2026 as below:

The Town Council **OBJECTS** to this application due to the out of character and overbearing nature of the proposal extension, which it feels is an overdevelopment of the current dwelling. The Town Council has serious concerns about the loss of light and the impact of this on neighbouring properties.

INTRODUCTION

Planning permission is sought for a proposed first floor rear extension to form bedroom, and a new porch and roof dormer to front elevation

RELEVANT PLANNING HISTORY

08/01298/FUL - Two storey side and single storey rear extension of existing 1950's style residence with internal alterations (approved)

DM/17/2021 - Proposed extension over existing garage to form additional bedroom and ensuite.
(approved)

SITE AND SURROUNDINGS

40 Gander Hill large detached two storey pitched roofed dwelling. The dwellinghouse is located on the south eastern side of Gander Hill Road. The application site has been subject to a number of extensions and alterations including a large flat roofed rear dormer window, a front first floor extension and a two storey side extension and a single storey rear extension.

The dwelling is characterised by a mix of face brickwork, painted render and timber cladding.

To the north-eastern (side) boundary is 42 Gander Hill, with 38 Gander Hill to the south- western (side) boundary, Bramston to the south eastern (rear) elevation, with the Grade II Listed Building 31 Gander Hill opposite to the north western (front) elevation with the driveway and highway between.

The property is not typical of those in the area (which are on the whole of a similar period and style with hanging tiles a typical feature), dating from the 1950's and not of any great merit architecturally.

The site is within the built-up area of Haywards Heath.

APPLICATION DETAILS

The first floor rear extension above the rear extension approved under 08/01298/FUL approximately measures 4.8m in depth, 5.5m in width with a height to eaves of 4.7m and an overall height of 7.2m. This will create a bedroom.

The existing porch approximately measures 1.4m in depth, 2.5m in width with a height to eaves of 2.4m and an overall height of 3.4m.

The proposed new flat roofed porch approximately measures 1.9m in depth, 5.2m in width with a height of 2.9m.

The proposed roof dormer to front elevation approximately measures 1.4m in depth, 2.4m in width with a height of 2.6m. Enlarged front velux windows are proposed.

LEGAL FRAMEWORK AND LIST OF POLICIES

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocation Development Plan Document (DPD) and the Haywards Heath 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:

DP21 - Transport

DP26 - Character and Design

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

There are no relevant policies.

Haywards Heath Neighbourhood Plan

The Haywards Heath Neighbourhood Plan was made on 15th December 2016. Relevant policies:

Policy E9 - Design

Policy H9 - Residential Extensions

Other Material Considerations

Mid Sussex District Plan 2021 - 2039 - Submission Draft (Regulation 19)

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and hearings were concluded on the 19th March 2026. The District Plan remains at Examination until the Inspector has published his report, until that time only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant policies:

DPB1 - Character and Design

DPT4 - Parking and Electric Vehicle Charging Infrastructure

Mid Sussex Design Guide Supplementary Planning Document (SPD)

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 8, 11, 131 and 135 are considered to be relevant to this application.

ASSESSMENT

Design and Character

Policy DP26 of the Mid Sussex District Plan states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- 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;*
- protects open spaces, trees and gardens that contribute to the character of the area;*
- protects valued townscapes and the separate identity and character of towns and villages;*
- does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP27);*
- creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- positively addresses sustainability considerations in the layout and the building design;*

- take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;
- optimises the potential of the site to accommodate development."

Policies H9 and E9 of the Haywards Heath Neighbourhood Plan are most relevant.

Policy H9 states:

'Extensions to existing dwellings will be permitted where it meets the following criteria:

- o The scale, height and form fit unobtrusively with the existing building and the character of the street scene.*
- o Spacing between buildings would respect the character of the street scene.*
- o Gaps which provide views out to surrounding countryside are maintained.*
- o Materials are compatible with the materials of the existing building.*
- o The traditional boundary treatment of an area is retained and, where feasible reinforced.*
- o The privacy, daylight, sunlight and outlook of adjoining residents are safeguarded'.*

Policy E9 states:

'Developers must demonstrate how their proposal will protect and reinforce the local character within the locality of the site. This will include having regard to the following design elements:

- o height, scale, spacing, layout, orientation, design and materials of buildings,*
 - o the scale, design and materials of the development (highways, footways, open space and landscape), and is sympathetic to the setting of any heritage asset,*
 - o respects the natural contours of a site and protects and sensitively incorporates natural features such as trees, hedges and ponds within the site,*
 - o creates safe, accessible and well-connected environments that meet the needs of users,*
 - o Will not result in unacceptable levels of light, noise, air or water pollution,*
 - o Makes best use of the site to accommodate development,*
 - o Car parking is designed and located so that it fits in with the character of the proposed development.*
- Proposals affecting a listed building, conservation area, building of local interest or public park of historic interest or their setting should preserve or enhance their special interest and/or distinctive character'.*

Principle DG49 of the Mid Sussex Design Guide states:

'Extensions should typically use simple, uncomplicated building forms to compliment 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. Otherwise it should demonstrate the appropriateness of the alternative approach.'

Principle DG50 of the Mid Sussex Design Guide relates specifically to front extensions and states:

'Front extensions are more likely to be acceptable where the building line is staggered or where the dwelling is set well back from the road. They are less likely to be acceptable in streets with a strong consistent building form as they risk disrupting the underlying order.

Where front extensions are considered acceptable, they should normally be limited to a modest single storey or porch-type extension that reflect the character of the existing property'.

Principle DG51 of the Mid Sussex Design Guide SPD relates specifically to rear extensions states the following:

'Rear extensions which are not visible from the street and do not negatively impact on neighbouring properties can be expressed in many forms, including by adopting a contemporary architectural approach. With reference to DG49, they should nevertheless have consideration for the character of the

existing building and the relationship of the extension with the side boundaries and adjacent buildings and gardens'.

