

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2945	Case Officer:	Katherine Williams
Application Type:	Householder Application		
Proposal:	Single storey side/rear wraparound extension with new roof windows, part garage conversion into habitable space with new roof windows, new fully enclosed porch to replace existing open sided porch, internal reconfiguration at ground floor level.		
Site:	15 Mytten Close, Cuckfield, Haywards Heath, West Sussex, RH17 5LN, , ,		
Validation Date	2 Dec 2024	Overall Expiry Date:	27 Dec 2024
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	5 Feb 2025
Target Date:	27 Jan 2025	Recommending Officer Signature:	Katherine Williams

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	5 Feb 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2945

**15 Mytten Close, Cuckfield, Haywards Heath, West Sussex, RH17 5LN, ,
Single storey side/rear wraparound extension with new roof windows, part garage conversion into habitable space with new roof windows, new fully enclosed porch to replace existing open sided porch, internal reconfiguration at ground floor level.
Ms Alneka Butkovicova**

SUMMARY OF REPRESENTATIONS

A letter of representation has been received from No. 9 Mytten Close who request a condition that no building materials are put on the wildflower verge or pavement in front of the neighbouring property to protect the planting and stop cocks for the property.

Given the scale of the proposal, it is not considered reasonable or necessary to condition this matter.

SUMMARY OF CONSULTEES

None received

PARISH COUNCIL OBSERVATIONS

No objection

INTRODUCTION

The application seeks planning permission for single storey side/rear wraparound extension with new roof windows, part garage conversion into habitable space with new roof windows, new fully enclosed porch to replace existing open sided porch, internal reconfiguration at ground floor level.

RELEVANT PLANNING HISTORY

DM/20/0720 - (Amended description 18/03/2020, amended plans 16.04.2020) Partial demolition and first floor extension, two storey side extension, ground floor orangery extension, loft conversion including 2 No. dormer windows, demolish and rebuild garage with extension to the rear and pitched roof, replacement front porch canopy, and associated alterations. Granted
01/00056/FUL - Demolish precast concrete double garage and build replacement using facing bricks to match house. Granted
CU/023/92 - General internal alternations, new front porch and two storey rear extension. Granted
CU/161/77 - Conversion of integral garage to study and new garage. Granted

SITE AND SURROUNDINGS

The application property is a large two storey detached dwelling located on the north-western corner of Mytten Close, a cul-de-sac within the built up area of Cuckfield. The locality is characterised by large, detached dwellings of varying forms and designs set back from the highway at differing orientations with mature planting and low front boundary walls. This gives the locality an informal suburban character.

The property is located within a prominent corner plot which has a higher ground level than the highway. The side boundary of the property consists of a mature boundary hedge, however due to the position of the property, the rear is visible from the highway. The dwellinghouse has a pitched roof form with gable and catslide elements, the dwelling also has a large attached garage with a flat roof which extends along the northern boundary of the property. The dwelling is constructed in white painted brick with portions of hanging tiles on the first floor, plain roof tiles and white fenestration.

APPLICATION DETAILS

The proposed single storey side and rear extension would be located to the southern side of the dwelling and would have an overall height of some 5.3 metres including extending beyond the furthest side elevation by approximately 1.5 metres. The extension would extend to be flush with the front and furthest rear elevations of the dwelling. The extension would have a flat roof with an overall height of some 3.1

metres. This extension would be constructed in materials to match the existing dwelling with VMZinc pigmento brown roof verge.

The proposed garage conversion would retain the existing garage door as a front store. The rest of the garage would become the kitchen for the property with alterations to the side and rear fenestration with new rooflights. The roof of the garage would be increased in height to approximately 3 metres with VMZinc pigmento brown roof verge, to match the proposed extension.

The proposed replacement porch would have a width and depth of some 2.9 metres and 1.6 metres, with a lean to roof with an overall height and eaves height of approximately 3.5 metres and 2.4 metres.

The proposed plans also include the replacement of the front ground floor bay window with a casement window to match the existing property.

The proposal previously included a side dormer window which was removed following concerns raised by the case officer.

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 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 October 2014)

CNP1 - Design of new development and conservation

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 stage 1

hearings were concluded on the 31st October 2024. There are unresolved objections to the majority of 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
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)

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.'*

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.'*

Policy CNP10 of the neighbourhood plan states:

'Building extension will be permitted where it meets the following criteria:

- a) The scale, height and form fit unobtrusively with the existing building and the character of the street scene.*
- b) Spacing between buildings would respect the character of the street scene.*
- c) Gaps which provide views out of the village to surrounding countryside are maintained.*
- d) Materials are compatible with the materials of the existing building.*
- e) The traditional boundary treatment of an area is retained and, where feasible, reinforced and*
- f) The privacy, daylight, sunlight and outlook of adjoining residents are safeguarded.'*

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 side extensions and states: *'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.'*

Principle DG50 also relates to front extensions and states: *'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.'*

Principle DG51 specifically relates to rear extensions and states that *'rear extensions which are not visible from the street and do not negatively impact on neighbouring properties can be expressed in many forms, including by adopting a contemporary architectural approach. With reference to DG49, they should nevertheless have consideration for the character of the existing building and the relationship of the extension with the side boundaries and adjacent buildings and gardens.'*

The proposed extensions and alterations would be of forms and designs which are in proportion and appropriate to the character of the existing dwelling. The extensions and alterations would be visible from the streetscene, however, given the varying design and forms of the surrounding dwellings it is

considered that the proposal would be in keeping with the character of the area and would not have a negative impact on the character of the streetscene. It is therefore considered that the proposal would not have a detrimental impact on the character of the property or the locality.

Impact on neighbouring properties

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 of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29);'*

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.

To the northern side is Oakland, a large detached bungalow. The proposed extensions would be located some 9 metres from this neighbouring property. This is a sufficient distance to ensure that it would not cause significant harm to the amenities of this neighbouring property. The level of the land to the rear of the dwellings increases with a 2 metre boundary fence in between. The conversion of the existing garage and associated alterations to the roof would be adjacent to the boundary between the properties. The increase to the existing roof would be approximately 0.3 metres and would be seen within the existing form of the projection. It is therefore considered that the proposal would not cause significant harm to the amenities of this neighbour.

The other neighbouring properties are located at least 20 metres from the application dwelling which is considered to be a significant distance to ensure that the proposal would not cause harm to the amenities of these neighbours.

Impact on parking provision

West Sussex County Council September 2020 Parking Standards Guidance, outlines that for a 3 bedroom dwelling in this location 2.2 parking spaces should be provided.

The proposed conversion of the garage would result in a loss of the existing garage and 1 No. parking space. The existing driveway has sufficient space for at least 3 No. vehicles with no on street parking restrictions. It is considered that the proposal would maintain parking spaces that exceeds the parking requirements set out within the WSCC Guidance. It is therefore considered that the proposed loss of parking provision is acceptable.

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.

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 the amenities of neighbouring properties and acceptable in terms of parking provision. Therefore, the proposal complies with Mid Sussex District Plan policies DP21 and DP26 and 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: Katherine Williams