

## Delegated Decision

### Sign off Sheet

|                                              |                                                                                                                                                                                                                                                                                              |                                        |             |
|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|-------------|
| <b>Ref. No:</b>                              | DM/25/0844                                                                                                                                                                                                                                                                                   | <b>Case Officer:</b>                   | Andrew Watt |
| <b>Application Type:</b>                     | Householder Application                                                                                                                                                                                                                                                                      |                                        |             |
| <b>Proposal:</b>                             | Demolition of conservatory, garage and other non-original rear extensions.<br>Construction of a two storey rear extension with pitched and flat roof.<br>Construction of a single storey side extension with flat roof and 2no. lantern rooflights. Construction of porch with pitched roof. |                                        |             |
| <b>Site:</b>                                 | 86 Harlands Road, Haywards Heath, West Sussex, RH16 1LS, , , ,                                                                                                                                                                                                                               |                                        |             |
| <b>Validation Date</b>                       | 27 Mar 2025                                                                                                                                                                                                                                                                                  | <b>Overall Expiry Date:</b>            | 24 Apr 2025 |
| <b>Pre-Commencement Conditions Required:</b> |                                                                                                                                                                                                                                                                                              | <b>Pre-Com Conditions Date Agreed:</b> |             |
| <b>Recommendation:</b>                       | Permission                                                                                                                                                                                                                                                                                   | <b>Recommendation Date:</b>            | 22 May 2025 |
| <b>Target Date:</b>                          | 22 May 2025                                                                                                                                                                                                                                                                                  | <b>Recommending Officer Signature:</b> | Andrew Watt |

|                                                        |  |                               |   |
|--------------------------------------------------------|--|-------------------------------|---|
| <b>Date Legal Agreement Completed: (if applicable)</b> |  | <b>No of Representations:</b> | 0 |
|--------------------------------------------------------|--|-------------------------------|---|

|                              |                 |              |             |
|------------------------------|-----------------|--------------|-------------|
| <b>Signed and Agreed By:</b> | Stephen Ashdown | <b>Date:</b> | 22 May 2025 |
| <b>Comments:</b>             |                 |              |             |

## **MID SUSSEX DISTRICT COUNCIL**

**DM/25/0844**

**86 Harlands Road, Haywards Heath, West Sussex, RH16 1LS, , ,  
Demolition of conservatory, garage and other non-original rear extensions. Construction of a two storey rear extension with pitched and flat roof. Construction of a single storey side extension with flat roof and 2no. lantern rooflights. Construction of porch with pitched roof.  
Mr And Mrs Langford**

### **SUMMARY OF REPRESENTATIONS**

None.

### **TOWN / PARISH COUNCIL OBSERVATIONS**

No comment.

### **INTRODUCTION**

Full planning permission is sought for the demolition of conservatory, garage and other non-original rear extensions. Construction of a two storey rear extension with pitched and flat roof. Construction of a single storey side extension with flat roof and 2no. lantern rooflights. Construction of porch with pitched roof.

### **RELEVANT PLANNING HISTORY**

In August 1975, planning permission was granted for alterations to form additional toilet and dormer window to bedroom (CU/196/75).

In May 1979, planning permission was granted for conversion of integral garage into additional bedroom and erection of new garage (CU/068/79).

### **SITE AND SURROUNDINGS**

The site is a 2-storey detached dwelling with brick elevations and steeply pitched gable roof and catslide roof to the front with a dormer window, clay roof tiles, feature chimney to the side and a flat roofed side garage. There is a double driveway to Harlands Road. The property is of a similar design and appearance to some others on this side of the road. At the rear is a large conservatory and small flat-roofed extension.

The site is located within the built-up area of Haywards Heath. It is designated as a Great Crested Newt - Impact Risk Zone (Red).

### **APPLICATION DETAILS**

Full planning permission is sought for the demolition of the rear conservatory, side garage and rear extension, together with the construction of a 2-storey rear extension with pitched and flat roof, construction of a single-storey side extension with flat roof and 2no. lantern rooflights, and construction of a new porch with pitched roof. 5 solar panels will also be fitted to the south- and east-facing roof slopes.

