

Delegated Decision
Sign off Sheet

Ref. No:	DM/25/1204	Case Officer:	Katherine Williams
Application Type:	Householder Application		
Proposal:	Proposed alterations to convert roof terrace to a bedroom.		
Site:	5 Osborne Mews, South Road, Haywards Heath, West Sussex, RH16 4LZ, , ,		
Validation Date	14 May 2025	Overall Expiry Date:	6 Jun 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	7 Jul 2025
Target Date:	9 Jul 2025	Recommending Officer Signature:	Katherine Williams

Date Legal Agreement Completed: (if applicable)		No of Representations:	2
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Signed and Agreed By:	Stephen Ashdown	Date:	7 Jul 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1204

**5 Osborne Mews, South Road, Haywards Heath, West Sussex, RH16 4LZ, ,
Proposed alterations to convert roof terrace to a bedroom.
Mr Oliver Bowles**

SUMMARY OF REPRESENTATIONS

Three letters of representation have been received which raise the following concerns:

- Terrace won the Mid Sussex Architecture Award in 2005, of a high quality design
- Noted within the Haywards Heath Town Centre Masterplan
- Permitted development right were removed under the original permission to prevent overdevelopment, the proposal is considered to amount to overdevelopment
- Views of the terrace from Victoria Park, appreciate the symmetry and uniformity of the terrace and the balconies of No. 1 and 5.
- Proposal would unbalance terrace
- Impact on market value of the properties (*Officer Comments: property values is a private matter and not a planning consideration*)
- Proposal would result in a precedent (*Officer Comments: each application is considered against the relevant development plan policies*)
- Increase noise and disturbance to living room of No. 4
- Increase in number of occupiers of the property would result in concerns regarding access and parking

SUMMARY OF CONSULTEES

None received

PARISH COUNCIL OBSERVATIONS

The Town Council is disappointed to see a proposal to change part of a prominent development in the town centre and OBJECTS to the application.

The property forms part of an award-winning landmark development of architectural merit, which occupies a prominent position overlooking Victoria Park. The proposal would give rise to an incongruous and unneighbourly feature which would detract from the symmetry of the development as a whole. If allowed, it would set an unwelcome precedent for other similar proposals in future, which the local planning authority would find hard to resist.

This proposal contravenes Policy H9 of the Haywards Heath Neighbourhood Plan which 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.'

The proposal further contravenes the Mid Sussex Design Guide, principle DP49 which states:

'Extensions should respond to the design of the original dwelling and applicants will be expected to demonstrate how local character has informed the design proposal. Extensions should normally be designed to be well-integrated with the existing scale, form and massing allowing the original building to remain the dominant element of the property whether it has one or several additions. '

Additionally, the proposal contravenes elements of the Mid Sussex District Plan, DP26: Character and Design.

Having regard to the limited area that these five properties occupy, the proposal would give rise to an overdevelopment of the application site, which would have prejudicial effect on the character of the development as a whole and would be detrimental to the amenities of the neighbouring residents. By increasing the size of the property to accommodate more occupants than was originally intended, it is reasonable to believe that additional vehicles may be used by the occupiers, resulting in an additional strain on parking in an already limited area. The increased size risks overburdening existing utilities infrastructure, particularly sewerage which, the Town Council understands, is pumped up from the development to the main sewer.

The Town Council echoes concerns made by residents of neighbouring properties in Osborne Mews, regarding the overdevelopment of the site and additional strain that the proposal would put on sewage disposal, amenities and parking. The Town Council is also concerned about the impact of the proposal on light and noise for 4 Osborne Mews, as their living area would be directly overshadowed by the proposal.

INTRODUCTION

The application seeks planning permission for alterations to convert roof terrace to a bedroom.

RELEVANT PLANNING HISTORY

DM/21/3157 - Cap the top surface of the rendered parapets (Proposed elevations and section received 18.01.2022). Granted

03/00788/FUL - 5 town houses parallel to adjacent Victoria Park at rear of existing building. Granted

SITE AND SURROUNDINGS

The property consists of the southern end dwelling within a terrace of five dwellings, accessed off the southern side of South Road, within the built up area of Haywards Heath.

