

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0561	Case Officer:	Anna Tidey
Application Type:	Removal/Variation of Condition		
Proposal:	Variation of condition no 2 relating to planning application DM/25/0331 - to allow for design changes.		
Site:	35 Blunts Wood Road, Haywards Heath, West Sussex, RH16 1ND, , , ,		
Validation Date	9 Mar 2026	Overall Expiry Date:	29 Jun 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	7 Jul 2026
Target Date:	4 May 2026	Recommending Officer Signature:	Anna Tidey

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Joanne Fisher	Date:	8 Jul 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0561

**35 Blunts Wood Road, Haywards Heath, West Sussex, RH16 1ND, , ,
Variation of condition no 2 relating to planning application DM/25/0331 - to allow for design changes.
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SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Naturespace Newt Officer: No comments.

TOWN COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

This application seeks planning permission to vary condition 2 of planning application DM/25/0331 to allow for design changes to the approved rear extensions at ground and first floor level. The design changes include the introduction of a green roof over the rear single storey extension and changes to the fenestration on the rear elevation of the house at ground level. Amended Plans were received on 08.06.2026 to show alterations that have occurred as the construction has commenced.

RELEVANT PLANNING HISTORY

DM/25/0331. Proposed single storey rear extension and first floor rear extension. Approved June 2025.

DM/23/2368. Single storey rear addition. Ridge to main roof raised by 350mm. Solar panels on rear elevation roof slope. Approved November 2023.

DM/23/0674. Loft conversion and single storey rear addition. Withdrawn July 2023.

DM/21/1018. Raising of ridge to form loft conversion. Withdrawn May 2021.

11/00011/FUL. Minor amendments to approved application (09/03548/FUL) comprising external and internal alterations. Proposed new front entrance porch, with railings and doors to balcony. Existing ridge to be raised to side extension to remove dormer. Approved March 2011.

09/03548/FUL. Single storey rear extension to extend existing kitchen/dining room and form new cupboard. Approved December 2009.

05/01480/FUL. Conservatory and first floor bathroom extension. Amended plans received 26.07.05 showing doors installed at first floor level on front elevation in lieu of a window leading onto balcony. Approved September 2005.

02/01869/FUL. Extension and alterations (amended plans received 31.01.03 showing revised front dormer design). Approved March 2003.

SITE AND SURROUNDINGS

No 35 Blunts Wood Road is a 5 bed detached house, located on an established residential road in the built up area of Haywards Heath.

The property is located in a row of similarly designed houses. The row of houses have undergone various alterations, but each have a similar character with white rendered walls and pitched roofs set behind high front parapet walls.

No 35 has been previously extended to the side and rear with a two storey wrap around addition and across the remaining rear elevation with a sunroom style extension. The side pedestrian access path leads down the western side elevation of the house to the approved rear single storey extension now under construction. The remaining rear patio garden will be accessed through the extension and from the rear of the house.

The rear garden backs onto the garage, house and rear garden of the neighbouring house at No 41 Blunts Wood Road to the south. That house is sited off a cul de sac of houses. To the east is the rear garden of No 33 Blunts Wood Road, which is screened by shrubs growing in the adjacent garden and along the boundary fence.

APPLICATION DETAILS

The current application has been submitted under Section 73 of the Town and Country Planning Act and seeks permission to vary Condition 2 of planning application DM/25/0331, which reads as follows:

'Approved Plans

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 Application".

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

Planning permission was granted under application DM/25/0331 for a new single storey rear extension to create an enlarged kitchen space and utility room and a new first floor addition to accommodate an enlarged first floor bedroom and hallway. Both elements are now under construction, with minor design alterations.

This application is made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. The Act states that *'On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and-*

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.'

The approved plans under DM/25/0331 showed the rear additions of the same scale at ground and first floor level. The proposed plans for the current application show the introduction of a green roof over the area of flat roof on the rear single storey extension and the introduction of enlarged bifold patio doors on the ground floor in the rear elevation. Amended plans were received on 08.06.2026 to reflect the works in progress.

