

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/3212	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Proposed conversion and extension of the existing garage into additional living accommodation, construction of new glass link extension and demolition of existing porch extension with proposed replacement extension.		
Site:	Red Oaks, Weald Chase, Staplefield Road, Cuckfield, Haywards Heath, West Sussex, RH17 5HY,		
Validation Date	22 Dec 2025	Overall Expiry Date:	17 Mar 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	25 Mar 2026
Target Date:	16 Feb 2026	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	25 Mar 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/3212

Red Oaks, Weald Chase, Staplefield Road, Cuckfield, Haywards Heath, West Sussex, RH17 5HY
Proposed conversion and extension of the existing garage into additional living accommodation, construction of new glass link extension and demolition of existing porch extension with proposed replacement extension.
Mr And Mrs Orpen

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

Southern Water: No objections

Naturespace: It would be unreasonable to require the applicant to submit a survey because this could be considered disproportionate to the scale and the likely impacts of the development. However, the application site lies within a red impact zone as per the modelled district licence impact map, which indicates that there is highly suitable habitat for GCN within the area surrounding the application site. Additionally, there is an unsurveyed pond onsite. Therefore, I recommend the use of a Precautionary Working Methods Statement (PWMS). This should be secured in a condition.

PARISH COUNCIL OBSERVATIONS

No objections to this application providing it stays within the current curtilage

INTRODUCTION

Permission is sought for conversion and extension of the existing garage into additional living accommodation, construction of new glass link extension and demolition of existing porch extension with proposed replacement extension.

RELEVANT PLANNING HISTORY

None relevant

SITE AND SURROUNDINGS

Red Oaks is a semi-detached hipped roofed dwelling which was originally a single dwelling within a private set of dwellings off Staplefield Road

The walls are a mix of mock Tudor style painted render and timber cladding with face brickwork, hanging tiles and stonework with timber doors and windows.

The dwelling is characterised by rear conservatory, a detached pitched roofed garage and various previous enlargements and dormers.

To the west of the site is the adjoining neighbour Downsview, to the south of the site is the rear garden with fields beyond, to the east of the site is the driveway with hedging to public footpath to neighbouring North Lodge and Weald Chase Cottage beyond and to the north of the site is the driveway with hedging and woodland to access track serving Downsview and Orchard House to highway beyond.

The site is within the countryside and the High Weald National Landscape.

APPLICATION DETAILS

The existing garage to be removed approximately measures 6.4m in depth, 6m in width with a height to eaves of 2.3m and an overall height of 4.6m.

The proposed annexe accommodation approximately measures 8.8m in maximum depth, 12.8m in width with a height to eaves of 3m and an overall height of 5.25m. The front and rear pitched roofs measures 2.8m to eaves and 5.25m in overall height. This serves a snug, bathroom, hallway, bedroom and artist studio.

The proposed flat roofed glass link between the dwelling and annexe approximate measures 2.1m in depth, 2.45m with a height of 2.1m.

The existing porch flat roofed extension to be removed approximately measures 4.2m in depth, 2.3m in maximum width with a height of 2.7m.

The proposed replacement flat roofed porch approximately measures 4.4m in depth, 3.4m in width with an overall height of 2.7m. This serves a utility room.

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.

Specifically, Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to application,*
- b) Any local finance considerations, so far as material to the application, and*
- c) Any other material considerations.'*

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy, but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

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.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocations Development Plan Document (DPD) and Ansty and Staplefield 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
DP16 - High Weald Area of Outstanding Natural Beauty
DP21 - Transport
DP26 - Character and design
DP38- Biodiversity

Ansty and Staplefield Neighbourhood Plan

The Neighbourhood Plan was made on 2nd February 2017.

Relevant policies:

AS3: High Weald Area of Outstanding Natural Beauty.

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

Relevant policies.

None.

Mid Sussex District Plan 2021 - 2039 - Submission Draft (Regulation 19)

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:

DPN1 - Biodiversity, Geodiversity and Nature Recovery
DPN4 - Trees, Woodland and Hedgerows
DPC1 - Protection and Enhancement of the Countryside
DPC4 - High Weald Area of Outstanding Natural Beauty
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.

THE HIGH WEALD AREA OF OUTSTANDING NATURAL BEAUTY MANAGEMENT PLAN 2024-2029

National Planning Policy Framework (NPPF) (December 2024)

The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective.

Paragraph 12 of the NPPF states *'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'*

Paragraph 39 of the NPPF states *'Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.'*

With specific reference to decision-taking paragraph 48 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

ASSESSMENT

Protection and Enhancement of the Countryside

Policy 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.'*

The proposed linked annexe accommodation is intended to provide additional living space for the current occupiers, to be used by a relative as annexe accommodation, connected to the remainder of the property. The existing four-bedroom property will be enlarged to accommodate five bedrooms.

Subject to the imposition of a planning condition to limit the use of the annexe accommodation as ancillary accommodation to Red Oaks, Weald Chase, to prevent its separation it is considered that the new extension will not create a harmful impact upon the rural setting of the property or the wider landscape.

Given the domestic nature of the proposal it will protect the rural character of the area.

The proposal will therefore accord with District Plan Policy DP12.

Character and Design

Policy DP26 of the 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;
- 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'

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 of the Mid Sussex Design Guide SPD relates specifically to front and side extensions states the following:

'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.'

Where front extensions are considered acceptable, they should normally be limited to a modest single storey or porch-type extension that reflect the character of the existing property

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'.

