

## Delegated Decision

### Sign off Sheet

|                                              |                                                                                                                                                                                        |                                        |              |
|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|--------------|
| <b>Ref. No:</b>                              | DM/26/1198                                                                                                                                                                             | <b>Case Officer:</b>                   | Peter Davies |
| <b>Application Type:</b>                     | Householder Application                                                                                                                                                                |                                        |              |
| <b>Proposal:</b>                             | Conversion of existing garage to habitable space, with some internal reconfiguration at ground floor and new bi-fold doors to rear. Erection of boundary fence to north front of site. |                                        |              |
| <b>Site:</b>                                 | 50 Chapelfields, Cuckfield, Haywards Heath, West Sussex, RH17 5JR, , ,                                                                                                                 |                                        |              |
| <b>Validation Date</b>                       | 13 May 2026                                                                                                                                                                            | <b>Overall Expiry Date:</b>            | 9 Jul 2026   |
| <b>Pre-Commencement Conditions Required:</b> |                                                                                                                                                                                        | <b>Pre-Com Conditions Date Agreed:</b> |              |
| <b>Recommendation:</b>                       | Permission                                                                                                                                                                             | <b>Recommendation Date:</b>            | 15 Jul 2026  |
| <b>Target Date:</b>                          | 8 Jul 2026                                                                                                                                                                             | <b>Recommending Officer Signature:</b> | Peter Davies |

|                                                        |  |                               |   |
|--------------------------------------------------------|--|-------------------------------|---|
| <b>Date Legal Agreement Completed: (if applicable)</b> |  | <b>No of Representations:</b> | 0 |
|--------------------------------------------------------|--|-------------------------------|---|

|                              |             |              |             |
|------------------------------|-------------|--------------|-------------|
| <b>Signed and Agreed By:</b> | Steven King | <b>Date:</b> | 15 Jul 2026 |
| <b>Comments:</b>             |             |              |             |

## **MID SUSSEX DISTRICT COUNCIL**

**DM/26/1198**

**50 Chapelfields, Cuckfield, Haywards Heath, West Sussex, RH17 5JR, ,  
Conversion of existing garage to habitable space, with some internal reconfiguration at ground floor and new bi-fold doors to rear. Erection of boundary fence to north front of site.  
Mr Christopher Husband**

### **REPRESENTATION RECEIVED**

None received.

### **PARISH COUNCIL OBSERVATIONS**

No objection.

### **INTRODUCTION**

The application seeks planning permission for the conversion of the garage into habitable space, internal works, bi fold doors on the rear elevations and erection of a fence along the side of the driveway.

### **RELEVANT PLANNING HISTORY**

No relevant history.

### **SITE AND SURROUNDINGS**

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

The application property has a pitched roof and is constructed from brick with dark roof tiles and white uPVC fenestration. The dwelling is set back from the highway with off street parking and soft landscaping to the front. The locality is characterised by dwellings of varying scale, form and design. To the west of the site is an open grass area.

### **APPLICATION DETAILS**

The application seeks planning permission for the conversion of the garage into a habitable room with the front to be bricked up using brick to match the existing and a white uPVC window to be installed.

Along the northern side boundary alongside the driveway a fence is to be installed. The fence will be a close boarded fence with a height of 1.5 metres and extending 1.90 metres beyond the front of the garage. Extending a further 3.60 metres with a height of 1.20 metres is a wooden picket fence.

On the rear (east) elevation the existing doors and windows are to be replaced with aluminium bifold doors. Internally the ground floor will be opened up to create an open plan lounge, dining and kitchen area.

Amended plans were received to change part of the fence from close board to picket fencing.

### **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:

DP21 - Transport

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 policy:

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**

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 the 19th 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:

DPS2 - Sustainable Design and Construction

DPB1 - Character and Design

DPT4 - Parking and Electric Vehicle Charging Infrastructure

### ***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
- Impact on parking provision
- 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.'*

A similar ethos is found within the Mid Sussex Design Guide SPD.

The proposal would result the garage door being bricked up and a window installed with no enlargement to the footprint. The works would be visible from the street scene however would be using appropriate materials to match the existing dwelling. Additionally the neighbouring no. 52 Chapelfield to the north has had a similar garage conversion approved in application DM/18/0246.

The proposed fence to the front is of an acceptable height and design to the character of the area. Close board fencing and picket fencing is found within the street scene including at the neighbouring no. 52.

The proposal is therefore considered to address the character of the existing dwelling and the surrounding area, and as such the proposal is deemed to comply with policy DP26 of the District Plan.

### **Impact on Neighbouring Properties**

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 garage conversion would result in a window at ground floor level facing onto the street scene. To the rear the windows and doors are to be replaced with bifold doors and face into the application property rear garden. The proposed fence is to the front of the property and of a modest height so as not to cause significant harm to neighbour amenity areas.

Therefore, the proposal is not considered to cause significant harm to neighbouring amenities and complies with the above-mentioned part of Policy DP26 of the Mid Sussex District Plan and policy CNP10 of the Cuckfield Neighbourhood Plan.

### **Impact on parking provision**

Policy DP21 in part states:

*'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;'*

West Sussex County Council Parking Standards Guidance (2020) outlines the County Council's approach to parking at new developments to ensure that sufficient parking is provided to meet the needs of the development while maintaining highway network operations, protecting surrounding communities and pursuing opportunities to encourage use of sustainable modes of transport.

The property currently has 3 bedrooms and 1 space on the driveway and 1 space in the garage.

West Sussex County Council Parking Standards Guidance (2020) outlines that for a 3-bedroom dwelling in this location that 2.2 parking spaces should be provided. The property would maintain 1 space on the driveway. Whilst the proposal would result in less than the required parking by the parking guidance,

there are no on street parking restrictions and there is no restrictive condition preventing the garage from being converted as permitted development. Neighbouring no. 52 Chapelfields is also a 3 bedroom dwelling with 1 space following a garage conversion in application DM/18/0246. It is therefore considered that, in this instance, the proposal would be acceptable in terms of highways impact.

Therefore, the proposal is deemed to comply with policy DP21 of the Mid Sussex District Plan and the WSCC Parking Standards Guidance.

### **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, scale and form to the dwellinghouse and would not cause significant harm the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policies DP21 and 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