

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0337	Case Officer:	Caroline Grist
Application Type:	Householder Application		
Proposal:	Construction of single storey front porch extension. Partial conversion of attached garage, internal alterations and enlargement of garage apron.		
Site:	Bentleys, 2 Hatchlands, Cuckfield, Haywards Heath, West Sussex, RH17 5LS, ,		
Validation Date	14 Feb 2025	Overall Expiry Date:	11 Mar 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	7 Apr 2025
Target Date:	11 Apr 2025	Recommending Officer Signature:	<i>Caroline Grist</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
--	--	-------------------------------	---

Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	8 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0337

**Bentleys, 2 Hatchlands, Cuckfield, Haywards Heath, West Sussex, RH17 5LS,
Construction of single storey front porch extension. Partial conversion of attached garage,
internal alterations and enlargement of garage apron.**

Mr And Mrs Hough

SUMMARY OF REPRESENTATIONS

No representations have been received in response to this application.

SUMMARY OF CONSULTEES

Southern Water

Southern Water has determined the Flow rate for the above site will remain the same/similar as capacity is not an issue and no southern water assets will be affected. Therefore, Southern water has no objections to this proposal.

Surface water should not involve disposal to a public foul sewer and should be in line with the Hierarchy of H3 of Building Regulations.

Any new connections to the public sewerage system will require a New Sewer Connection application (we sometimes refer to this as a Section 106) to be submitted and approved by Southern Water.

Due to changes in legislation that came in to force on 01 October 2011 regarding the future ownership of sewers it is possible that some previously owned private sewers now deemed to be public could also be crossing the above property which are not shown on the Southern Water records. Therefore, should any other sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and the potential means of access before any further works commence on site.

District Licensing Officer

Thank you for consulting me on the above planning application. The proposed development is not considered to be relevant to the District Licensing Scheme in this case and we consider there would be no likely impact on great crested newts or their habitats. I therefore have no comments to make at this time. If the proposal changes, then please seek further advice from me if necessary.

Tree Officer

I have reviewed the information provided for this application.

I understand that there is a tree in the front of the property that looks like it will need to be removed to facilitate the development. Please could this be confirmed?

If that is the case, then could some further details such as BS5837 Tree Category, Tree Survey detailing species etc. This information will allow me to fully assess the application and be able to provide more informed comments. At this stage, I don't think this proposal requires a full Arboricultural Impact Assessment, rather a few key details.

PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

Planning permission is sought for a single storey front porch extension, the partial conversion of attached garage and the enlargement of garage apron.

RELEVANT PLANNING HISTORY

CU/033/86 - 9 X 4 Bedroomed detached houses, 20 x 2 bedroomed flats and parking, estate roads, drainage, existing house to be demolished. Approved.

DM/24/2732 - Proposed single storey rear extension. Permission.

SITE AND SURROUNDINGS

Bentleys is an east facing, two storey, detached dwelling. It is constructed of red brick, with tile hanging at the first floor level, a plain tile roof and upvc windows. The dwelling is characterised by a first floor, central gable projection, which also creates an open porch area below. It also benefits from an integral garage to the side.

The site is located within the built up area of Cuckfield. Neighbouring dwellings are situated to the north, south and west, whilst the highway is to the east. The dwelling is set back from the highway by a front garden and driveway. Along the rear boundary of the property are trees protected by a Tree Preservation Order (TPO). The application property is situated within the following Character Area, as defined by the Cuckfield Neighbourhood Plan: The High Street and London Lane.

APPLICATION DETAILS

Planning permission is firstly sought to construct a porch to the front of the dwelling, which would infill the current open entrance space. It is to project some 0.75 metres beyond the existing entrance space and would have a width of some 2.9 metres. A hipped roof is proposed that would measure approximately 2.6 metres to the eaves and 3.6 metres to the ridge.

It is also proposed to partially convert the garage to enlarge the existing study and create a W.C.. Externally the garage door is to be reduced in width and window installed. The remaining space is to be infilled.

Both of these works are to be externally finished in materials to match the host dwelling.

The following condition was attached to the permission for this development:

The buildings shall not be occupied until the parking spaces, turning facilities and garages shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking, tuning and garaging of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways'.