The proposed replacement front porch is a modest enlargement on the existing front flat roofed extension. It will be subservient and of a suitable size and scale as outlined under principle DG50 of the Mid Sussex Design Guide with sympathetic materials used.

The side annexe addition, whilst of a larger footprint than the existing garage, will have a hipped roofed design in line with the existing dwelling and is set back from the building frontage. Its single storey design will maintain a subordinate form to the main house. The use of matching or sympathetic materials are in character with the area.

Therefore, the proposal is deemed to comply with policy DP26 of the Mid Sussex District Plan, principles DG49 and DG50 of the Mid Sussex Design Guide SPD and the relevant paragraphs of the NPPF.

Impact on the High Weald

The legal framework for AONBs, (also known as National Landscapes) in England and Wales is provided by the Countryside and Rights of Way Act (CRoW) 2000 which at Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty. Section 84 of the CRoW requires Local Planning Authorities to 'take all such action as appears to them expedient for accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB'. The Levelling-up and Regeneration Act (2023) amended section 85 of the CRoW Act, to create a new duty on relevant authorities to 'seek to further the purpose of conserving and enhancing the natural beauty of the area'

when discharging their functions in AONBs'. A similar ethos is found within The High Weald Area of Outstanding Natural Beauty Management Plan which is a material consideration in the determination of planning applications in the AONB.

Paragraph 189 of the NPPF states:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks.'

Policy DP16 of the Mid Sussex District Plan relates to the AONB and states that:

'Development within the High Weald Area of Outstanding Natural Beauty (AONB), as shown on the Policies Maps, will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan, in particular:

o the identified landscape features or components of natural beauty and to their setting;
o the traditional interaction of people with nature, and appropriate land management;
o character and local distinctiveness, settlement pattern, sense of place and setting of the AONB; and
o the conservation of wildlife and cultural heritage'.

A similar stance is held in Policy AS3 of the Neighbourhood Plan.

Given the domestic nature of the proposal and given the works are located within the hardstanding driveway and that it would be seen within the context of the existing dwelling, the proposal is deemed to conserve the nature of the High Weald Area of Outstanding Natural Beauty.

It therefore complies with policy DP16 of the Mid Sussex District Plan, policy 3 of the Balcombe Neighbourhood Plan and paragraph 189 of the NPPF.

Impact on neighbouring amenities

In terms of impact upon neighbouring amenities 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);'*

Principle DG47 of the Mid Sussex Design Guide SPD relates to neighbouring amenities in terms of light and states:

'All dwellings should benefit from daylight and sunlight levels that conform to BRE (Better Regulation Executive) standards'.

Given the location of the proposals and their relationship with the neighbouring properties, the proposal complies with policy DP26 of the Mid Sussex District Plan in terms of neighbouring amenities.

Parking

Where the creation of a new bedroom is proposed, parking standards have to be assessed. West Sussex County Council August 2019 Parking Standards Guidance, outlines that for a 5-bedroom dwelling in this location 3 parking spaces should be provided.

There is sufficient parking for at least 3 cars on the driveway. The proposal is therefore considered to comply with DP21 of the Mid Sussex District Plan.

Biodiversity

Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) lists species of animal (other than birds) which are provided special protection under the Act. Under Section 13 of the Wildlife and Countryside Act 1981 (as amended), all wild plants are protected from being uprooted without the consent of the landowner. In addition to the protection afforded by the Wildlife and Countryside Act 1981 (as amended), certain species are also covered by European legislation. These species are listed in Schedule 2 of the Conservation (Natural Habitats, 7c.) Regulations 1994 (as amended).

Policy DP38 of the Mid Sussex District Plan states:

'Biodiversity will be protected and enhanced by ensuring development:

- Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and*
- Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances); and*
- Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and*
- Promotes the restoration, management and expansion of priority habitats in the District; and*
- Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.*

Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks.

Valued soils will be protected and enhanced, including the best and most versatile agricultural land, and development should not contribute to unacceptable levels of soil pollution.

Geodiversity will be protected by ensuring development prevents harm to geological conservation interests, and where possible, enhances such interests. Geological conservation interests include Regionally Important Geological and Geomorphological Sites.'

Chapter 15 of the NPPF advises that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity value by minimising impacts on and providing net gains for biodiversity.

The most relevant are paragraphs 192 and 193.

In terms of Great Crested Newts, whilst it is in the red impact risk zone, our consultants have confirmed that subject to condition, the proposal is acceptable.

A bat survey has been provided confirming that no bats were seen to emerge from the building and it was deemed that the proposed extension and renovation will have no foreseeable impacts on bats or their roost sites.

It is considered that subject to condition the proposal would comply with Policy DP38 of the Mid Sussex District Plan, Chapter 15 of the NPPF and the legislation outlined above.

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

The proposed extensions are considered to be in character and scale with the main dwelling and it would maintain the quality of the rural landscape character of the District and the High Weald AONB, with sufficient parking provision and biodiversity protected.

The proposed annexe is considered to be acceptable and to formalise the ancillary nature of the annexe it is considered that a planning condition is appropriate in this case and there is justification for including one within a planning permission. Therefore, the proposal complies with Policies DP12, DP16, DP21, DP26 and DP38 of the Mid Sussex District Plan, policy AS3 of the Ansty and Staplefield Neighbourhood Plan, the Mid Sussex Design Guide SPD and the relevant provisions of the NPPF.

Decision: Permission

Case Officer: Andrew Horrell