

Mid Sussex District Council
Development Management
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Dear Planning

27 Franklynn Road, Haywards Heath, RH16 4DQ

Dowsettmayhew Planning Partnership has been instructed by its clients, John Lee and Harjinder Heer, to submit a full planning application for the change of use of 27 Franklynn Road, Haywards Heath. The proposal seeks to convert the property from a small House in Multiple Occupation (HMO) under Use Class C4 to a large HMO accommodating up to eight persons in seven bedrooms, which falls under a sui generis use class.

Between 2006 and 2019, the property was lawfully occupied as a small four bedroom HMO under Use Class C4. The change of use from a single dwelling (Use Class C3) to a small HMO (Use Class C4) was permitted under Class L of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

In 2019, alterations to the property were undertaken to enlarge it to a six bedroom HMO. A licence fourth premises to be occupied as a small HMO under Use Class C4 was issued in September 2019.

In August 2024 a seventh bedroom was created to enable occupation of the premises by up to eight individuals. Subsequently, a large HMO licence was granted in 2024, permitting this level of occupation. The current licence remains valid until 18th September 2029.

As large HMOs, defined as shared houses occupied by more than six unrelated individuals sharing basic amenities such as kitchens or bathrooms, are classified as sui generis, planning permission is required for this use. Unfortunately, due to the ill health of the applicant's former agent/architect, the necessary planning application was never submitted. This application therefore seeks to regularise the use of the property.

No external alterations or extensions were made to facilitate the change of use. Therefore, this application is retrospective and relates solely to the change of use of the building.

The application comprises this letter and the following documents and plans:

- Planning application form;
- Block and Location Plan (25/115/LOC Rev A);
- Existing Layout - Prior to Works Carried Out (25/115/01 Rev B); and

- Proposed Layout - As Built (25/115/02 Rev B).

Site and Surroundings

The application site is located on the northern side of Franklynn Road, directly opposite the junction with Petlands Gardens. It comprises a two-storey, semi-detached Edwardian property that has undergone several alterations. These include a large rear dormer window, constructed under permitted development rights following the grant of a lawful development certificate in 2019, and single-storey rear extensions.

The property retains its attractive character, featuring red brick detailing and a decorative arched recessed entrance porch at the front. A single driveway parking space is available at the front of the property, while to the rear lies a long, narrow garden shared by the occupants.

To the west, the property adjoins No. 25 Franklynn Road, while to the east lies No. 29, a similarly styled semi-detached dwelling. On the opposite side of the road to the south, a pair of semi-detached houses sit on the corner of Franklynn Road and Petlands Gardens, adjacent to a petrol station with an attached Co-Op convenience store.

To the north, the rear boundary of the site adjoins the garden of No. 4 Western Road, which is positioned at a right angle to the application site.

The property is situated within the defined built-up area of Haywards Heath. The edge of the Town Centre Boundary, as defined in the Mid Sussex District Plan, is located approximately 350 metres to the northwest (see Figure 1).

