

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1668	Case Officer:	Caroline Grist
Application Type:	Householder Application		
Proposal:	The proposed works will involve: removing and rebuilding the knee-high, broken wall. Taking up the existing uneven ground brick surface, and relaying brick surface with existing bricks; and creating small borders the height of two bricks.		
Site:	Kingsleys, High Street, Cuckfield, Haywards Heath, West Sussex, RH17 5EL, ,		
Validation Date	10 Jul 2025	Overall Expiry Date:	15 Aug 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	1 Sep 2025
Target Date:	4 Sep 2025	Recommending Officer Signature:	<i>Caroline Grist</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	1 Sep 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1668

Kingsleys, High Street, Cuckfield, Haywards Heath, West Sussex, RH17 5EL,
The proposed works will involve: removing and rebuilding the knee-high, broken wall. Taking up the existing uneven ground brick surface, and relaying brick surface with existing bricks; and creating small borders the height of two bricks.
Mr Thomas Williams

SUMMARY OF REPRESENTATIONS

No representations have been received in response to this application.

SUMMARY OF CONSULTEES

Conservation Officer

Kingsleys is a Grade II listed early 16th century building located in a prominent position on Cuckfield High Street, within the Conservation Area. The adjacent building to the south, Queen's Hall, is also Grade II listed.

The current proposal is for works to the shallow front garden area to the house, including:

- Demolition and rebuild of the low brick front boundary wall;
- Replacement of the dead box hedging; and
- Lifting and relaying of bricks to the area between the hedgerow and the house; and
- Creation of two brick-edged borders adjacent to the house façade.

These works are not considered contentious, subject to detail, and should enhance the appearance of the frontage of the building. This meets the requirements of District Plan Policies DP34 and DP35 and the relevant paragraphs of the NPPF.

I would recommend the following condition:

New brickwork to match existing in colour, texture and bonding pattern and in colour, texture and style of pointing.

PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

Planning permission is sought to remove and rebuild the knee-high, broken wall; take up the existing uneven ground brick surface, and relaying brick surface with existing bricks; and to create small borders the height of two bricks.

RECENT PLANNING HISTORY

DM/19/1379 - Single-storey rear extension and glazed link. Conversion of outbuilding to provide a Utility Room, WC and Larder. Demolition of modern UPVC conservatory and the construction of a replacement Garden Room. Enlargement of the dormer to the existing first floor. Permission.

DM/19/1385 - Single-storey rear extension and glazed link. Conversion of outbuilding to provide a Utility Room, WC and Larder. Demolition of modern UPVC conservatory and the construction of a replacement Garden Room. Enlargement of the dormer to the existing first floor. Permission.

DM/20/0574 - Amendments to approved scheme DM/19/1379 for a single-storey rear extension and glazed link. Conversion of outbuilding to provide a Utility Room, WC and Larder. Demolition of modern UPVC conservatory and the construction of a replacement Garden Room. Enlargement of the dormer to the existing first floor. Permission.

DM/20/0575 - Amendments to approved scheme DM/19/1385 for a single-storey rear extension and glazed link. Conversion of outbuilding to provide a Utility Room, WC and Larder. Demolition of modern UPVC conservatory and the construction of a replacement Garden Room. Enlargement of the dormer to the existing first floor. Permission.

DM/20/3112 - Proposed construction of a pool house. Permission.

DM/20/3133 - Proposed construction of a pool house. Withdrawn.

SITE AND SURROUNDINGS

Kingsleys is a detached, Grade II listed house facing onto the northern section of the High Street through Cuckfield. The site falls within a designated Conservation Area and within the built-up area of Cuckfield as designated by the Mid Sussex Local Plan and is additionally subject to an Article 4 direction.

The dwelling appears to have a series of later additions, particularly to the rear. A detached outbuilding (which is deemed to be curtilage listed) is set back on the northern side of the dwelling and forms a garage and store for the property with an up and over door opening onto the driveway facing the High Street. This outbuilding has benefitted from a lean to and conservatory extension to the rear within the relatively well screened rear garden.