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, the Haywards Heath Neighbourhood Plan and Site Allocation Development Plan Document (DPD).

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 following policies are considered relevant when considering this application:

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

DP26 Character and design

DP38 Biodiversity

Site Allocations Development Plan Document

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

There are no policies deemed relevant to this application.

Neighbourhood Plan

Haywards Heath Neighbourhood Plan, made on 15 December 2016.

Relevant policies:

Policy E9 Design

Policy H9 Building 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:

DPS2 Sustainable Design and Construction

DPN1 Biodiversity, Geodiversity and Nature Recovery

DPB1 Character and Design

Mid Sussex Design Guide Supplementary Planning Document (SPD)

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

National Planning Policy Framework (NPPF) (December 2024)

ASSESSMENT

The result of this application would be to issue a new planning permission, so it is not considered necessary to go through all of the original planning issues in this report. The specific changes to the plans that are now proposed are considered below with regards to the design amendments and the amenities of the neighbouring residents.

It is necessary to consider the application against the relevant policies of the development plan and any other material planning considerations.

Design

Policy DP26 of the District Plan relates to character and design and requires all proposals to be well designed and reflect the distinctive character of the towns and villages as well as addressing the character and scale of the surrounding buildings and landscape.

The Council's adopted Design Guide is a material consideration in the determination of the application. Chapter 9 of the Design Guide relates to household extensions. Design Principle DG49 states that extensions should respond to the design of the original dwelling.

Principle DG51 of the MSDC Design Guide refers 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.'*

The principle of the residential extension of the house at No 35 Blunts Wood Road was found acceptable under planning application DM/25/0331.

The proposed rear extensions to the property are of a design that complement the dwelling. The proposed design amendments represent minor alterations to those approved under the original consent, and will not adversely affect the character and appearance of the dwelling.

The design amendments are minor and do not affect the approved scale of the extensions. The fenestration changes and green roof addition will not impact upon the character and appearance of the house and are considered acceptable. The design changes are considered to accord with Policy DP26 and Policies H9 and E9 of the Haywards Heath Neighbourhood Plan and with the relevant Design Guide principles.

Impact on residential amenities

District Plan Policy DP26 and Neighbourhood Plan Policy H9 are relevant in the determination of this application with regards to the impact of the changes on residential amenities. There is a conflict in the phrasing of these policies. District Plan Policy DP26 requires that development '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.' In contrast Policy H9 states that extensions to existing dwellings will be permitted where the privacy, daylight, sunlight and outlook of adjoining residents are safeguarded.

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.

In addition Principle DG45 in the Design Guide refers to the need to consider privacy of existing and future residents and it is noted that privacy may be affected by the relationship of buildings to each other.

The immediate neighbouring properties are Nos 33, 37 and 41 Blunts Wood Road, being located to east, west and to the south. All are detached houses, but the relationship of the buildings is close, as the rear gardens have a limited depth.

It is considered that the altered design elements to the approved extensions will have no significant harm to the privacy, outlook, daylight and sunlight of the immediate residents.

A planning condition was attached to the original approval under DM/25/331 to require the new first floor window in the side elevation of No 35 for the ensuite to be obscure glazed to protect the neighbour's privacy. The provision of this window is still shown on the amended plans and this condition is recommended to remain on the revised approval.

It is considered that the amended proposal accords with the requirements of the more up to date Policy DP26 of the District Plan, and also with the requirements of Policies H9 and E9 of the Haywards Heath Neighbourhood Plan and the relevant principles of the Design Guide.

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.

CONCLUSION

In conclusion, the proposed design amendments to the approved extensions are considered acceptable in design terms and will not impact harmfully upon the character and appearance of the property.

It is considered that the design amendments will not cause significant harm to the neighbouring amenities. The proposal accords with the aims of District Plan Policy DP26 and also with the requirements of Policies H9 and E9 of the Haywards Heath Neighbourhood Plan and the relevant principles of the Design Guide.

Consequently this application is recommended for approval, with conditions repeated from the approval under DM/25/0331.

Decision: Permission

Case Officer: Anna Tidey