The 2-storey rear extension will run across the full-width of the original part of the dwelling (excluding the garage), approximately 9.0m, to a depth of 5.0m and a maximum height of 7.5m (approximately 0.3m below the main ridge height). It will contain a Juliet balcony. The flat-roofed side extension will measure approximately 2.7m in width at its maximum, 9.9m in depth and 3.0m in height (excluding the lantern

lights). Maximum dimensions of the proposed porch will be approximately 2.8m in width, 2.3m in depth and 4.4m in height (with roof pitch and form to match that of the adjacent gable).

Bricks and roof tiles will match those of the existing building, with new aluminium framed windows.

## **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 Mid Sussex District Plan, Site Allocations Development Plan Document (DPD) and the Haywards Heath Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Practice Guidance) does not form part of the development plan, but is an important material consideration.

### **Mid Sussex District Plan (Mar 2018)**

The Mid Sussex District Plan 2014-2031 was adopted at Full Council on 28 March 2018.

Relevant policies:

Policy DP26: Character and Design

Policy DP38: Biodiversity

### **Site Allocations DPD**

The SADPD was adopted on 29 June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

There are no relevant policies.

### **Haywards Heath Neighbourhood Plan (Dec 2016)**

Mid Sussex District Council formally 'made' the Haywards Heath Neighbourhood Plan part of the Local Development Plan for the Haywards Heath Neighbourhood Plan area as of 14 December 2016. The policies contained therein carry full weight as part of the Development Plan for planning decisions within the Haywards Heath Neighbourhood Plan area.

Relevant policies:

Policy H9: Extensions to Existing Dwellings

## **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 31 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:

DPN2: Biodiversity Net Gain

DPB1: Character and Design

### **Mid Sussex Design Guide Supplementary Planning Document (Nov 2020)**

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 4 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.

Relevant design principles include:

Principle DG49: General principles for extensions

Principle DG50: Front and side extensions

Principle DG51: Rear extensions

### National Planning Policy Framework (NPPF) (Dec 2024)

The National Planning Policy Framework (NPPF) 2024 is also a material consideration and paragraphs 8 (overarching objectives), 11 (presumption in favour of sustainable development), 131 and 135 (design), 187 (conserving and enhancing the natural environment) and 193 (biodiversity and ancient woodland) are considered to be relevant to this application.

## **ASSESSMENT**

### **Design and visual impact on the character and appearance of the area**

Policy DP26 of the Mid Sussex District Plan states (in part):

*'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;*
- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *positively addresses sustainability considerations in the layout and the building design;'*

Policy H9 of the Neighbourhood Plan states:

*'Policy H9: 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.'*

Chapter 9 of the Mid Sussex Design Guide SPD relates to household extensions. Design Principle DG49 states that extensions should respond to the design of the original dwelling. Principle DG50 relates to front and side extensions and advises that side extensions should normally be subservient to the original dwelling and typically be set-back from the front of the house to help define the original building. Principle DG51 relates to rear extensions and advises that they should have consideration for

the character of the existing building and the relationship with side boundaries and adjacent buildings and gardens.

It is considered that the proposed rear extension is acceptable in design and of an appropriate scale in relation to the character of the dwelling and the plot size. Whilst it is acknowledged that the overall footprint of the extension is not subordinate to the main dwelling, it is considered that the proposal would not overwhelm the property when viewed from the gaps between both neighbouring properties, particularly as nos. 88 (planning refs: DM/16/1782 and DM/23/0787) and 90 (ref: DM/16/1901) have been extended in a similar manner at the rear, and building works to extend no. 82 over 2-storeys are well underway (ref: DM/21/1907). These extensions are/will be visible in the street scene, so the application proposal will therefore not be out of character with the wider area.

The proposed side extension will be subservient in design and scale to the original house and will maintain a visual gap at first floor level between the site and no. 84. The proposed porch is of an appropriate scale and design, particularly in its roof form and pitch, which will match that of the front gable. There is a similar porch to no. 88, the neighbouring property. Therefore both these elements would also be sympathetic to the street scene.

