

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2683	Case Officer:	Anna Tidey
Application Type:	Householder Application		
Proposal:	Proposed single storey rear extension, including remove and replace existing extension. Rear chimney removal.		
Site:	12 Queens Road, Haywards Heath, West Sussex, RH16 1EB, , ,		
Validation Date	20 Nov 2024	Overall Expiry Date:	16 Dec 2024
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	8 Jan 2025
Target Date:	15 Jan 2025	Recommending Officer Signature:	Anna Tidey

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	10 Jan 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2683

12 Queens Road, Haywards Heath, West Sussex, RH16 1EB, , ,
Proposed single storey rear extension, including remove and replace existing extension. Rear chimney removal.
Mr And Mrs Pelczar

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Southern Water: Southern water has determined the Flow rate for the above site will remain the same/similar as capacity is not an issue and no southern water assets will be affected. Therefore, Southern water has no objections to this proposal.

Surface water should not involve disposal to a public foul sewer and should be in line with the Hierarchy of H3 of Building Regulations.

Drainage and waste disposal: Approved Document H - GOV.UK (www.gov.uk)

Any new connections to the public sewerage system will require a New Sewer Connection application (a Section 106) to be submitted and approved by Southern Water.

TOWN/PARISH COUNCIL OBSERVATIONS

Haywards Heath Town Council: No comment.

INTRODUCTION

This application seeks planning permission for the reconfiguration of an existing rear flat roofed single storey addition and the addition of a new single storey infill extension at the rear of No 12 Queens Road in Haywards Heath.

The application follows the recent approval for a similar addition on the property under DM/24/1098, detailed below.

RELEVANT PLANNING HISTORY

DM/24/1098. Proposed single storey rear extension. Approved June 2024.

CU/135/79. Change of use, conversion of existing house into two flats. Approved July 1979.

SITE AND ITS SURROUNDINGS

No 12 Queens Road is a period semi detached house, located on the southern side of Queens Road, with a front garden with off road parking space on a paved private drive.

The house has been previously extended with the addition of a flat roofed single storey extension at the rear of the property, which extends up to the mutual boundary with the attached house at No 10 Queens Road.

A loft extension comprising of a hip to gable addition, with front facing rooflights and the addition of a large rear facing flat roofed dormer has been recently completed, since the consideration of DM/24/1098, and this is shown on the submitted Existing Elevation Plans.

The house and garden are sited within the Built up Area boundary of Haywards Heath, within Flood Zone 1, and outside any designated Surface Water Flooding areas.

APPLICATION DETAILS

This application seeks planning permission for a redesigned single storey rear extension to be positioned over part of an existing paved patio and a gravel surfaced area. The description also mentions the removal of a rear chimney, which is located on roof of the rear two storey projection on the back of the property.

The proposed single storey extension would create an infill addition at the rear of the house to enlarge the kitchen into an open plan kitchen/diner, with access via an existing window to form a doorway into a rear sitting room in the existing house. The removal of the ground floor side kitchen wall will enlarge the internal living space at the rear of the house. The existing ground floor toilet and lobby are to be taken into the enlarged kitchen and a new utility room and toilet accommodated within the existing rear flat roof extension.

The proposed addition has a flat roof, into which two 1.2m long by 0.9m wide rooflights would be inserted, surrounded by a parapet wall with Code 5 lead capping. The addition would be constructed in external materials to match the existing. The side and rear elevations of the proposed extension are shown to accommodate sliding bifold doors. The rear facing elevation of the addition contains twin sliding doors.

The rear extension is shown to be reroofed and a single door inserted in the side elevation to serve the adjacent patio, which adjoins the side wall of a single garage at the neighbouring house at No 14.

The plans show the provision of the new rear dormer and hip to gable enlargement on the main roof of the house. These elements have been constructed but these elements are not included in the description and have not been assessed in the determination of this application.

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, the Haywards Heath Neighbourhood Plan and Site Allocations DPD.

