

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0263	Case Officer:	Anna Tidey
Application Type:	Householder Application		
Proposal:	Rear single storey extension		
Site:	35 Mill Green Road, Haywards Heath, West Sussex, RH16 1XQ, , , ,		
Validation Date	3 Apr 2026	Overall Expiry Date:	29 Apr 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	28 May 2026
Target Date:	29 May 2026	Recommending Officer Signature:	<i>Anna Tidey</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	29 May 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0263

**35 Mill Green Road, Haywards Heath, West Sussex, RH16 1XQ, , ,
Rear single storey extension
Mr E Stokeley**

SUMMARY OF REPRESENTATIONS

One representation received from the adjoining occupiers, which requests:

- care when removing the outside toilet at No 35 as the one at No 36 is attached and it contains electric and water services,
- that works are not carried out after 1pm on Sundays and Bank Holidays.

CONSULTATIONS

Flood Risk & Drainage: The site lies within Flood Zone 1 and is therefore at very low risk of fluvial flooding. The Risk of Flooding from Surface Water mapping suggests the site is shown to be at "Very Low" to "High" surface water flood risk . The area at "High" risk of flooding from surface water is associated with a surface water flow path which runs along Mill Green Road. The proposed extension (built footprint) is located outside of the Flood Zone 3b extent for surface water. There will be no increase in vulnerability at the site.

The proposed application is a minor development and fits within the Environment Agency (EA) Standing Advice. We have no objection to the proposed development on flood risk grounds.

As an advisory, we would suggest the Applicant considers resistance and resilience measures suggested within the EA standing 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').

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

Southern Water: The site is located within South East Water's statutory area for water supply services. South East Water are the relevant statutory undertaker.

It appears that the developer is intending to build-over/close-to a public foul sewer which is crossing the site. Building over a "public sewer" is not normally permitted by Southern Water. An investigation of the sewer is required to confirm its size and depth, ascertain its condition, number of properties served and potential means of access before any decision can be made as to whether it would be acceptable for Southern Water to allow building-over/close-to the sewer. The length of sewer to be built over under the terms of Part H of the Building Regulations dictates that the matter is determined by the sewerage undertaker, which in this case is Southern Water.

SE Water: No response

TOWN COUNCIL OBSERVATIONS

Haywards Heath Town Council: No comment.

INTRODUCTION

This application seeks planning permission for a proposed single storey rear extension at No 35 Mill Green Road in Haywards Heath.

RELEVANT PLANNING HISTORY

DM/23/2380. Two storey rear and side extension to a semi detached property. Side extension is an infill. Amended Plans received 24.10.2023 showing revised roofline over addition and flood risk details. Approved December 2023.

DM/22/2724. Two storey rear and side infill extension. Amended Plans received 13.12.2022 which show altered roof form and design amendments. Refused March 2023.

DM/22/1801. Lawful Development Certificate -Proposed new dormer to converted loft area. Approved July 2022.

SITE AND SURROUNDINGS

No 35 Mill Green Road is a semi-detached Victorian property located in a row of similar style properties on the eastern side of the road, opposite the railway viaduct. The house is located in an established residential road. The associated rear garden backs onto the Mill Green Industrial/Business Park.

The Environment Agency's Risk of Flooding from Surface Water Climate Change (2025) mapping indicates that the site is at risk of surface water flooding, as are many of the houses in Mill Green Road.

The line of a public foul sewer extends along the rear of No 35 and the neighbouring houses (from Nos 33 to 40 Mill Green Road).

The house lies in an Amber Impact Zone for Great Crested Newts.

APPLICATION DETAILS

The submitted plans show the removal of the existing rear outside toilet at No 35 and the construction of a new single storey rear extension. The proposed single storey extension measures 4.9m deep by 4.4m wide, and has a flat roof. It is shown to extend up to the mutual boundary with the retained outside toilet at the attached house at No 36 Mill Green Road.

The house at No 35 has recently been extended with the addition of a two storey rear and side extension, creating an open plan lounge/dining and kitchen space. The proposed extension will allow a further enlargement of the open plan space.

The extension will be constructed in brickwork, with a flat roof. Two windows are proposed in the southern wall of the addition to light the new internal space, and a 2.8m wide set of full height glazed bifold doors are proposed in the rear elevation to provide access into the rear garden.

The submitted plans indicate that the flat roof on the addition will be sited approx. 0.3m below the truncated pitched roof on the adjacent outside toilet. That outbuilding is to be retained at the neighbouring house, No 36, with a lean to style roof, cut off on the mutual boundary line.

During the course of determining the application the applicants have provided a supporting Certificate B, and served appropriate notice upon the occupiers of No 36, as the development will abut the boundary and affect their property.

The application was accompanied by a Flood Risk Plan to indicate the DPC and Finished floor level in the proposed extension relative to the surrounding road, pavement and drive levels.

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 the 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

DP41 Flood Risk and Drainage

DP38 Biodiversity

Site Allocations Development Plan Document

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 15th December 2016.

Policy E9 Design

Policy H9 Building 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 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

DPS6 - Health and Wellbeing

DPB1 - Character and Design

DPS4 - Flood Risk and Drainage

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 Impact upon the street scene
- Impact on residential amenities
- Flood risk and drainage
- Biodiversity Net Gain

Design and Impact upon the street scene

Policy DP26 of the District Plan relates to character and design and requires all proposals to be well designed and reflect the distinctive character of the towns and villages as well as addressing the character and scale of the surrounding buildings and landscape.

