

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0393	Case Officer:	Peter Davies
Application Type:	Householder Application		
Proposal:	Replace existing garden shed, 2 no. parking spaces and relocation of existing fence.		
Site:	2 Turners View, Cuckfield, Haywards Heath, West Sussex, RH17 5SW, , ,		
Validation Date	19 Feb 2026	Overall Expiry Date:	18 Mar 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	8 Apr 2026
Target Date:	16 Apr 2026	Recommending Officer Signature:	Peter Davies

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	Stephen Ashdown	Date:	9 Apr 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0393

**2 Turners View, Cuckfield, Haywards Heath, West Sussex, RH17 5SW, ,
Replace existing garden shed, 2 no. parking spaces and relocation of existing fence.
Mr Nigel Murphy**

REPRESENTATION RECEIVED

1 letter of representation was received from an adjoining neighbour supporting the application.

PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

The application seeks planning permission for a replacement shed and relocation of existing fence.

RELEVANT PLANNING HISTORY

DM/21/3755 - Demolition of buildings and erection of 13 dwellings along with parking and landscaping. Amended plans received 21/2/2022 showing retention of trees 6, 15, 21, 23 and 25, re-positioning of plot 9, amendments to boundary of plots 1-3, changes to internal layout of plots, relocation of home office to plot 7, amended fence line, removal of shared footpath to secondary road as well as submission of addendum to Transport Statement, updated Road Safety Audit and landscape masterplan. Permission

SITE AND SURROUNDINGS

The application property is a detached two-storey dwelling located within a small new build development on the south side of Hanle Lane. The property is located within the countryside as defined in the District Plan.

The application property is constructed from brick with timber cladding at first floor level, plain roof tiles and anthracite fenestration. The dwelling has off street parking to the side. The locality is characterised by detached dwellings of a similar form, scale and design to the east, west and south, with the highway to the north and agricultural land further past the highway.

APPLICATION DETAILS

The application seeks planning permission for a replacement shed and the relocation of the existing fence. The proposed shed would be located on the east side of the dwelling and have a width and depth of 3.05 metres and 2.44 metres. The shed would have a flat roof with a height of 2.45 metres and would be constructed from timber with EPDM sheet roof and anthracite fenestration. The existing close board fence is to be moved forward by approximately 0.90 metres to allow for the larger footprint of the proposed shed.

Permitted development rights have been removed in application DM/21/3755 and therefore planning permission is required.

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 Cuckfield 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:

DP12 - Protection and Enhancement of Countryside
DP21 - Transport
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.

Cuckfield Neighbourhood Plan (made May 2014)

Relevant policy:

Policy CNP1 - Design of New Development and Conservation.
Policy CNP5 - Protect and Enhance the Countryside
Policy CNP10 - Building Extensions Within and Outside the Built Up Area Boundary

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 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:

DPC1 - Protection and Enhancement of the Countryside
DPS2 - Sustainable Design and Construction
DPB1 - Character and Design
DPT4 - Parking and Electric Vehicle Charging Infrastructure

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 impact on the character of the area
- Impact on Neighbouring Properties
- Impact on parking provision
- Biodiversity Net Gain

Design and impact on the character of the area

DP12 of the Mid Sussex District Plan in part states:

'The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

- *it is necessary for the purposes of agriculture; or*
- *it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.'*

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 CNP1 of the Cuckfield neighbourhood Plan states:

'New development in accordance with the Neighbourhood Plan will be permitted where it:

a) Is designed to a high quality which responds to the heritage and distinctive character and reflects the identity of the local context of Cuckfield as defined on Map 3 - Conservation Areas and Character Areas, by way of;

i. height, scale, spacing, layout, orientation, design and materials of buildings,

ii. the scale, design and materials of the public realm (highways, footways, open space and landscape), and

b) Is sympathetic to the setting of any heritage asset and

c) Follows guidance in the Conservation Area Appraisals and Management Plans, the High Weald AONB Management Plan, and

d) Respects the natural contours of a site and protects and sensitively incorporates natural features such as trees, hedges and ponds within the site, and

e) Creates safe, accessible and well-connected environments that meet the needs of users, and

f) Will not result in unacceptable levels of light, noise, air or water pollution, and

g) Makes best use of the site to accommodate development.'

Policy CNP5 of the Cuckfield neighbourhood Plan states:

'Outside of the Built up Area Boundary, priority will be given to protecting and enhancing the countryside from inappropriate development. A proposal for development will only be permitted where:

a) It is allocated for development in Policy CNP 6 (a) and (b) or would be in accordance with Policies CNP 10, CNP 14 and CNP 17 in the Neighbourhood Plan or other relevant planning policies applying to the area, and

b) It would not have a detrimental impact on, and would enhance, areas identified in the Cuckfield Landscape Character Assessment (summarised in Table 1) as having major or substantial landscape value or sensitivity, and

c) It would not have an adverse impact on the landscape setting of Cuckfield and d) It would maintain the distinctive views of the surrounding countryside from public vantage points within, and adjacent to, the built up area, in particular those defined on Map 5, and

e) Within the High Weald Area of Outstanding Natural Beauty it would conserve and enhance landscape and scenic beauty and would have regard to the High Weald AONB Management Plan.'

The proposed shed is of an acceptable scale, form and design to the character of the dwelling and the locality. The shed would be visible from the highway to the front of the property above the close board fence however would be replacing an existing shed and be of modest height. The shed would be constructed from appropriate materials. The close board fence is to be moved closer to the highway however still remain well set back behind the frontage of the dwelling.

The proposal is therefore considered to comply with policies DP12 and DP26 of the District Plan and policies CNP1 and CNP5 of the Cuckfield Neighbourhood Plan.

Impact on neighbouring properties

In terms of neighbouring amenities Policy CNP10 of the Cuckfield Neighbourhood Plan states that proposals should "safeguard" adjoining neighbours amenity in terms of privacy, daylight, sunlight and outlook whereas policy DP26 of the Mid Sussex District Plan 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. Consequently, 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.

The proposed shed is located within close proximity to the shared boundary with no. 4 Turners View to the east. The shed is replacing an existing shed and will be larger in size however remain of a modest height that will not result in significant harm in terms of loss of light. The shed will have openings facing into the application property at ground level and will therefore not cause significant harm in terms of overlooking. The proposal will not be located close to any other neighbouring properties and will therefore not result in significant harm.

Therefore, there will be no significant harm to neighbouring amenity areas and complies with policy DP26 of the Mid Sussex District Plan.

Impact on parking provision

Policy DP21 in part states:

'The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;'

West Sussex County Council September 2020 Parking Standards Guidance, outlines that for a 3 bed dwelling in parking behaviour zone 1, 2.2 spaces should be provided. The dwelling has parking for 2 cars on the drive.

The 2 spaces on the driveway are to be retained and therefore would not result in a loss of any parking. The property is therefore considered to provide sufficient parking space that meets the parking requirements set out within the WSCC Guidance. The proposal is therefore, considered to comply with Policy DP21 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, scale and form to the dwellinghouse and would not cause significant harm the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policies DP12, DP21 and DP26, policies CNP1, CNP5 and CNP10 of the Cuckfield 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