

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0740	Case Officer:	Tracie Axford
Application Type:	Removal/Variation of Condition		
Proposal:	Variation of condition no 2 relating to planning application DM/25/1362 - to allow design changes		
Site:	3 Kings Road, Haywards Heath, West Sussex, RH16 4EJ, , , ,		
Validation Date	23 Mar 2026	Overall Expiry Date:	20 Apr 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	13 May 2026
Target Date:	18 May 2026	Recommending Officer Signature:	<i>Tracie Axford</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	13 May 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0740

**3 Kings Road, Haywards Heath, West Sussex, RH16 4EJ, , ,
Variation of condition no 2 relating to planning application DM/25/1362 - to allow design changes
Campbell**

SUMMARY OF REPRESENTATIONS

None

SUMMARY OF CONSULTEES

None received.

PARISH COUNCIL OBSERVATIONS

Haywards Heath Town Council made no comment regarding this application

INTRODUCTION

This application seeks permission, under section 73 of the Town and Country Planning Act 1990, to vary condition 2 of planning permission DM/25/1362 which was granted on the 22nd July 2025 for a single storey rear extension.

RELEVANT PLANNING HISTORY

DM/25/1362 Single storey rear extension. Permission

SITE AND SURROUNDINGS

The application property is a semi-detached two storey dwelling located on King's Road. The property is located within an Area of Townscape Character and the built-up area boundary of Haywards Heath. King's Road is a narrow road, accessed off St John's Road, in the south of Haywards Heath. The locality is characterised by a row of semi-detached dwellings of matching scale, form and design. The application property has a pitched roof and is constructed from brick with plain roof tiles and white fenestration. There is side access to the rear of the property on the southern elevation. To the rear of the property is a single storey extension which leads out to a patio area. There is then stepped access to the rear garden.

APPLICATION DETAILS

This application seeks permission, under section 73 of the Town and Country Planning Act 1990, to vary condition 2 of planning permission DM/25/1362 which was granted on the 22nd July 2025 for a 'Single Storey rear extension' at 3 King's Road, Haywards Heath.

Condition 2 of Planning Permission DM/25/1362 states:

'The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

The proposed changes consist of the following amendments, as shown on the revised drawings accompanying this application (drawing numbers 311 Revision B and 321 Revision B)

- 1) The approved 'white render external wall finish' with a red brickwork to match the existing main dwelling.
- 2) A revision of the size of the rear patio door set and an adjustment of the position of the extension skylight.

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 Mid Sussex Site Allocations 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.
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 in December 2016.

Relevant Policies:

Policy - E9 (Character and Design)

Policy - E10 Areas of Townscape Character

Policy - 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 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:

DPS1 - Climate Change

DPS2 - Sustainable Design and Construction

DPB1: Character and Design

Mid Sussex Design Guide Supplementary Planning Document

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

The application is submitted under Section 73 of the Town and Country Planning Act 1990. The Act states that, *"On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—*

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application."

The principle of the development has been established by virtue of the previous permission. As such it is only necessary to consider the specific changes that are proposed to the previously approved development. The proposed amendments consist of replacing the previously permitted external materials to the rear extension which previously consisted of white render and is now proposed to be red brickwork to match the existing. Amendments are also proposed to the size and arrangement of the glazed openings of the extension.

Character and Design

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.

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'

Policy E9 of the Haywards Heath Neighbourhood Plan relates to design and 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:

- height, scale, spacing, layout, orientation, design and materials of buildings,

- the scale, design and materials of the development (highways, footways, open space and landscape), and is sympathetic to the setting of any heritage asset,
 - respects the natural contours of a site and protects and sensitively incorporates natural features such as trees, hedges and ponds within the site,
 - creates safe, accessible and well-connected environments that meet the needs of users,
 - Will not result in unacceptable levels of light, noise, air or water pollution,
 - Makes best use of the site to accommodate development,
 - 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.

Policy H9 relates to extensions to existing dwellings. It 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.
- 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.

Policy E10 of the Haywards Heath Neighbourhood Plan states that:

'Development proposals in an Area of Townscape Character will be required to pay particular attention to retaining the special character and to demonstrate how they support and enhance the character of the area in question.

The proposed external brickwork to the extension would match the existing materials at the site, and provide a more cohesive finish which is appropriate to the host dwelling and character of the area. Due to the location of the extension, there would be limited views from the public realm. The alterations to the glazing will be minor and do not represent a fundamental change to the design.

Taking the above into account, the proposal is considered the proposals are acceptable in design terms and would not have a detrimental impact on the character and appearance of the area. Therefore the proposal complies with policy DP26 of the Mid Sussex District Plan, policy E9, E10 and H9 of the Haywards Heath Neighbourhood Plan and the relevant principles of the Mid Sussex Design Guide SPD.

Impact to neighbouring amenity

Policy DP26 of the Mid Sussex District Plan states that : '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);'

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

The proposed change of external cladding material and changes to the glazing would not result in any significant level of harm regarding a loss of light, outlook or privacy. Therefore, in terms of neighbouring amenities, the proposal is deemed to comply with DP26 of the Mid Sussex District Plan.

CONCLUSION

The proposed variation to planning permission DM/25/1362, in respect of changes to the approved extension and materials, is considered acceptable. Therefore, the proposal complies with policy DP26 of the Mid Sussex District Plan, policies E9, E10 and H9 of the Haywards Heath Neighbourhood Plan and the Mid Sussex Design Guide SPD and is recommended for approval.

Decision: Permission

Case Officer: Tracie Axford