

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2859	Case Officer:	Anna Tidey
Application Type:	Full Application		
Proposal:	Replacement of 3 timber windows with 3 uPVC windows of the same look and colour.		
Site:	104 Middle Village, Haywards Heath, West Sussex, RH16 4GH, , , ,		
Validation Date	1 Dec 2025	Overall Expiry Date:	26 Jan 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	22 Jan 2026
Target Date:	26 Jan 2026	Recommending Officer Signature:	Anna Tidey

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	Stephen Ashdown	Date:	26 Jan 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2859

**104 Middle Village, Haywards Heath, West Sussex, RH16 4GH, , ,
Replacement of 3 timber windows with 3 uPVC windows of the same look and colour.
Mr Daniel Woodfield**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

None.

TOWN COUNCIL OBSERVATIONS

Haywards Heath Town Council: No comment.

INTRODUCTION

This application seeks planning permission for the replacement of three timber windows with three new uPVC windows at No 104 Middle Village, in Bolnore Village, Haywards Heath.

RELEVANT PLANNING HISTORY

None relevant.

SITE AND SURROUNDINGS

No 104 Middle Village is a second floor flat, located in the north west corner of a block of flats. The flats are constructed with a mix of red brick, vertical tile hung and white painted rendered walls, with a plain tile roof and white timber painted windows. A ground floor entrance door provides shared access to the flats from a communal parking area located to the west of the site.

The three windows at No 104 that are the subject of this application are located in three flat roofed dormers set within the hipped roofline on the western side of the block of flats, overlooking the car parking area.

Neighbouring properties include the commercial premises located in Middle Village centre and neighbouring flats and houses on Updown Hill.

APPLICATION DETAILS

This application seeks planning permission for the replacement of three timber windows with three uPVC windows of a matching style in white. The submitted plans show the windows to be 1.16m wide by 1.34m high, in matching pairs, with a side hinged opening design, with the same glazing bar layout to the existing windows.

During the course of determining the application the applicant has confirmed that the new windows will match the design of the existing windows with an added lower window bar to replicate the existing windows in the flats, the details of which have been submitted upon request to support the application.

The application form confirms that the applicant wishes to carry out the works 'due to the current timber window frames becoming damp and beginning to let a large amount of cold air and moisture into the flat'.

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 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

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.

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
- Impact on residential amenities
- Biodiversity Net Gain

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. The wording of 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.'*

As the site is located in the built up area of Haywards Heath the development plan in this part of Mid Sussex consists of the District Plan and the Haywards Heath Neighbourhood Plan. Neighbourhood Plan Policy E9 is relevant. This 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:

- 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.

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.

Principle DG49 states, in part:

'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.'

This is not the first planning application for replacement windows in this block of flats. Under DM/24/2677 planning permission was sought for the replacement of white wooden windows and patio doors with white uPVC double glazed windows and doors at No 82 Middle Village. Planning permission was granted in January 2025.

The three proposed uPVC windows at No 104 Middle Village, which are the subject of the current application, are similar in design, size and colour to the existing timber windows serving this second floor flat. The replacement windows would be of a design and appearance consistent with the current appearance of the residential block of flats, and would retain its uniform façade. The proposed window change would have a neutral impact on the street scene.

Due to the second floor siting of the windows above the level of the adjacent car parking area their proposed replacement will have limited visual impact within the locality.

The proposed windows are therefore considered acceptable in terms of design and should not detract from the appearance of the residential flats, or the character of the area, thereby according with Policy DP26 of the District Plan and Policy 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. District Plan Policy DP26 requires 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.'*

In contrast Policy H9 states: *'Existing homes within and outside the built up area will often be extended to adapt to changing needs and such extensions should be designed to a high quality, respond to the heritage and distinctive character of the area of Haywards Heath in which they are situated and reflect*

the identity of the local context by way of height, scale, spacing, design and materials of buildings, In addition, extensions should respect the amenities of adjoining residents.'

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 of the Design Guide confirms that the positioning and design of windows and doors can impact upon privacy. Principle DG49 in the Design Guide refers includes window design as a key aspect in building design.

Due to the nature of the proposal, it would not result in a loss of light or outlook to neighbouring properties. No new window openings are proposed as part of this application. It is considered that the proposal would not cause significant harm to neighbouring amenities in terms of generating undue overlooking or by reducing privacy.

In view of the above, the proposed development is deemed acceptable in that it will not cause significant harm to neighbouring amenities, thereby according with Policy DP26 of the District Plan, Neighbourhood Plan Policy H9 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 new windows are considered to be in keeping with the character of the existing block of residential flats and will not detract from the character and appearance of the area. The proposal will not cause significant harm to neighbouring amenities in terms of creating undue overlooking or reducing privacy.

The proposal would accord with the requirements of Policy DP26 of the Mid Sussex District Plan, Policies H9 and E9 of the Haywards Heath Neighbourhood Plan, the Mid Sussex Design Guide, and relevant NPPF guidance, and is therefore considered acceptable.

Consequently this application is recommended for approval.

Decision: Permission

Case Officer: Anna Tidey