

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1785	Case Officer:	Hamish Evans
Application Type:	Householder Application		
Proposal:	Retrospective application for the erection of a pergola attached to the back of the house.		
Site:	23 Northlands Avenue, Haywards Heath, West Sussex, RH16 3RT, , , ,		
Validation Date	22 Jul 2026	Overall Expiry Date:	14 Aug 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	18 Aug 2026
Target Date:	16 Sep 2026	Recommending Officer Signature:	Hamish Evans

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	20 Aug 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1785

**23 Northlands Avenue, Haywards Heath, West Sussex, RH16 3RT, , ,
Retrospective application for the erection of a pergola attached to the back of the house.
Mrs Tanja Feges**

SUMMARY OF REPRESENTATIONS

One third-party representation letter has been received in respect of this application, it objects for the following reasons:

- Scale, design and appearance,
- Impact on neighbours amenities,
- Disturbance to neighbours, and
- Resulting drainage arrangements.

It also requests confirmation that the submitted information is correct and clarification regarding the drainage arrangement.

SUMMARY OF CONSULTEES

None received.

TOWN COUNCIL OBSERVATIONS

Haywards Heath Town Council

No comment.

INTRODUCTION

The application seeks planning permission for the erection of a pergola to the rear of 23 Northlands Avenue, Haywards Heath.

RELEVANT PLANNING HISTORY

None considered relevant.

SITE AND SURROUNDINGS

The application site is located within the built up area boundary of Haywards Heath. The existing dwelling is a two-storey property that is characterised by bare brickwork walls, brown clay roof tiles and white uPVC windows and doors. The existing rear boundary treatment consists of closed board 1.8 metre high fencing. The surrounding area is predominantly residential in its nature with residential properties located to the north and south of the site and Northlands Avenue is located to the east and west of the site. The dwellings within the wider street scene are characterised by a variety of external materials and are of varied designs. There are a variety of single storey rear extensions and outbuildings within the surrounding area.

APPLICATION DETAILS

The application seeks planning permission for the erection of a pergola to the rear of 23 Northlands Avenue, Haywards Heath. The application documents advise that the development has already taken

place and it was completed on 31st August 2024. As such the application is retrospective and has been submitted under Section 73A of the Town and Country Planning Act 1990.

The pergola extends from the rear of the existing dwelling by some 3.7 metres, some 6.2 metres in width, an eaves height of 2.2 metres and a total height of 2.5 metres. It is characterised by a timber framed structure with polycarbonate sheet roofing.

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:

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 (adopted December 2016)

Relevant policies:

E9 - Re-inforcing Local Character

H9 - Extensions of Dwellings in Built-Up Areas

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 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

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)

ASSESSMENT

Impact on Character and Appearance

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 while being sensitive to the countryside as well as addressing the character and scale of the surrounding buildings and landscape. In part the policy requires proposals to be of a high quality design and layout and includes appropriate landscaping and greenspace; and creates a sense of place while addressing the character and scale of the surrounding buildings and landscape.

A similar ethos is found within policies E9 and H9 of the Haywards Heath Neighbourhood Plan and the Mid Sussex Design Guide SPD.

The external materials are relatively common within the built-up area, there would be limited views of them from the public realm and given the modest nature of the development the external materials are considered to address the character of the surrounding area.

The extension is of a modest single storey nature and given its rearward location there would be limited views of it from the public realm. There are several single storey extensions within the surrounding area that are varied in their design and appearance.

A third-party representation letter has been received which objects to the application in part due to it being out of keeping with the character of the neighbouring residential properties and that it detracts from the appearance of the area. However, given the above assessment it is considered that the development would be acceptable in respect of the wider character and appearance of the area.

Taking into account the above it is considered the development would be acceptable in respect of the character and appearance of the area and that it would comply with policy DP26 of the Mid Sussex District Plan, policies E9 and H9 of the Haywards Heath Neighbourhood Plan and the Mid Sussex Design Guide SPD.

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);'

A similar ethos is contained within the Mid Sussex Design Guide SPD.

A similar ethos is also found within policy H9 of the Haywards Heath Neighbourhood Plan. Although policy H9 states that proposals should "safeguard" adjoining neighbour's privacy, daylight, sunlight and outlook whereas policy DP26 of the Mid Sussex District Plan 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 existing boundary treatment to the north and south of the site consists of a closed board fencing measuring some 1.8 metres in height. The development is of a modest single storey nature and given its scale and location it is not considered to cause a significant detrimental impact to neighbouring properties in terms of reduction in sunlight and daylight, a loss of outlook, overbearing and in terms of noise, air and light pollution. A representation letter has been received which in part objects to the application due to, it being overbearing, reducing outlook and impacting light available to neighbouring properties. It also objects due to the external materials causing glaring and light pollution. These comments are noted however due to the above assessment it is considered that the development would not cause significant harm to the amenities of nearby residents. The development is therefore, considered to comply with the above-mentioned part of policy DP26 and the Mid Sussex Design Guide SPD.

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 retrospective and householder application this development is exempt from the requirement to provide biodiversity net gain.

Other matters

A third-party representation letter has been received which objects to the application on a number of grounds. In part it objects to the application due to drainage arrangement, this is a matter that would be dealt with through building regulations and would not be dealt with at a planning application stage. There is commentary relating to land ownership issues however that is a private matter not to be dealt with by the planning application. The information that has been submitted with the application is considered to be accurate.

PLANNING BALANCE AND CONCLUSION

In conclusion, the development would not have an adverse impact on the character of the dwellinghouse, locality and would not have a harmful impact on the amenities of neighbouring properties. Therefore, it complies with policy DP26 of the Mid Sussex District Plan, policies E9 and H9 of the Haywards Heath Neighbourhood Plan, the Mid Sussex Design Guide SPD, the Mid Sussex District Plan and with the relevant provisions of the NPPF.

Decision: Permission

Case Officer: Hamish Evans