

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1768	Case Officer:	Peter Davies
Application Type:	Householder Application		
Proposal:	Proposed side open porch, alterations to existing doors and window openings.		
Site:	Garden Cottage, Cleavers Lane, Cuckfield, Haywards Heath, West Sussex, RH17 5HZ, ,		
Validation Date	10 Jul 2025	Overall Expiry Date:	12 Aug 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	3 Sep 2025
Target Date:	4 Sep 2025	Recommending Officer Signature:	Peter Davies

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	4 Sep 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1768

**Garden Cottage, Cleavers Lane, Cuckfield, Haywards Heath, West Sussex, RH17 5HZ,
Proposed side open porch, alterations to existing doors and window openings.
Richardson**

REPRESENTATION RECEIVED

None received.

PARISH COUNCIL OBSERVATIONS

None received.

INTRODUCTION

The application seeks planning permission a proposed verandah to the side elevation and alterations to existing doors and window openings.

RELEVANT PLANNING HISTORY

09/03227/FUL - Demolition of existing outbuildings and construction of rear extension. Renewal of existing consent 06/02584/FUL Permission

SITE AND SURROUNDINGS

The application property is a detached chalet bungalow located at the at the north end of Cleavers Lane. The dwelling is constructed from brick with black painted timber on the gable ends and dormers, clay roof tiles and white timber fenestration. The dwelling has a detached garage to the front of the dwelling.

The locality is characterised by agricultural land surrounding the property with the farmhouse and buildings located to the east.

The site is located within the countryside and High Weald Area of Outstanding Natural Beauty.

APPLICATION DETAILS

The application seeks planning permission for a open verandah on the south side of the dwelling. The verandah would have a length and depth of 9.50 and 3.10 metres. The proposal would have a lean-to roof with an eaves height of 2.10 metres and an overall height of 2.90 metres. A window serving the utility room is to be replaced with a door on the south side elevations. The materials used will match the existing dwelling.

On the west elevation the existing 2 no double doors are to be relaced with sliding doors with a width of 5.90 metres. These doors will be dark grey aluminium.

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 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 the countryside
DP16 - High Weald Area of Outstanding Natural Beauty
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.

Ansty and Staplefield Neighbourhood Plan (made February 2017)

Relevant policies:

AS3 - High Weald Area of Outstanding Natural Beauty

Other Legislation

Countryside and Rights of Way Act (CRoW) 2000

Other Material Considerations

Mid Sussex District Plan 2021-2039 Consultation Draft

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 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:

DPS1 - Climate Change
DPS2 - Sustainable Design and Construction
DPC1 - Protection and Enhancement of the Countryside
DPC4 - High Weald Area of Outstanding Natural Beauty
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.

Paragraphs 8, 11, 131 and 135 are considered to be relevant.

ASSESSMENT

It is considered that the main issues that need to be considered in the determination of this application are as follows;

- Design and Impact on character of area
- Impact on the High Weald AONB
- Impact on neighbouring properties
- Biodiversity Net Gain

Design and Impact on character of area

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.'*

Policy DP26 of the Mid Sussex 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;*
 - *protects valued townscapes and the separate identity and character of towns and villages;*
 - *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 DP27);*
 - *creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
 - *incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
 - *positively addresses sustainability considerations in the layout and the building design;*
 - *take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- optimises the potential of the site to accommodate development.'*

Principle DG49 of the Mid Sussex Design Guide in part states: *'Extensions should respond to the design of the original dwelling and applicants will be expected to demonstrate how local character has informed the design proposal. Extensions should also normally be designed to be well-integrated with the existing scale, form and massing allowing the original building to remain the dominant element of the property whether it has one or several additions.'*

Principle DG50 relates to front and side extensions and in part states that:

'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 side verandah and alterations are considered to be of a design, form and scale that is acceptable to the character and appearance of the dwelling and the area. The works would be partially visible from the lane, however they would be constructed from materials to match the existing dwelling. The proposed sliding doors along the rear elevation would not be of matching materials to the existing fenestration, however this element is to the rear elevation and would not be visible from any public area.

As such, the proposal is considered appropriate in terms of design, form and scale and should not detract from the rural character of the area, thereby according with policies DP12 and DP26 of the Mid Sussex District Plan.

Impact on AONB

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.'

Mid Sussex District Plan policy DP16 states:

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;

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

Small scale proposals which support the economy and social well-being of the AONB that are compatible with the conservation and enhancement of natural beauty will be supported.

Development on land that contributes to the setting of the AONB will only be permitted where it does not detract from the visual qualities and essential characteristics of the AONB, and in particular'

Policy AS3 of the Ansty and Staplefield Neighbourhood Plan states:

'Development proposals within the High Weald Area of Outstanding Natural Beauty in the neighbourhood plan area (as shown on the Proposals Map) must demonstrate how they address the requirements of the NPPF, policies of the Mid Sussex Local Plan 2004 or the District Plan once it is adopted;

- o conserve and enhance the natural beauty of the AONB area; and*
- o demonstrate how they meet the objectives of the High Weald AONB Management Plan; and*
- o for major development, proposals must include an assessment of:*
 - a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
 - b) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and*
 - c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.'*

The proposed works are of an acceptable scale and design and would be partially viable from the lane. It is not considered the proposal would appear obtrusive within the locality as to detract from the wider landscape of the AONB, which would be conserved by the proposal.

The proposal is deemed to comply with Policy DP16 of the District Plan, Policy AS3 of the Ansty and Staplefield Neighbourhood Plan, The High Weald Management Plan and Para 189 of the NPPF.

Impact on neighbouring properties

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);'

Owing to the rural character of the application site, combined with the distance to neighbouring dwellings and the fact that the proposed works are at ground level facing into the application property garden, it can reasonably be concluded that the proposal would not result in significant harm to neighbouring amenities in terms of overlooking, loss of privacy, reduction in sunlight and daylight and a loss of outlook. Therefore, the proposal is deemed to comply with policy DP26 of the 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.

PLANNING BALANCE AND CONCLUSION

In conclusion, the proposal is considered to be appropriate in terms of design, size and scale to the dwellinghouse and locality, would not cause significant harm to the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policies DP12, DP16 and DP26, policy AS3 of the Ansty and Staplefield Neighbourhood Plan and with the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Peter Davies