

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0890	Case Officer:	Andrew Watt
Application Type:	Householder Application		
Proposal:	Proposed two storey rear and side extension.		
Site:	22 Haywards Road, Haywards Heath, West Sussex, RH16 4HT, , , ,		
Validation Date	31 Mar 2025	Overall Expiry Date:	25 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	22 May 2025
Target Date:	26 May 2025	Recommending Officer Signature:	Andrew Watt

Date Legal Agreement Completed: (if applicable)		No of Representations:	3
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Signed and Agreed By:	Steven King	Date:	23 May 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0890

**22 Haywards Road, Haywards Heath, West Sussex, RH16 4HT, , ,
Proposed two storey rear and side extension.
Mr Robin Aldridge**

SUMMARY OF REPRESENTATIONS

4 letters of objection:

- Design of the upper level area which includes a flat roof that could potentially be used as a balcony or terrace, so conditions should restrict its use
- Loss of privacy to garden/patio area
- Significant overbearing impact
- Proposed 2-storey extension protrudes past existing side wall of the house and will be fully visible above the roofline of the existing garage, so will be notably conspicuous
- Reduction in sunlight
- Objects to proposed zinc cladding - in stark contrast to period design and brick construction of both the existing house and other surrounding properties
- Setting of a precedent
- Existing drain may be covered by proposed structure

SUMMARY OF CONSULTEES

NatureSpace Partnership - West Sussex Newt Officer

The proposed development is not considered to be relevant to the District Licensing Scheme in this case and we consider there would be no likely impact on great crested newts or their habitats.

TOWN / PARISH COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

Full planning permission is sought for a proposed two storey rear and side extension.

RELEVANT PLANNING HISTORY

In February 2023, planning permission was granted for a 35sqm single-storey detached outbuilding, to the rear of existing property's garden (DM/23/0188).

SITE AND SURROUNDINGS

The site is a 2.5-storey, semi-detached dwelling, which was formerly divided into 2 flats and converted back into 1 house under the Building Regulations in 2001. There is a single-storey, lean-to side extension finished in vertical timber cladding. The property has a long, narrow garden backing onto Victoria Park with a modern outbuilding at the western extent. The site is located within the built-up area of Haywards Heath within an Area of Townscape Character and is otherwise surrounded by residential properties. It is also designated as a Great Crested Newt - Impact Risk Zone (Red).

APPLICATION DETAILS

Full planning permission is sought for a proposed two storey rear and side extension. The flank wall will project a maximum of 3.5m sideways from the rear wing (and 1.5m from the flank wall of the main part of the house) and the single-storey element a maximum depth of 6.4m from the rear wall of the main part of the house (in line with the existing lean-to) and the first-floor element 4.8m in depth. The lower section will be finished in facing brickwork with a band of stone capping (matching existing window cills) separating it from the first floor element, which will be finished in zinc cladding. The roof form will be monopitched, forming an asymmetrical butterfly roof adjacent to the rear wing. There will be new wraparound bi-fold doors on the ground floor and a glass Juliet balcony above on the rear elevation and wraparound bi-fold doors and a full height casement window on the side elevation. Existing windows will be relocated, firstly on the side elevation at first floor level (with the lower portion fixed and fitted with obscure glazing) and a small window to the existing rear lean-to.

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 Mid Sussex District Plan, Site Allocations Development Plan Document (DPD) and the Haywards Heath Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Practice Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan (Mar 2018)

The Mid Sussex District Plan 2014-2031 was adopted at Full Council on 28 March 2018.

Relevant policies:

Policy DP26: Character and Design
Policy DP38: Biodiversity

Site Allocations DPD

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

There are no relevant policies.

Haywards Heath Neighbourhood Plan (Dec 2016)

Mid Sussex District Council formally 'made' the Haywards Heath Neighbourhood Plan part of the Local Development Plan for the Haywards Heath Neighbourhood Plan area as of 14 December 2016. The policies contained therein carry full weight as part of the Development Plan for planning decisions within the Haywards Heath Neighbourhood Plan area.

Relevant policies:

Policy E10: Areas of Townscape Character
Policy H9: Extensions to Existing Dwellings

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 31 October 2024. There are unresolved objections to some of the 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:

DPN2: Biodiversity Net Gain

DPB1: Character and Design

Mid Sussex Design Guide Supplementary Planning Document (Nov 2020)

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 4 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.

Relevant design principles include:

Principle DG49: General principles for extensions

Principle DG50: Front and side extensions

Principle DG51: Rear extensions

National Planning Policy Framework (NPPF) (Dec 2024)

The National Planning Policy Framework (NPPF) 2024 is also a material consideration and paragraphs 8 (overarching objectives), 11 (presumption in favour of sustainable development), 131 and 135 (design), 187 (conserving and enhancing the natural environment) and 193 (biodiversity and ancient woodland) are considered to be relevant to this application.

ASSESSMENT

Design and visual impact on the character and appearance of the area

Policy DP26 of the Mid Sussex District Plan states (in part):

'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;*
- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *positively addresses sustainability considerations in the layout and the building design;'*

Policy E10 of the Neighbourhood Plan states:

'Policy E10: Development proposals in an Area of Townscape Character will be required to pay particular attention to retaining the special character and to demonstrate how they support and enhance the character of the area in question. Their boundaries are shown on figure 4.'

