

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1608	Case Officer:	Andrew Watt
Application Type:	Householder Application		
Proposal:	Proposed first floor link extension		
Site:	Birch House, Courtmead Road, Cuckfield, Haywards Heath, West Sussex, RH17 5LR, ,		
Validation Date	15 Jul 2026	Overall Expiry Date:	
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	18 Sep 2026
Target Date:	9 Sep 2026	Recommending Officer Signature:	Andrew Watt

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	Stephen Ashdown	Date:	18 Sep 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1608

**Birch House, Courtmead Road, Cuckfield, Haywards Heath, West Sussex, RH17 5LR,
Proposed first floor link extension
Mr D McLeod**

SUMMARY OF REPRESENTATIONS

1 letter of comment:

- Do not object in principle to appropriate domestic alterations, but ask the Council to carefully assess the proposal's impact on neighbouring amenity and the character of the Conservation Area.
- Want to be sure that proposed first-floor link extension would not result in material overlooking, loss of privacy, or overbearing impact to neighbouring property.
- Any permission should be conditioned to require external materials, detailing, roof tiles, brickwork and tile hanging to match the existing dwelling.
- Would also ask that existing boundary screening is retained where relevant and that construction impacts are controlled so far as reasonably possible.

SUMMARY OF CONSULTEES

MSDC Conservation Officer

On balance, and subject to detail, the proposal is therefore considered to preserve the character and appearance of the Conservation Area. This meets the requirements the relevant paragraphs of Chapter 20 of the NPPF and of District Plan Policy DP35.

TOWN / PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

Full planning permission is sought for a proposed first floor link extension.

RELEVANT PLANNING HISTORY

DM/20/3837 - Conversion of existing store to form games room and first floor study including insertion of new Velux rooflights. Single storey infill of current open space between store / study / utility and internal alterations. Granted 29.01.21

DM/25/1314 - First floor existing former garage extension and ground floor link extension. Granted 09.07.25 and implementation begun.

SITE AND SURROUNDINGS

The site consists of a 2-storey, detached dwelling located on the northern side of Courtmead Road (which is also a public footpath). It has a pitched gable roof form with front and rear gable projections and a converted garage building to the rear. The driveway for the property extends along the western side of the dwelling and leads to a rear parking area which separates the dwelling from the rear garden, which backs directly onto Broad Street.

The site is located within the built-up area of Cuckfield and within the Cuckfield Conservation Area. It is designated as a Great Crested Newt - Impact Risk Zone (Red). The surrounding area is characterised by large, detached dwellings set in generous plots and offering a variety of styles and forms.

APPLICATION DETAILS

Full planning permission is sought for a proposed first floor link extension.

It will be sited to the rear (north-east) of the property, between the projecting gable end of the house and the double garage conversion. To achieve this, the roof pitch will be raised by approximately 1.8m to match that of the garage conversion. It will be approximately 0.8m below the ridge height of the main house. Internally, a new connecting door will be formed to access the new upper level and en-suite bathroom. The existing internal staircase in the garage conversion will be retained. A new first floor window will be formed in the side (west) elevation, serving the extended landing (immediately adjacent to a smaller window) and another window to the side (east) elevation to serve the new en-suite. Materials will match those of the existing house.

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 Mid Sussex District Plan, Site Allocations Development Plan Document (DPD) and the Cuckfield Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Practice Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan (Mar 2018)

The Mid Sussex District Plan 2014-2031 was adopted at Full Council on 28 March 2018.

Relevant policies:

Policy DP26: Character and Design
Policy DP35: Conservation Areas
Policy DP38: Biodiversity

Site Allocations DPD

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

There are no relevant policies.

Cuckfield Neighbourhood Plan (May 2014)

Relevant policies:

Policy CNP1: Design of New Development and Conservation
Policy CNP10: Building Extensions Within and Outside the Built Up Area Boundary

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

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 is consulting on Main Modifications which are required to ensure the plan is legally compliant and sound. 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

DPN2: Biodiversity Net Gain

DPB1: Character and Design

DPB3: Conservation Areas

Mid Sussex Design Guide Supplementary Planning Document (Nov 2020)

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 4 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.

Relevant design principles include:

Principle DG11: Respond to the existing townscape, heritage assets and historic landscape

Principle DG49: General principles for extensions

Principle DG51: Rear extensions

National Planning Policy Framework (NPPF) (Aug 2026)

The National Planning Policy Framework sets out the government's policies for plan-making and for making decisions on development proposals in England. It is a material consideration of critical importance in both contexts. The policies in this Framework are material considerations which must be taken into account in decision-making from the day of its publication. Annex A of the NPPF states: *'Development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in this Framework should be given very limited weight. The only exception to this is where they have been examined and adopted or made against this Framework. Other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of this Framework.'*

ASSESSMENT

Impact on the character of the area and heritage assets

The proposed development is located within the Cuckfield Conservation Area.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 refers to Conservation Areas and states: *'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'*

Policy DP26 of the Mid Sussex District Plan aims to ensure that all development is well designed and reflects the distinctive character of towns and villages. Policy CNP10 of the Neighbourhood Plan is

similar in ambition. Policy DP35 of the Mid Sussex District Plan requires development to protect conservation areas and their settings, as does Policy CNP1 of the Neighbourhood Plan.

