

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1846	Case Officer:	Catherine Cardin
Application Type:	Householder Application		
Proposal:	Proposed part first floor side extension and rear extension to ground and first floors including changing window opening sizes and positions in various places all to be inkeeping with the existing. Replacement garage in brick to match existing		
Site:	70 Lewes Road, Haywards Heath, West Sussex, RH17 7SX, , , ,		
Validation Date	27 Jul 2026	Overall Expiry Date:	14 Oct 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	7 Oct 2026
Target Date:	21 Sep 2026	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	7 Oct 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1846

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Proposed part first floor side extension and rear extension to ground and first floors including
changing window opening sizes and positions in various places all to be inkeeping with the
existing. Replacement garage in brick to match existing
Mr Jack Martin**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Conservation Officer

No objection, subject to conditions.

TOWN COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

Planning permission is sought for a part first-floor side extension, ground- and first-floor rear extensions, a replacement garage and alterations to the fenestration.

RELEVANT PLANNING HISTORY

06/00382/FUL- New double detached garage to replace existing single. Permission.

13/00654/FUL- Proposed extensions to rear (detached garage element of scheme withdrawn 16th April 2012). Permission.

DM/26/0243- Proposed two-storey rear extension and internal layout refurbishment, front extension, new garage, alterations to fenestration and new patio. Refused.

SITE AND SURROUNDINGS

70 Lewes Road is a two-storey semi-detached dwelling. The property is characterised by red brick, white timber and uPVC fenestration and a pantile roof. The property benefits from an existing detached garage and an area of off-street parking to the front of the property to accommodate approximately three cars.

The application site lies within the Haywards Heath Lewes Road Conservation Area and is within the built-up area boundary of Haywards Heath. Neighbouring properties are located to the east and west. The public highway is located to the north of the site.

APPLICATION DETAILS

The proposed side extension would measure approximately 1.1 metres in width and 4.2 metres in depth. This would extend the existing ridge line and would have an approximate height of 6.5 metres and an eaves height of 5.2 metres. This would be finished in roof tiles to match the existing.

The two-storey rear extension would comprise two projecting elements with a flat roof single-storey section positioned between them. The western projection would measure approximately 4.5 metres in width and 4.9 metres in depth, with a pitched roof reaching a ridge height of approximately 6.7 metres

and an eaves height of approximately 5.2 metres. The eastern projection would measure approximately 4.1 metres in width and 4.9 metres in depth, also featuring a pitched roof with a ridge height of approximately 6.6 metres. Two windows are proposed on the rear (southern) elevation at first-floor level, serving two bedrooms.

The single-storey element would span approximately 14.6 metres in width and 5 metres in depth, with a flat roof reaching a maximum height of approximately 2.8 metres. The rear (southern) elevation would include two windows and bi-fold doors at ground-floor level, serving a kitchen/dining area.

The front infill extension would measure approximately 2.7 metres in width and 1.5 metres in depth, with a pitched roof reaching a maximum height of approximately 3.5 metres and an eaves height of 2.3 metres. This would provide a new entrance. The pitched roof would also cover the ground floor projection, measuring approximately 7.9 metres in width and 1.9 metres in depth.

The proposal also includes the demolition of the existing detached garage and construction of a single-storey detached garage measuring approximately 4.8 metres in width and 9.4 metres in depth. The garage would have a pitched roof with a ridge height of approximately 3.7 metres and an eaves height of 2.5 metres. It would feature a double garage door on the front (northern) elevation, a window and door on the side (eastern) elevation and a double door on the rear (southern) elevation.

In addition, seven uPVC windows are proposed on the front (northern) elevation, and a door proposed on the side (western) elevation of the dwelling.

Finally, the proposal includes the removal of hung tiles at first floor level and replacement brickwork to match the existing.

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:

DP26 - Character and Design

DP35 - Conservation Areas

DP37 - Trees, Woodland and Hedgerows

Site Allocations DPD

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

No relevant policies

Neighbourhood Plan

Haywards Heath Neighbourhood Plan was made in 2016.

