

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0880	Case Officer:	Catherine Cardin
Application Type:	Full Application		
Proposal:	Proposal to replace 5 windows and one patio door		
Site:	Flat 19, Laurel House, Great Heathmead, Haywards Heath, West Sussex, RH16 1FE, ,		
Validation Date	1 May 2026	Overall Expiry Date:	26 May 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	22 Jun 2026
Target Date:	26 Jun 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>Joanne Fisher</i>	Date:	24 Jun 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0880

**Flat 19, Laurel House, Great Heathmead, Haywards Heath, West Sussex, RH16 1FE,
Proposal to replace 5 windows and one patio door
Mr Jordan Littlecott**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

None received.

TOWN COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

The application seeks planning permission to replace five windows and one patio door at Flat 19, Laurel House, Great Heathmead, Haywards Heath.

RELEVANT PLANNING HISTORY

HH/191/86- Erection of 132 flats with associated road and parking public car parking for 100 spaces. Permission.

SITE AND SURROUNDINGS

The application site relates to a flat located within Laurel House, Great Heathmead. The property is located on the third floor on the northern side of the building. The building lies within the flatted development of Great Heathmead and is located to the western side of Milton Road.

The site is located within the built-up area boundary of Haywards Heath. Neighbouring properties are located to the north, south, east and west.

APPLICATION DETAILS

The proposal comprises five replacement windows and one replacement patio door, including three windows and the patio door on the eastern elevation and two windows on the northern elevation.

The proposal seeks to install one brown uPVC window, two white uPVC windows and one white uPVC patio door on the front (eastern) elevation, whilst it is proposed to install one brown uPVC window and one white uPVC window on the side (northern) elevation.

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.

Specifically, Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

- a) *The provisions of the development plan, so far as material to application, and*
- b) *Any local finance considerations, so far as material to the application, and*
- c) *Any other material considerations.'*

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy, but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

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.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocations Development Plan Document (DPD) and the Haywards Heath Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework (NPPF) 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 policy:

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

The Haywards Heath Neighbourhood Plan was made in 2019.

Relevant policy:

Policy E9 - Design

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 hearings were concluded on the 19th March 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

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 NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three overarching objectives to sustainable development, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). The three objectives are economic, social and environmental.

Paragraph 12 of the NPPF states;

'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'

Paragraph 39 of the NPPF states;

'Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.'

With specific reference to decision-taking paragraph 48 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Guidance

National Design Guide

Published in 2021, the National Design Guide illustrates how the government consider well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice.

Paragraph 134 of the NPPF sets out that this national document, along with the National Model Design Code, should be used to guide decisions on application in the absence of locally design guides or design codes.

ASSESSMENT

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

- o Design and Impact on the character and appearance of the area
- o Impact on Residential Amenity
- o Biodiversity Net Gain

Design and Impact on the character and appearance of the area

Policy DP26 of the District Plan relates to character and design and requires all proposals to be well designed, reflect the distinctive character of the towns and villages. The policy also requires development to respond to the character and scale of the surrounding buildings. In part the policy expects proposals to achieve high-quality design and layout, incorporate appropriate landscaping and greenspace; and create a strong sense of place.

Policy E9 of the Haywards Heath Neighbourhood Plan contains a similar ethos.

The application site lies within the built-up area boundary of Haywards Heath.

The proposal seeks to replace five timber windows and one aluminium patio door with five uPVC windows and one uPVC patio door which would match the existing windows and doors already present within Laurel House, in terms of design and colour. The replacement units are considered to respect the rhythm, proportions and fenestration pattern of the building. A condition is recommended to ensure that the replacement windows and doors match the existing in terms of colour and finish.

Given that the proposal would result in a similar appearance to the existing, it is not considered that the development would be harmful to the character and appearance of the host property or the surrounding area. Whilst visible from the public realm, the proposal would result in a similar appearance to the existing building and would not appear visually prominent or harmful.

The proposal is therefore considered to comply with Policy DP26 of the Mid Sussex District Plan and Policy E9 of the Haywards Heath Neighbourhood Plan.

Impact on Residential Amenity

In terms of impact on neighbouring amenity, 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*'.

Given the modest nature of the proposal, it is not considered that the development would result in material harm to the outlook, light or privacy of adjoining properties. No changes to window positions or additional opening are proposed so it is not considered that the proposal would not introduce any additional overlooking or loss of privacy beyond the existing situation.

The proposal is therefore considered to comply with the above-mentioned part of Policy DP26 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. Under the statutory framework for biodiversity net gain this application comprises development below the de-minimis threshold meaning that this development is exempt from providing biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to

be assessed against the policies in the Development Plan and then to take account of other material planning considerations including the NPPF. The Development Plan in this instance consists of the Mid Sussex District Plan, the Site Allocations Development Plan Document and the Haywards Heath Neighbourhood Plan.

The proposed development is considered acceptable in design terms and would not result in harm to the character of the building or the amenities of neighbours. The proposal accords with policy DP26 of the Mid Sussex District Plan, policy E9 of the Haywards Heath Neighbourhood Plan and the relevant provisions of the NPPF. The application is therefore recommended for approval.

Decision: Permission

Case Officer: Catherine Cardin