

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2918	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Demolition of existing garage. Proposed front, rear and side extension and new storm porch		
Site:	28 Fox Hill Village, Haywards Heath, West Sussex, RH16 4QZ, , ,		
Validation Date	3 Dec 2024	Overall Expiry Date:	30 Dec 2024
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	24 Jan 2025
Target Date:	28 Jan 2025	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	Stephen Ashdown	Date:	24 Jan 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2918

**28 Fox Hill Village, Haywards Heath, West Sussex, RH16 4QZ, , ,
Demolition of existing garage. Proposed front, rear and side extension and new storm porch
Mr And Mrs Sherrell**

SUMMARY OF REPRESENTATIONS

A letter of support from 4 Pampas Close has been received.

CONSULTEE COMMENTS

MSDC Drainage: We have no objection to this development on flood risk grounds.

Drainage should be managed via Building Regulations and Building Control, as necessary.

As an advisory, we would suggest the Applicant considers the resistance and resilience measures suggested within the EA advice and implements any they deem appropriate due to the increased flood risk in the vicinity of this as a residential site (which are classified as 'more vulnerable').

TOWN COUNCIL OBSERVATIONS

No comment

INTRODUCTION

Planning permission is sought for the demolition of existing garage and the erection of a new proposed front, rear and side extensions and new storm porch.

RELEVANT PLANNING HISTORY

None relevant

SITE AND SURROUNDINGS

28 Fox Hill Village is a two storey detached hipped roofed dwelling within a cul-de-sac off Fox Hill. The dwelling is characterised by a front gable and side flat roofed dormer, the walls are a mix of hanging tiles, face brickwork, painted render and upvc doors and windows.

To the north of the site is the driveway to highway beyond, to the south of the site is the rear garden with hedging to properties in Pampas Close beyond, to the east of the site is the adjacent No.26 and to the west of the site is the adjacent No.32.

The site is within the built-up area of Haywards Heath.

APPLICATION DETAILS

The existing garage approximately measures 5.65m in depth, 2.65m in with a height to eaves of 2.6m and an overall height of 3.1m. The existing linked walkway between the garage and dwelling is also to be removed.

The existing flat side roofed dormer which serves the first-floor bathroom is to be removed

The proposed front/side extension to create a larger kitchen and utility room approximately measures 8.4m in depth, 2.75m in width with a height to eaves of 2.65m and an overall height of 4.4m.

The proposed single storey rear extension to create an open plan dining room approximately measures 3.2m in depth, 6.6m in width with a height to eaves of 2.65m and an overall height of 4.25m.

The proposed new storm porch approximately measures 1.7m in depth, 3.25m in width with a height to eaves of 2.4m and an overall height of 3.05m.

The proposed first floor front gable to create an en-suite for bedroom 1 and a new bathroom approximately measures 4.95m in depth, 4.65m in width with a height to eaves of 5.1m and an overall height of 7.75m.

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 (Design and Character)

WSCC Guidance on Parking at New Developments - September 2020

Neighbourhood Plan

The Haywards Heath Neighbourhood Plan has been formally 'made' as of 15th December 2016.

Relevant policies:

E9 (Design)

H9 (Residential Extensions)

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.

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 the majority of 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:

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)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 8, 11, 131 and 135.

ASSESSMENT

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."*

Policies Policy H9 and E9 of the Haywards Heath Neighbourhood Plan are most relevant.

Policy H9 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'.*

Policy E9 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'.

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 DG50 of the Mid Sussex Design Guide SPD relates specifically to front and side extensions states the following:

'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.

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

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'

A similar open porch and gabled front extension characterises neighbouring No.30 (DM/16/3438) and side extension characterises No.34 (DM/22/0606). Coupled with this the enlargements are subservient to the existing dwelling and will use matching or visually sympathetic materials which are not out of character with the varied streetscene.

Principle DG51 specifically 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 rear extension is subservient to the main dwelling, will only be partially visible from the streetscene and will use sympathetic materials.

Therefore, the proposal is deemed to comply with DP26 of the Mid Sussex District Plan and E9 and H9 of the Haywards Heath Neighbourhood Plan.

Impact on neighbouring properties

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.

Given the detached nature of the dwellings, and the extended nature of neighbouring Nos.26 and No.30 the impact on light and outlook is not deemed significantly. Whilst, with the creation of an additional front gable, the impact on privacy and overlooking would be no more than from the existing first floor windows.

Therefore, in terms of neighbour amenities, the proposal is deemed to comply with policies DP26 of the Mid Sussex District Plan and H9 of the Haywards Heath Neighbourhood Plan.

Parking Provision

As the garage is to be lost and provided, parking standards should be assessed.

The existing driveway can accommodate at 3 parked cars off the road at the front of the house. West Sussex County Council Guidance on Parking sets out the maximum parking standards for residential houses. For a 4-bed property in this location in Haywards Heath 2.5 parking spaces should be provided.

As outlined above, the proposal complies with WSCC parking standards.

Therefore, the proposal will accord with the WSCC parking standard requirements for a 3-bed house in this part of Haywards Heath. Therefore, the proposal accords with policy DP21 of the Mid Sussex 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

The proposal is considered to be of an appropriate design that are in keeping with the existing dwelling and will not cause harm to the surrounding area, coupled with this significant harm is not deemed to be caused to neighbouring amenities and allows for sufficient parking provision.

In conclusion, the proposal would accord with the requirements of policies DP21 and DP26 of the Mid Sussex District Plan as well as policies E9 and H9 of the Haywards Heath Neighbourhood Plan and the requirements of the NPPF. The application is therefore recommended for approval.

Decision: Permission

Case Officer: Andrew Horrell