

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1055	Case Officer:	Catherine Cardin
Application Type:	Householder Application		
Proposal:	Proposed removal of existing rear conservatory and installation of new single storey rear extension.		
Site:	Framlingham, 1 The Dell, Haywards Heath, West Sussex, RH16 1JG, , ,		
Validation Date	18 Aug 2025	Overall Expiry Date:	19 Sep 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	30 Oct 2025
Target Date:	13 Oct 2025	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>Stephen Ashdown</i>	Date:	31 Oct 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1055

**Framlingham, 1 The Dell, Haywards Heath, West Sussex, RH16 1JG, ,
Proposed removal of existing rear conservatory and installation of new single storey rear extension.**

Mr And Mrs Wallace And De'Ath

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

MSDC Flood risk and drainage

No objection.

MSDC Tree Officer

No objection.

Southern Water

No objection.

TOWN COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

Planning permission is sought for the removal of an existing rear conservatory and installation of a new single storey rear extension.

RELEVANT PLANNING HISTORY

CU/021/75- Single storey extensions to existing dwellinghouse. Permission.

HH/175/86- Extension of end gable over utility and dining area to form new bathroom and study. Permission.

HH/001/96- Erection of upvc double glazed conservatory to the rear. Permission.

SITE AND SURROUNDINGS

1 The Dell is a detached two-storey dwelling. It is constructed of red brick, with white upvc windows and a pantile roof. The property benefits from a conservatory and off-street parking to the front of the property. To the rear (north) of the property, at some 8 metres, is an ordinary watercourse. To the east of the property is a small, grassed area.

The property is located within a cul-de-sac, within the built-up area boundary of Haywards Heath. Neighbouring properties are located to the east, west and north. Highway is located to the south.

APPLICATION DETAILS

The application seeks permission to demolish an existing conservatory to the rear and to construct a rear single storey extension. This would measure some 8.5 metres in width and some 5 metres in depth. This would have a flat roof with a maximum height of some 2.9 metres. It is proposed to clad the extension walls in standing seam zinc cladding. It is also proposed to install sliding doors on the side (western) elevation and to install two windows on the rear (northern elevation). It is proposed to use this as a kitchen and snug.

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

DP37 - Trees, Woodland and Hedgerows

DP41 - Flood Risk and Drainage

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 in 2016.

Relevant policies:

Policy E9 - Design

Policy H9 - Residential 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 (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:

DPS2 - Sustainable Design and Construction

DPS4 - Flood Risk and Drainage

DPB1 - Character and Design
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) (December 2024)

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
- Neighbouring Amenities
- Flood risk and Drainage
- Impact on Trees
- Biodiversity Net Gain

Design and Character

Policy DP26 of the Mid Sussex District Plan relates to design and character and 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:

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 protects valued townscapes and the separate identity and character of towns and villages;
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 (see Policy DP27);
o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible; o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;
o positively addresses sustainability considerations in the layout and the building design;
o 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; o optimises the potential of the site to accommodate development.'

Policy E9 of the Haywards Heath Neighbourhood Plan relates to design and 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 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 relates to extensions and 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.'*

The Mid Sussex Design Guide SPD also provides advice for extensions to dwellings. Principle DG49 states that:

'Extensions should respond to the design of the original dwelling and applicants will be expected to demonstrate how local character has informed the design proposal. Extensions should also normally be designed to be well-integrated with the existing scale, form and massing allowing the original building to remain the dominant element of the property whether it has one or several additions.'

Principle DG51 of the Mid Sussex Design Guide SPD relates to rear extensions and states that:

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 extension would be of a form and design which is acceptable and is considered to be in proportion and appropriate to the character of the existing dwelling. The proposed design has adopted a contemporary architectural approach and would use materials that are not found in the existing dwelling or in the street scene. Nevertheless, the proposal does appropriately consider the side boundaries and adjacent buildings and gardens. The proposed rear extension would not be visible from the street scene and, as such, it is not considered that there would be significant harm to the character of the area.

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

Impact on Neighbouring Amenities

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan states proposals 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'*. Policy H9 in the Neighbourhood Plan refers to *'The privacy, daylight, sunlight and outlook of adjoining residents are safeguarded.'* As such there is some conflict between the two policies.

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflict 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 District Plan is considered to take precedence and therefore the test in this instance is whether the development causes significant harm to the amenities of existing nearby residents.

To the west is 13 Chillis Wood Road. Given that the proposal would largely be screened by the application property itself, it is not considered that the extension would give rise to significant overlooking concerns. As the proposal is single storey and would be offset from the shared boundary by some 20 metres, it is not considered that the development would cause significant harm to the light and outlook of this neighbour.

To the north is no. 2 The Dell. As the proposal is single storey and this neighbour would be offset from the development by some 16 metres, it is not considered that the extension would give rise to significant overlooking concerns. As the proposal is modest and single storey, it is not considered that the development would cause significant harm to the light and outlook of this neighbour.

Due to the residential nature of the proposed development there would not be any significant harm regarding noise, air or light pollution.

It is therefore considered that the proposal would not cause harm to the amenities of neighbouring properties. The proposal is therefore deemed to accord with the above part of policy DP26 of the District Plan.

Flood risk and Drainage

DP40 of the MSDC District Plan states in part that:

'Proposals for development will need to follow a sequential risk-based approach, ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. The District Council's Strategic Flood Risk Assessment (SFRA) should be used to identify areas at present and future flood risk from a range of sources including fluvial (rivers and streams), surface water (pluvial), groundwater, infrastructure and reservoirs. Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates.'

An ordinary watercourse is located to the rear of the site. MSDC Drainage have been consulted on the application. Subject to the proposed development incorporating all flood mitigation and resilience measures set out within the Flood Risk Assessment (Dated May 2025 Rev 00), including finished floor levels, they have no objection to the proposal. They have also recommended a condition ensuring that work is undertaken within 5 metres of any drain or watercourse, which is considered appropriate.

Impact on Trees

Policy DP37 of the Mid Sussex Plan relates to trees and states:

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.'

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- o incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*

- o prevents damage to root systems and takes account of expected future growth; and
- o where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and
- o has appropriate protection measures throughout the development process; and
- o takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and
- o does not sever ecological corridors created by these assets.

Proposals for works to trees will be considered taking into account:

- o the condition and health of the trees; and
- o the contribution of the trees to the character and visual amenity of the local area; and
- o the amenity and nature conservation value of the trees; and
- o the extent and impact of the works; and
- o any replanting proposals.

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary.'

There is a total of six trees within proximity of the development. The Tree Officer was consulted on the application and considered the proposal. An objection was initially raised regarding the impact to the RPA of the T2 category B sycamore, as a category B tree is a constraint to development. The Tree Officer was not convinced that the tree would be fully protected by the measures outlined in the submitted Arboricultural Method Statement part of the AIA. Following further comments from the architects, the Tree Officer reconsidered the proposal and advised that if the foundation design were to be included within the Arboricultural Method Statement, and could therefore be conditioned, that they would no longer object to the proposal. A revised Arboricultural Method Statement to include foundation design was requested from the agent, but no response was received. Following further advice from the Tree Officer, they advised that the revised Arboricultural Method Statement could be requested as a pre-commencement condition.

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

The proposal is considered to be acceptable in terms of design, size and scale to the dwellinghouse and locality, and would not cause harm to the amenities of neighbouring properties.

In conclusion, the proposal would accord with the requirements of policies DP26 and DP37 of the Mid Sussex District Plan, and policies E9 and H9 of the Haywards Heath Neighbourhood Plan. It is therefore considered acceptable.

Decision: Permission

Case Officer: Catherine Cardin