

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1264	Case Officer:	Katherine Williams
Application Type:	Removal/Variation of Condition		
Proposal:	Variation of conditions no.s 2 and 3 relating to planning application DM/23/1900 - to replace drawing numbers 400-002, 400-003, 400-004 and 400-005 with 1125/26/WBR/01, 1125/26/WBR/02, 1125/26/WBR/03, 1125/26/WBR/04 and 1125/26/WBR/05.		
Site:	14 Park Road, Haywards Heath, West Sussex, RH16 4HZ, , , ,		
Validation Date	22 May 2026	Overall Expiry Date:	8 Jul 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	14 Jul 2026
Target Date:	17 Jul 2026	Recommending Officer Signature:	Katherine Williams

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
--	--	-------------------------------	---

Signed and Agreed By:	Steven King	Date:	17 Jul 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1264

**14 Park Road, Haywards Heath, West Sussex, RH16 4HZ, , ,
Variation of conditions no.s 2 and 3 relating to planning application DM/23/1900 - to replace drawing numbers 400-002, 400-003, 400-004 and 400-005 with 1125/26/WBR/01, 1125/26/WBR/02, 1125/26/WBR/03, 1125/26/WBR/04 and 1125/26/WBR/05.
Mr And Mrs B Ward**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

None received

TOWN COUNCIL OBSERVATIONS

No comment

INTRODUCTION

This application seeks planning permission for a variation of condition no's 2 and 3 relating to planning application DM/23/1900 - to replace drawing numbers 400-002, 400-003, 400-004 and 400-005 with 1125/26/WBR/01, 1125/26/WBR/02, 1125/26/WBR/03 and 1125/26/WBR/04.

RELEVANT PLANNING HISTORY

DM/23/1900 - Proposed single storey side extension along with demolition of existing side extension.
Granted

SITE AND SURROUNDINGS

The application property consists of a two storey link detached dwelling located on the northern side of Park Road, within the built up area of Haywards Heath.

The northern side of the highway is characterised by large two storey properties of similar original designs and forms but varying materials and existing extensions. The dwellings are set back evenly from the highway with off street parking and open frontages, with many of the properties benefiting from front boundary walls of a consistent overall height. The southern side of the highway has a more varied character with dwellings of differing forms and designs, some of these properties benefit from front boundary hedging which partly obscure the properties from view.

The dwelling has a pitched roof with a two storey front gable projection and bay window, with a flat roofed side garage, which is attached to the corresponding garage of No. 16 Park Road. To the eastern side of the dwelling is an existing pitched roof single storey, which is set back from the front elevation of the dwelling. The dwelling is constructed in pebble dash render, plain roof tiles and white fenestration.

APPLICATION DETAILS

The application seeks planning permission to enable the substitution of plans to allow for changes to the design and size of the side extension.

The extension would have a width and depth of some 2.4 metres and 4.7 metres and would have a pitched hipped roof form with an overall height and eaves height of approximately 4 metres and 2.6 metres.

The materials of the extension would also be changed from pebble dash to brickwork.

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 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.

Haywards Heath Neighbourhood Plan (made 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 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:

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.

Published in 2021, the National Design Guide illustrates how the government consider well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice.

Paragraph 134 of the NPPF sets out that this national document, along with the National Model Design Code, should be used to guide decisions on application in the absence of locally design guides or design codes.

ASSESSMENT

This application is made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. 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.'

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 the amenities of neighbouring properties
- 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.'

Policy E9 of the Haywards Heath Neighbourhood Plan 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 of the Haywards Heath Neighbourhood Plan 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.'

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 relates 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 amended plans are considered to be of form, scale and appearance which is in proportion and appropriate to the character of the existing dwelling. The extension would be located on the side of the dwelling and visible from the streetscene. Given the scale and nature of the proposed extension and the varied appearance of the existing extensions within the streetscene it is considered that the amended design would not detract from the existing character of the property and the locality. The materials of the extension would also be changed from pebbledash to brickwork to match the existing extension. It is noted that this change of materials would not match the existing property, however given that the proposal would match the materials of the existing extension it is considered that the proposed change would not cause harm to the character of the area.

Impact on the amenities of neighbouring properties

Policy DP26 in part seeks to ensure 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 (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.

To the western side is No. 16 Park Road. The proposed extension would not extend beyond the existing front or rear elevation of the dwelling, and therefore would not be visible from this neighbour and would not cause harm.

On the eastern side is No. 12 Park Road, the proposed extension would be approximately 0.9 metres from the boundary between the properties which consist of a close boarded boundary fence. The proposed extension would be some 1.8 metres from the closest part of this neighbouring dwelling with an obscurely glazed window. This neighbour also includes other ground floor side windows which serve a hall, a secondary window to the kitchen and windows to the porch. The proposed extension would be seen against the existing built form of the dwelling, and although closer than the existing dwelling, given its low profile roof form it would not cause significant harm to the amenities of this neighbouring property. The amended plans would not include side windows facing towards this neighbouring property. Due to this it is considered that the proposal would not cause significant harm to the amenities of this neighbour.

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.

CONCLUSION

In conclusion, the proposal is considered to be appropriate in terms of design, size and scale to the dwellinghouse, would not impact on the character of the streetscene, and would not cause harm to the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policy DP26, policies E9 and H9 Haywards Heath Neighbourhood Plan and the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Katherine Williams