With reference to roof enlargement specifically, principle DG52 of the Mid Sussex Design Guide SPD in part states:

'A loft conversion is a space efficient means of extending the amount of living accommodation in a dwelling. Roof accommodation is normally reliant on dormer windows and rooflights to provide light and ventilation. However, if they are out of scale or out of character with the roofscape and proportions of a dwelling they can have an adverse impact on the character of both the dwelling and the streetscape.

The roof pitch and form are intrinsic to a building's character and roof extensions should be sensitive to this. Roof extensions and dormer windows that alter the existing ridge of the roof or significantly alter the roof profile of a building will not normally be acceptable, particularly on the front roof slope, and where there is a strong established roofline.

Where a clear rhythm of fenestration is established, the position and proportion of dormer windows should respond to existing windows and / or doors.'

This principle also includes reference to further dormer window guidance in Chapter 6 of the Design Guide under sections 6.3.5 to 6.3.7 which state:

'6.3.5 While dormer windows can sometimes be prominent features in the streetscene, care needs to be taken with their design, proportions and position on the roof. The choice of design should be informed by the character and appearance of the local vernacular.

6.3.6 Dormer windows should be visually subordinate to the roof slope, enabling a large proportion of the main roof to remain visible. Excessively wide dormers are likely to look unsatisfactory as they will often be out of proportion with the existing roof.

6.3.7 Dormer windows should normally be positioned below the ridge-line, and above the eaves line'.

Extensions characterise the existing dwelling and the wider streetscene including two storey rear extensions.

The proposed porch is a modest enlargement to the existing dwelling, it will be subservient and of a design suggested under principles DG49 and DG50 of the Mid Sussex Design Guide SPD.

The proposed first rear extension is subservient to the ridge height and would use matching materials. The size of the proposed first floor enlargement would be no deeper than the existing ground floor rear extension.

The proposed front dormer whilst flat roofed in design is modest in size and therefore does not dominate the front roofslope. Therefore, the proposed front dormer complies with DG52 of the Mid Sussex Design Guide.

Whilst previous enlargements to the original dwelling is noted, the proposal given its modest increase in footprint is not deemed overdevelopment of the site.

Therefore, in terms of character and design the proposal is deemed to comply with DP26 of the Mid Sussex District Plan, the relevant principles of the Mid Sussex Design Guide and the relevant paragraphs of the NPPF.

Impact on neighbouring properties

Policy H9 states that proposals should "safeguard" adjoining neighbours amenity whereas policy DP26 of the MSDP states that development 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. There is therefore some conflict between the District Plan and Neighbourhood Plan in this respect.

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published. As such, policy DP26 of the MSDP is considered to take precedence and therefore the test in this instance is whether the development causes significant harm to neighbouring amenities as outlined above.

Principle DG47 of the Mid Sussex Design Guide SPD relates to neighbouring amenities in terms of light and states:

'All dwellings should benefit from daylight and sunlight levels that conform to BRE (Better Regulation Executive) standards'.

Concern is raised regarding the impact on neighbouring No.42, with the most affected room being the ground floor living room which gets significant light from the side window looking towards No.40.

The BRE 25-degree rule of thumb can be a useful tool when determining the impact on neighbouring amenities and it has been utilised to assess the impact of the proposed.

Given the nature of the works and the location in relation to No.38 which is to the south of the proposal the impact on sunlight to No.37 is not considered significant.

The BRE 'Site Layout Planning for Daylight and Sunlight: A guide to good practice' outlines " If the value with the new development in place is less than 0.80 times the value before, there would be a noticeable reduction in the light entering the rooflight".

In terms of this impact on the adjoining No.42, drawings provided show that the ridge of the proposed first floor rear extension will intersect with the 25 degree angle. Therefore, a sunlight and daylight assessment has been provided which outlines that the impact is not less than 0.8 times the existing Vertical Sky component.

Coupled with this as detached with an approximate 7m gap between the proposal and the affected window and the room characterised by a south-east rear French doors meaning that the window is not the sole source of light to the room.

Therefore, in line with the report provided, the proposal is seen to comply with BRE guidance. Therefore, in terms of outlook and light, the level of harm is not considered significantly harmful.

In terms of overlooking and loss of privacy, a degree of overlooking is to be expected within the built-up area but the impact will be no more than that caused from the existing first floor windows.

Due to the domestic nature of the proposed development, it is considered that there would not be a harmful impact in terms of noise, air or light pollution although short term harm is noted and expected during the build.

Therefore, in terms of neighbouring amenities the proposal is deemed acceptable and complies with DP26 of the Mid Sussex District Plan.

Parking Provision

As new bedrooms are to be created, parking standards has to be assessed.

West Sussex County Council Guidance on Parking sets out the maximum parking standards for residential houses. For a 6 bed property in this location in Haywards Heath 2.5 spaces should be provided.

The driveway to the front of the house can serve at least 3 cars.

Therefore, the proposal will provide sufficient parking provision within a sustainable location and comply with DP21 of the Mid Sussex District Plan.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. This is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. As a householder application this development is exempt from the requirement to provide biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the development plan and then to take account of other material planning considerations including the NPPF.

The proposed alterations are considered be sensitive to the existing design of the dwelling, the wider streetscene, it will not cause significant detriment to the amenities of the neighbouring properties and will have sufficient parking provision. The application therefore complies with Policies DP21 and DP26 of the District Plan, policies E9 and H9 of the Haywards Heath Neighbourhood Plan, as well as the adopted Mid Sussex Design Guide as well as the requirements of the NPPF.

Decision: Permission

Case Officer: Andrew Horrell