

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0049	Case Officer:	Stefan Galyas
Application Type:	Householder Application		
Proposal:	The removal of the existing garage and carport and replacement with a new attached garage, part single, part 1 1/2 storey rear extension, replace existing gable ended low-pitch roof with new half hipped steeper pitched roof and a single storey home office in garden		
Site:	19 Gander Hill, Haywards Heath, West Sussex, RH16 1QU, , , ,		
Validation Date	20 Feb 2025	Overall Expiry Date:	15 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	14 Apr 2025
Target Date:	17 Apr 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	14 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0049

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Mr S Mogg

SUMMARY OF REPRESENTATIONS

There were no letters of representation received in response to the current proposal.

SUMMARY OF CONSULTEES

Flood Risk and Drainage: No objection.

Environmental Protection:

A condition was recommended which would secure the submission of a scheme demonstrating that the proposed air source heat pump would have an acceptable noise rating.

Place Services Ecological Consultant:

Recommended approval subject to conditions.

Southern Water: No objection.

TOWN/PARISH COUNCIL OBSERVATIONS

Parish Council:

No comment.

INTRODUCTION

The application seeks planning permission for the development of a two storey rear extension, a single storey rear extension, the replacement of the existing gable ended roof with a steeper barn hipped roof pitch, the removal of the existing garage/ car port and replacement with a new attached garage with a steeper roof pitch, the development of a new front porch, the instalment of an air source heat pump to the side elevation and the erection of a single storey outbuilding within the garden.

RELEVANT PLANNING HISTORY

There is no recent history of any planning applications relating to the site.

SITE AND SURROUNDINGS

19 Gander Hill is a two-storey detached dwelling with a pitched roof, a front single storey lean to element, a pitched single storey side wing and rear flat roofed single storey element. The property is set to the north-western side of the road and has a linear plot form with the land generally sloping up towards the rear of the site. Access is served through a front driveway which slopes sharply up from the highway edge and front mature boundary planting acts as the main front boundary treatment. The existing dwelling is composed of brickwork and tile hanging at first floor level, pan tiles to the pitched roofs and bitumen flat roofs, double glazed white uPVC windows and white uPVC doors.

With regards to the site's locality, there are a number of other detached dwellings with setbacks from the roadside. Dwellings to the north-western side of the road are generally set at a higher finished floor level than the highway.

The site is within the built-up area for Haywards Heath as defined in the District Plan (DP) and within the College Road/ Portsmouth Lane/ Summerhill Lane Area of Townscape Character.

APPLICATION DETAILS

The proposal would extend the existing dwelling partly through the form of a two-storey rear (north-west) extension which would measure at approximately 3.6m in length and 6.1m wide. The two-storey extension would measure at circa 3.9m to the upper part of the eaves and 7.4m high to the ridge when both measurements are taken from the highest point in the natural land level. An additional green oak framed balcony would be erected to the rear of the two-storey extension and a green oak pergola would be constructed to either side.

The proposal would also develop single storey rear extensions to either side of the rear two storey projection which would use hipped roof forms. The single storey rear extension would project at approximately 2.7m in length, 3.8m high to the eaves and 3.7m at its maximum height, both when measured from the lower ground floor level.

An additional rear quadrant area would also be developed to the rear of the side elevation element. This element would have an eaves height of circa 2.3m and a maximum height measuring at 2.6m.

The proposal would remove the existing garage/ car port and in its place develop a single storey side (south-west) elevation extension which would use a hipped roof pitch. In total this element would measure at around 6.4m in length, 4.7m wide, have an eaves height of 3m and a ridge height of 6.5m

A new front porch area would be constructed as part of the development proposal which would use a gable end appearance. The proposal would have a length of circa 1m, 5.8m wide, 2.5m high to the eaves and 6m to the ridge.

The existing gable ended pitched roof to the main dwelling would be replaced with a new steeper half hipped roof. This would increase the eaves height from around 4.7m high to the eaves to 5.3m and the ridge height from 7.3m to 9.2m high.

Additionally, an air source heat pump added to the side (south-western) elevation and a single storey outbuilding would be erected within the rear garden amenity space. The outbuilding would measure at approximately 7.6m in length, 3.2m wide and 2.5m in maximum height. The outbuilding would be composed of horizontal dark coloured natural timber cladded walls, a single ply flat roof membrane and double-glazed windows and doors.

