

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1316	Case Officer:	Katherine Williams
Application Type:	Householder Application		
Proposal:	Proposed detached double garage.		
Site:	Birch House, Courtmead Road, Cuckfield, Haywards Heath, West Sussex, RH17 5LR, ,		
Validation Date	28 Nov 2025	Overall Expiry Date:	2 Jan 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	19 Jan 2026
Target Date:	23 Jan 2026	Recommending Officer Signature:	Katherine Williams

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	Joanne Fisher	Date:	20 Jan 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1316

**Birch House, Courtmead Road, Cuckfield, Haywards Heath, West Sussex, RH17 5LR,
Proposed detached double garage.**

Mr D McLeod

SUMMARY OF REPRESENTATIONS

A letter of representation has been received from The Orchard, Broad Street who request plans of the proposal. All proposed plans are included on the file which can be viewed online through the Council's website.

SUMMARY OF CONSULTEES

Conservation Officer - No objection following alterations, recommends conditions

Tree Officer - No objection, subject to condition

Nature Space - No comment

Southern Water - No objection, request application for any new connections to the public sewerage system

PARISH COUNCIL OBSERVATIONS

12.12.2025: No further comments were made. Committee was pleased to note that the homeowner had taken the time to obtain a tree report.

06.06.2025: No objection

INTRODUCTION

The application seeks planning permission for a detached double garage

RELEVANT PLANNING HISTORY

CU/031/91 - Demolition of existing outbuildings and workshop reconstruction of outbuildings and workshop. Granted.

CU/032/91 - Demolition of existing outbuildings and workshop reconstruction of the outbuildings and workshop. Granted.

CU/043/93 - Make changes to north elevation, remove chimney stack and partially rebuild second stack. Granted.

CU/044/93 - Demolition of brick chimney stack within a conservation area. Granted.

DM/20/1015 - Two storey side extension to incorporate new living and master bed/en-suite/dressing area. Conversion of existing store to form games room and first floor study including insertion of new Velux rooflights. Single storey ground floor and infill extensions and new entrance gates including lighting to top of brick piers. Withdrawn.

DM/20/3837 - Conversion of existing store to form games room and first floor study including insertion of new Velux rooflights. Single storey infill of current open space between store / study / utility Internal alterations. Granted.

DM/25/1314 - First floor existing former garage extension and ground floor link extension. Granted

SITE AND SURROUNDINGS

The application property is a detached two storey dwelling located on the northern side of Courtmead Road, with Broad Street to the north, within the Conservation Area and built-up area of Cuckfield.

The locality is characterised by large, detached dwellings of differing designs and forms, with off street parking and soft landscaping. The properties are set back from the highway with wide verges, which also includes a public footpath that runs parallel with the road. Many of the properties are partly screened from the highway by mature front boundary hedging which contributes to the verdant character of the area. Many of the dwellinghouses have also benefited from extensions and alterations.

The dwellinghouse has a pitched gable roof form with front and rear gable projections and a converted garage building to the rear. The driveway for the property extends along the western side of the dwelling and leads to a rear parking area which separates the dwelling from the rear garden.

The dwelling is constructed in brick, hanging tiles, interlocking roof tiles and black timber fenestration.

APPLICATION DETAILS

The proposal relates to the erection of a double garage to the rear of the property off the existing parking area. The garage would have a width and depth of 6.21 metres and 6.33 metres with a pitched roof with an eaves height of 2.35 metres and an overall height of some 5.2 metres. The proposed building would be constructed in plain roof tiles and brick to match the existing dwelling, with UPVC fascias and barge boards with timber doors.

When originally submitted, the garage was positioned along the western boundary of the property, however following concerns raised regarding the impact on adjacent trees the building was relocated and a Tree Report submitted. The garage is now proposed to be located centrally within the curtilage of the property with retaining walls around three sides, in materials to match the existing wall.

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
DP35 - Conservation Area
DP37 - Trees, Woodland and Hedgerows

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
DPN4 - Trees, Woodland and Hedgerows
DPB1 - Character and Design
DPB3 - Conservation Area
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

Cuckfield Conservation Area Appraisal

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 the Conservation Area
- Impact on neighbouring properties
- Impact on the parking provision for the property
- Impact on Trees
- Biodiversity Net Gain

Design and Impact on the Conservation Area

S.72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

'In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

Paras 205, 212-215 of the NPPF state:

'205. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

212. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

213. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

214. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

Mid Sussex District Plan policy DP35 states:

'Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:

- New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials;
- Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character;
- Traditional shop fronts that are a key feature of the conservation area are protected. Any alterations to shopfronts in a conservation area will only be permitted where they do not result in the loss of a traditional shopfront and the new design is sympathetic to the character of the existing building and street scene in which it is located;
- Existing buildings that contribute to the character of the conservation area are protected. Where demolition is permitted, the replacement buildings are of a design that reflects the special characteristics of the area;
- Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;
- New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area.

Development will also protect the setting of the conservation area and in particular views into and out of the area.

