

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0665	Case Officer:	Peter Davies
Application Type:	Householder Application		
Proposal:	Proposed timber decking in the rear garden.		
Site:	63 Ashenground Road, Haywards Heath, West Sussex, RH16 4PS, , , ,		
Validation Date	18 Mar 2025	Overall Expiry Date:	10 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	8 May 2025
Target Date:	13 May 2025	Recommending Officer Signature:	<i>Peter Davies</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	8 May 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0665

**63 Ashenground Road, Haywards Heath, West Sussex, RH16 4PS, , ,
Proposed timber decking in the rear garden.
Mr Matthew Parker**

REPRESENTATION RECEIVED

None received.

TOWN COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

The application seeks planning permission for timber raised decking in the rear garden.

RELEVANT PLANNING HISTORY

CU/041/78 - Erection of 17 No. detached houses with garages and new garage for existing house.
Permission

SITE AND SURROUNDINGS

The application property is a detached two storey dwelling located on the south side of Ashenground Road, within the built-up area boundary of Haywards Heath.

The application property has a pitched roof and is constructed from brick with plain roof tiles and white uPVC fenestration. The dwelling is set back from the highway with off street parking and with mature hedging to the front running along the boundary with the highway. The locality is characterised by detached dwellings of varying design, form and scales.

APPLICATION DETAILS

The application seeks planning permission to replace the existing 0.3 metre high rear patio with timber decking with a maximum height of 0.45 metres. The decking would have a width and depth of 11 metres and 3.50 metres.

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 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

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:

E9 - Design

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 the stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to some of the 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)

Paragraphs 8, 11, 131 and 135 are considered to be relevant.

National Planning Policy Guidance

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
- 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:

- 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.'

It is considered that the raised decking will not impact adversely upon the overall character of the area. The decking would be replacing an existing smaller raised patio and would not be visible from the street scene. Therefore, the application is considered to comply with policy DP26 of the Mid Sussex District Plan and policy E9 of the Haywards Heath Neighbourhood Plan.

Impact on 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);'

The proposed works would result in potentially some overlooking to the rear gardens of nos. 16 and 17 Redwood Drive to the south as the ground slopes down and the properties are at lower level. The shared boundaries are marked by close board fencing. Due to the proposed decking being located to the rear of the dwelling there is existing overlooking from both the first floor and ground floor of application property towards the amenity areas of nos. 16 and 17. Therefore it is not considered to cause significant harm to the amenity areas of these properties.

The proposed decking would be up to the shared boundary with no. 61 Ashenground Road marked by close board fencing and would not result in significant harm to overlooking into the neighbour amenity space.

The proposal is therefore, considered to comply with the above-mentioned part of policy DP26 of the Mid Sussex 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

In conclusion, due to the scale, position and nature of the proposal it would be in keeping with the character of the area, it would not cause significant harm on the amenities of nearby residents. Therefore, the proposal complies with policy DP26 of the Mid Sussex District Plan, policy E9 of the Haywards Heath Neighbourhood Plan and with the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Peter Davies