

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0039	Case Officer:	Stefan Galyas
Application Type:	Householder Application		
Proposal:	Proposed side first floor extension above existing garage and a single storey extension to the front of the existing garage. Two storey extension to the rear		
Site:	1 Colwell Close, Haywards Heath, West Sussex, RH16 4HF, , , ,		
Validation Date	20 Jan 2025	Overall Expiry Date:	31 Mar 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	4 Apr 2025
Target Date:	17 Mar 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	4 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0039

**1 Colwell Close, Haywards Heath, West Sussex, RH16 4HF, , ,
Proposed side first floor extension above existing garage and a single storey extension to the front of the existing garage. Two storey extension to the rear
C/O Agent**

SUMMARY OF REPRESENTATIONS

There were no letters of representation received in response to the current proposal.

SUMMARY OF CONSULTEES

None received.

TOWN/PARISH COUNCIL OBSERVATIONS

Town Council: No comment.

INTRODUCTION

The application seeks planning permission for the development of a proposed side elevation first floor extension, a front elevation single storey extension and a two-storey rear extension.

RELEVANT PLANNING HISTORY

There is no recent history of any planning applications relating to the site.

SITE AND SURROUNDINGS

The application relates to 1 Colwell Close, an end of terrace two storey dwelling with a pitched roof and single storey front porch and side garage. The dwelling occupies a corner plot between Colwell Road to the south and Colwell Close to the east. Access is provided from Colwell Close to the north through a brick paved driveway and the property is set back from the highway edge in part by a gravelled front garden space. There is garden amenity space contained to the rear (south) elevation with a brick-built boundary wall acting as the rear boundary. A grass verge sets the property back from Colwell Close to the east. The existing dwelling is composed of brick exterior walls with dark red tile hanging at first floor level, interlocking concrete roof tiles and white uPVC windows and doors.

There are a number of residential dwellings positioned within the sites locality which feature a traditional estate style appearance. Properties have been altered and extended over time and are set to either side of Colwell Close as the land drops in topographical level moving to the north.

The site is within the built-up area for Haywards Heath as defined in the District Plan (DP).

APPLICATION DETAILS

The proposed side first floor and rear extension in its entirety would measure at approximately 8.1m in length, 2.8m wide, have an eaves height of 5.1m and a ridge height of 6.6m high.

The proposal would also extend the existing porch not in footprint but upwards through a new hipped roof pitch. The new porch would measure at around 2.4m high to the eaves and 3.4m high to the ridge.

Proposed external materials would include matching brickwork and grey cement board cladding to the walls, interlocking concrete roof tiles and white uPVC windows and 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 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 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 March 2016)

Policy E9 - Protection and Reinforcement of Local Character

Policy H9 - Domestic Extensions

Mid Sussex District Plan 2021-2039 Consultation Draft

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 stage 1 hearings were concluded on the 31st 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:

DPS1 - Climate Change

DPS2 - Sustainable Design and Construction

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.

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 2, 8, 11, 39, 48, 131, 135 & 139.

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

DP26 of the 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:

- 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 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'*

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 sites to accommodate development,*
- o Car parking is designed and located so that it fits in with the character of the proposed development.*

Furthermore, Policy H9 of the Neighbourhood Plan states that:

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

- o The scale, height and form fit unobtrusively with the existing building and the character of the street scene.*
- o Spacing between buildings would respect the character of the street scene.*
- o Gaps which provide views out to surrounding countryside are maintained.*
- o Materials are compatible with the materials of the existing building.*
- o The traditional boundary treatment of an area is retained and, where feasible reinforced.*
- o The privacy, daylight, sunlight and outlook of adjoining residents are safeguarded.*

Principle DG49 of the Mid Sussex Design Guide states:

'Extensions should typically use simple, uncomplicated building forms to compliment and coordinate with the scale, form and massing of the original dwelling. The design approach may benefit from coordinating with the existing pattern of window and door openings as well as employing facing materials to match those of the existing dwelling. Otherwise, it should demonstrate the appropriateness of the alternative approach.'