Relevant policies:

Policy E9 - Promoting Good Design

Policy H9 - 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:

DPS2 - Sustainable Design and Construction

DPB1 - Character and Design

DPB3 - Conservation Areas

DPN4 - Trees, Woodland and Hedgerows

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

It is considered that the main issues that need to be considered in the determination of this application are as follows:

- Impact on character and appearance of the area and heritage assets
- Neighbouring Amenities
- Impact on Trees
- Biodiversity Net Gain

Impact on character and appearance of the area and heritage assets

The site is located within the Haywards Heath Lewes Road Conservation Area, as designated in 1989. A Conservation Area is defined as an area of "special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance".

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states 'In the exercise, with respect to any buildings or other land in a Conservation Area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

Policy DP26 of the District Plan relates to character and design. Policy E9 and H9 of the Neighbourhood Plan contain a similar ethos. However, these policies 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.

With regard to the Conservation Area, Policy DP35 of the District Plan seeks to conserve and enhance the special characteristics of the area. 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 HE9 of the NPPF.

Principle DG49 of the Mid Sussex Design Guide relates to general principles for extensions and requires that extensions should fit in with both the existing house and its surroundings, appearing as a subordinate addition rather than overwhelming or competing with the original building.

Principle DG50 of the Mid Sussex Design Guide relates to front extensions and states that:
'Where front extensions are considered acceptable, they should normally be limited to a modest single storey or porch-type extension that reflect the character of the existing property.'

Principle DG50 also relates to side extensions and advises that they should normally be subservient and set back from the principal elevation. It also highlights the importance of gaps between dwellings in contributing to the rhythm and character of a street, and advises against development that would close important gaps or views.

Principle DG51 of the Mid Sussex Design Guide relates to rear extensions and requires that rear extensions can be more modern or innovative in design, particularly when they are hidden from public view, but they should still relate well to the existing house, respect neighbouring properties, and avoid appearing disconnected from the original building.

Policy HE6 of the NPPF requires substantial weight to be given to the conservation of designated heritage assets and requires any harm to be clearly justified and weighed against any public benefits resulting from the proposal.

Policy HE9 of the NPPF sets out that development proposals should *'retain and conserve buildings and other features which make a positive contribution to the character or appearance of the conservation area where possible.'*

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 Conservation Officer advises that the dwelling makes a neutral contribution to the Conservation Area, although its spacious garden setting contributes positively to the verdant character of the area. It is noted that a previous scheme was refused due to concerns regarding the use of render and uPVC windows. The current proposal has been amended to incorporate brickwork to match the existing dwelling and a more sympathetic design approach. Whilst the rear extensions are substantial, their impact is mitigated by the existing form of the property and the scale of neighbouring development. Subject to conditions securing materials and architectural detailing, including the design of windows, doors, eaves and brickwork details, the Conservation Officer concludes that the proposal would preserve the character and appearance of the Conservation Area. These findings are accepted.

Whilst the Conservation Officer has also recommended a condition requiring painted metal rainwater goods, it is not considered that such a requirement would be necessary or reasonable in this instance. The existing dwelling incorporates uPVC rainwater goods and it is considered that the proposed development would preserve the character and appearance of the Conservation Area without this additional control.

The proposed extensions are well-related to the existing dwelling and, through their design, scale and use of matching materials, would appear as coherent additions to the property. The replacement garage is modest in scale and sympathetic in appearance. Subject to the recommended conditions, the proposal would preserve the character and appearance of the Haywards Heath Lewes Road Conservation Area and would not harm its significance as a designated heritage asset.