The Council's adopted Design Guide is a material consideration in the determination of the application. Chapter 9 of the Design Guide relates to household extensions. Design Principle DG49 states that extensions should respond to the design of the original dwelling and applicant will be expected to demonstrate how local character has informed the design proposal.

Design Guide Principle DG51 refers to rear extensions. These should 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 will enlarge the host property on the ground floor at the rear. This will not alter its presence in the street scene.

The proposed extension is modest in scale and subordinate in form to host dwelling and the proposed use of matching materials will be in keeping in design terms. The addition would not have a harmful impact upon the street scene or the overall character of the area.

The design of this extension would accord with the design aims of Policy DP26 of the District Plan, Policies H9 and E9 of the Haywards Heath Neighbourhood Plan and the relevant principles of the Mid Sussex Design Guide SPD.

Impact on residential amenities

Policy DP26 of the District Plan requires developments to demonstrate that it does not cause significant harm to amenities of existing nearby residents (or future occupiers), taking into account matters such as impact on light, privacy and outlook.

In contrast Policy H9 in the Neighbourhood Plan states that extensions to existing dwellings will be permitted where the privacy, daylight, sunlight and outlook of adjoining residents are safeguarded.

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.

In addition Principle DG45 in the Design Guide refers to the need to consider privacy of existing and future residents and it is noted that privacy may be affected by the relationship of buildings to each other.

The immediate neighbouring properties are the attached house at No 36 and the house to the south at No 34 Mill Green Road. Comments have been received from the occupants of No 36, which include concerns regarding the impact of the partial demolition of half of their outside toilet outbuilding and regarding the timing of the development works.

The works, which include demolition and construction up to the mutual boundary, will be subject to the requirements of The Party Wall Act. Making good the roof of the neighbour's remaining outbuilding, where it extends up to the mutual line, will be required to ensure it is not structurally impacted. The timing of the development works is the subject of a recommended Informative.

The proposed extension will project 3.1m deeper than the retained outside toilet at the rear of No 36. Whilst this represents a further addition on the rear of No 35, the single storey form of the addition, and the flat roof form means that the addition is subordinate in form and it will not cause significant harm to the light, privacy and outlook of the occupiers of No 36.

The neighbouring house located to the south of the site is No 34 Mill Green Road. This house has a similar, but handed, rear layout to No 35 and has been extended with the addition of a smaller single storey flat roofed rear extension.

The proposed single storey extension at No 35 Mill Green Road will enlarge the ground floor of the house, bringing the built form closer to the neighbouring detached house at No 34. However, the boundary line between the two houses is enclosed by an existing solid wall and close board fencing and this will ensure that the bulk of the proposed addition, and the proposed side windows in the addition, are suitably screened, to protect the amenities of the neighbouring residents.

It is considered that the proposed development would not cause significant harm to the amenities of the existing neighbouring residents. The proposal accords with the requirements of the more up to date Policy DP26 of the District Plan, but also with the requirements of Policy H9 of the Haywards Heath Neighbourhood Plan and the relevant principles of the Design Guide.

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.

Flood Risk and Drainage

Policy DP41 of the District Plan concerns Flood Risk and Drainage. It aims to ensure that development is carefully considered in areas of the District that have experienced flooding in the past. Proposals for new development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates.

The Council's Flood Risk and Drainage Team Engineer has reviewed the submitted flood protection measures and have raised no objection to the application on flood risk grounds. They advise that the Applicant considers resistance and resilience measures, as suggested within the EA standing advice. Therefore, an Informative is recommended to draw attention to this advice.

During the course of determining the application comments have been received from Southern Water, which highlight that the proposed development is sited close to a public foul sewer. Southern Water have requested that if consent is granted, a pre commencement planning condition is attached to the planning permission to ensure that before the development commences the developer will agree with the Local Planning Authority, in consultation with Southern Water, appropriate measures to protect the public sewer. The applicant's have agreed to accept this condition.

Taking into account the above the proposal is considered to accord with the aims of Policy DP41 of the Mid Sussex District Plan, the Environment Agency standing advice in respect of minor extensions and relevant Planning Practice Guidance.

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 proposed rear extension is considered acceptable in design terms. Its position at the back of the house will ensure that it will not impact harmfully upon the character and appearance of the property or the street scene in this established residential road. The proposal accords with District Plan Policy DP26, Policies H9 and E9 of the Haywards Heath Neighbourhood Plan and the relevant Design Guide Principles.

It is considered that the addition will not cause significant harm to the neighbouring amenities. The proposal accords with the aims of District Plan Policy DP26 and also with the requirements of Policies H9 and E9 of the Haywards Heath Neighbourhood Plan and the relevant principles of the Design Guide.

Consideration has been given to the flooding risk in the area and the advice of Southern Water on the proximity of the development to the line of a public foul sewer has been taken into account. The proposal is considered to accord with the aims of Policy DP41 of the Mid Sussex District Plan, the Environment Agency standing advice in respect of minor extensions and relevant Planning Practice Guidance.

Consequently this application is recommended for approval.

Decision: Permission

Case Officer: Anna Tidey