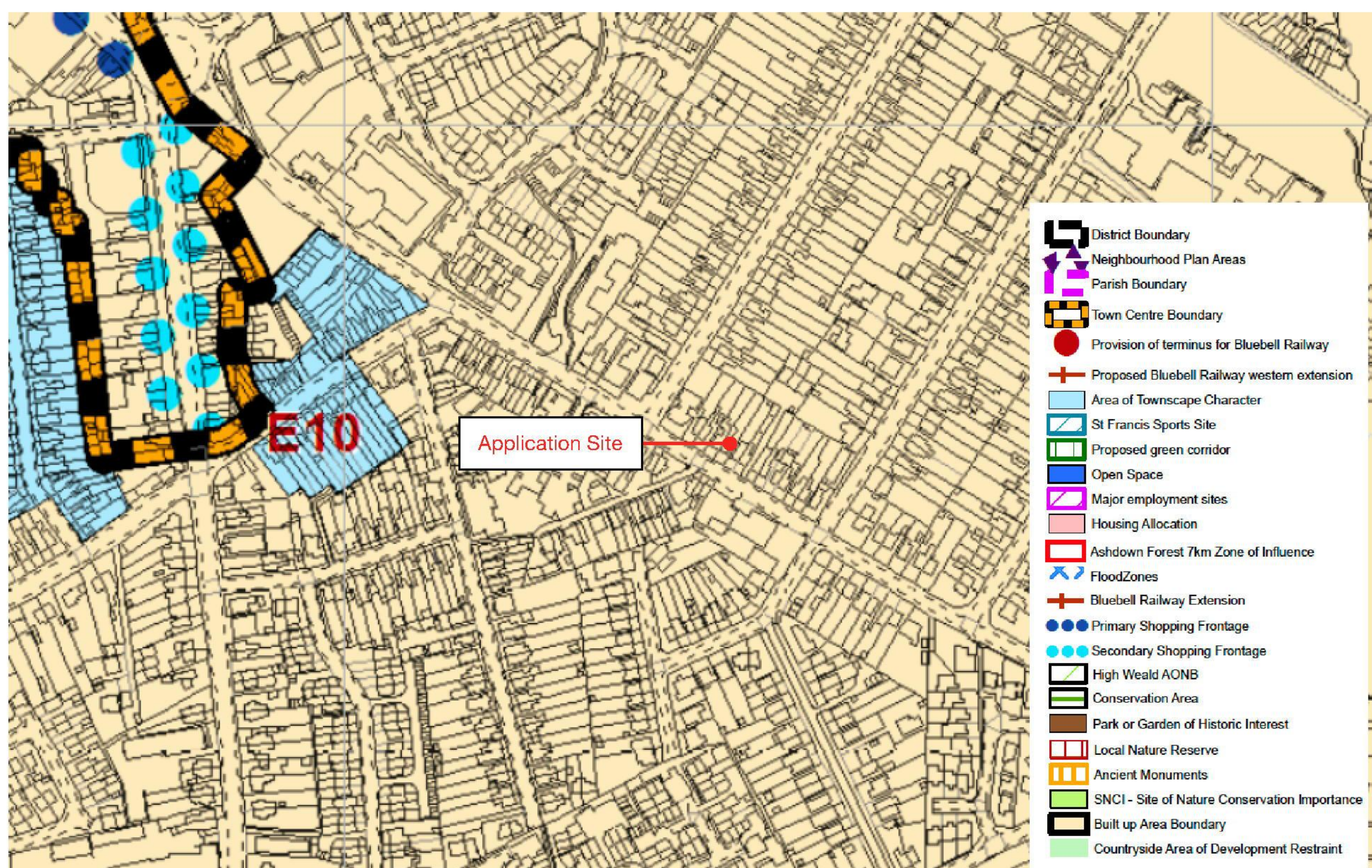


Figure 1 - Extract from Mid Sussex District Plan Proposals Map 13: Haywards Heath

The site benefits from an exceptionally sustainable location, just a short distance from Haywards Heath town centre. This prime position offers excellent access to a wide range of local services and amenities, all easily reachable on foot or by bicycle. Public transport connections are also highly accessible, with bus stops located between 160 and 260 metres from the site in both directions. These provide regular services to a variety of destinations including Crawley, Brighton, Uckfield, Burgess Hill, Hurstpierpoint, Cuckfield, Lindfield, Slaugham, Lewes, Scaynes Hill, and Horsham.

Haywards Heath Railway Station is conveniently situated approximately 1.7 km away (on foot), offering further connectivity to regional and national destinations. Additionally, the Princess Royal Hospital is located just 500 metres to the east, further enhancing the accessibility and convenience of this well-connected site.

Proposed Development

Retrospective planning permission is sought for the change of use of the property from a small House in Multiple Occupation (HMO) under Use Class C4 to a large HMO accommodating up to eight occupants across seven bedrooms (sui generis use).

As previously outlined, the property was formerly occupied by up to six individuals in six bedrooms. The seventh bedroom, triggering the requirement for planning permission, was created by repurposing a room that had previously been reserved for use as a landlord's store.

The proposed accommodation is arranged as follows:

- **Ground Floor:** Two bedrooms, each with an en-suite shower and hand basin; a shared kitchen; a shared dining/breakfast room; a communal living room and a shared WC under the stairs.
- **First Floor:** Three bedrooms, two with en-suite WC and shower and one with ensuite shower and hand basin; plus a shared WC and shower room.
- **Second Floor:** Two bedrooms, both with en-suite WC and hand basin.

No external alterations to the property are proposed as part of this application. It is however proposed to formalise the parking at the front, to widen the existing space to allow two vehicle to comfortably park in front of the property. In doing so the existing hedge will be reduced slightly in width and the dropped kerb is proposed to be widened.