With regards to proposed external materials to be used throughout the proposal, this would include brick, render and vertical dark natural timber cladding to the exterior walls, plain clay roofs and standing seam metal, double glazed aluminium faced windows and aluminium faced timber doors.

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

DP29: Noise, Air and Light Pollution

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 (Made March 2016)

Policy E9 - Protection and Reinforcement of Local Character

Policy H9 - Domestic Extensions

Policy E10 - Areas of Townscape Character

Objective 6F - Character and Quality of the Locality

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 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)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 2, 8, 11, 39, 48, 131, 135 & 139.

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 Amenities
- Biodiversity Net Gain

Design and Character

DP26 of the District Plan states, in part:

'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:

- o is of high-quality design and layout and includes appropriate landscaping and greenspace;*
- o 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;*
- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- o protects open spaces, trees and gardens that contribute to the character of the area;*
- o 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'*

Policy E9 of the Haywards Heath Neighbourhood Plan states that:

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 sites to accommodate development,*
- o Car parking is designed and located so that it fits in with the character of the proposed development.*

Furthermore, Policy H9 of the Neighbourhood Plan states that:

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.*

Policy E10 of the Neighbourhood Plan notes 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.

Under subparagraph 6.30 of the Neighbourhood Plan, it is stated that:

In the townscape character areas HHTC expects developers to demonstrate how their proposals for development or redevelopment, will reinforce the local character and thus meet objective 6F of this Plan.

In particular, proposals should:

- o retain trees, frontage hedgerows and walls which contribute to the character and appearance of the area;*
- o retain areas of open space, (including private gardens) which are open to public view and contribute to the character and appearance of the area; and*
- o avoid the demolition of existing buildings which contribute to the character and appearance of the area.*

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.'

Additionally, Principle DG50 as set out within the Design Guide, relates to front extensions:

Front extensions are more likely to be acceptable where the building line is staggered or where the dwelling is set well back from the road. They are less likely to be acceptable in streets with a strong consistent building form as they risk disrupting the underlying order.

Principle DG50 of the Mid Sussex Design Guide elaborates further on what constitutes 'good design' in relation to side extensions:

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.

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'

Raising of the Roof Pitch

In order to incorporate further space at loft level, the proposed development would remove the existing gabled roof and use a steeper and higher barn hipped roof. It is considered that this would materially impact the perceived height of the existing dwelling when viewed from the roadside, specially when coupled with the proposed alterations to the external materials such as in part rendering the principal elevation. Nevertheless, it is considered that the use of the barn hips to either size would help minimise the dwellings overall bulk. Additionally, there would be several rooflights installed to the principal roof pitch which which would be of a conservation style and therefore of an acceptable appearance.

Rear Extensions

The proposed two storey rear projection would utilise a barn hipped roof with what is considered to be a low eaves height of 3.9m. Furthermore, the proposed ridge height of the two-storey rear extension would be offset from the main dwelling to be read as subsidiary. This element was reduced in length following discussions during the application process to further minimise the extensions overall size and scale. It is

considered that this element would relate well to the existing dwelling, with its subservience further increased through the use of subservient materials such as vertical natural timber cladding at first floor level.

There would be two single storey extensions sited to either side of the proposed two storey projection. Both these elements would be of a uniform appearance and are considered to help add symmetry to the overall rear elevation. Due to their single storey scale, it is considered that these elements would be read as subservient towards the main dwelling.

An additional quadrant element would be added between the proposed single storey rear and side extensions and would be used to house a gym area. This element would be set lower than the rear extensions as it would be constructed upon land at a lower floor level. Whilst this element would take an unusual form in footprint, it is not considered wholly unacceptable by virtue of its limited size and scale.

Front Porch

The proposed porch would use a gabled appearance and would extend upwards to a two-storey size. There would be an extensive amount of glazing to one side of the gable end which would further add to the contemporary appearance along the principal elevation. However, it is noted that other dwellings within the locality and the Area of Townscape Character (i.e No.40) along the road have been extended and altered in varying forms in order to modernise. Furthermore, the existing dwelling is considered to be of limited architectural merit and such works are considered to be acceptable within this context.

