

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1362	Case Officer:	Tracie Axford
Application Type:	Householder Application		
Proposal:	Single-storey rear extension		
Site:	3 Kings Road, Haywards Heath, West Sussex, RH16 4EJ, , , ,		
Validation Date	27 May 2025	Overall Expiry Date:	18 Jun 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	21 Jul 2025
Target Date:	22 Jul 2025	Recommending Officer Signature:	<i>Tracie Axford</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	22 Jul 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1362

**3 Kings Road, Haywards Heath, West Sussex, RH16 4EJ, , ,
Single-storey rear extension
Louise Campbell Ashley Thurmer**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

Southern Water has no objections to this proposal.

TOWN/PARISH COUNCIL OBSERVATIONS

Haywards Heath Town Council made no comment on this application.

INTRODUCTION

The application seeks planning permission for a single storey rear extension.

RELEVANT PLANNING HISTORY

11/01885/FUL - Demolition of existing single storey rear extension and replacement with proposed single storey rear extension. Permitted 2011-08-19

SITE AND SURROUNDINGS

The application property is a semi-detached two storey dwelling located on King's Road. The property is located within an Area of Townscape Character and the built-up area boundary of Haywards Heath. King's Road is a narrow road, accessed off St John's Road, in the south of Haywards Heath. The locality is characterised by a row of semi-detached dwellings of matching scale, form and design.

The application property has a pitched roof and is constructed from brick with plain roof tiles and white fenestration. There is side access to the rear of the property on the southern elevation. To the rear of the property is a single storey extension which leads out to a patio area. There is then stepped access to the rear garden.

APPLICATION DETAILS

The proposed extension is proposed to extend across the full width of the house, extending across from the existing extension, thus increasing the size of the kitchen. From the rear of the new extension, New UPVC black doors will provide access to black timber steps, replacing the previous steps to the back garden. The proposed roof to the extension is flat and the walls are proposed to be white render, with black rain water goods.

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

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

Policy - E9 (Character and Design)

Policy - E10 Areas of Townscape Character

Policy - H9 (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:

DPS1 - Climate Change

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 National Planning Policy Framework (NPPF) 2024 is a material consideration.

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

- Impact on neighbouring properties
- Biodiversity Net Gain

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."*

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.'

In terms of rear extensions, principle DG51 states:

'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'

Policy E9 of the Haywards Heath Neighbourhood Plan relates to design and 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:

- height, scale, spacing, layout, orientation, design and materials of buildings,*
- the scale, design and materials of the development (highways, footways, open space and landscape), and is sympathetic to the setting of any heritage asset,*
- respects the natural contours of a site and protects and sensitively incorporates natural features such as trees, hedges and ponds within the site,*
- creates safe, accessible and well-connected environments that meet the needs of users,*
- Will not result in unacceptable levels of light, noise, air or water pollution,*

- *Makes best use of the site to accommodate development,*
 - *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 relates to extensions to existing dwellings. It states:

Extensions to existing dwellings will be permitted where it meets the following criteria:

- *The scale, height and form fit unobtrusively with the existing building and the character of the street scene.*
- *Spacing between buildings would respect the character of the street scene.*
- *Gaps which provide views out to surrounding countryside are maintained.*
- *Materials are compatible with the materials of the existing building.*
- *The traditional boundary treatment of an area is retained and, where feasible reinforced.*
- *The privacy, daylight, sunlight and outlook of adjoining residents are safeguarded.*

Policy E10 of the Haywards Heath Neighbourhood Plan states that:

'Development proposals in an Area of Townscape Character will be required to pay particular attention to retaining the special character and to demonstrate how they support and enhance the character of the area in question.

In terms of proposed external materials, new UPVC black doors will provide access to black timber steps, to the back garden. The proposed roof to the extension is flat and the walls are proposed to be white render, with black rainwater goods.

Whilst the proposed external render to the walls and fenestration are dissimilar in design and colour to the existing property, they would not be visible from the street scene. It is therefore considered that the proposal would not have a harmful impact on the character of the dwelling nor the character of the street scene. The proposal would therefore not harm the Area of Townscape Character.

The existing single storey extension, has a pitched roof and extends across approximately half the width of the dwelling. This application seeks permission for a single storey rear extension with a flat roof which will extend across the full width of the dwelling but at the same depth of the existing extension.

Given the design, form and scale of the proposal in relation to the surrounding properties, and that it would be constructed in materials similar to those of the existing dwelling and the surrounding properties, the proposal is considered to comply policy DP26 of the District Plan, policy E9, E10 and H9 of the Haywards Heath Neighbourhood Plan and the relevant principles of the Mid Sussex Design Guide SPD.

Impact on Neighbouring Amenities

Policy DP26 in part seeks to ensure that development: *'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 DP29);'*

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.

The proposal will not create any additional overlooking to the neighbours on either side of 3 Kings Road. 3 Kings Road is physically separated from No. 2 Kings Road, with a fence on the boundary. No. 4 Kings road, to the northern elevation, adjoins No. 3 Kings Road. The existing pitched roof will be changed to a flat roof for the proposed extension which will not have an impact on the privacy, outlook or daylight of the residents of No. 4 Kings Road.

Given the domestic nature of the proposed development, it is not considered that there will be any significant harm or impact in terms of noise, air or light pollution.

Therefore, in terms of neighbouring amenities, the proposal is deemed to comply with 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. 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.

Other matters

Southern Water have no objection to the proposal. They also advise that *'should any other sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and the potential means of access before any further works commence on site.'*

PLANNING BALANCE AND CONCLUSION

The proposal is appropriate in terms of design and will not negatively impact on the host dwelling nor its immediate setting and will not harm neighbouring amenities. Therefore, the proposal complies with DP26 of the Mid Sussex District Plan, Policies E9, E10 and H9 of the Haywards Heath Neighbourhood Plan, principles DG49-51 of the Mid Sussex Design Guide and the relevant paragraphs of the NPPF and is considered acceptable.

Decision: Permission

Case Officer: Tracie Axford