Relevant Planning Policies

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Section 38(3) states that the Development Plan includes the adopted Development Plan Documents (DPDs). Material considerations include National Planning Guidance, and in particular the NPPF, together with supplementary planning documents adopted by the Local Planning Authority (LPA).

The approved Development Plan, in relation to this application, for the purposes of the Act, comprises the Mid Sussex District Plan, the Site Allocations Development Plan Document (DPD) and the 'made' Haywards Heath Neighbourhood Plan.

Mid Sussex District Plan

The Mid Sussex District Plan (MSDP) was adopted on 28th March 2018. It covers the period 2014 - 2031 and sets out a vision for how Mid Sussex wants to evolve and a delivery strategy for how that will be achieved.

The following policies are considered most relevant to these proposals:

- DP4 - Housing
- DP6 - Settlement Hierarchy
- DP21 - Transport
- DP26 - Character and Design
- DP27 - Dwelling Space Standards
- DP29 - Noise, Air and Light Pollution
- DP30 - Housing Mix

Site Allocation DPD

The Mid Sussex Site Allocations Development Plan Document was adopted on 29th June 2022. The Site Allocations DPD identifies sufficient housing sites to provide a five year housing land supply to 2031 and also makes sure that enough land is allocated to meet identified employment need.

There are no policies relevant to the consideration of this application.

Haywards Heath Neighbourhood Plan

Haywards Heath Neighbourhood Plan was formally 'made' on 15th December 2016 and forms part of the Development Plan for Haywards Heath.

The following policy is considered most relevant to these proposals:

- Policy E9 - Design
- Policy E13 - Outdoor garden/amenity space
- Policy H8 - Housing within the built up area boundary

Emerging Mid Sussex District Plan 2021-2039

The District Council is currently undertaking a review and update of the District Plan. Once adopted, the new District Plan 2021–2039 will replace the existing adopted Plan. The draft version of the updated Plan (Regulation 19) was submitted to the Secretary of State for examination on 8th July 2024, with initial hearings held in October 2024.

However, in April 2025, the Inspector overseeing the examination wrote to the Council expressing the view that it had failed in its “duty to cooperate,” and as a result, she was unable to recommend that the examination proceed further. Although the Local Planning Authority has strongly contested this conclusion, the current status of the draft Plan means that, despite having reached the examination stage, only very limited weight can be afforded to its emerging policies at this time.

Nevertheless, it is important to highlight that the draft Plan acknowledges a significant housing need. To meet this need in full, it identifies a requirement to deliver 7,459 additional dwellings, over and above existing commitments and unimplemented allocations.

Material Considerations

National Planning Policy Framework (NPPF)

- Chapter 2. Achieving sustainable development;
- Chapter 4. Decision making;
- Chapter 5. Delivering a sufficient supply of homes;
- Chapter 8. Promoting healthy and safe communities;
- Chapter 9. Promoting sustainable transport;
- Chapter 11. Making effective use of land; and
- Chapter 12. Achieving well-designed places.

Considerations

It is considered that the main issues in the determination of this application are:

- Principle of Development;
- Amenity and living conditions for future occupiers;
- Impact upon the amenity of neighbouring occupiers; and
- Transport and parking.

Principle of Development

As outlined above, the site is located within the defined built-up area of Haywards Heath, in a predominantly residential neighbourhood. This location is entirely appropriate for residential development, as supported by Policy DP6 of the Mid Sussex District Plan, which encourages development within towns and villages with defined built-up boundaries, provided proposals are of an appropriate scale and character and do not harm the function or identity of the settlement.

Similarly, Policy H8 of the Neighbourhood Plan supports housing development, including infill and changes of use, within the built-up area of Haywards Heath. This proposal aligns with both policies by making efficient use of an existing residential property in a sustainable location, without any external alterations or impact on the surrounding character.

At the national level, Paragraph 61 of the NPPF sets out the Government's objective to significantly boost the supply of homes. Paragraph 78 further requires local planning authorities to maintain a rolling five-year supply of deliverable housing sites. However, as the Mid Sussex District Plan was adopted over five years ago, the Council must now calculate housing need using the Government's standard method, resulting in a higher housing requirement.

Currently, the Council is unable to demonstrate a five-year supply of deliverable housing land. In such circumstances, Paragraph 11(d) of the NPPF applies the "tilted balance," meaning planning permission should be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits, or unless specific policies in the Framework indicate otherwise.