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 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 policies deemed relevant to this application.

Neighbourhood Plan

Haywards Heath Neighbourhood Plan - made 15 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 the stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to the majority of 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
DPS6 Health and Wellbeing
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.

West Sussex County Council Guidance on Parking at New Developments - September 2020

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

Policy DP26 of the District Plan seeks to promote well located and designed development, to protect valued characteristics of the built environment for their historical and visual qualities and support sustainable communities and create accessible environments. Policy DP26 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 DP29);*
- * *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.'*

Neighbourhood Plan Policies H9 and E9 are relevant, and these state:

Policy H9

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

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

Policy E9

'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:

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

Also relevant in the determination of the application is the design guidance contained in the Mid Sussex Design Guide, which seeks good design in house alterations and extensions.

Principle DG49 states:

'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. Extensions should also normally be designed to be well integrated with the existing scale, form and massing allow the original building to remain the dominant element of the property whether it has one or several additions.

Extensions should typically use simple, uncomplicated building forms to complement 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.

Extensions should not result in a significant loss to the private amenity area of the dwelling.

There are two general approaches to extending a property:

-designing in the style of the existing building by closely matching its facing materials, architectural features, window sizes and proportions; and

-designing in a contemporary style that takes its cues from key aspects of the existing building that might include its underlying form and proportions, facing materials, window design and other specific architectural features. The success of this approach is particularly reliant on high quality facing materials and finishes, and this will normally need to be demonstrated through detailed elevations and section drawings.

Both approaches can create successful, well designed extensions that can be mutually beneficial to both the house and the wider area. All extensions and alterations should consider their impact on neighbouring properties (refer to Chapter 8 on residential amenity).'

Design Guide Principle DG51 refers to Rear extensions and 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'.

The proposed rear extension will form a subordinate infill addition at the rear of the house. It will serve to enlarge the footprint of the building and will increase the habitable space on the ground floor.

The contemporary design for the addition is acceptable and the adaptation of the existing rear addition will complement the new addition. The modern appearance of the full height glazing, the new full height glazing and the parapet roof design, and the proposed removal of the rear chimney will not detract from the overall character and appearance of the house in public views from the street.

Consequently the appearance of the proposed works are considered to accord with Policy DP26 and Policies H9 and E9 of the Haywards Heath Neighbourhood Plan and with the relevant Design Guide principles.

Impact on residential amenities

District Plan Policy DP26 and Neighbourhood Plan Policy H9 are relevant in the determination of this application with regards to the impact of the changes on residential amenities. There is a conflict in the phrasing of these policies. Policy DP26 requires that 'All applicants will be required to demonstrate that development does not cause significant harm to the amenities of existing nearby residents and future occupants of the new dwellings.' In contrast Policy H9 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 No 14 to the east and No 10, which is the attached house, to the west. It is considered that the spacing and orientation of the dwellings, with the siting of the pitched roofed garage up to the line of the eastern boundary, will protect the outlook and amenities of the neighbours living at No 14. The siting of the proposed extension at No 12, to the side of the building, will also protect the amenities of the occupiers of No 10.

Given the nature of the proposal and the relationship with the neighbouring properties, it is deemed that no significant harm will be caused by the proposed development to the privacy, outlook, daylight and sunlight of the immediate residents.

The proposal accords with the requirements of the more up to date Policy DP26 of the District Plan, and also with the requirements of Policies H9 and E9 of the Haywards Heath Neighbourhood Plan and the relevant principles of the Design Guide.

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 flat roofed rear extension is a modest and subordinate addition sited at the rear of the property. It is considered that its construction, and the associated adaptations to the existing single storey extension at the rear of the house, will not adversely affect the character and appearance of the property and the street scene.

It is considered that the additions and alterations will not cause significant harm to the neighbouring amenities, or their privacy or light. 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.

Consequently this application is recommended for approval.

Decision: Permission

Case Officer: Anna Tidey