

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/3095	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Garage conversion and extension to create home office space in garden.		
Site:	6 Colwell Road, Haywards Heath, West Sussex, RH16 4ES, , , ,		
Validation Date	20 Dec 2024	Overall Expiry Date:	13 Jan 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	4 Feb 2025
Target Date:	14 Feb 2025	Recommending Officer Signature:	Andrew Horrell

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

MID SUSSEX DISTRICT COUNCIL

DM/24/3095

**6 Colwell Road, Haywards Heath, West Sussex, RH16 4ES, , ,
Garage conversion and extension to create home office space in garden.
Mr Sean Hickland**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

Southern Water

Following on from the Weekly list sent on 3rd January 2025, 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.

TOWN COUNCIL OBSERVATIONS

The Council SUPPORTS the application, with the following comments:

The extended/converted garage should not be inhabited as a dwelling.

There is concern about further development of this building - it should not be extended further.

There is concern about parking - any development should keep the provision of parking from the Wivelsfield Road side.

INTRODUCTION

Planning permission is sought for a garage conversion and extension to create home office space in garden.

RELEVANT PLANNING HISTORY

CU/362/83 - BRICK GARAGE. (Approved)

12/02973/FUL - Demolition of existing garage and replacement with a new residential dwelling.
(Refused)

SITE AND SURROUNDINGS

6 Colwell Road is a two storey mid terrace pitched roofed dwelling within a cul-de-sac serving 1-8 Colwell Road and Francislea. The existing detached pitched roofed garage (brick and timber clad) with parking for 2 cars to the front is set lower than the dwelling facing Wivelsfield Road.

To the south of the site is close boarded fencing to the garden of 83 Wivelsfield Road beyond, to the north of the site is close boarded fencing to No.77 Wivelsfield Road beyond, to the west of the site is the driveway to the highway beyond and to the east of the site is close boarded fencing to set higher garden of No.6.

The site is within the built-up area of Haywards Heath.

APPLICATION DETAILS

The existing garage measures 6.998m in depth, 3.105m in width with a height to eaves of 2.1m and an overall height of 3.5m.

The proposed enlarged home office and gym building measures 6.998m in depth, 5.105m in width with an approximate height to eaves of 2.1m and an overall height of 3.5m. This extension would be to the southern side of the existing building. The building would be clad in white composite weatherboard cladding with a clay tile roof to match the existing building. A skylight would be installed on the southern roof slope of the extension facing into the garden of the application site.

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 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

The Haywards Heath Neighbourhood Plan was made on 15th December 2016

Relevant policies:

Policy E9 - Design

Policy H9 - Residential 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:

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.

WSCC Guidance on Parking at New Developments - September 2020

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 8, 11, 131 and 135 are considered to be relevant to this application.

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;
- Parking provision; and
- 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."*

Policies H9 and E9 of the Haywards Heath Neighbourhood Plan are most relevant.

Policy H9 states:

'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 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'.*

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 DG50 of the Mid Sussex Design Guide relates specifically to side extensions and states:

'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.

The gaps between dwellings can sometimes positively contribute to articulating (for example, through the consistent rhythm of repeated houses) and adding interest in a street frontage or by providing views / visible connections to the surrounding countryside. Side extensions will therefore need to appropriately respond to the character of the street form and will not normally be accepted where they close an important gap and view'.

The side extension to create an enlarged home office is a modest enlargement to the existing building. Whilst there is a change of materials from light green timber cladding and brickwork to white composite weatherboard cladding and change from timber to upvc doors. This makes it look more domestic than functional, however it will be in part visually similar to the existing garage and would not look out of character with its domestic locality in the same location as the existing garage within the built up area of Haywards Heath. A condition will be added to retain the incidental usage of the building.

Therefore, in terms of character and design, the proposal complies with policies DP26 of the Mid Sussex District Plan, E9 and H9 of the Haywards Heath Neighbourhood Plan and the relevant paragraph of the NPPF.

Impact on neighbouring properties

Policy H9 states that proposals should "safeguard" adjoining neighbours amenity 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 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.

Given the nature of the proposal and the existing boundary treatments, it is considered that no significant harm to the amenities of neighbours will arise from loss of privacy, overbearing impact or loss of daylight or sunlight.

Therefore, in terms of neighbouring amenities, the proposal complies with DP26 of the Mid Sussex District Plan and H9 of the Haywards Heath Neighbourhood Plan.

Parking Provision

The existing driveway can accommodate 2 parked cars off the road at the rear of the house.

The agent has confirmed that the dwelling has two bedrooms.

West Sussex County Council Guidance on Parking sets out the maximum parking standards for residential houses. For a 2-bed property in this location in Haywards Heath 1.1 spaces should be provided.

Therefore, the proposal will accord with the WSCC parking standard requirements for a 2-bed house in this part of Haywards Heath.

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 considered to be appropriate in terms of design, size, and scale to the dwellinghouse and locality and would not cause significant harm to the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policies DP21, DP26 and policies E9 and H9 of the Haywards Heath Neighbourhood Plan, WSCC Parking Guidance for new developments as well as the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Andrew Horrell