

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0993	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	New detached garage with secure store and log store. Extending driveway.		
Site:	Southease, Copyhold Lane, Cuckfield, Haywards Heath, West Sussex, RH17 5EB, ,		
Validation Date	28 Apr 2025	Overall Expiry Date:	22 May 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	5 Jun 2025
Target Date:	23 Jun 2025	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:	5 Jun 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0993

**Southease, Copyhold Lane, Cuckfield, Haywards Heath, West Sussex, RH17 5EB,
New detached garage with secure store and log store. Extending driveway.
Mr And Mrs M Howells**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

MSDC Tree Officer: I have reviewed the Arboricultural Report for this proposal and have no objection. Please do condition adherence to the Arboricultural Report, in particular with regard to Tree Protection.

PARISH COUNCIL OBSERVATIONS

No objection

INTRODUCTION

Planning permission is sought for a new detached garage and store with an enlarged driveway.

RELEVANT PLANNING HISTORY

DM/17/2690 - Proposed two storey side extension together with a single storey front, rear and side extension. (approved)

DM/17/3450 - Proposed new timber frame 3 bay garage with 2 no. open carports with ancillary storage space above, external staircase and 2 no. dormers to front roof slope with 3 velux roof lights to rear roof slope; new tennis court; new swimming pool with pool house and replacement gates with 2 no. new timber 5 bar gates together with post and rail boundary fencing. (withdrawn)

DM/17/4556 - Demolition of garage with ground and first floor extension to side of existing house. New integral garage with home office in roof void. (approved)

DM/21/1946 - Conversion of existing roof void above garage to create additional residential accommodation and partial conversion of double garage to create ground floor access hallway and stairs. (approved)

DM/22/3106 - Part retrospective application to convert existing garage to residential accommodation, side extension to create log store with secure bicycle and garden machinery store. (approved)

SITE AND SURROUNDINGS

Southease is a large detached hipped roofed dwelling characterised by various extensions and front dormers. The walls are a mix of face brickwork and hanging tiles with timber doors and windows.

To the north of the site is the driveway with hedging to highway beyond, to the south of the site is the rear garden with fields beyond, to the west of the site is the set back Hobbits characterised by outbuildings to the front and to the east of the site is the set forward Ratcliffe House (characterised by a garage to the front of the dwelling).

The site is outside of the built-up area of Cuckfield.

APPLICATION DETAILS

The proposed garage and store approximately measure 6.65m in depth, 10.35m in width with a height to eaves of 1.5m and an overall height of 5m.

The existing gravel driveway will be extended by approximately 14m in depth and a width differing from between 8.5 and 12m to serve the proposed garage.

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

DP37 - Trees, Woodland and Hedgerows

Cuckfield Neighbourhood Plan

The Cuckfield Neighbourhood Plan was made on 1st October 2014.

Relevant policies:

CNP1 - Design of New Development and Conservation

CNP5 - Protect and Enhance the Countryside

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 (Regulation 19) is currently at Examination and the stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to some of the Policies in the draft District Plan and as such, 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:

DPN4 - Trees, Woodland and Hedgerows

DPC1 - Protection and Enhancement of the Countryside

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) (December 2024)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 8, 11, 131 and 135 are considered to be relevant to this application.

ASSESSMENT

Impact on Countryside Setting

Policy DP12 of the District Plan is relevant to development in rural areas and states, in part:

'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:

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

A similar ethos is found in CNP5 of the Cuckfield Neighbourhood Plan.

Given the domestic nature of the proposal, its rural timber clad design and location close to the dwelling means it is considered that the proposal will protect the intrinsic character and beauty of the countryside.

Due to the above, the proposal complies with policy DP12 of the Mid Sussex District Plan and policy CNP5 of the Cuckfield Neighbourhood Plan.

Design and Character

Policy DP26 of the District Plan states, in part:

'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'*

Cuckfield Neighbourhood Plan policy CNP1 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.'*

Garages and outbuildings to the front/side of the dwelling are widespread within the streetscene at Little Shaw (CU/002/97) and neighbouring Ratcliffe House (09/01744/FUL).

Mature boundary hedge and trees assists in screening views from the roadside along Colwood Lane towards the dwelling.

The proposed garage would be some 10.5m from the front boundary

The proposal garage is considered to be of a design, size and scale which is in proportion and appropriate to the character of the dwelling.

Although it would be partially visible from the highway, it would be viewed in context with the dwelling and is not considered to have an adverse impact on the character of the locality or the streetscene.

The enlarged driveway is in keeping with the existing driveway. Whilst it is a fair additional incursion into garden space, given the large size of the existing garden, this is not deemed an overdevelopment of the site.

Overall, it is considered that the proposal would be in character with the area due to its siting towards the sites front boundary and its size. Accordingly, the proposal would comply with the provisions of policy DP26 of the District Plan, policy CNP1 of the Cuckfield Neighbourhood Plan, principles DG19 and DG50 of the Mid Sussex Design Guide SPD and Paragraph 135 of the NPPF.

Highways Impact

Policy DP21 of the District Plan among other matters requires that:

'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.'

The proposal is considered to maintain the current parking arrangement on site. The detached garage is shown to utilise the same access as the existing dwelling and the proposal is not considered to alter the current access arrangements. As such, the proposal is considered to comply with the Policy DP21 of the District Plan.

Impact on Neighbouring amenities

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan states that it must be demonstrated that any 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.

Policy CNP10 states that proposals should "safeguard" adjoining neighbours amenity whereas policy DP26 of the MSDP 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. As such, policy DP26 of the MSDP 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.

Given the nature of the proposed works and the relationship with the neighbouring properties, significant harm is not deemed to be caused to neighbouring amenities. Therefore, the proposal in terms of neighbouring amenities, is deemed to comply with DP26 of the Mid Sussex District Plan and CNP10 of the Cuckfield Neighbourhood Plan.

Impact on Trees

Policy DP37 of the Mid Sussex District Plan states:

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected. Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.'

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.'

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- o incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- o prevents damage to root systems and takes account of expected future growth; and*
- o where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
- o has appropriate protection measures throughout the development process; and*
- o takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*
- o does not sever ecological corridors created by these assets.'*

Proposals for works to trees will be considered taking into account:

- o the condition and health of the trees; and*
- o the contribution of the trees to the character and visual amenity of the local area; and*
- o the amenity and nature conservation value of the trees; and*
- o the extent and impact of the works; and*
- o any replanting proposals.'*

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.'

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary'.

The Mid Sussex Tree Officer has been consulted on the application and stated that no objection is given to the proposal subject to condition. Your Planning Officer agrees with this assessment.

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 proposal is considered to be appropriate in terms of design, size and scale to the dwellinghouse and countryside locality, would not harm the amenities of neighbouring properties or trees.

In conclusion, the proposed is considered to comply with policies DP12, DP26 and DP37 of the Mid Sussex District Plan, CNP1 and CNP5 of the Cuckfield Neighbourhood Plan, MSDC Design Guide SPD as well as the requirements of the NPPF. The application is therefore recommended for approval.

Decision: Permission

Case Officer: Andrew Horrell