

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0402	Case Officer:	Peter Davies
Application Type:	Householder Application		
Proposal:	Demolition of conservatory and erection of single storey rear extension with replacement utility and part garage conversion		
Site:	197 Hoblands, Haywards Heath, West Sussex, RH16 3NA, , , ,		
Validation Date	17 Feb 2025	Overall Expiry Date:	13 Mar 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	10 Apr 2025
Target Date:	14 Apr 2025	Recommending Officer Signature:	Peter Davies

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	10 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0402

**197 Hoblands, Haywards Heath, West Sussex, RH16 3NA, , ,
Demolition of conservatory and erection of single storey rear extension with replacement utility
and part garage conversion
Mrs N Horrell**

REPRESENTATION RECEIVED

None received.

SUMMARY OF CONSULTEES

Naturespace

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. I therefore have no comments to make at this time. If the proposal changes, then please seek further advice from me if necessary.

Southern Water

Following on from the Weekly list sent on 24th February 2025, Southern water has determined the Flow rate for the above site will remain the same/similar as capacity is not an issue and no southern water assets will be affected. Therefore, Southern water has no objections to this proposal.

Surface water should not involve disposal to a public foul sewer and should be in line with the Hierarchy of H3 of Building Regulations.

Any new connections to the public sewerage system will require a New Sewer Connection application (we sometimes refer to this as a Section 106) to be submitted and approved by Southern Water.

Due to changes in legislation that came in to force on 01 October 2011 regarding the future ownership of sewers it is possible that some previously owned private sewers now deemed to be public could also be crossing the above property which are not shown on the Southern Water records. Therefore, should any other sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and the potential means of access before any further works commence on site.

TOWN COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

The application seeks planning permission the demolition of existing conservatory and the construction of a single storey rear extension with a partial garage conversion.

RELEVANT PLANNING HISTORY

No relevant history.

SITE AND SURROUNDINGS

The application property is a two-storey linked dwelling located on the west side of Hoblands within a close serving 7 no. dwellings, within the built-up area boundary of Haywards Heath

The application property has a pitched roof and is constructed from brick with hanging tile at first floor level, plain roof tiles and white uPVC fenestration. The dwelling is set back from the highway with off street parking and an attached garage linking the dwelling to the neighbouring property. The locality is characterised by a variety of detached, semi detached and linked dwellings of varying form and design.

APPLICATION DETAILS

The application seeks planning permission to replace the existing conservatory with a single storey extension. The extension will be located on the north side of the dwelling with a width and depth of 5.30 metres and 2.50 metres. It will have a lean-to roof with an eaves height of 3.10 metres and an overall height of 3.90 metres. The proposal will have 2 no. rooflights protruding 0.10 metres with a window on the rear elevation and a door with steps down to the garden on the east side. The steps will have a maximum height of 0.65 metres. the extension will be constructed from brick with a tiled roof.

The rear glazed floor to ceiling windows serving the utility room are to be bricked up and the rear 1.20 metres of the garage is to be converted into a toilet accessed from the utility room.

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 (made December 2016)

Relevant policies:

E9 - Design
H9 - Building Extensions
T3 - Car Parking

Other Material Considerations

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 the 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
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) (December 2024)

Paragraphs 8, 11, 131 and 135 are considered to be relevant.

National Planning Policy Guidance

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 properties
- Impact on parking provision
- Other Matters
- 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:

- *is of high quality design and layout and includes appropriate landscaping and greenspace;*
- *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;*
- *creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *protects valued townscapes and the separate identity and character of towns and villages;*

- 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 DP27);
 - creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;
 - incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;
 - positively addresses sustainability considerations in the layout and the building design;
 - 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;
- optimises the potential of the site to accommodate development."

Policy E9 of the Haywards Heath Neighbourhood Plan states:

'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.'

Policy H9 of the Haywards Heath Neighbourhood Plan states:

'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.'

Principle DG51 relates to rear extensions and 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.'

The proposed rear extension is considered to be of a design, form and scale which would be proportionate and appropriate to the existing dwelling and the character of the area. Part of the extension would be visible from the street scene over the side boundary hedge and fencing, however the extension would be constructed from materials similar to the existing dwelling and is considered in keeping with the character of the area.

The proposed bricking up of the floor to ceiling windows would not be visible from the street scene and the partial garage conversion would be internal works only. The proposal therefore complies with DP26 of the Mid Sussex District Plan, policies E9 and H9 of the Haywards Heath Neighbourhood Plan and the MSDC Design Guide SPD.

Impact on neighbouring properties

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 Policy DP29);'

Policy H9 states that proposals should "safeguard" adjoining neighbours amenity 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 MSDP is considered to take precedence and therefore the test in this instance is whether the development causes significant harm to neighbouring amenities as outlined above.

The proposed extension is single storey and will be 2.50 metres from the shared boundary with no. 195 Hoblands to the west marked by close board fencing. The proposed extension will have no windows facing no.195 and will overlook into neighbouring amenity. Due to the position of the application property and the changing ground levels, the north facing window of the extension will have some overlooking towards the no.199. However, this is approximately 8 metres from the close board fence boundary which then leads to no.199 driveway and to the front of the property, which is visible from the street scene.

The raised platform and steps from the extension leading to the garden, whilst raised, face towards the side boundary with the highway and therefore would not cause overlooking to any neighbouring property therefore the extension will not cause significant harm to the neighbour amenities.

Due to the nature of the works, the bricking up of the rear wall of the utility room and the partial garage conversion will not create any additional harm to neighbouring amenities.

The proposal is therefore, considered to comply with the above-mentioned part of Policy DP26 of the Mid Sussex District Plan.

Impact on parking provision

Policy DP21 in part states:

'The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;'

Policy T3 of the Haywards Heath Neighbourhood Plan states:

'Planning applications which result in the loss of existing off-street parking provision will be resisted unless it can be demonstrated that the development will enhance the vitality and viability of the town centre and, where possible, such schemes should aim to improve parking provision in the town centre. Development outside the defined town centre boundary should provide on-site parking in accordance with the standards adopted by MSDC.'

West Sussex County Council September 2020 Parking Standards Guidance, outlines that for a 3 bedroom dwelling in Parking Behaviour Zone 3, 1.8 off-street parking spaces should be provided. The dwelling has parking for 3 cars to the front on the driveway and 1 space in the garage.

The proposed works would result in the loss of the parking space in the garage however would retain 3 off street parking spaces. Additionally, there are no on street parking restrictions. The proposal is therefore, considered to comply with Policy DP21 of the Mid Sussex District Plan and Policy T3 of the Haywards Heath Neighbourhood Plan.

Other Matters

Naturespace have commented on the application and have no objection as the proposal would likely have no impact on great crested newts.

Southern Water have provided comments on the proposal and state that any new connection would require a new sewer connection application to be submitted and approved by Southern Water.

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 considered to be appropriate in terms of design, size and scale to the dwellinghouse and locality, would not cause significant harm the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policies DP21 and DP26, policies E9, H9 and T3 of the Haywards Heath Neighbourhood Plan and with the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Peter Davies