

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2567	Case Officer:	Stefan Galyas
Application Type:	Householder Application		
Proposal:	Proposed two storey extension to the side of the property.		
Site:	Oaklands North, High Street, Cuckfield, Haywards Heath, West Sussex, RH17 5EL, ,		
Validation Date	9 Oct 2025	Overall Expiry Date:	12 Mar 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	20 Mar 2026
Target Date:	4 Dec 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Joanne Fisher</i>	Date:	23 Mar 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2567

**Oaklands North, High Street, Cuckfield, Haywards Heath, West Sussex, RH17 5EL,
Proposed two storey extension to the side of the property.
Mr Graeme Walker**

SUMMARY OF REPRESENTATIONS

There were no letters of representation received in response to the proposed development.

SUMMARY OF CONSULTEES

Conservation Officer: *'As previously noted, we also have before us a structural report which unfortunately concludes that the retention and repair of the side wing raise significant difficulties, and that its demolition and replacement may be justified in principle.*

I have read and considered the arguments made within the revised Heritage Statement regarding the author's opinions on the level of harm arising from the loss of the side wing and the benefit (as he sees it) of the currently proposed replacement two storey addition. However, I am afraid that I remain of the opinion that the proposal is contentious, and that if the loss of the historic side wing is unavoidable, as would appear to be the case, it should be replaced on a like-for-like basis, re-using existing materials as far as this is possible, in order to minimise the harm caused to the character and appearance of the building and of the Conservation Area. I also remain of the opinion that even when viewed in isolation of the loss of the historic wing, the replacement two storey side extension is unacceptable for the reasons set out in my previous comments of 15th January.

For these reasons, and those set out in my previous comments, it is my opinion that the proposal is contrary to the requirements of District Plan Policy DP35 and to the Council's adopted Design Guide. In terms of the NPPF, I would place the harm caused at around the mid-level of that scale, such that the balancing exercise set out in paragraph 215 of the Framework will apply. In carrying out that exercise, the Council should be mindful of the requirement under paragraph 212 of the Framework that great weight should be given to the conservation of heritage assets, and that under paragraph 213 any harm to a designated heritage asset should require clear and convincing justification.'

Southern Water: No objection.

PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

The application seeks planning permission for the demolition of the existing single storey side wing and for the development of a two storey side extension.

RELEVANT PLANNING HISTORY

There is no recent history of any planning applications relating to the site.

SITE AND SURROUNDINGS

The application relates to Oaklands, a two storey semi-detached residential dwelling set to the western side of the highway. The dwelling is set back from the highway edge by front garden amenity space and a low brick built front boundary wall. Further garden amenity space is contained to the rear and access to the site is provided through a front driveway to the north of the site. The dwelling has been extended and altered over time, including a 19th century side wing and a single storey detached garage outbuilding

both to the north. In terms of external materials, the existing building is composed of stock brick walls, clay roof tiles, painted wood and painted metal windows and painted wood doors.

With regard to policy constraints, the site is located within the Cuckfield Built-Up Area Boundary. The site is also set within the Cuckfield Conservation Area as well as the village wide Article 4 Direction. The adjacent neighbouring property at Vine Cottage is grade II listed.

APPLICATION DETAILS

The proposal would demolish the existing single storey side wing and in its place develop a two storey side extension. The proposed extension would measure at circa 5m in length, 3.9m wide, have an eaves height of 6m and a ridge height of 8.2m. Proposed external materials would comprise stock bricks to the exterior walls, clay roof tiles, painted wood and metal windows and painted wood doors.

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 the 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

DP34: Listed Buildings and Other Heritage Assets

DP35: Conservation Areas

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.

Neighbourhood Plan

Cuckfield Neighbourhood Plan (Made May 2014)

Policy CNP1 - Design of New Development and Conservation

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

DPB1 - Character and Design

DPB2 - Listed Buildings and Other Heritage Assets

DPB3 - Conservation Areas

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)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 2, 8, 11, 39, 48, 131, 135, 139, 189, 207, 208, 209, 212-215, 219 & 220.

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66(1) - Special regard to be had to the preservation of a listed building or its setting.

Section 72(1) - Special attention to be paid to preserving or enhancing the character or appearance of a conservation area.

