

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1183	Case Officer:	Catherine Cardin
Application Type:	Householder Application		
Proposal:	Demolition of existing conservatory and construction of single storey rear extension, re-configuration existing rear monopitch roof to existing single storey extension, together with associated internal and external alterations		
Site:	41 Lucastes Avenue, Haywards Heath, West Sussex, RH16 1JU, , , ,		
Validation Date	12 May 2026	Overall Expiry Date:	12 Jun 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	2 Jul 2026
Target Date:	7 Jul 2026	Recommending Officer Signature:	Catherine Cardin

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Joanne Fisher	Date:	2 Jul 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1183

**41 Lucastes Avenue, Haywards Heath, West Sussex, RH16 1JU, , ,
Demolition of existing conservatory and construction of single storey rear extension, re-configuration existing rear monopitch roof to existing single storey extension, together with associated internal and external alterations
Mr And Mrs Davies**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

MSDC Conservation Officer

Subject to detail, the proposal is considered to preserve the character and appearance of the house and of the Conservation Area. The proposal is therefore considered to meet the requirements of District Plan Policy DP35 and the relevant paragraphs of the NPPF.

Southern Water

No objection.

TOWN COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

The application seeks permission for the demolition of an existing conservatory, the construction of single-storey rear extension, the alteration to the roof of a rear existing single-storey extension to form a mono-pitch roof, together with associated internal and external works.

RELEVANT PLANNING HISTORY

06/02265/FUL- New attached garage and rear conservatory. Permission.

07/01607/FUL- Proposed increased width of garage (from planning application HH/06/02265/FUL). Permission.

SITE AND SURROUNDINGS

The application site comprises a three-storey detached dwelling finished in cream render, with white uPVC windows and a plain tile roof. The property benefits from a wraparound garden and off-street parking to the front of the property. The dwelling occupies a corner plot, with land levels sloping gently to the south-east.

The property is located within the built-up area boundary of Haywards Heath and lies within the Lucastes Conservation Area. Neighbouring properties are located to the south and west. The public highway is located to the north and east.

APPLICATION DETAILS

The proposal seeks permission for the demolition of an existing conservatory, the construction of a single-storey rear extension, the re-configuration existing rear mono-pitch roof to existing single-storey extension, together with associated internal and external alterations.

The proposed rear extension would measure approximately 6.9 metres in width and 6.8 metres in depth. This would incorporate a crown roof with a maximum height of approximately 3.4 metres and an eaves height of 2.6 metres. Corner mullion glazing is proposed, with bi fold doors on the rear (south-western) elevation, sliding doors on the side (south-eastern) elevation and one lantern rooflight. The extension would be finished in stone colour render and brown concrete roof tiles to match the existing dwelling. The proposed windows and doors would be finished in grey aluminium, whilst the guttering and downpipes would be black and white uPVC.

The proposal also seeks to configure the existing mono-pitch roof to the existing single-storey rear extension. A crown roof is proposed, with a maximum height of approximately 3.4 metres and an eaves height of 2.6 metres, which would adjoin the proposed rear extension. This would incorporate a window on the rear (south-western) elevation and one rooflight. The roof would be finished in roof tiles to match the existing dwelling.

Finally, it is proposed to construct a patio on the northern side of the proposed rear extension. This would have an approximate width of some 9.6 metres and a depth of 7.4 metres. The patio would have a maximum height of approximately 0.8 metres, whilst the planters would have a maximum height of approximately 1.3 metres. This would incorporate two planters and steps down to the garden on the western elevation.

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:

DP26 - Character and Design

DP35 - Conservation Areas

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 was made in 2016.

Relevant policies:

E9 - Design

H9 - 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 hearings were concluded on the 19th March 2026. The District Plan remains at Examination until the Inspector has published his report, until that time 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

DPB1 - Character and Design

DPB3 - Conservation Areas

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;

- Impact on character and appearance of the area and heritage assets
- Neighbouring Amenities
- Biodiversity Net Gain

Impact on character and appearance of the area and heritage assets

The site is located within the Haywards Heath Lucastes Conservation Area, as designated in 1989. A Conservation Area is defined as an area of "special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance".