Accordingly, it is considered that the proposal would comply with Policy DP26 of the Mid Sussex District Plan, Policy H9 of the Neighbourhood Plan and the Mid Sussex Design Guide SPD.

### **Impact on neighbouring amenity**

Policy DP26 of the Mid Sussex District Plan states (in part):

*'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 new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29)'*

Although the Haywards Heath Neighbourhood Plan requires development to safeguard the privacy, daylight, sunlight and outlook of adjoining residents, the Mid Sussex District Plan seeks to ensure that development does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings. Paragraph: 084 Reference ID: 41-084-20180222 of the government's Planning Practice Guidance (Revision date: 22 02 2018) states: 'policies in a neighbourhood plan may become out of date, for example if they conflict with policies in a Local Plan that is adopted after the making of the neighbourhood plan. In such cases, the more recent plan policy takes precedence.' As the Mid Sussex District Plan is the most up-to-date Plan, then the correct test to apply in this instance is whether the impact of the development causes significant harm to neighbouring residents.

The main properties affected by the proposal would be nos. 84 and 88 Harlands Road.

No. 84 to the south-east is identical to no. 86 as originally built, is set on slightly lower ground and has a 2-storey flat-roofed rear extension, albeit the part of the original dwelling closest to the site remains unextended. There is a side window at first floor level. The floor plans would indicate that this side and rear window serve the same bedroom. There would be a gap of approximately 3.9m between the 2-storey part of the proposed rear extension and the rearmost corner of the original part of no. 84. Given the dual aspect to this bedroom and the gap between the properties, it is not considered that the 2-storey rear extension would be overbearing or result in a significant loss of light to the occupants of this neighbouring property. Neither would it result in any loss of privacy, subject to the new first-floor en-suite and bathroom windows being obscure glazed and non-openable below 1.7m internal floor level. This is sought through condition. In addition, the proposed single-storey extension would not constitute a significantly overbearing form of development that would be harmful to the amenities of the neighbouring occupants. The plans also show that no part of this extension would project beyond the neighbouring boundary.

No. 88 to the north-west is sited on slightly higher ground and has a 2-storey rear extension closest to the boundary with the application site. The proposed 2-storey extension will project a negligible distance

beyond the rear elevation of this neighbouring extension and will be sited a minimum of 3.7m away. There are 2 first floor side windows facing the site, and according to planning records they appear to serve a landing, study (the two rooms split internally with 1 light of the window serving the study and 2 the landing) and an ensuite, closest to the rear. Ground floor windows are not particularly visible but appear to serve the hallway, WC, utility room and kitchen (the latter also having a large rear window). Therefore based on the nature of the windows, it is not considered that the proposal would be overbearing to the impact of the neighbouring occupants or result in any loss of privacy, subject to the new first-floor en-suite window being obscure glazed and non-openable below 1.7m internal floor level. This is again sought through condition.

Accordingly, the scheme would comply with Policy DP26 of the Mid Sussex District Plan, Policy H9 of the Haywards Heath Neighbourhood Plan 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 householder application this development is exempt from the requirement to provide biodiversity net gain.

### **Other matters**

The site is located within a designated Great Crested Newt - Impact Risk Zone (Red). However, having regard to the nature of the application, it is unlikely to have an impact on newts and accordingly there would be no conflict with biodiversity legislation, policy and guidance.

### **PLANNING BALANCE AND CONCLUSION**

The application proposals are deemed to be of an appropriate scale and design in relation to the existing house and street scene, and would not cause significant detriment to surrounding residents. There would be no harm to biodiversity. Accordingly it is considered that the proposed development would comply with Policies DP26 and DP38 of the Mid Sussex District Plan, Policy H9 of the Haywards Heath Neighbourhood Plan, the Mid Sussex Design Guide SPD and the NPPF and is therefore considered acceptable.

Decision:       Permission

Case Officer: Andrew Watt