

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2835	Case Officer:	Stefan Galyas
Application Type:	Householder Application		
Proposal:	Single storey rear and part first floor side infill extension		
Site:	65 Penn Crescent, Haywards Heath, West Sussex, RH16 3HP, , , ,		
Validation Date	27 Nov 2024	Overall Expiry Date:	30 Jan 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	4 Feb 2025
Target Date:	22 Jan 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Joanne Fisher</i>	Date:	5 Feb 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2835

**65 Penn Crescent, Haywards Heath, West Sussex, RH16 3HP, , ,
Single storey rear and part first floor side infill extension
Mrs Christiana Muoghalu**

SUMMARY OF REPRESENTATIONS

There were no letters of representation received in response to the proposed development.

SUMMARY OF CONSULTEES

Southern Water: No objection.

TOWN/PARISH COUNCIL OBSERVATIONS

Town Council: No comment.

INTRODUCTION

The application seeks planning permission for the development of a single storey rear and first floor side extension.

RELEVANT PLANNING HISTORY

DM/24/2834 - Hip to gable roof extension, loft conversion including the formation of a dormer in rear roof slope and the insertion of 4nos rooflights in the front roof slope. Permission 09.01.2025.

SITE AND SURROUNDINGS

The application relates to 65 Penn Crescent, a semi-detached two storey dwelling featuring a hipped roof with a catslide roof pitch to the side (northern) elevation. The property has previously been extended to the rear elevation through the form of a two-storey flat roofed projection and a mono-pitch verandah. There is garden amenity space both to the front and rear of the property with a side access leading to a single storey garage outbuilding. The existing dwelling is composed of brick exterior walls, a tiled roof and white coloured windows and doors. Matching external materials are utilised at the adjoining semi which also uses a cat slide roof pitch to its side (southern) elevation.

The sites locality is made up of a number of estate style dwellings of a traditional appearance, fronting both sides of the road as it bends. Properties are typically constructed of a facing brick exterior with a number of dwellings having previously been extended and modernised in varying forms.

With regard to policy constraints, the site is set within the Haywards Heath built up area.

APPLICATION DETAILS

The proposal would demolish the existing verandah and construct in its place a single storey, rear (north-east) elevation extension with a single ply flat roof membrane. The extension would measure at approximately 2.3m in length, 5.6m wide and 2.9m high. Proposed external materials would comprise matching exterior brickwork walls, a single ply flat roof membrane and powder coated aluminium bi-fold doors.

The proposed first floor extension would be developed to the side (north-western) elevation above the existing living room space. The proposed extension would measure at around 3.6m in length, 5.5m wide,

4.5m high to the eaves and 5.5m high to the ridge. Matching brickwork would be used to the exterior walls, matching tiles would be used for the roof and double-glazed uPVC 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 District Plan, Site Allocation Development Plan Document (DPD) and the 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 policy:
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.

Neighbourhood Plan

Haywards Heath Neighbourhood Plan (Made March 2016)

Relevant policies:
Policy E9 - Protection and Reinforcement of Local Character
Policy H9 - Domestic 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 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:
DPS1 - Climate Change
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 National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 2, 8, 11, 39, 48, 115-117, 131, 135 & 139.

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 Amenities
- Biodiversity Net Gain

Design and Character

DP26 of the 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:

- o is of high-quality design and layout and includes appropriate landscaping and greenspace;*
- o 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;*
- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- o protects open spaces, trees and gardens that contribute to the character of the area;*
- o 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'*

Policy E9 of the Haywards Heath Neighbourhood Plan states that:

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 sites to accommodate development,*
- o Car parking is designed and located so that it fits in with the character of the proposed development.*

Furthermore, Policy H9 of the Neighbourhood Plan states that:

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.*

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.'