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states 'In the exercise, with respect to any buildings or other land in a Conservation Area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

Policy DP35 of the District Plan in part states that:

'Development will also protect the setting of the conservation area and in particular views into and out of the area. New buildings of outstanding or innovative design may be acceptable in conservation areas provided that their impact would not cause material harm to the area.'

Policy DP26 of the District Plan relates to character and design and requires all proposals to be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside as well as addressing the character and scale of the surrounding buildings and landscape. In part the policy requires proposals to be of a high-quality design and layout and includes appropriate landscaping and greenspace; and creates a sense of place while addressing the character and scale of the surrounding buildings and landscape.

Policy E9 of the Haywards Heath Neighbourhood Plan contains a similar ethos.

Policy H9 of the Neighbourhood Plan requires extensions to be subordinate, respect the character of the street scene, and use appropriate materials.

Paragraphs 212-215 of the NPPF require great weight to be given to the conservation of designated heritage assets and require any harm to be clearly justified and weighed against public benefits.

The application site lies within Lucastes Conservation Area, where special regard must be had to the desirability of preserving or enhancing the character and appearance of the area.

The Conservation Officer raised no objection, subject to details of materials, and this professional advice is agreed with.

The proposed rear extension would be of an appropriate scale, form and design, remaining clearly subordinate to the host dwelling. While it would be larger than the existing structure, it would not appear overly dominant or incongruous. It would be largely screened from public viewpoints along Lucastes Lane by established boundary vegetation, limiting its visual impact within the wider streetscene. Given its rearward position and limited visibility within the public realm, the proposal would not adversely affect key views into or out of the Conservation Area or its established spatial character. The use of a crown roof and alterations to the existing lean-to roof reflect the architectural character of the dwelling and would contribute to a coherent and sympathetic design. The raised patio and associated planters, by virtue of their modest height and position to the rear, would not result in unacceptable visual impact or harm. As a result, the proposal would result in no harm to the significance of the Conservation Area.

Overall, the proposed extension and alterations are considered acceptable in design terms and would preserve the character and appearance of both the dwelling and the Lucastes Conservation Area, thereby satisfying the statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The development would accord with policies DP26 and DP35 of the District Plan and policies E9 and H9 of the Haywards Heath Neighbourhood Plan.

Neighbouring Amenities

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan states proposals 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'*.

Policy H9 of the Neighbourhood Plan requires that *'the privacy, daylight, sunlight and outlook of adjoining residents are safeguarded'*.

As such there is some conflict between the two policies.

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

To the west of the application site lies Brushes. Given the single-storey nature of the proposal and that a separation distance of approximately 9 metres would remain, it is not considered that the extension would cause significant harm to the light and outlook of this neighbouring property. Given the existing arrangement, it is not considered that the proposal would cause significant harm to the privacy of this neighbour. Due to its single-storey scale and separation distances, the proposal would not appear overbearing or result in an unacceptable sense of enclosure. In addition, the raised patio and associated planters, by virtue of their modest height and position to the rear, would not result in significant harm to neighbouring amenity.

To the south of the application site lies 37 Lucastes Avenue. Given the single-storey nature of the proposal and that a separation distance of approximately 28 metres would remain, it is not considered

that the extension would cause significant harm to the light and outlook of this neighbouring property. Given the existing arrangement, it is not considered that the proposal would cause significant harm to the privacy of this neighbour.

Due to the domestic nature of the proposed development, it is considered that there would not be a harmful impact in terms of noise, air and light pollution.

It is therefore considered that the proposal would not cause significant harm to the amenities of neighbouring properties and accords the above-mentioned part of policy DP26 of the District Plan.

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 development is considered acceptable in terms of its design, scale and relationship with the existing dwelling and surrounding area. It would preserve the character and appearance of the Lucastes Conservation Area, in accordance with the statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The proposal would not result in significant harm to the amenities of neighbouring occupiers in terms of outlook, light or privacy, nor would it give rise to noise, air or light pollution.

Accordingly, the development accords with policies DP26 and DP35 of the Mid Sussex District Plan and policies E9 and H9 of the Haywards Heath Neighbourhood Plan.

Decision: Permission

Case Officer: Catherine Cardin