

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/2206	Case Officer:	Hamish Evans
Application Type:	Householder Application		
Proposal:	Retrospective application for changes to garage design relating to application DM/20/3758, in the form of an altered roof, addition of 3no rooflights, 2 garage doors and a door to first floor		
Site:	15 Portsmouth Lane, Lindfield, Haywards Heath, West Sussex, RH16 1SE, , ,		
Validation Date	14 Sep 2026	Overall Expiry Date:	6 Oct 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	8 Oct 2026
Target Date:	9 Nov 2026	Recommending Officer Signature:	Hamish Evans

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	8 Oct 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/2206

**15 Portsmouth Lane, Lindfield, Haywards Heath, West Sussex, RH16 1SE, ,
Retrospective application for changes to garage design relating to application DM/20/3758, in the
form of an altered roof, addition of 3no rooflights, 2 garage doors and a door to first floor
Mr R Lewry**

SUMMARY OF REPRESENTATIONS

One third-party representation letter has been received in respect of this application and it raises no objection.

SUMMARY OF CONSULTEES

None received.

TOWN COUNCIL OBSERVATIONS

Haywards Heath Town Council

No comment.

INTRODUCTION

The application seeks retrospective planning permission for a garage at 15 Portsmouth Lane Lindfield RH16 1SE. The garage was previously permitted under reference DM/20/3758.

RELEVANT PLANNING HISTORY

DM/20/3758. Erection of detached double garage building with office within roof space. Permission.

DM/24/1707. Proposed triple garage. Permission.

SITE AND SURROUNDINGS

15 Portsmouth Lane is an east facing, detached dwelling. It is constructed of red brick, with tile hanging at the first floor level, a plain tile roof and upvc windows. The dwelling is characterised by two pitched roof sections to the front and a porch is under construction. It also benefits from a single storey extension to the rear.

The site is located within the built up area of Haywards Heath and within an Area of Townscape Character as designated by the Neighbourhood Plan. Neighbouring dwellings are situated to the north, south and west, whilst the highway is to the east. An area of hardstanding is to the front of the property and the dwelling also benefits from garden space to the side and rear. The application property is situated on higher land than the highway and there is an incline from north to south along Portsmouth Lane.

APPLICATION DETAILS

The application seeks retrospective planning permission for a garage at 15 Portsmouth Lane Lindfield RH16 1SE. The garage was previously permitted under reference DM/20/3758. The application documents advise that the development has already taken place and it was completed on 10th December 2024. As such the application is retrospective and has been submitted under Section 73A of the Town and Country Planning Act 1990.

The garage measures some 8.9 metres in width, 6.0 metres in depth, 2.5 metres in eaves height and a total height of 4.7 metres. It is characterised by external materials similar in appearance to those used in the existing dwelling. It provides two off-street parking spaces at ground floor level and includes a playroom within the first-floor which is within the roofslope. The difference between the current scheme and the previously permitted scheme is a reduction from three garage doors to two garage doors, a playroom at first-floor level, a first-floor side facing external door and three rear facing rooflights.

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:

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 (adopted December 2016)

Policy E9 - Design

Policy E10 - Areas of Townscape Character

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 is currently at Examination with initial hearings held in February/March 2026. The Council has consulted on Main Modifications which are required to ensure the plan is legally compliant and sound with further Hearings taking place in November 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) (August 2026)

ASSESSMENT

Character and Design

Policy DP26 of the District Plan relates to character and design and a similar ethos is contained within policies E9 and H9 of the Haywards Heath Neighbourhood Plan. Policy E10 of the Neighbourhood Plan relates to development within Areas of Townscape Character. However, it is considered these have very limited weight as they are materially inconsistent with the NPPF, and greater weight should be given to policy DP3 of the NPPF.

Policy DP3 of the NPPF sets out the key principles for well-designed places. This sets out in part that proposals should respond to their context, so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.

The external materials are similar in appearance to those used in the existing dwelling. The alterations to the previously permitted scheme are considered to be relatively modest. The playroom is considered to be an incidental use to the main dwelling. The rooflights and door will be similar in appearance and design to existing openings within the main dwelling.

Taking into account the above the proposed works are considered to integrate with the surrounding area. Therefore, the application is considered to comply with policy DP26 of the Mid Sussex District Plan, policies E9, E10 and H9 of the Haywards Heath Neighbourhood Plan, the Mid Sussex Design Guide SPD and policy DP3 of the NPPF.

Neighbouring Amenities

Policy DP26 in part seeks to ensure that new development does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings. Policy H9 of the Neighbourhood Plan requires development safeguard the amenity of adjoining neighbours. It is considered that these policies have very limited weight as they are materially inconsistent with NPPF and greater weight should be given to policies L2 and P3 of the NPPF.

Policy L2 of the NPPF relates to making effective use of land. Part L2(1dii) requires proposals to have '*acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space*'.

Policy P3 of the NPPF relates to living conditions and pollution. Part 2(b) of this policy requires proposals '*Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site*'.

Due to the positions of the doors and rooflights they would not have direct views into neighbouring properties private amenity space. The building is of a similar scale and location as the previously permitted garage. Given the ground level differences between the application site and the neighbouring site to the south, the majority of the garage is below the ground floor levels of the neighbouring site. The playroom is considered to be an incidental use to the main dwelling.

As such the proposal is not considered to cause unacceptable harm to the amenities of nearby residents. The works are therefore, considered to comply with policy DP26 of the Mid Sussex District Plan, policy E9 of the Haywards Heath Neighbourhood Plan and policies L2 and P3 of the NPPF.

Transport

Policy DP21 of the District Plan relates to transport. However, this policy is considered to have very limited weight as it is materially inconsistent with the NPPF and greater weight should be given to policy TR6 of the NPPF instead.

Policy TR6 of the NPPF relates to assessing transport impacts and part 4 of this policy states that development should be refused if there would be a severe adverse impact on the transport network or an unacceptable impact on highway safety.

The garage provides two off-street parking spaces in addition to the three existing off-street parking spaces and it does not impact the existing access to the site. As such it is considered to comply with policy DP21 of the Mid Sussex District Plan and policy TR6 of the NPPF.

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

In conclusion, due to the design, scale, position and nature of the development it would integrate with the surrounding area and they would not cause unacceptable harm to the amenities of nearby residents. It would also have an acceptable impact in relation to transport matters. The application is also exempt from the requirement to provide biodiversity net gain. Therefore, the application complies with policies DP21 and DP26 of the Mid Sussex District Plan, policies E9, E10 and H9 of the Haywards Heath Neighbourhood Plan, the Mid Sussex Design Guide SPD and policies DP3, TR6, L2 and P3 of the NPPF.

Decision: Permission

Case Officer: Hamish Evans