APPLICATION DETAILS

This application seeks planning permission for works within the front garden of the property. In summary, these comprise:

- Removing and re-building the front boundary wall like for like;
- Taking up and re-laying the brick surface behind the wall;
- Constructing two boarders, two bricks high, adjacent to the house; and
- Replacing the existing hedging.

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, the Cuckfield Neighbourhood Plan and Site Allocations Development Plan Document.

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

DP34 - Listed Buildings and Other Heritage Assets

DP35 - Conservation Areas

Site Allocations Development Plan Document

The Site Allocations DPD 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

The Cuckfield Neighbourhood Plan was made on 1st October 2014.

Relevant policies:

CNP1 - Design of New Development and Conservation

CNP10 - Building Extensions Within and Outside the Built Up Area Boundary

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

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 the 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:

DPS2 - Sustainable Design and Construction

DPS6 - Health and Wellbeing

DPB1 - Character and Design

DPB2 - Listed Buildings and Other Heritage Assets

DPB3 - Conservation Areas

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)

ASSESSMENT

Design and heritage impact

Kingsleys is a Grade II listed building. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states: *'In considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'*.

In relation to listed buildings, policy DP34 of the Mid Sussex District Plan sets out:

'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'.

The property also lies within the Cuckfield Conservation Area. Section 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 conservation preserving or enhancing the character or appearance of that area'.

Policy DP35 of the Mid Sussex District Plan relates to development within Conservation Areas:

'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'.

In terms of design, 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:

- 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 protects valued townscapes and the separate identity and character of towns and villages;*
- 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 (see Policy DP27);*
- o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- o positively addresses sustainability considerations in the layout and the building design;*
- o 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;*
- o optimises the potential of the site to accommodate development'.*

The ethos of this policy is echoed in policy CNP1 of Cuckfield Neighbourhood Plan.

Cuckfield Neighbourhood Plan policy CNP10 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'.*

The Mid Sussex Design Guide SPD seeks to ensure a high standard of design is achieved across the Mid Sussex District.

Kingsleys is a Grade II listed building within the Cuckfield Conservation Area. Planning permission is sought to undertake works within the property frontage, including re-building the boundary wall on a like for like basis, creating two brick borders adjacent to the house and re-laying a brick surface.

The Conservation Officer has commented on the application, noting that the building is situated in a prominent location on Cuckfield High Street that is adjacent to the Grade II listed Queen's Hall. With regards to the proposed works, it is advised that the proposal is not considered to be contentious and, subject to detail, should enhance the appearance of the frontage of the building.

The view of the Conservation Officer is also shared from a design perspective. The existing wall and property frontage, whilst a positive feature, is visibly in need of some repair. The supporting information sets out that the works are to be completed on a like for like basis. As such it is considered that the development would be considered acceptable both in terms of heritage and design.

A condition has been recommended by the Conservation Officer in relation to the new brick work and style of pointing. Given the visibility of the works, to the front of the building, and the historic importance of the building, it is considered necessary and proportionate to include this condition. This is to ensure that the details of the proposal would not have a harmful impact to the significance of the listed building and so that the works respond appropriately to the character of the area.

Impact to neighbouring amenity

Policy 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);'

Due to the height of the proposed walls, it is considered that there would not be a loss of light or outlook to neighbouring properties. As the works would essentially repair the current space, it is considered that neighbours' privacy would not be harmed as a result of the proposal.

Given the domestic nature of the proposal, it would not have a significantly harmful impact in terms of noise, air or light pollution.

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 would accord with the requirements of policies DP26, DP34 and DP35 of the Mid Sussex District Plan and policies 1 and 10 of the Cuckfield Neighbourhood Plan. It is therefore considered acceptable.

Decision: Permission

Case Officer: Caroline Grist