The properties are of a similar design and form with the end dwellings benefiting from balconies to the rear roof slope, and the middle three dwellings benefiting from a large expanse of glazing within the rear roof slopes. This does provide an element of symmetry and uniformity to the terrace, with the dwellings positioned at an angle with staggered elevations with the dwellings separated by parapet walls, which visually break up the individual properties. The terrace backs onto Victoria Park and therefore highly visible from this aspect with far reaching views. The front of the properties however, are only visible from private views from surrounding properties.

The application property is constructed in white render, timber cladding, plain roof tiles and white fenestration.

APPLICATION DETAILS

The proposed conversion of the existing balcony would result in the continuation of the existing roof slope over this amenity space with 2 No. roof lights to the front and rear roof slopes. This would create a fourth bedroom within the roof of the dwelling.

The proposal would be constructed in materials to match the existing dwelling.

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 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:

DP21 - Transport

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 December 2016)

Policy E9 - Design

Policy H9 - Residential Extensions

Other Material Considerations

Mid Sussex District Plan 2021-2039 Consultation Draft

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 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

DPT4 - Parking and Electric Vehicle Charging Infrastructure

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)

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
- Impact on parking provision
- 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."*

This ethos is echoed within Policy E9 from the Haywards Heath Neighbourhood Plan.

Policy H9 of the Haywards Heath Neighbourhood Plan which states that:

'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.'*

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.'*

Principle DG52 relates to dormer windows and roof enlargements and states: *'Roof accommodation is normally reliant on dormer windows and rooflights to provide light and ventilation. However, if they are out of scale or out of character with the roofscape and proportions of a dwelling they can have an adverse impact on the character of both the dwelling and the streetscape. The roof pitch and form are intrinsic to a building's character and roof extensions should be sensitive to this. Roof extensions and dormer windows that alter the existing ridge of the roof or significantly alter the roof profile of a building will not normally be acceptable, particularly on the front roof slope, and where there is a strong established roofline. Where a clear rhythm of fenestration is established, the position and proportion of dormer windows should respond to existing windows and / or doors.'*

The proposed alterations would be of a form and design which are in proportion and appropriate to the character of the existing dwelling. The alterations to the rear of the dwelling would be highly visible from Victoria Park, the alterations to the front of the dwelling would be limited to private views from neighbouring properties. The level of symmetry between the properties of Osborne Mews and that the end properties 'book end' the terrace with balconies within the roof slope. However, due to the angled and staggered position of the dwellings, along with the parapet walls, the dwellings are also visually separated as individual dwellings.

The proposed alterations would change the appearance of the dwelling and terrace as a whole, however given the small scale nature of the proposal and that it would reflect the appearance of the central three properties within the terrace, which have an expanse of rear rooflights. Taking this into account it is also considered that the proposal would not amount to overdevelopment.

It is noted that photos of the terrace are included within the Haywards Heath Town Centre Masterplan, however this document does not include any policies of aims regarding the properties.

Due to this it is considered that the proposal would not cause harm to the character of the area and would reflect the appearance of surrounding properties.

Impact on neighbouring properties

DP26 of 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, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29).'*

To the northern side of the property is No. 4 Osborne Mews, which is attached to the application property through its southern elevation. As the proposal would not result in an enlargement to the property beyond the existing roofslopes it is considered that the proposal would not cause harm to the amenities of this neighbouring property. Concerns have been raised regarding the potential noise and disturbance of the conversion of the balcony. As the proposal would create an additional bedroom for an existing dwelling, and would need to be built in accordance with Building Regulations, it is not considered that the proposal would result in an unacceptable noise and disturbance issue.

On the western side of the application property are Park Side Apartments which consists of 9 No. residential flats. The proposed front rooflights would face towards the parking area of these properties. Given the angle and orientation of the opening it is considered that the proposal would not cause harm to the amenities of these neighbouring properties.

Impact on the parking provision for the property

West Sussex County Council September 2020 Parking Standards Guidance, outlines that for a 4 bedroom dwelling in this location 2.2 parking spaces have to be provided.

The proposal would not result in any decrease in the existing parking provision which consists of a garage and carport. Given this, the fact that the dwelling is located within the town centre with access to public transport and local services, and the minor shortfall in parking provision, it is considered that this would not warrant the refusal of the application and is acceptable in this instance.

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.

CONCLUSION

In conclusion, the proposal is considered to be appropriate in terms of design, size and scale to the dwellinghouse and locality, would not cause harm the amenities of neighbouring properties and acceptable in terms of parking. Therefore, the proposal complies with Mid Sussex District Plan policies DP21 and DP26 and with the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Katherine Williams