Policy H9 of the Neighbourhood Plan states:

'Policy H9: Extensions to existing dwellings will be permitted where it meets the following criteria:

The scale, height and form fit unobtrusively with the existing building and the character of the street scene.

Spacing between buildings would respect the character of the street scene.

Gaps which provide views out to surrounding countryside are maintained.

Materials are compatible with the materials of the existing building.

The traditional boundary treatment of an area is retained and, where feasible reinforced.

The privacy, daylight, sunlight and outlook of adjoining residents are safeguarded.'

Chapter 9 of the Mid Sussex Design Guide SPD relates to household extensions. Design Principle DG49 states that extensions should respond to the design of the original dwelling. Principle DG50 relates to front and side extensions and advises that side extensions should normally be subservient to the original dwelling and typically be set-back from the front of the house to help define the original building. Principle DG51 relates to rear extensions and advises that they should have consideration for the character of the existing building and the relationship with side boundaries and adjacent buildings and gardens.

The existing semi-detached property is Edwardian and contributes positively to the Area of Townscape Character, as designated in the Neighbourhood Plan. It has a traditional double bay sash window (albeit now replaced with UPVC frames) and recessed porch to the front with large chimney and a 2-storey monopitched rear wing and small lean-to off it. A more modern lean-to garage to the side is finished in vertical timber boarding, adjacent to the lean-to garage of no. 24 to the south.

The proposed extension is not considered to be appropriate in either scale or design in relation to the existing property and the street scene. Unusually, the extension will predominantly come off the side of the rear wing rather than the side of the main part of the building. Hence this would not be subservient to the main building, particularly as its width means it will protrude beyond this flank wall, resulting in a 1.5m wide blank elevation directly visible from the street (beyond the garage). This will be emphasised further by the dual materials used for the finishes. While the ground floor element would be sympathetic to the building's traditional character, the first floor would not be - in terms of its striking zinc finish, roof form and fenestration. The Juliet balcony specifically would be out of scale with the more traditional windows of the building, in terms of its height and proportions. Given the visibility of the extension from the frontage, as well as from Victoria Park at the rear, it would not enhance the Area of Townscape Character. Overall, it would fail to comply with Policy DP26 of the Mid Sussex District Plan, Policies E10 and H9 of the Neighbourhood Plan and the Mid Sussex Design Guide SPD.

Impact on neighbouring amenity

Policy DP26 of the Mid Sussex District Plan states (in part):

'All applicants will be required to demonstrate 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 Policy DP29)'*

Although the Haywards Heath Neighbourhood Plan requires development to safeguard the privacy, daylight, sunlight and outlook of adjoining residents, the Mid Sussex District Plan seeks to ensure that development does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings. Paragraph: 084 Reference ID: 41-084-20180222 of the government's Planning Practice Guidance (Revision date: 22 02 2018) states: 'policies in a neighbourhood plan may become out of date, for example if they conflict with policies in a Local Plan that is adopted after the making of the neighbourhood plan. In such cases, the more recent plan policy takes precedence.' As the Mid Sussex District Plan is the most up-to-date Plan, then the correct test to apply in this instance is whether the impact of the development causes significant harm to neighbouring residents.

The main properties affected by the proposal would be nos. 20 to the north (the other half of this pair) and 24 to the south.

Although the first floor element is smaller in size than that of the ground floor, the remainder forms a flat roof area that some neighbouring residents are concerned could be used as a balcony. The application proposal shows an inward opening Juliet-balcony with balustrading, so it could not be used as such were these plans to be approved. In any case it would be possible to condition any permission so that this flat roofed section can only be accessed for maintenance purposes and not used as a balcony or terrace. This would ensure that direct overlooking back to neighbouring properties would not be possible.

The repositioned first floor window is shown as serving an existing bedroom, albeit with the lower portion fixed and fitted with obscure glazing. There is an existing window facing the site from no. 24, and based on the approved plans for permission ref: 12/01374/FUL, it appears that this window is a secondary window that serves a bedroom but appears to be obscure glazed. There will be a degree of obliqueness between the two windows and given the nature of the existing window and the mitigation proposed for the new window (which could be controlled by condition), it is not considered that the proposal would result in a mutual loss of privacy.

Accordingly, the scheme would comply with Policy DP26 of the Mid Sussex District Plan in terms of its impact on neighbour amenity.

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.

Other matters

The site is located within a designated Great Crested Newt - Impact Risk Zone (Red). However, having regard to the nature of the application, it is unlikely to have an impact on newts and accordingly there would be no conflict with biodiversity legislation, policy and guidance.

PLANNING BALANCE AND CONCLUSION

The proposed extension is not considered to be appropriate in either scale or design in relation to the existing property and the street scene, by way of its visibility, lack of subservience, use of zinc cladding, roof form and the scale and proportion of the Juliet balcony, and therefore would not enhance the Area of Townscape Character. It would not cause significant detriment to surrounding residents. There would be no harm to biodiversity. Overall, it would fail to comply with Policy DP26 of the Mid Sussex District Plan, Policies E10 and H9 of the Neighbourhood Plan and the Mid Sussex Design Guide SPD.

Decision: Refusal

Case Officer: Andrew Watt