New buildings of outstanding or innovative design may be acceptable in conservation areas provided that their impact would not cause material harm to the area.'

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 DG11 of the Mid Sussex Design Guide states: *'Heritage assets and historic landscapes should be celebrated, enhanced and preserved where appropriate, for the enjoyment of existing and future residents. Where appropriate and providing it does not cause harm to the heritage assets or their setting,*

they should be carefully integrated into development proposals as they help to reinforce a sense of place and local identity.

Elsewhere new development should generally reflect the scale of adjacent areas and the settlement context within which it is located to deliver a coherent and consistent urban fabric. There may be potential to introduce a new character / development form and massing:

- On larger urban extensions; this will typically be within the middle of the site and associated with a new neighbourhood centre, spine road or the main open space.*
- In town centre locations defined as coarse grain areas and nearby sites identified on the brownfield sites register.'*

The Council's Conservation Officer has been consulted on the original application and raised concerns regarding the position of the garage in terms of existing landscaping and trees. Following the submission of amended plans to reposition the garage the Conservation Officer has made the following final comments:

'We now have a further proposed site plan and a tree protection plan, with positive comments from the Council's Tree Officer. On this basis I have no objection to the proposed new garage in terms of its scale or location, which I would consider to preserve the character and appearance of the Conservation Area, subject to detail which can be reserve by condition. However, the use of uPVC fascia and barge boards will be unacceptable in this context and should be amended to painted timber.

Subject to the above amendment and further detail to be required by condition, the proposal is considered to preserve the character and appearance of the Conservation Area, meeting the requirements of District Plan Policy DP35 and the relevant paragraphs of the NPPF.

I would recommend the following conditions:

- Details of roofing and facing materials*
- Brickwork to match existing to the house in colour, texture and bonding pattern, and in colour, texture and style of pointing*
- Rainwater goods to be of painted metal*
- Detailed hard and soft landscaping plan, to include elevational details of the proposed new retaining wall, and details of materials to the wall and to any new or altered hard landscaping'*

The proposal would be of a design, scale and materials that is in proportion and appropriate to the character of the dwelling, and these views are shared with the Conservation Officer. The proposed garage would be located to the rear of the dwelling and would not be seen from public views. Given this, it is considered that the proposal is in keeping within the character of area and would have a neutral impact on the special interest of the Conservation Area.

Pre-commencement conditions for further details regarding materials, fenestration and landscaping has been requested by the Conservation Officer. The proposal is to be built in materials to match the existing dwellinghouse, with a new retaining wall and hardstanding to match the existing materials. Given this, and the previous permissions at the property which did not require similar conditions (DM/20/3837 and DM/25/1314) it is not considered reasonable or necessary to include such conditions in this instance.

It is therefore considered that the proposal would comply with policies DP26 and DP35 of the Mid Sussex District Plan and policies CNP1 and CNP10 of the Cuckfield Neighbourhood Plan.

Impact on neighbouring properties

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 western side of the property is The Orchard, the proposal would be some 13 metres from this neighbour. Given the separation distance it is considered that the proposal would not cause harm to the amenities of this neighbour.

On the eastern side is Southways which would be some 32 metres from the proposed garage, due to this separation distance it is considered that the proposal would not cause harm to the amenities of this neighbour.

The proposal would thereby comply with policy DP26 of the District Plan.

Impact on the parking provision for the property

West Sussex County Council September 2020 Parking Standards Guidance, outlines that for a 4-bedroom dwelling in this location 2.7 parking spaces have to be provided.

The proposal would not result in the loss of the existing parking provision as the proposed garage would be located to face onto the existing rear parking area. The proposal along with the existing parking area would provide sufficient parking space for at least 4 No. vehicles. The property would therefore maintain sufficient parking to exceed the minimum parking standards.

Impact on Trees

Mid Sussex District Plan policy DP37 states:

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.'

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and
- prevents damage to root systems and takes account of expected future growth; and
- where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and
- has appropriate protection measures throughout the development process; and
- takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and
- does not sever ecological corridors created by these assets.

Proposals for works to trees will be considered taking into account:

- the condition and health of the trees; and
- the contribution of the trees to the character and visual amenity of the local area; and
- the amenity and nature conservation value of the trees; and
- the extent and impact of the works; and
- any replanting proposals.

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1

basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary.'

The Tree Officer has been consulted on the application and raised no objection subject to a condition to comply with the tree protection measures provided. It is noted that the proposal would result in the removal of 5 No. trees, due to this it is considered necessary to condition replacement trees. It is therefore considered that the proposal would be acceptable in terms of policy DP37 of the Mid Sussex District Plan subject to a condition.

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 Conservation Area, would not cause harm to the amenities of neighbouring properties and acceptable in terms of parking and trees. Therefore, the proposal complies with Mid Sussex District Plan policies DP21, DP26, DP35 and DP37, and policies CNP1 and CNP10 of the Cuckfield Neighbourhood Plan, 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