Permission is lastly sought to enlarge the garage apron. This would involve widening the existing driveway so that three vehicular parking spaces can be provided.

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

DP37 - Trees, Woodland and Hedgerows

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 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 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:

DPS2 - Sustainable Design and Construction

DPS6 - Health and Wellbeing

DPN4 - Trees, Woodland and Hedgerows

DPB1 - Character and Design

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 impact to neighbouring amenity

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. The application site is within The High Street and London Lane Character Area. The Neighbourhood Plan notes the following in relation to this area:

'Going north from the edge of the Conservation Area, the High Street meets London Lane at the 200 year old Rose and Crown Pub, with its distinctive Wealden hung tiled frontage. This area has seen substantial housing infill of the village's historic larger houses, such as Mytten Close, Hatchlands, Leyton Lea and Ledgers Meadow. The 2008 development at Ashburnham Drive is diagonally opposite the pub and in-filled a gap in the urban area, blocking views from the High Street towards the New England Wood and Adur valley beyond. Glebe Road is a development along London Lane promoted by the council over 50 years ago, where Holy Trinity Primary School and the village doctors' surgery were relocated in the 1990s. The predominantly Victorian Chatfield Road at the southern end was extended in 1992 by 15 houses in The Brambles and has recently (2012) been further extended by an additional 44 houses'.

Cuckfield Neighbourhood Plan policy CNP10 relates to building extensions:

'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 also provides advice for extensions to dwellings. Principle DG49 states that:

'Extensions should respond to the design of the original dwelling and applicants will be expected to demonstrate how local character has informed the design proposal. Extensions should also normally be designed to be well-integrated with the existing scale, form and massing allowing the original building to remain the dominant element of the property whether it has one or several additions'.

Principle DG50 relates specifically to front extensions and states that:

'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'.

The application relates to a small residential development. Whilst dwellings are of the same age and overall character, there is variety in the housing design and some extensions and alterations have been undertaken. Houses remain set back from the highway and share a palette of materials.

Planning permission is firstly sought for porch extension. The dwelling is set back from the highway and the addition would be relatively modest in scale. It is considered that the form and proportions of the extension would reflect the existing building and the use of materials to match would provide a consistent finish. Whilst there is not a similar addition in the streetscene, as noted above, there is not a uniform design across this housing development. Given the appropriateness of the design in relation to the host dwelling it is therefore considered that it would not create an incongruous feature in this area.

With regards to the garage conversion, the area of garage door that is to be replaced would be infilled with bricks and a window that would match the existing building. This element would result in the loss of one off road parking space, however the hardstanding to the front of the dwelling is to be enlarged. Whilst the loss of garden space to the front of the dwelling would be regrettable, it is not to be wholly removed and there are a variety of driveways to the front of surrounding properties. As such it is considered that the proposal would be acceptable in terms of design and the impact to the surrounding area.

In terms of the impact to neighbouring properties, the only enlargement proposed is the porch addition. Given the scale of this addition and the distance to neighbouring dwellings, it is considered that there would not be a loss of light or outlook to surrounding properties. No windows are proposed that would result in any direct overlooking.

Given the nature of the proposed development, there would not be a significant impact in terms of noise, air or light pollution to neighbouring properties.

Impact to trees

Policy DP37 of the Mid Sussex District Plan relates to trees and states in part:

'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:

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

The application has been reviewed by the Tree Officer, who identified that one tree to the front of the dwelling would likely be affected by the proposed development. No details of this tree accompanied the application and these were sought from the agent.

During the course of the application correspondence from the agent stated that the tree is a hawthorn. It is potentially diseased and is to be removed in order to facilitate the development.

Whilst a native species, it is considered that in this instance that this tree would not warrant protection through a Tree Preservation Order (TPO). Whilst its loss would be regrettable, given permission would not be required for its removal, it is considered that this would not be grounds to refuse this application. The proposal would not affect those on the property that are protected by a TPO and a plan has been provided to show how they would be protected during the course of the application.

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 and DP37 of the Mid Sussex District Plan and policies CNP1 and CNP10 of the Cuckfield Neighbourhood Plan. The proposed development is therefore considered acceptable.

Decision: Permission

Case Officer: Caroline Grist