This proposal, seeking to regularise the modest intensification of an existing HMO, clearly contributes to meeting local housing need in a sustainable and low-impact manner. While small in scale, the additional accommodation plays a meaningful role in addressing the shortfall in housing supply.

Moreover, the proposal is supported by Policy DP30, which seeks to ensure a diverse mix of dwelling types and sizes to meet the needs of different groups in the community. HMOs are a vital part of this mix, offering flexible and affordable accommodation options, particularly for young professionals, key workers, and individuals on lower incomes who may be priced out of self-contained housing.

Paragraph 125 of the NPPF places substantial weight on the use of suitable brownfield land within settlements for housing. It encourages the development of under-utilised buildings, especially where it helps meet identified housing needs in areas with constrained land supply. Paragraph 125 further promotes the efficient use of land, urging decision-makers to optimise the potential of each site.

Given the site's sustainable location, the absence of any external alterations, and the pressing need for additional housing, there is a strong planning justification for granting retrospective permission. The proposal represents a policy-compliant use of existing housing stock, contributing positively to the local housing market without adverse impact on the surrounding area.

Amenity and living conditions for future occupiers

The proposed accommodation has been carefully designed to meet, and in many cases exceed, the Council's own Standards for Houses in Multiple Occupation, as evidenced by the granting of a current HMO licence. Each bedroom benefits from private en-suite facilities and surpasses the minimum floor area requirements set by the Council. Furthermore, all rooms exceed the Nationally Described Space Standards referenced in Policy DP27 of the District Plan, ensuring a high standard of living for future occupants.

A generously sized shared kitchen, dining, and living area is provided on the ground floor, with dimensions fully compliant with the Council's space standards. This communal space is well-suited to fostering a comfortable and sociable living environment.

All bedrooms and communal areas benefit from ample natural light, good ventilation, and a clear outlook to either the front or rear of the property, enhancing the overall sense of space and wellbeing. In addition, all residents will have access to a shared rear garden, providing valuable outdoor amenity space, in accordance with Policy E13 of the Neighbourhood Plan.

Overall, the proposal delivers good-quality, well-designed accommodation that offers future occupants appropriate living conditions, in line with both local and national policy objectives.

Impact upon the amenity of neighbouring occupiers

Policy DP26 of the District Plan and Policy H8 of the Neighbourhood Plan both aim to safeguard the amenity of existing residents by ensuring that development proposals do not result in harm through increased noise, loss of privacy, or reductions in daylight, sunlight, or outlook.

The proposed change of use, from a small HMO (Use Class C4) to a large HMO for up to 8 occupants, represents only a modest intensification of the existing lawful use. Given that the property has already operated as a large HMO for approximately some 9 months already without any recorded complaints, this demonstrates that the use has integrated well within the community and that the increase in occupancy has caused no material harm.

Importantly, no external alterations to the building are proposed. As such, there will be no impact on neighbouring properties in terms of daylight, sunlight, outlook, or privacy beyond what is already established.

In light of the above, it is submitted that the proposed change of use will not result in any significant adverse effects on neighbouring amenity and remains fully consistent with the objectives of both local and neighbourhood planning policies.

Transport and parking

Support for development in highly sustainable locations such as this should be actively encouraged. The application site benefits from excellent accessibility, with residents able to walk to a wide range of services and amenities offered by Haywards Heath town centre. In addition, the site is well-served by frequent bus routes and is within easy walking distance of the mainline railway station, offering excellent public transport connectivity.

Given this high level of accessibility, the proposal includes provision for just two on-site car parking space. One space currently exists and it is proposed to widen the dropped kerb and reduce the width of the hedge frontage to enable two cars to park side by side.

While West Sussex County Council's Guidance on Parking at New Developments suggests a requirement of 3.5 spaces (based on 0.5 spaces per bedroom), this standard must be considered in the context of the site's sustainable location and the actual parking demand observed.

The property has operated in its current form for a little over 9 months without any parking-related issues. Many of the occupants work at the nearby hospital and routinely walk to and from work, further reducing reliance on private vehicles.