It is considered that Policies DP26 and DP35 of the Mid Sussex District Plan and Policies CNP1 and CNP10 are materially inconsistent with the NPPF, in terms of their approach to design, and therefore should be given very limited weight. It is considered that national decision-making Policies DP3 (Key principles for well-designed places), DP4 (The design process) and HE9 (Conservation areas) should be the policies that are given greater weight in the assessment of this application.

Design Principle 11 of the Mid Sussex Design Guide SPD seeks to ensure that heritage assets are enhanced and preserved where appropriate. Chapter 9 of the Mid Sussex Design Guide SPD relates to household extensions. Design Principle DG49 states that extensions should respond to the design of the original dwelling. Principle DG51 relates to rear extensions and advises that they should have consideration for the character of the existing building and the relationship with side boundaries and adjacent buildings and gardens.

The Council's Conservation Officer has made the following comments:

Birch House is an unlisted detached mid-20th century house located between Courtmead Road and Broad Street within the Cuckfield Conservation Area. The house itself is not of any particular historical or architectural interest, and makes at best a neutral contribution to the character and appearance of the Conservation Area, but the extensive gardens in which its located do make a positive contribution to the spacious and verdant character of Courtmead Road, which is noted in the Council's adopted appraisal document.

The house is a substantial brick built building which has been previously extended. A former building is set to the rear (northern) side.

There is relevant recent planning history at the property:

- *DM/25/1314 Planning permission granted for a first-floor extension above the previously existing garage, with a single storey link to the house.*
- *DM/25/0600 Previous to this, pre-application advice was sought on an extension of greater height and bulk, the scale of which was considered excessive.*

The current proposal retains the height and bulk of the first-floor extension above the garage as approved, but adds a second storey to the link from the house.

The proposed greater height to the link extension would add additional bulk to the proposal. However, the link would be no higher than the approved roof to the garage addition, and would be set down in height from the main roof ridge. The extra bulk would also be partly screened by the existing house and the approved garage extension, including in views from the adjacent roads, and in wider views from neighbouring properties to either side by the fairly dense planting to the boundaries of the site.

On balance, and subject to detail, the proposal is therefore considered to preserve the character and appearance of the Conservation Area. This meets the requirements the relevant paragraphs of Chapter 20 of the NPPF and of District Plan Policy DP35.

These views are agreed with. The proposed extension will be of an acceptable scale and design in relation to the existing property, and due to the mature vegetation in the rear garden it will not be visible from the public realm. Accordingly, it is considered that the proposal will conserve the special interest of the Conservation Area, in accordance with Policies DP3, DP4 and HE9 of the NPPF and the Mid Sussex Design Guide SPD.

Impact on neighbouring amenity

Policy DP26 of the Mid Sussex District Plan seeks to ensure that development does not cause significant harm to the amenities of existing nearby residents and future occupants. Policy CNP1(f) of the Cuckfield Neighbourhood Plan permits new development where it will not result in unacceptable levels of light, noise, air or water pollution. Policy CNP10(f) of the Cuckfield Neighbourhood Plan permits building

extensions where the privacy, sunlight and outlook of adjoining residents are safeguarded. Although there is a conflict between these policies, it is considered that Policy DP26 of the Mid Sussex District Plan and Policies CNP1 and CNP10 are materially inconsistent with the NPPF, in terms of their approach to amenity, and therefore should all be given very limited weight. It is considered that national decision-making Policy P3 (Living conditions and pollution) should be given greater weight in the assessment of this application.

To the western side of the property is The Orchard, and the proposal would be some 23m from this property's boundary. Given the separation distance it is considered that the proposal would not cause unacceptable harm to the amenities of these occupants (who have made comments on the application) in terms of being overbearing. Although a new first floor window will be inserted as part of the proposal, it will be sited immediately adjacent to an existing window and, due to the separation distance, it is not considered that the proposal would result in an unacceptable loss of privacy to the neighbouring occupants.

On the eastern side is Southways, and the proposal would be some 17m from the angled side elevation of this property. Again, due to this separation distance, it is not considered that the proposal would cause unacceptable harm to the amenities of these occupants in terms of being overbearing. Although a new first floor window will be inserted in the side elevation of the extension, as it will serve an ensuite, it can be conditioned to be obscure glazed and non-openable below a specified height.

Accordingly, the scheme would comply with 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.

Other matters

The site is located within a designated Great Crested Newt - Impact Risk Zone (Red). However, having regard to the nature of the application, it is unlikely to have an impact on newts and accordingly there would be no conflict with biodiversity legislation, policy and guidance.

PLANNING BALANCE AND CONCLUSION

The proposed extension is deemed to be of an acceptable scale and design in relation to the existing property and will conserve the special interest of the Conservation Area. It would not result in unacceptable harm to the amenities of neighbouring occupants. There would be no harm to biodiversity.

Accordingly it is considered that the proposed development would comply with the relevant development plan policies and policies DP3, DP4, P3 and HE9 of the NPPF and the Mid Sussex Design Guide SPD and is therefore considered acceptable.

Decision: Permission

Case Officer: Andrew Watt