

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2677	Case Officer:	Catherine Cardin
Application Type:	Householder Application		
Proposal:	Replace white wooden windows and patio doors with white uPVC double glazing windows and door.		
Site:	82 Middle Village, Haywards Heath, West Sussex, RH16 4GH, , , ,		
Validation Date	11 Dec 2024	Overall Expiry Date:	3 Jan 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	22 Jan 2025
Target Date:	5 Feb 2025	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	23 Jan 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2677

**82 Middle Village, Haywards Heath, West Sussex, RH16 4GH, , ,
Replace white wooden windows and patio doors with white uPVC double glazing windows and door.**

Miss Melanie Smith

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

None received.

TOWN COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

Planning permission is sought to replace two sets of white wooden windows with white uPVC windows, and to replace one set of patio doors with white uPVC patio doors.

RELEVANT PLANNING HISTORY

02/02545/REM- Application for approval of reserved matters, pursuant to outline planning permission CD/29/96 relating to phases 2D and 2E The Village Centre. Amended plans showing separation of shops and residential blocks. Permission.

02/00150/REM- Reserved matters to application CD/29/96. Master plan to show proposed land uses including housing zones, school, village centre, recreation area, access and social housing. Revised Master Plan drawing and additional information. Permission.

CD/043/97- Outline application: Housing and associated facilities, open space and outer relief road along with section of Rocky Lane improvements. (Duplicate application of CD/29/96, CD/30/96 and CD/63/96 with minor changes). Additional drawings and details showing revisions to proposals and amendments to land allocations. Appeal withdrawn.

CD/029/96- Outline application for the erection of housing and associated facilities, open space and provision of outer relief road for Haywards Heath. Permission.

03/02073/REM- Reserved matters pursuant to permission CD/29/96 showing treatment of wildlife corridors and fringe areas in Phase 2. Permission.

SITE AND SURROUNDINGS

82 Middle Village is a first floor flat in a block of flats. It is constructed of red brick, with a plain tile roof and white timber framed windows. Internal corridors provide access to each flat. The application site lies within the built-up area of Haywards Heath. Neighbouring properties are located to the west and the north. There is a parking area to the west of the site.

APPLICATION DETAILS

The proposal seeks to replace two existing timber sets of white wooden windows with white uPVC windows, and to replace one set of patio doors with white uPVC patio doors.

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 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:

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.

Neighbourhood Plan

Haywards Heath Neighbourhood Plan (made 2016)

Relevant policies:

E9: Design

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 the stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to the majority of Policies in the draft District Plan and as such, 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

DPS6 - Health and Wellbeing

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

It is considered that the main issues that need to be considered in the determination of this application are as follows;

- Design and Character
- Neighbouring amenity
- Biodiversity Net Gain

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:

- o is of high quality design and layout and includes appropriate landscaping and greenspace;*
- o 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;*
- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- o protects open spaces, trees and gardens that contribute to the character of the area;*
- o protects valued townscapes and the separate identity and character of towns and villages;*
- o 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);*
- o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- o positively addresses sustainability considerations in the layout and the building design;*
- o 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;*
- o optimises the potential of the site to accommodate development.'*

Policy E9 of the Haywards Heath Neighbourhood Plan states that:

'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.'*

In addition to the above, the Council's Design Guide SPD is a material planning consideration. Whilst design principle DG49 relates to general principles for extensions, it recommends that *'the design approach may benefit from coordinating with the existing pattern of window and door openings...'*

The application relates to a residential area within Haywards Heath. To the north of the site are further blocks of flats which are similar in scale and design.

The proposed uPVC windows and doors are similar in design, size and colour to the existing windows and doors. These aspects would therefore remain consistent with the current appearance of the building, retaining its uniformity, and would have a neutral impact on the streetscene. The property is sited opposite a car park area, and is considered to have limited visual impact within the locality.

The proposed windows and door are therefore considered acceptable in terms of design and should not detract from the character of the area, thereby according with policy DP26 of the District Plan and policy E9 of the Haywards Heath Neighbourhood Plan.

Impact on Neighbouring Amenities

In terms of impact upon neighbouring amenities, Policy DP26 in part seeks to ensure 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 (see DP29);'*

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflict 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, the District Plan is considered to take precedence and therefore the test in this instance is whether the development causes significant harm to the amenities of existing nearby residents.

Due to the nature of the proposal, it would not result in a loss of light or outlook to neighbouring properties. No new windows or doors are proposed as part of this application, so it is not considered that the proposal would cause significant harm to neighbouring amenities in terms of generating undue overlooking or reducing privacy.

In view of the above, the proposed development is deemed acceptable in that it should not cause significant harm to neighbouring amenities, thereby according with policy DP26 of the 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

The proposed new windows and doors are considered in keeping with the character of the existing dwellinghouse and should not detract from the character and appearance of the area. Nor should the proposal be significantly harmful to neighbouring amenities in terms of creating undue overlooking or reducing privacy.

In conclusion, the proposal would accord with the requirements of policy DP26 of the Mid Sussex District Plan, policy E9 of the Haywards Heath Neighbourhood Plan, the Mid Sussex Design Guide, the NPPF, and is therefore considered acceptable.

Decision: Permission

Case Officer: Catherine Cardin