

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2199	Case Officer:	Andrew Watt
Application Type:	Householder Application		
Proposal:	Demolition of existing garage, construction of new garage, slightly enlarging the existing footprint		
Site:	Mytten, 40 Mytten Close, Cuckfield, Haywards Heath, West Sussex, RH17 5LN, ,		
Validation Date	23 Jan 2026	Overall Expiry Date:	22 May 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	27 May 2026
Target Date:	20 Mar 2026	Recommending Officer Signature:	Andrew Watt

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	27 May 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2199

**Mytten, 40 Mytten Close, Cuckfield, Haywards Heath, West Sussex, RH17 5LN,
Demolition of existing garage, construction of new garage, slightly enlarging the existing
footprint**

Mr David Phillips

SUMMARY OF REPRESENTATIONS

None.

SUMMARY OF CONSULTEES

MSDC Tree Officer

No objection, subject to condition.

TOWN / PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

Full planning permission is sought for the demolition of an existing garage and construction of new garage, slightly enlarging the existing footprint.

RELEVANT PLANNING HISTORY

None relevant.

SITE AND SURROUNDINGS

The site is situated directly opposite Mytten, a large dwelling as originally built, but split into 2 (Little Mytten to the north) in the early 1990s. It contains a small timber framed garage and there is a brick garage immediately to the north. Both are separated by a shared driveway that also serves Mytten End and Mytten Cottage.

The site is located within the built-up area of Cuckfield in a cul-de-sac of residential properties. It is designated as a Great Crested Newt - Impact Risk Zone (Amber). A public right of way (Mytten Twitten CUU/10CU/1) passes along the western boundary.

APPLICATION DETAILS

The proposal is to demolish an existing timber framed garage and replace with a larger garage building. It will occupy a similar siting as existing but aligned with the side boundary and extended further south.

It will measure approximately 4.5m in width by a maximum of 8.9m in depth and a maximum of 4.1m in height.

Materials will be black timber boarding and timber doors (a double set to the front and two single doors to the eastern side, one set within a recessed area at the rear), above a standard brick plinth, topped with clay roof tiles.

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 DP21: Transport
Policy DP26: Character and Design
Policy DP37: Trees, Woodland and Hedgerows
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)

Mid Sussex District Council formally 'made' the Cuckfield Neighbourhood Plan part of the Local Development Plan for the Parish of Cuckfield as of 1 October 2014. The policies contained therein carry full weight as part of the Development Plan for planning decisions within Cuckfield.

Relevant policies:

Policy CNP1: Design of New Development and Conservation
Policy CNP16: Transport Impact of Development

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 hearings were concluded on 19 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
DPN2: Biodiversity Net Gain

DPN4: Trees, Woodland and Hedgerows
DPB1: Character and Design
DPT4: Parking and Electric Vehicle Charging Infrastructure

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 DG37: Deliver high quality buildings that minimise their environmental impact

Principle DG38: Design buildings with architectural integrity and a sense of place

National Planning Policy Framework (NPPF) (Dec 2024)

The National Planning Policy Framework (NPPF) 2024 is a material consideration and paragraphs 8 (overarching objectives), 11 (presumption in favour of sustainable development), 12 (status of development plan), 39 (decision-making), 48 (determining applications), 115, 116, 117 and 118 (highways matters), 131 and 135 (design), 136 (trees), 187 (conserving and enhancing the natural environment) and 193 (biodiversity and ancient woodland) are considered to be relevant to this application.

West Sussex County Council: Guidance on Parking at New Developments (Aug 2019)

ASSESSMENT

Design and impact on the character and appearance of the 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 while being sensitive to the countryside.

Policy CNP1 of the Cuckfield Neighbourhood Plan is similar in intent, and states (in part):

'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)'

Chapter 6 of the Mid Sussex Design Guide SPD relates to high quality and sustainable building design.

The design, scale and siting of the proposed garage is considered to be appropriate to the immediate area, being located adjacent to a similar feature (in separate ownership) to the north and in a similar position to existing (albeit larger). It will be marginally visible from the public right of way to the west but will not be an unusual feature in this residential area, where detached garages or outbuildings are not uncommon.

Accordingly, it is considered that the proposal would comply with Policy DP26 of the Mid Sussex District Plan, Policy CNP1 of the Neighbourhood Plan 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.

The main properties affected by the proposal would be Mytten (the host dwelling to the east) and Little Mytten, Mytten End and Mytten Cottage, all to the north-east, sharing the same access. However, the impact of the building itself would only be visible to the host dwelling, being opposite, whereas it would be mostly screened from neighbouring properties by the existing garage in separate ownership to the north and retained shrubbery. An informative is placed on this permission to ensure that construction works are carried out in a responsible manner.

Accordingly, the scheme would comply with Policy DP26 of the Mid Sussex District Plan.

Highways

Policy DP21 of the Mid Sussex District Plan seeks to ensure that developments are sustainably located and safely designed.

Policy CNP16 of the Cuckfield Neighbourhood Plan states in part that:

'Proposals will be permitted where they meet the following criteria:

- a) Safely located vehicular and pedestrian access with adequate visibility exists or could be created; and*
- e) Development proposals for new developments should include secure cycle storage and ideally storage for children's buggies and mobility scooters where appropriate*
- f) Development proposals would maintain or enhance the existing routes of the twittens (public rights of way).'*

The proposed development would provide a useable and covered parking space for a car that currently parks in front of the host dwelling, and there is adequate room for storage or cycle space at the rear. There would be no intensification of activity as the existing parking provision will not change, so the access onto Mytten Close would not operate unsafely. The proposed garage would not hinder access to the twitten to the west.

Accordingly the scheme would comply with Policy DP21 of the Mid Sussex District Plan.

Impact on trees

Policy DP37 of the Mid Sussex District Plan supports the protection and enhancement of trees, woodland and hedgerows, and encourages new planting. In particular, ancient woodland and aged or veteran trees will be protected.

The application has been accompanied by an Arboricultural Survey, Arboricultural Impact Assessment, Method Statement and Tree Protection Plan. One Monterey Cypress tree (T5) was removed before the application was submitted (Category C), and one group of mainly Laurel shrubs is also to be removed, to facilitate the development. The proposal is also within the Root Protection Area of a third-party Oak tree (T3) on land immediately west of the twitten (Category A). The additional percentage of encroachment of the proposed garage onto this Oak tree is only minor at 3.8 sq m or 1.1% of the total RPA, so is not considered to have a significant impact on the structural integrity or physiological health of this tree.

The council's Tree Officer has raised no objection to the proposal and hence, subject to a landscaping condition, it is considered that the proposal would comply with Policy DP37 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.

Other matters

The site is located within a designated Great Crested Newt - Impact Risk Zone (Amber). 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 application is deemed to be of an appropriate scale and design in relation to the existing house and surrounding area, and would not cause significant detriment to surrounding residents or to the highway network. There would be no harm to biodiversity or trees. Accordingly it is considered that the proposed development would comply with Policies DP21, DP26, DP37 and DP38 of the Mid Sussex District Plan, Policies CNP1 and CNP16 of the Cuckfield Neighbourhood Plan, the Mid Sussex Design Guide SPD and the NPPF and is therefore considered acceptable.

Decision: Permission

Case Officer: Andrew Watt