

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1124	Case Officer:	Peter Davies
Application Type:	Householder Application		
Proposal:	Close existing vehicle access, raise highway kerb and footway to WSCC specification and fence boundary as existing. Creation of new access on the north onto New England Road.		
Site:	Fir Trees, Hazelgrove Road, Haywards Heath, West Sussex, RH16 3PQ, , ,		
Validation Date	12 May 2026	Overall Expiry Date:	17 Aug 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	28 Aug 2026
Target Date:	7 Jul 2026	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:	1 Sep 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1124

**Fir Trees, Hazelgrove Road, Haywards Heath, West Sussex, RH16 3PQ, ,
Close existing vehicle access, raise highway kerb and footway to WSCC specification and fence
boundary as existing. Creation of new access on the north onto New England Road.
Mr G Austin**

REPRESENTATION RECEIVED

None received.

SUMMARY OF CONSULTEES

WSCC Highways:

The proposal will not result in an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. An informative was recommended for the requirements of obtaining a vehicle crossover license.

TOWN COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

The application seeks planning permission to close the existing vehicle access and raise dropped kerb, and creation of a new access on the north side onto New England Road, Haywards Heath.

RELEVANT PLANNING HISTORY

No relevant history.

SITE AND SURROUNDINGS

The application property is a detached bungalow located on a corner plot with Hazelgrove Road to the west and New England Road to the north. The site is located within the built-up area boundary of Haywards Heath.

The application property has a hipped roof and is constructed from brick with clay roof tiles and dark fenestration. The dwelling is set back from the highway with off street parking. The locality consists of dwellings and flats of varying scale, form and design as well as St Josephs Catholic Primary School to the south.

APPLICATION DETAILS

The application seeks planning permission to block up the existing access onto Hazelgrove Road with close board fencing to match the existing boundary fencing along with raising the dropped kerb. A new access is to be created on the northern boundary onto New England Road by removing the existing close board fence boundary and installing gates set back approximately 2.70 metres and have a height of approximately 1.75 metres. On either side of the gate will be close board fencing to join the gates onto the existing boundary fencing. The close board fencing will have a height of approximately 1.80 metres to match the existing.

Amended plans were received to show both the existing access to be blocked up and the new access to be created.

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

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 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:

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) (August 2026)

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;

- Character and Design
- Impact on neighbouring properties
- Impact on Highway Safety and Parking Provision
- Biodiversity Net Gain

Character and Design

Policy DP26 of the District Plan relates to character and design. In addition, policy E9 of the Haywards Heath Neighbourhood Plan has a similar ethos. 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.

The proposed blocking up of the existing access would use fencing to match the existing boundary. The new access would be located around the corner onto New England Road and would be of materials to match the existing boundary with the gates set back within the curtilage. Therefore, the application is considered to comply with the above part of policy DP3 of the NPPF, policy DP26 of the District Plan and policy E9 of the Neighbourhood Plan.

Impact on neighbouring properties

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 due as it is considered to be 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*'.

The proposal relates to alterations of the boundary around the site which face onto the highway. The alterations are set away from any neighbouring property and therefore is not considered to cause unacceptable harm to the amenities of neighbouring residents. The proposal is therefore considered to comply with the above mentioned parts of policies L2 and P3 of the NPPF and policy DP26 of the District Plan.

Impact on Highway Safety and parking provision

Policy DP21 of the District Plan seeks development to provide adequate car parking taking into account accessibility of development, the type, mix and use, and the availability and opportunities for public transport. It is considered that this policy has very limited weight as it is considered to be materially inconsistent with the NPPF and consideration should be given to policies TR2 and TR6 of the NPPF.

Policy TR4 of the NPPF relates to street design, access and parking. Part TR3(1e) requires proposals to *'Provide a suitable number of parking spaces for a range of transport modes where appropriate, reflecting the location and nature of the development (including its connectivity), any locally-set standards in the development plan, and including adequate provision of spaces and infrastructure that allow for the charging of electric vehicles in safe, accessible and convenient locations.'*

Policy TR6 of the NPPF relates to assessing transport impacts. Policy TR6(4) states *'Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.'*

West Sussex County Council Highways have commented on the proposal stating that there are no visibility concerns at the new access point and with enough space for a vehicle to safely pull off the highway to wait for the gates are in operation. The highways authority does not consider the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts. An informative has been suggested for the works also being subject to a license from the highway authority to be carried out.

The proposal would not result in a change to available parking with the property having space for 3+ vehicles and will therefore have acceptable on site parking.

As such the proposal is considered acceptable in terms of highway safety and parking provision. The proposal therefore complies with policies TR4 and TR6 of the NPPF and policy DP21 of the District Plan.

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 acceptable in terms of design, scale and form and would not cause unacceptable harm to the amenities of neighbouring residents. Therefore, the application complies with the relevant development plan policies and policies DP3, L2, P3, TR4 and TR6 of the NPPF, and is considered acceptable.

Decision: Permission

Case Officer: Peter Davies