Cuckfield Conservation Area Appraisal (Adopted January 2007)

West Sussex County Council Revised Guidance for Parking Provision (2018)

ASSESSMENT

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

- Impact on Character, Appearance and Heritage Assets
- Impact on Neighbouring Amenities
- Highways Impact
- Biodiversity Net Gain

Impact on Character, Appearance and Heritage Assets

With regard to the setting of the listed building, DP34 requires:

Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- o A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*
- o Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;*
- o Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- o Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;*
- o Special regard is given to protecting the setting of a listed building;*
- o Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.*

In terms of the impact on the Cuckfield Conservation Area, policy DP35 of the District Plan 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:

- o 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;*
- o 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;*
- o 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;*
- o 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;*
- o Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;*
- o 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."

DP26 of the 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:

- o is of high-quality design and layout and includes appropriate landscaping and greenspace;*
- o 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;*
- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- o protects open spaces, trees and gardens that contribute to the character of the area;*
- o 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'*

Policy CNP1 of the Cuckfield Neighbourhood Plan states that:

'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.*

Paragraph 216 of the NPPF is relevant in this instance, stating that:

'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-

designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

Paragraph 207 of the NPPF requires the applicant to describe the significance of any heritage asset affected. Significance is defined in Annex 2 of the NPPF as *"The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting."* The applicant has provided a Heritage Statement in support of the application which assesses the proposals impact on the relevant heritage assets. Therefore, this requirement of the NPPF is considered to have been met.

Paragraph 208 of the NPPF requires the Local Planning Authority to identify and assess the particular significance of any heritage asset that may be affected and take this into account when considering the impact of a proposal.

Given the sites location within the Cuckfield Conservation Area and the sites location nearby to the grade II listed buildings to the north, the Council's Conservation Officer has been consulted.

Paragraphs 212 - 215 of the NPPF states:

"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.

The below assessment is made whilst being mindful of this guidance and having regard to the statutory duty of the Council, as the Local Planning Authority, to have special regard to the desirability of preserving the listed building or its setting in accordance with the requirements of Section 66(1) and to pay special attention to the desirability of preserving or enhancing the character or appearance of that area in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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 of the Mid Sussex Design Guide elaborates further on what constitutes 'good design' in relation to side extensions:

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.

In response to the proposal, the Conservation Officer commented that the existing side wing to the dwelling's changing function from a small business, workshop and educational use enhances the positive contribution made by Oaklands North towards the character and appearance of the Conservation Area.

A structural report has been submitted in support of the application which concludes that the retention and repair of the side wing would raise significant issues. Accordingly, it was agreed by the Conservation Officer that the side wings demolition and replacement may be justified in principle in this regard. The Conservation Officer also noted in an earlier response that should demolition be necessary, then a like-for-like replacement should ideally be sought and use existing materials where possible. Alternatively, any new extension in the existing side wings place should make the same or a greater contribution towards the significance of the Conservation Area. These comments from the Conservation Officer are agreed with by the applications Case Officer.

The current proposal would extend the existing dwelling to the side elevation through the addition of a two-storey extension. This would utilise matching materials throughout and would match the existing dwellings ridge height which would continue to slope down into a hipped roof form moving north. It is noted that the neighbouring dwelling to the south at Howdean has previously been extended back in time through a two-storey side extension. The dwelling subject to the current application is considered to be read in conjunction with this adjoining semi.

It is considered that the current proposed extension would be of a substantial width, measuring at circa 3.9m wide. This is considered to be wider than the neighbouring side extension at Howdean which measures at approximately 3m when taken from the gable to the extensions side elevation. Moreover, the neighbouring side extension is considered to display a greater inset from the front projecting gable, thus allowing for the extension to be appreciated as a later addition. It is therefore not considered that the current proposed extension would re-establish the dwellings symmetry with the adjoining semi. Instead, the proposal is considered to be viewed as overlarge and discordant within its immediate setting.

In terms of the proposals impact on the nearby listed buildings adjacent to the north, the Councils Conservation Officer has not identified that the proposal would cause harm towards its setting. This is agreed with by the Case Officer although the proposed extension would likely be read within the listed buildings context when observed looking from the south to the north along the High Street.

Accordingly, the proposed development is considered to inflict less than substantial harm on the character and appearance of the Cuckfield Conservation Area, albeit the level of harm would be set to the mid-level of the scale.

