

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0588	Case Officer:	Peter Davies
Application Type:	Householder Application		
Proposal:	New single storey front porch extension comprising extension of existing entrance hall and relocation of existing front door. Alterations of paved driveway and footpath to incorporate access past new extension.		
Site:	7 Bylanes Crescent, Cuckfield, Haywards Heath, West Sussex, RH17 5HA, , ,		
Validation Date	7 Mar 2025	Overall Expiry Date:	2 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	1 May 2025
Target Date:	2 May 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:	1 May 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0588

**7 Bylanes Crescent, Cuckfield, Haywards Heath, West Sussex, RH17 5HA, ,
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Jon Graham

REPRESENTATION RECEIVED

None received.

SUMMARY OF CONSULTEES

Southern Water

Following the weekly list sent on 17th March 2025, Southern Water has determined that the flow rate for the above site will remain consistent, so capacity is not an issue and no Southern Water assets will be affected. Therefore, Southern Water has no objections to this proposal.

Please note surface water should not be disposed of into a public foul sewer and must comply with the Hierarchy of H3 of the Building Regulations. For more details, refer to the Drainage and Waste Disposal: Approved Document H on the GOV.UK website.

Any new connections to the public sewerage system will require a New Sewer Connection application (also known as a Section 106) to be submitted and approved by Southern Water. Due to legislative changes effective from 1st October 2011 regarding the ownership of sewers, it is possible that some previously private sewers, now deemed public, could be crossing the above property and may not be shown on Southern Water records. Therefore, if any additional sewers are discovered during construction, an investigation will be required to determine their condition, the number of properties served, and potential access methods before any further work can proceed on site.

PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

The application seeks planning permission for a single storey front porch with alterations to driveway and path to incorporate access to the porch.

RELEVANT PLANNING HISTORY

No relevant history.

SITE AND SURROUNDINGS

The application property is a detached two-storey dwelling located on the north side of Bylanes Crescent, within the built-up area boundary of Cuckfield.

The application property has a pitched roof and is constructed from brick with horizontal white uPVC cladding at first floor and white uPVC fenestration. The dwelling is set back from the highway with off street parking and garden to the front. The locality is characterised by detached dwellings of a similar design and form with a variety of materials.

APPLICATION DETAILS

The application seeks planning permission for a porch on the south side of the dwelling with a width and depth of approximately 3.20 metres and 1.70 metres. the porch will have a pitched roof with an eaves height of 2.50 metres and an overall height of 3.40 metres. The porch will be constructed from brick with white uPVC fenestration to match the existing dwelling.

The path is to be widened by 0.60 metres to allow the path to access the side of the property using brick paving to match the existing.

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:

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.

Cuckfield Neighbourhood Plan (made 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 Material Considerations

Mid Sussex District Plan 2021-2039 Consultation 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 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
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)

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

National Planning Policy Guidance

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
- Impact on neighbouring properties
- Other matters
- Biodiversity Net Gain

Design and Character

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.'*

Policy CNP1 of the Cuckfield neighbourhood Plan 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.'*

Principle DG49 of the Mid Sussex Design Guide states:

'Extensions should typically use simple, uncomplicated building forms to compliment and coordinate with the scale, form and massing of the original dwelling. The design approach may benefit from coordinating with the existing pattern of window and door openings as well as employing facing materials to match those of the existing dwelling. Otherwise it should demonstrate the appropriateness of the alternative approach.'

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

'Front extensions are more likely to be acceptable where the building line is staggered or where the dwelling is set well back from the road. They are less likely to be acceptable in streets with a strong consistent building form as they risk disrupting the underlying order.'

Where front extensions are considered acceptable, they should normally be limited to a modest single storey or porch-type extension that reflect the character of the existing property.'

The proposed porch extension is considered to be of a design, form and scale which would be proportionate and appropriate to the existing dwelling and the character of the area. The proposed materials will be matching to the existing dwelling. The proposal therefore considered to comply with policy DP26 of the District Plan and policy CNP1 of the Cuckfield Neighbourhood Plan.

Impact on neighbouring properties

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.

In terms of neighbouring amenities Policy CNP10 of the Cuckfield Neighbourhood Plan states that proposals should "safeguard" adjoining neighbours amenity in terms of privacy, daylight, sunlight and outlook whereas policy DP26 of the Mid Sussex District Plan 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. Consequently, policy DP26 of the Mid Sussex District Plan 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.

The proposed porch is single storey and to the front overlooking onto the front garden of the application property and the street scene. The proposal will therefore not cause significant harm to neighbouring properties and complies with policy DP26 of the Mid Sussex District Plan.

Other Matters

Southern Water have provided comments on the proposal and state surface water should not be disposed of into a public foul sewer and that any new connection would require a new sewer connection application to be submitted and approved by Southern Water.

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 acceptable in terms of design, size and scale to the dwellinghouse and would not cause significant harm the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policy DP26, policies CNP1 and CNP10 of the Cuckfield 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