The NPPF is clear that development should only be refused on highways grounds where the impact on highway safety would be unacceptable, or where the residual cumulative impacts on the road network would be severe. No such impacts are anticipated in this case. Parking restrictions are already in place directly outside of the application which prevent vehicles from parking on Franklynn Road itself, and unrestricted parking is available in nearby side streets. Furthermore many of the neighbouring properties have similar parking arrangements to that proposed.

Policy DP21 of the District Plan requires that parking provision be assessed in light of the development's accessibility, type, and the availability of public transport. In this instance, the site's sustainable location and the availability of alternative transport options fully justify the reduced parking provision.

Accordingly, it is submitted that the proposed development complies with both national and local policy, and that the limited on-site parking does not constitute a sustainable reason for refusal.

Conclusion

The proposals aim to optimise the use of an existing HMO in a highly sustainable location, just a short walk from Haywards Heath town centre. The property already benefits from lawful use as a small HMO for up to six occupants. The proposed increase to eight residents represents a modest and proportionate intensification, with minimal impact, particularly as this level of occupancy has already been in place for the past 9 months without a single complaint.

No external alterations are proposed other than the addition of a single parking space, ensuring that the character and appearance of the area remain unaffected. Likewise, there will be no adverse impact on neighbouring amenity in terms of overshadowing, loss of light, outlook, or privacy.

The accommodation itself is of a high standard, fully compliant with, and in many respects exceeding, the Council's HMO requirements. It will continue to provide high-quality, well-managed housing for future residents.

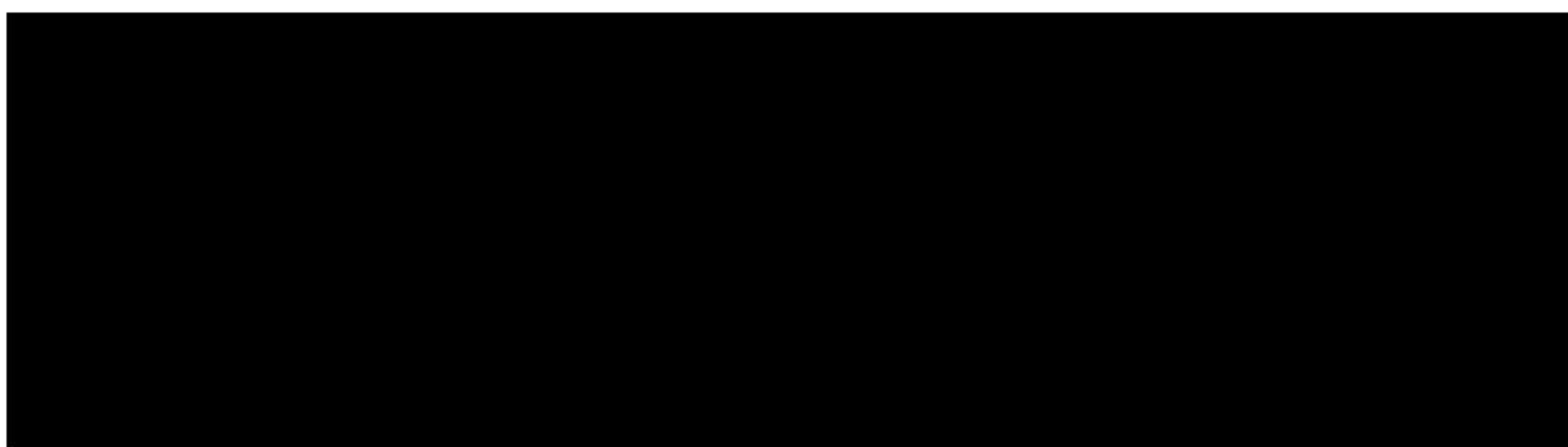
Given the site's excellent accessibility and proximity to a full range of local services, shops, and public transport links, the reduced on-site parking provision is entirely appropriate and should be positively supported. This aligns with the principles of sustainable development and reduces reliance on private vehicles.

It is also important to note that the Council is currently unable to demonstrate a five-year supply of housing land. In this context, the provision of an additional HMO room in such a sustainable location should be afforded significant weight in the planning balance.

This application represents an efficient and responsible use of land, delivering high-quality accommodation at a time when housing delivery is falling short. As such, it fully accords with the objectives of the Development Plan and the NPPF.

For all these reasons, we respectfully submit that the proposal is policy-compliant, sustainable, and worthy of support. Should you require any further information to assist in your assessment, please do not hesitate to get in touch.

Yours faithfully



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