Where the harm would be less than substantial, in terms of the NPPF, the criteria set out in paragraph 215 of that document would apply. This states that '*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.*' This is the balancing exercise that must be undertaken by the decision maker, ensuring that considerable importance and weight is given to the less than substantial harm to the heritage asset that has been identified.

The proposed development may create some local employment during the construction phase, this benefit is considered to attribute limited weight. Whilst the existing side wing shows signs of age, this element was not at risk in use as part of the dwelling. The enhancement to the living accommodation within the building, is a private benefit and does not fall to be considered in the balance. It is not considered that the proposal would lead to any other discernible public benefits. This benefit is not considered to outweigh the harm caused to the Conservation Area, particularly bearing in mind that paragraph 212 of the NPPF attributes great weight to the conservation of a heritage asset and that paragraph 213 would require a clear and convincing justification.

Overall, it is considered that the proposed extension would appear overlarge and discordant within its immediate setting. The proposal would cause less than substantial harm which would not be sufficiently outweighed by public benefits arising from the proposal. Accordingly, the proposal would conflict with the provisions of DP26 and DP35 of the District Plan, Policy CNP1 of the Cuckfield Neighbourhood Plan, Paragraph 215 of the NPPF, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Principles DG49 and DG50 of the Mid Sussex Design Guide.

Impact on Neighbouring Amenities

In terms of impact upon neighbouring amenities, 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 DP29);'*

The proposed development would include a new first floor side (north) elevation window which would face out towards the neighbouring dwelling at Vine Cottage. There is a neighbouring window at Vine Cottage to the side (south) elevation which serves as a secondary bedroom window. This window appears to be unobscured glazed and utilises glazing bar detailing. The proposed first floor bedroom window as part of the proposed extension would be set approximately 9m away from the neighbouring window at Vine Cottage. Furthermore, the proposed window would be set at a higher level than the neighbouring window which is positioned at a one and a half storey height. Accordingly, this separation distance and change in height is considered to mitigate any significant overlooking.

The first floor bedroom window to the neighbouring properties side (south) elevation which would face back towards the proposed side elevation extension. Principle DG47 of the Design Guide states among other matters that all dwellings should benefit from daylight and sunlight levels that conform to BRE (Better Regulation Executive) standards. Further guidance is set out within the "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" document. The "25 degree approach" should be taken whereby a 25 degree line is drawn from the centre of the lowest opposite habitable room. If the neighbouring properties window lies beneath the 25 degrees as measured, then the building will not likely cause a significant reduction in light received to the concerned window. This guidance is taken as a rule of thumb and each planning application is assessed based on its own merits.

When assessed as an estimate against the 25 degree test, the proposed extension would likely pass the test by virtue of its separation distance from the neighbouring dwelling.

Accordingly, the proposal is considered to comply with the provisions of DP26 of the Mid Sussex District Plan in terms of neighbouring amenities.

Highways Impact

Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or residual cumulative impacts on the road network would be severe. Additionally, Policy DP21 of the District Plan requires development proposals to protect the safety of road users and pedestrians.

The proposed development would increase the quantum of bedrooms at the property from two to three. In order to comply with the provisions of the West Sussex Revised Guidance for Parking Provision, an additional allocated parking space would be required and the parking demand would be increased from 2 to 3 spaces.

It is considered that the existing driveway fails to meet the current parking demand and can only demonstrate one space. The existing detached garage is not considered to contribute towards the number of allocated parking spaces as the dimensions would not sufficiently allow for a modern car to park within it. There does not appear to be any parking restrictions such as double yellow lines within the site's immediate locality and whilst the proposal would increase the parking deficit from one to two spaces, this could be accommodated along the roadside within the locality. Accordingly, it is not considered that the lack of allocated parking would warrant a reason for refusal in this instance.

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

It is considered that the proposed two storey side extension would be of a significant size and scale, appearing overlarge and discordant within its immediate setting. The proposal would inflict less than substantial harm towards the Cuckfield Conservation Area through the loss of the side wing and unsympathetic extension. The level of harm is not considered to be outweighed by public benefits in this instance. It is therefore considered that the proposal would fail to accord with the provisions of DP26 and DP35 of the District Plan, Principles DG49 and DG50 of the Mid Sussex Design Guide, Policy CNP1 of the Cuckfield Neighbourhood Plan and Paragraphs 135 and 215 of the National Planning Policy Framework.

Decision: Refusal

Case Officer: Stefan Galyas