Additionally, Principle DG50 as set out within the Design Guide, relates to front extensions:

Front extensions are more likely to be acceptable where the building line is staggered or where the dwelling is set well back from the road. They are less likely to be acceptable in streets with a strong consistent building form as they risk disrupting the underlying order.

Principle DG50 of the Mid Sussex Design Guide elaborates further on what constitutes 'good design' in relation to side extensions:

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.

The gaps between dwellings can sometimes positively contribute to articulating (for example, through the consistent rhythm of repeated houses) and adding interest in a street frontage or by providing views / visible connections to the surrounding countryside. Side extensions will therefore need to appropriately respond to the character of the street form and will not normally be accepted where they close an important gap and view.

In terms of rear extensions, principle DG51 states:

'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. With reference to DG49, they should nevertheless have consideration for the character of the existing building and the relationship of the extension with the side boundaries and adjacent buildings and gardens'

It is considered that the property is sited within a visually prominent position with regard to the public domain, with public views offered from the north, south and east as a result of the corner plot location. As such, the proposed extensions would not benefit from any visual respite and would be viewed upon entrance to the estate from Colwell Road.

The proposed first floor side (east) and two storey rear (south) elevation extension would intersect the existing dwellings roof pitch at two storey level and would therefore increase the dwellings overall size and scale. It is considered that the use of the proposed hipped roof pitch would help reduce the extensions overall bulk and the use of matching materials would further help the extension assimilate with the existing.

The side (eastern) elevation which would immediately abut the grass verge to the east would not be entirely blank with some window openings both at ground and first floor level. As such, the proposed development would not introduce an entirely blank elevation in a visually prominent position.

With regard to the proposed front porch extension, the alteration would involve the alteration from an existing flat roof into a hipped roof pitch. It is considered that the existing flat roof was of limited architectural merit and that the alteration to a hipped pitch would constitute an overall improvement. The proposed porch extension would still maintain a single storey appearance and appear subservient towards the host dwelling. As such, it is not considered that the proposal would appear out of context within the locality.

The proposal is therefore considered to comply with Policy DP26 of the District Plan, Policies E9 and H9 of the Haywards Heath Neighbourhood Plan and the relevant principles of the Mid Sussex Design Guide SPD.

Impact on Neighbouring Amenities

Policy H9 of the Haywards Heath Neighbourhood Plan states that proposals should 'safeguard' neighbouring amenities with regard to privacy, daylight, sunlight and outlook whereas policy DP26 of the MSDP states that development should 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. There is therefore some conflict between the District Plan and Neighbourhood Plan in this respect. 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 Mid Sussex District Plan is considered to take precedence and therefore the test in this instance is whether the development causes 'unacceptable harm' to neighbouring amenities as outlined above.

There would be two new windows installed in the side (east) elevation which would face out towards the nearby neighbouring property at 16 Colwell Close across the road. A distance in excess of 10m and the property at No.16 is orientated away from the proposed side elevation. As such, it is not considered that the proposed windows would result in a significant overlooking impact.

With regard to the proposed front porch extension, this would be offset from the shared boundary with the adjoining neighbouring property at No.2. Furthermore, the proposed front extension would be contained to single storey level and would not result in a significant overbearing impact towards the neighbouring occupiers.

Accordingly, the proposal is considered to comply with the provisions of DP26 of the Mid Sussex District Plan in terms of neighbouring amenities.

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, the proposal is appropriate in terms of design and will not negatively impact on the host dwelling nor its immediate setting and will not harm neighbouring amenities.

The proposal will comply with Policy DP26 of the District Plan, Policies H9 and E9 of the Haywards Heath Neighbourhood Plan, the MSDC Design Guide and the requirements of the NPPF.

Decision: Permission

Case Officer: Stefan Galyas