

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1700	Case Officer:	Tracie Axford
Application Type:	Full Application		
Proposal:	Proposed installation of 6no. new window openings to south (side) elevation and enlargement of 3no. window openings to west (rear) elevation.		
Site:	Affinity Sutton Group Ltd, Upton House, 7 Perrymount Road, Haywards Heath, West Sussex, RH16 3TN, ,		
Validation Date	13 Jul 2026	Overall Expiry Date:	7 Aug 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	7 Sep 2026
Target Date:	7 Sep 2026	Recommending Officer Signature:	<i>Tracie Axford</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	8 Sep 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1700

**Affinity Sutton Group Ltd, Upton House, 7 Perrymount Road, Haywards Heath, West Sussex, RH16 3TN,
Proposed installation of 6no. new window openings to south (side) elevation and enlargement of 3no. window openings to west (rear) elevation.
Wolfvale Ltd**

SUMMARY OF REPRESENTATIONS

None

SUMMARY OF CONSULTEES

None

HAYWARDS HEATH TOWN COUNCIL

No comment

INTRODUCTION

Planning permission is sought for the installation of 6 no. new windows openings to the south (side) elevation and enlargement of 3 no. west (rear) elevation.

RELEVANT PLANNING HISTORY

None

SITE AND SURROUNDINGS

The application site is located on the western side of Perrymount Road and is one of the modern office buildings between The Broadway and Clair Road.

The land slopes quite sharply downwards towards the north and the west, allowing some use of a lower level towards the north of the building and undercroft parking at the rear. There is a floor difference in levels between the front and rear of the site.

To the rear, an area for parking, and beyond this is railway land. The site is identified as being with the built up area of Haywards Heath and within a commercial area as set out in the District and Haywards Heath Neighbourhood Plan.

APPLICATION DETAILS

Planning permission is sought to installation of 6 no. new windows openings to the south (side) elevation and enlargement of 3 no. west (rear) elevation. On the rear elevation, the increase in the size of the window opening on the southern side of the building will match the size of the openings on the northern side of the building. On the southern elevation, 6 new window openings will be created on the wall which currently has no window openings, positioned in a recessed area.

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.

Specifically, Section 70 (2) of the Town and Country Planning Act 1990 states: *'In dealing with such an application the authority shall have regard to:*

- a) The provisions of the development plan, so far as material to application,*
- b) And local finance considerations, so far as material to the application, and*
- c) Any other material considerations.'*

Section 38(6) Planning and Compulsory Purchase Act 2004 provides: *'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'*

The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

Using this as the starting point the development plan for this part of Mid Sussex consists of the 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 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 on 28th March 2018. The relevant policies are:
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

Relevant Policies:
Policy E9 (Character and 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 is currently at Examination with initial hearings held in February/March 2026. The Council is consulting on Main Modifications which are required to ensure the plan is legally compliant and sound. 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:
DPS1 - Climate Change
DPS2 - Sustainable Design and Construction
DPB1 - Character and Design

National Planning Policy Framework (NPPF) (August 2026)

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
- Impact on Neighbouring Amenities
- Biodiversity Net Gain

Design and Character

Policy DP26 of the District Plan relates to character and design. In addition, policy E9 of the Neighbourhood Plan has a similar ethos. Policy E9 requires development to be of a high-quality design that responds positively to local character, respects its context and surroundings, provides a safe and accessible environment, and avoids unacceptable impacts on amenity. However, these are considered to 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.

It is proposed that the new windows will match the existing windows of the building in terms of colour and material, details of which can be secured by a suitably worded condition.

It is therefore considered that the proposal complies with policy DP3 of the NPPF and the development plan policies.

Impact on neighbouring amenity

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. It is considered that this policy has very limited weight as it is materially inconsistent with the NPPF and consideration 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*'.

With regards to the impact on amenity, the window openings on the rear elevation will have no impact on the surrounding amenities. The windows are facing the rear car park and beyond to the railway line, which is set at the foot of a steep slope from the site.

The new windows to the side elevation will face the office building located at no 1-5 Perrymount Road. Whilst the development would introduce opportunities for mutual overlooking between the buildings, given the commercial nature of the adjoining premises and the existing urban context, it is not considered that the proposed windows would result in a harmful loss of privacy or unacceptable overlooking.

As such the proposal is not considered to cause unacceptable harm to the amenities of nearby residents. The proposal is therefore, considered to comply with the above-mentioned part of policies L2 and P3 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. Under the statutory framework for biodiversity net gain this application is comprises development below the de-minimis threshold meaning that this development is exempt from providing biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

In conclusion, due to the design, scale, position and nature of the proposed works they would integrate well with the surrounding area and they would not cause unacceptable harm to the amenities of nearby residents.

The proposal is considered to be appropriate in terms of design and appearance of the building. It is also considered to be in-keeping with the character of the wider locality. In addition, the alterations would not cause significant harm to the amenities of the neighbouring properties. The application therefore complies with Policy DP26 of the District Plan, Policy E9 of the Neighbourhood Plan, as well as the requirements of the NPPF.

Decision: Permission

Case Officer: Tracie Axford