

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1817	Case Officer:	Catherine Cardin
Application Type:	Householder Application		
Proposal:	Proposed freestanding aluminium framed pergola finished in anthracite colour.		
Site:	2 Horsgate Rise, Cuckfield, Haywards Heath, West Sussex, RH17 5SQ, , ,		
Validation Date	10 Aug 2026	Overall Expiry Date:	3 Sep 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	8 Oct 2026
Target Date:	5 Oct 2026	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Joanne Fisher</i>	Date:	9 Oct 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1817

**2 Horsgate Rise, Cuckfield, Haywards Heath, West Sussex, RH17 5SQ, ,
Proposed freestanding aluminium framed pergola finished in anthracite colour.
Mrs Julie Nobbs**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

None received.

PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

The application seeks planning permission for a proposed freestanding aluminium framed pergola.

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 two-storey detached dwelling. The property is characterised by red brick, timber cladding, grey uPVC fenestration and a plain tile roof. The application site slopes gently uphill to the west.

The application site lies within a modern housing development and is outside the built-up area boundary of Cuckfield. The site occupies a corner plot with public highways to the north, east and west and a pedestrian footpath to the south.

APPLICATION DETAILS

The proposed pergola would measure approximately 4 metres in width and 3 metres in depth. This would incorporate a flat roof with a maximum height of approximately 2.5 metres. The pergola would be constructed from aluminium and would incorporate anthracite louvred screening to one side, together with retractable mesh blinds to the remaining sides.

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 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

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.

Neighbourhood Plan

Cuckfield Neighbourhood Plan was made in 2014.

Relevant policy:

CNP1- Design of New Development and Conservation

Other Material Considerations

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 is currently at Examination with initial hearings held in February/March 2026. The Council has consulted on Main Modifications which are required to ensure the plan is legally compliant and sound with further Hearings taking place in November 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:

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) (August 2026)

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
- Neighbouring amenity

- Biodiversity net gain

Design and character

Policy DP12 in the District Plan seeks to protect the character of the countryside and states that development will be permitted where it maintains or where possible enhances the quality of the rural and landscape character of the District and is supported by a specific policy reference in the District Plan, Neighbourhood Plan or Development Plan Document. In this case policy DP26 is the relevant policy that supports high-quality development. It is considered that these policies have very limited weight due to the publication of the NPPF and consideration should be given to Policy S5 of the NPPF.

Policy DP26 of the District Plan relates to character and design. Policy CNP1 of the Neighbourhood Plan contains a similar ethos. However, these policies are considered to have very limited weight due to the publication of the NPPF, and consideration should be given to policy DP3 of the NPPF.

Policy DP3 of the NPPF sets out the key principles for well-designed places. This sets out in part that proposals should respond to their context, so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.

Policy S5 of the NPPF requires that certain forms of development should be approved outside settlements unless the benefits of doing so would be substantially outweighed by any adverse impacts when assessed against the national decision-making policies in this Framework.

The application site lies outside the settlement boundary of Cuckfield. Whilst the proposed pergola would not fall expressly within the categories of development identified within Policy S5, it would comprise a modest domestic structure within the established residential curtilage of a lawful dwellinghouse. The proposal would be ancillary to the existing residential use of the site and would not represent any material encroachment beyond the established residential curtilage. As such, the proposal is considered acceptable in principle and its impacts fall to be assessed against the relevant national decision-making policies, including those relating to design and amenity.

The application property lies within a modern housing development characterised by dwellings of a similar age and design, with a generally consistent built form. The proposed pergola would be sited within the rear garden of the host property, approximately 11 metres from the rear elevation of the dwelling. Although visible from parts of the surrounding highway network and footpath, it would be viewed in the context of the established residential curtilage and associated domestic garden features. By virtue of its modest scale, lightweight appearance and complementary materials, the pergola would appear as a subordinate domestic garden structure and would not be visually intrusive, prominent or incongruous within wider views.

The proposal would therefore preserve the character and appearance of the area and would accord with Policy DP26 of the District Plan, Policy CNP1 of the Cuckfield Neighbourhood Plan and Policies DP3 and S5 of the NPPF.

Neighbouring amenity

Policy DP26 in part seeks to ensure that new development does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings. It is considered that this policy has very limited weight due to the publication of the NPPF and consideration should be given to policy P3 of the NPPF.

Policy P3 of the NPPF relates to living conditions and pollution. Part 2(b) of this policy requires proposals *'not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site'*.

The pergola would be located within the applicant's rear garden and would maintain sufficient separation from neighbouring dwellings and private amenity areas to avoid unacceptable impacts arising from loss of outlook, overshadowing or loss of privacy. Given the single-storey and modest scale of the proposal, it

is not considered that the development would cause unacceptable harm in terms of access to daylight, sunlight, privacy and external amenity space.

The pergola would be ancillary to the residential use of the dwelling and would not itself generate noise. Any activity associated with its use would be consistent with the normal enjoyment of a domestic garden and is not considered likely to result in unacceptable noise disturbance to neighbouring occupiers. Due to the domestic nature of the proposed development, it is considered that there would not be unacceptable harm in terms of air and light pollution.

It is therefore considered that the proposal would not cause unacceptable harm to the amenities of neighbouring properties. The proposal is therefore deemed to accord with the above-mentioned part of policy DP26 of the District Plan and Policy P3 of the NPPF.

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 pergola, by reason of its modest scale, siting, design and materials, would appear as a subordinate addition within the residential curtilage and would preserve the character and appearance of both the host dwelling and the surrounding area. Furthermore, the proposal would not result in unacceptable harm to the amenities of neighbouring occupiers. The proposal therefore accords with Policies P12 and DP26 of the Mid Sussex District Plan, Policy CNP1 of the Cuckfield Neighbourhood Plan, the Mid Sussex Design Guide SPD and the relevant provisions of the NPPF. Planning permission is therefore recommended for approval.

Decision: Permission

Case Officer: Catherine Cardin