

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1624	Case Officer:	Peter Davies
Application Type:	Full Application		
Proposal:	Existing old ATM to be replaced with 1 new ATM with white illuminated surround panel. Existing white panel above retained ATM to be removed. Install new white illuminated surround panel. Existing back painted glass to be removed. Install new aluminium back panel in MT-02 (RAL 5011 gloss finish) within the window frame. Existing branch nameplate to be removed and made good.		
Site:	Barclays, Basement And Ground Floor, 77 South Road, Haywards Heath, West Sussex, RH16 4LB, ,		
Validation Date	24 Jun 2025	Overall Expiry Date:	18 Jul 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	18 Aug 2025
Target Date:	19 Aug 2025	Recommending Officer Signature:	Peter Davies

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	18 Aug 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1624

Barclays, Basement And Ground Floor, 77 South Road, Haywards Heath, West Sussex, RH16 4LB,

Existing old ATM to be replaced with 1 new ATM with white illuminated surround panel. Existing white panel above retained ATM to be removed. Install new white illuminated surround panel. Existing back painted glass to be removed. Install new aluminium back panel in MT-02 (RAL 5011 gloss finish) within the window frame. Existing branch nameplate to be removed and made good. Barclays

SUMMARY OF REPRESENTATIONS

None received.

TOWN COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

The application seeks planning permission for a replacement ATM with white illuminated surround panel, install new white illuminated panel around second ATM, existing back painted glass to be removed and replaced with aluminium back panel.

RELEVANT PLANNING HISTORY

CU/184/78 - Application for projecting illuminated sign. Permission

CU/353/81 - Forming shop unit in basement with entrance from South Road. Form banking hall on ground floor. Form office and staff room on second floor. Permission

CU/087/84 - One single sided fascia sign incorporating a double-sided projecting sign. Permission

CU/006/85 - Alterations to the shopfront and change of use of ground floor and basement from retail to banking hall and bank offices. Permission

00/01980/ADV - Fascia and projecting sign. Permission

03/00227/ADV - 1 x projecting sign and 2 x ATM box panel signs Permission

14/02595/ADV - 2 no internally illuminated fascia signs and 1 no internally illuminated projecting sign to the front elevation. Permission

SITE AND SURROUNDINGS

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

The site is located on the south side of South Road, along the high street and part of the primary shopping area as defined in the Haywards Heath Neighbourhood Plan.

The building consists of a Barclays bank on ground floor with office space above. The building is constructed from brick with a grey bank frontage and grey aluminium fenestration. The shop frontage has large, glazed windows on the right side of the door and 2 no. ATM on the left side.

The locality consists of shops along both sides of the highway with office and residential above.

APPLICATION DETAILS

The application seeks planning permission for a replacement ATM on the shop front with white illuminated surround panel made of acrylic with a height of 1.80 metres and width of 1.20 metres. The

illumination will have a brightness of 300cd/m2. The existing floor to ceiling back painted glass is to be removed and replaced with an aluminium back panel in a dark blue (RAL 5011 gloss finish) on the left side of the shop frontage.

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,*
- b) And 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 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 (made 2016)

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 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:

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 objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective.

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

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.'*

Policy E9 of the Haywards Heath Neighbourhood Plan 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.'

The proposed alterations are considered to be acceptable in terms of design and form to the existing building. There are a variety of external materials and designs of shop fronts within the locality. It is therefore considered to comply with policy DP26 of the Mid Sussex District Plan, the Mid Sussex Design Guide and policy E9 of the Haywards Heath Neighbourhood Plan.

Impact on neighbouring properties

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);'

Due to the nature of the works replacing the existing and facing onto the high street, the proposed works will not create significant harm to neighbour amenities. The proposal therefore accords with policy DP26 of the 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

In conclusion, the proposal would not have an adverse impact on the character of the building or the character and appearance of the area. It would also not cause significant harm on the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policy DP26, policy E9 of the Haywards Heath Neighbourhood Plan, and with the relevant provisions of the NPPF.

Decision: Permission

Case Officer: Peter Davies