

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0616	Case Officer:	Stuart Malcolm
Application Type:	Householder Application		
Proposal:	Single storey rear and side extension, extended dormer and replacement of all windows.		
Site:	2 Horsgate View, Horsgate Lane, Cuckfield, Haywards Heath, West Sussex, RH17 5AZ, ,		
Validation Date	10 Mar 2025	Overall Expiry Date:	4 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	7 Apr 2025
Target Date:	5 May 2025	Recommending Officer Signature:	<i>Stuart Malcolm</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	8 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0616

**2 Horsgate View, Horsgate Lane, Cuckfield, Haywards Heath, West Sussex, RH17 5AZ,
Single storey rear and side extension, extended dormer and replacement of all windows.
Lauren Lloyd**

SUMMARY OF REPRESENTATIONS

None

SUMMARY OF CONSULTEES

Southern Water: No objections

NatureSpace (Newts): 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

PARISH COUNCIL OBSERVATIONS

No objection

INTRODUCTION

This application (DM/25/0616) seeks planning permission for a single storey rear and side extension, an extended dormer and the replacement of all windows at 2 Horsgate View, Horsgate Lane, Cuckfield.

RELEVANT PLANNING HISTORY

DM/18/2879 - Proposed kitchen porch and first floor side extension over existing - Permission - August 2018

DM/18/2882 - (LDC) Proposed dormer to existing rear roof slope - Lawful development - August 2018

SITE AND SURROUNDINGS

The application site is a two storey semi-detached dwelling located in a residential setting but close to the edge of the village of Cuckfield. Along with it's attached neighbour it occupies a corner location and is orientated to front east.

The two nearest neighbours, and therefore those that are most likely to be affected by the proposals, are the adjoining house at number 1 Horsgate View which is to the south and the neighbour to the west/rear (Tabek 2, Chatfield Road) which is orientated to front south.

In policy terms the site is within the built up area of Cuckfield.

APPLICATION DETAILS

There are to be two ground floor extensions. One is a modest corner infill extension adjacent to the front entrance to create a new study. The other is a rear addition across the full width of the house to create a kitchen extension and is approximately 3 metres in depth.

The existing dormer window in the west facing rear roof slope is to be doubled in width with a new window being inserted within it and this will create an ensuite.

In terms of external appearance, the materials (brickwork and tile hanging) will match the existing house whilst the new rear extension will also employ timber cladding on its north façade.

The windows are also being replaced with the applicant stating this will be with a mixture of timber and upvc to match the existing.

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 Site Allocations Development Plan Document 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 in 2018. The most relevant policy is:

DP26 - Character and Design

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

There are no relevant policies.

Cuckfield Neighbourhood Plan

The Neighbourhood Plan is made so forms part of the development plan. The most relevant policy is:

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

Other Material Considerations

Mid Sussex District Plan 2021 - 2039 - Submission Draft (Regulation 19)

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.

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.

The National Planning Policy Framework is a material consideration. Paragraphs 8, 11, 131 and 135 are considered to be relevant to this application.

ASSESSMENT

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

- Design and character;
- Impact on neighbouring residential amenity; and
- Biodiversity net gain.

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."*

Policy CNP 10 of the Neighbourhood Plan (Building Extensions Within and Outside the Built Up Area Boundary) states that:

"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 DG51 refers specifically to rear extensions and states that:

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

The ground floor extensions are acceptable in design terms and in respect of their scale which ensures that the proposals are in keeping with the both the existing house and the character of the surrounding area. The dormer addition will result in a larger box style dormer across the back of the property which would not normally be encouraged by the local planning authority. However, such an addition is to the rear and will have a limited impact on the public realm whilst it will largely match the existing dormer on the adjoining property and is similar to another two doors away to the west. As such it is difficult to reasonably argue that the dormer will be so out of keeping with the surrounding area that the proposal should be refused. The proposed materials are considered acceptable and will be subject to a condition. Overall, it is considered that the scheme complies with the general design requirements of Policies DP26 and CNP10 and the Council's Design Guide.

In residential amenity terms, the test of development here is whether or not it causes 'significant harm' to neighbouring amenity as per Policy DP26. It is noted that the Cuckfield Neighbourhood Plan, in Policy CNP10, refers to residential amenity being safeguarded. However, 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. The 'significant harm' test of the District Plan adopted in March 2018 is therefore the correct test to apply in this case.

The single storey extensions have a limited impact on the neighbouring properties. There are no rear facing windows in the west elevation of the kitchen extension that would look towards the rear of the neighbour to the west and potentially cause privacy issues. Both ground floor extensions are modest in size and scale and as such will not cause a loss of outlook or a loss of light to any of the neighbouring properties.

The dormer extension has the potential to affect the amenity of the neighbour to the west owing to the orientation and proximity of both houses. The neighbour has a first floor window in its east elevation. As such it will be necessary to impose a condition on the new ensuite window of the dormer extension. This condition will restrict the glazing to be obscured glass and for it to be non-opening unless the parts of the window which can be opened are more than 1.7m above the floor level. This will negate the possibility of overlooking from the new window towards the rear neighbour.

It can be concluded therefore that the proposal will not cause significant harm to neighbouring residential amenity ensuring compliance with Policy DP26.

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 acceptable in respect of its design, with the proposal preserving the character and appearance of the area, and in terms of the impact on neighbouring residential amenity insofar as significant harm cannot be demonstrated. As such the proposal accords with the requirements

of Policy DP26 of the Mid Sussex District Plan, Policy CNP10 of the Cuckfield Neighbourhood Plan, the Mid Sussex Design Guide and the NPPF.

The application therefore accords with the development plan and there are no material planning considerations which indicate an alternative conclusion should be reached.

Planning permission should therefore be granted.

Decision: Permission

Case Officer: Stuart Malcolm