Having regard to the scale, design, detailing and proposed materials, it is considered that the development would preserve the character and appearance of the host dwelling and the Haywards Heath Lewes Road Conservation Area. No harm would arise to the significance of this designated

heritage asset. The proposal therefore accords with Policies DP26 and DP35 of the District Plan, Policies E9 and H9 of the Haywards Heath Neighbourhood Plan and the relevant provisions of the NPPF. The proposal therefore satisfies the statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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 that *the privacy, daylight, sunlight and outlook of adjoining residents are safeguarded*. However, these policies are considered to have very limited weight as they are materially inconsistent with the NPPF, and greater weight should be given to Policy P3 of the NPPF.

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'*.

To the east of the site is 72 Lewes Road. Whilst the proposal would have some effect on outlook and may result in a minor reduction in light, the impact would not be of a degree that would justify withholding planning permission. Given that this neighbouring property has a two-storey extension of a similar depth to the proposal and that the proposed hipped roof would slope away from it, the development would not result in unacceptable harm to the light and outlook of its occupiers. Whilst the proposal would increase in the built form towards this neighbour and include new rear-facing windows, these openings would offer only oblique views toward the garden of No.72 and would be partially screened by the single-storey extension along the shared boundary. As such, they would not result in a level of overlooking that would cause unacceptable harm to residential amenity.

To the west of the site is 68 Lewes Road. Given the separation distance of approximately 27 metres and the angled relationship between the properties, it is not considered that the development would be harmful to the light and outlook of this neighbour. A door is proposed on the side (western) elevation) at ground floor level. Given the existing boundary treatments and separation distances involved, it is not considered that the proposal would give rise to a level of overlooking that would cause unacceptable harm to residential amenity.

Due to the domestic nature of the proposed development, it is considered that there would not be a harmful impact in terms of noise, air and light pollution.

It is therefore considered that the proposal would not cause unacceptable harm to the amenities of neighbouring properties. The proposal is therefore considered to accord with the above-mentioned provisions of policy DP26 of the District Plan and Policy H9 of the Haywards Heath Neighbourhood Plan, and Policy P3 of the NPPF.

Impact on Trees

Policy DP37 of the District Plan relates to Trees. However, this is considered to have very limited weight as it is materially inconsistent with the NPPF, and greater weight should be given to policy N2 of the NPPF.

Policy N2 of the NPPF relates to improving the natural environment. Part 1(a) of this policy requires that proposals should *'consider the environmental qualities of land proposed for development, including habitats, landscape character and the natural beauty of the countryside, and identify opportunities for those qualities to be conserved or enhanced (including through requirements for biodiversity net gain where these apply)*.

There are a number of trees in close proximity to the development site. The proposal includes an incursion of approximately 0.5% of the root protection area (RPA) of a Category A oak tree (T2) located on the western boundary of the site. The submitted Arboricultural Impact Assessment (AIA) states that excavation within the RPA would be undertaken by hand and under arboricultural supervision, with any exposed roots pruned back to the excavation edge where necessary. The AIA further advises that the

majority of the RPA of T2 would be protected by tree protection fencing and ground protection boards. Where existing hardstanding is retained, the boards would be laid directly onto the existing surface.

Subject to compliance with the submitted Arboricultural Method Statement and Tree Protection Plan, it is considered that the retained trees would be adequately protected throughout the construction period. The proposal would therefore not result in unacceptable harm to trees and would accord with the relevant requirements of Policy DP37 of the District Plan and Policy N2 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, the proposed development is considered acceptable in terms of its design, scale and relationship with the existing dwelling and surrounding area. It would preserve the character and appearance of the host dwelling and the wider Haywards Heath Lewes Road Conservation Area, within which the site is located, in accordance with the statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal would not result in unacceptable harm to the amenities of neighbouring occupiers in terms of outlook, light or privacy, nor would it give rise to noise, air or light pollution.

The proposal is therefore considered to accord with Policies DP26, DP35 and DP37 of the Mid Sussex District Plan, Policies E9 and H9 of the Haywards Heath Neighbourhood Plan, the Mid Sussex Design Guide, the relevant provisions of the NPPF and planning permission is recommended for approval.

Decision: Permission

Case Officer: Catherine Cardin