

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/3222	Case Officer:	Peter Davies
Application Type:	Householder Application		
Proposal:	Demolition of existing conservatory and erection of a single-storey rear extension		
Site:	71 New England Road, Haywards Heath, West Sussex, RH16 3LE, , , ,		
Validation Date	18 Dec 2025	Overall Expiry Date:	12 Jan 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	9 Feb 2026
Target Date:	12 Feb 2026	Recommending Officer Signature:	Peter Davies

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	9 Feb 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/3222

**71 New England Road, Haywards Heath, West Sussex, RH16 3LE, , ,
Demolition of existing conservatory and erection of a single-storey rear extension
L And K Mason**

REPRESENTATION RECEIVED

None received.

TOWN COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

The application seeks planning permission for the demolition of an existing conservatory and construction of a single storey rear extension.

RELEVANT PLANNING HISTORY

No relevant history.

SITE AND SURROUNDINGS

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

The application property has a hipped roof and is constructed from brick with concrete interlocking roof tiles and white uPVC fenestration. The dwelling is set back from the highway with a gravel front garden and off street parking. The locality is characterised by semi-detached dwellings of a similar scale and design with some varying form.

APPLICATION DETAILS

The application seeks planning permission for the demolition of the existing conservatory and construction of a single storey rear extension. The extension will extend off the side of an existing 2 storey rear protrusion and to the side of a single storey rear protrusion and have a width and depth of 3.20 metres and 5.90 metres. The extension will have a wraparound lean-to roof to also replace the existing single storey rear extension roof and will have an eaves height of 2.50 metres and an overall height of 3.50 metres.

The extension will be constructed from brick, concrete interlocking roof tiles and white uPVC fenestration to match the existing dwelling.

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

H9 - Building Extensions

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.'

Policy H9 of the Haywards Heath Neighbourhood Plan 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.'*

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.'

Principle DG51 relates to rear extensions and 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.'

The proposed extension is considered to be of a design, form and scale which would be proportionate and appropriate to the existing dwelling and the character of the area. Part of the extension would be visible from the street scene. However, due to the extension being set back from the front of the property with the extension to be built from appropriate materials that will be similar to the existing dwelling, it is considered that the proposal would not cause harm to the street scene. The proposal is therefore considered to comply with policy DP26 of the District Plan and policies E9 and H9 of the Haywards Heath Neighbourhood Plan.

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.

The proposed extension is single storey with openings facing into the application property garden and the shared boundaries marked by close board fencing. The extension has a modest eaves height with

the extension approximately 1.4 metres from the shared boundary with no. 69 New England Road to the west.

No. 73 New England Road to the east has an existing 2 storey extension up to the shared boundary of the same depth as the application property. The proposal will therefore not cause significant harm to no. 73 in terms of loss of light or privacy.

The application property has a garden length of approximately 30 metres and will therefore not cause harm to the neighbouring properties to the north.

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, the proposal is considered to be acceptable in terms of design, form 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 policy DP26, policies E9 and H9 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