Side Extension

The side extension would use matching brickwork and rooftiles to its exterior in order to assimilate with the main dwelling. Whilst the proposed roof would be of a considerable height, it is considered that there would be a substantial offset from the host dwellings ridge. Additionally, there would be a slight offset from the principal elevation in order to be read as subsidiary.

Garden Outbuilding

A new single storey outbuilding would be erected within the garden amenity space towards the shared boundary with No.21. It is considered that the outbuilding would have a limited size and scale which would likely be considered to be permitted development under the General Permitted Development Order. Nevertheless, a condition ensuring that the proposed home office use within the outbuilding remains within the same unit as the main dwelling is considered reasonable and necessary in the instance that planning permission is granted.

The proposal is therefore considered to comply with Policy DP26 of the District Plan, Policies E9, H9 and E10 of the Haywards Heath Neighbourhood Plan and the relevant principles of the Mid Sussex Design Guide SPD.

Impact on Neighbouring Amenities

Policy H9 of the Haywards Heath Neighbourhood Plan states that proposals should 'safeguard' neighbouring amenities with regard to privacy, daylight, sunlight and outlook 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 Mid Sussex District Plan 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.

A rear balcony space would be set to the proposals rear elevation at first floor level which would likely look out towards the existing garden amenity space. It is proposed that 1.7m high privacy screens would

be placed to either side of the balcony in order to avoid overlooking towards the neighbouring properties. It is therefore considered that the balcony would not give rise to a significant overlooking impact towards the neighbouring sites.

There would be a number of side elevation rooflights added to either side roof pitch of the rear projection which would serve a bedroom and en-suite. These would be positioned in excess of 4m from the shared boundary with No.21 which has two obscure glazed facing windows back towards the application site. Furthermore, the other rooflights would be around 6m away from the shared boundary with No.17. As such, it is not considered that the proposal would give rise to an unduly significant overlooking impact.

The proposed single storey rear extension would be set within a close proximity to the side elevation windows at No.21. In terms of light impact to the rear windows, Principle DG47 of the Design Guide states among other matters that all dwellings should benefit from daylight and sunlight levels that conform to BRE (Better Regulation Executive) standards. Further guidance is set out within the "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" document. The "45 degree approach" should be taken whereby a 45 degree line is drawn from the top of the elevation and a second 45 degree line is taken from the end of the projection. If the neighbouring properties window lies within the centre of both lines, then the building will likely cause a significant reduction in light received to the concerned window. This guidance is taken as a rule of thumb and each planning application is assessed based on its own merits.

The proposed single storey roof would likely be set below the neighbouring window and only a segment of the proposed lightweight pergola would fall within the 45 degree test in plan format. As for the elevational format, the proposed rear extensions would not fall within the line of either side window at No.21. The proposal would not project further than the rear elevation at the other neighbouring property No.17. As such, it is not considered that the proposal would result in a significant overbearing or overshadowing impact in this regard.

As for the principal elevation, there is a neighbouring ground floor porch window and first floor bedroom window at No.21 which would be set approximately 2.7m away from the raised roof along the main dwelling. Due to the current siting of the properties, it is considered that these windows already experience a loss of light in the afternoon hours. Nevertheless, it is considered that the proposed barn hip to the side elevation would help reduce the proposals overbearing impact and would not give rise to an unacceptable loss of light.

Accordingly, the proposal is considered to comply with the provisions of DP26 of the Mid Sussex District Plan in terms of neighbouring amenities.

Other Matters

An air source heat pump was detailed as being proposed within the development towards the side (south-western) elevation. This has the potential to result in an adverse impact towards the adjacent neighbouring occupiers and therefore it was recommended by the Environmental Protection Officer that a scheme demonstrating that the proposed air source heat pump would have an acceptable noise rating should submit. In the instance that planning permission is granted, such a condition is considered to be relevant and necessary in the interests of neighbouring amenities.

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 appropriate in terms of design and will not negatively impact on the host dwelling nor its immediate setting and will not harm neighbouring amenities.

The proposal will comply with Policies DP26 and DP41 of the District Plan, Policies H9, E9 and E10 of the Haywards Heath Neighbourhood Plan, the MSDC Design Guide and the requirements of the NPPF.

Decision: Permission

Case Officer: Stefan Galyas