In terms of rear extensions, principle DG51 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'

There is an existing two storey flat roofed extension which projects from the rear elevation and is considered to be of limited architectural merit. Furthermore, a lean-to single storey verandah projects out further to the rear of the property. Both the two storey and single storey rear elements would be altered as part of the development proposal.

The existing roof form to the two storey projection would be changed from an existing flat roof to a crown roof type. Whilst the two storey rear extension would be increased in width to the side (north-western) elevation, the proposed overall height would not be raised in comparison to the existing two storey arrangement. A 2.5m offset from the existing host dwellings roof pitch would remain and this is considered to be sufficient in ensuring that the alteration is still read as an add-on to the original dwelling.

A new roof form would be used to the single storey element from the existing lean-to verandah as a single-ply flat roof membrane would be used. Nevertheless, the use of matching brickwork walls are considered to help the proposal embed into the existing and it is not considered that the proposal would appear overly incongruous within its context.

In summary, the proposal is considered that the proposal would comply with the provisions of DP26 of the District Plan, Policies E9 and H9 of the Haywards Heath Neighbourhood Plan and the relevant principles of the Mid Sussex Design Guide SPD.

Impact on Neighbouring Amenities

Policy H9 of the Haywards Heath Neighbourhood Plan states that proposals should 'safeguard' neighbouring amenities with regard to privacy, daylight, sunlight and outlook whereas policy DP26 of the MSDP states that development should 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. There is therefore some conflict between the District Plan and Neighbourhood Plan in this respect.

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 Mid Sussex District Plan is considered to take precedence and therefore the test in this instance is whether the development causes 'unacceptable harm' to neighbouring amenities as outlined above.

Due to the stepping down from the proposed two storey element towards the proposed single storey flat roof, the proposed double glazed uPVC windows to the rear (north-eastern) elevation would lead out to the newly created flat roof space. Accordingly, this area could be used as a balcony, thus giving rise to an unacceptable overlooking impact towards the adjacent neighbouring properties. An appropriately worded condition ensuring that this space is not used as a balcony is considered relevant and necessary in the instance that planning permission is granted.

A new rooflight would be added to the side (north-western) roof pitch and would serve as the primary source of light to the proposed study area at first floor level. There is a first-floor side elevation window at the neighbouring property No.63 which is unobscured glazed and faces back towards the application

property. Whilst the proposed rooflight would face this neighbouring window, the rooflight would be used to serve light more-so than to provide outlook. It is considered that the proposed rooflight would not inflict a significant overlooking impact towards the neighbouring occupiers. It is noted that no letters of representation were received in response to the proposed development.

There would be a new bedroom secondary bedroom window created to the side (north-western) elevation at first floor level. An existing unobscured glazed bi-fold style window is positioned on the same elevation, albeit at a slightly greater distance to the shared boundary with No.63. The proposed side bedroom window is considered to largely mirror the current level of outlook offered and would not constitute a significant reduction in privacy to the amenities of the adjacent neighbours.

With regard to the proposed single storey rear extension, the overall bulk would be increased when compared to the existing verandah. This element would be positioned within a close proximity to the shared boundary with No.67 to the south-east. Nevertheless, this extension would be contained to a single storey height and would not include any side elevation windows which would face out towards the neighbouring site at No.67. As such, it is not considered that the single storey rear extension would result in a significant overbearing or overlooking impact towards the adjacent neighbouring property.

Accordingly, the proposal is considered to comply with the provisions of DP26 of the Mid Sussex District Plan and Policy H9 of the Haywards Heath Neighbourhood Plan in terms of neighbouring amenities.

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

In conclusion, the proposal is appropriate in terms of design and will not negatively impact on the host dwelling nor its immediate setting, and it will not result in harm towards neighbouring amenities.

The proposal will comply with Policy DP26 of the District Plan, Policies E9 and H9 of the Haywards Heath Neighbourhood Plan, the MSDC Design Guide and the requirements of the NPPF.

Decision: Permission

Case Officer: Stefan Galyas