

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1040	Case Officer:	Peter Davies
Application Type:	Householder Application		
Proposal:	Erection of a hexagonal summer house in the south west part of the garden.		
Site:	Rose Cottage, High Street, Cuckfield, Haywards Heath, West Sussex, RH17 5EN, ,		
Validation Date	18 May 2026	Overall Expiry Date:	19 Jun 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	10 Jul 2026
Target Date:	13 Jul 2026	Recommending Officer Signature:	Peter Davies

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	10 Jul 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1040

**Rose Cottage, High Street, Cuckfield, Haywards Heath, West Sussex, RH17 5EN,
Erection of a hexagonal summer house in the south west part of the garden.
Professor James Clark**

REPRESENTATION RECEIVED

None received.

SUMMARY OF CONSULTATIONS

Conservation Officer:

No objection.

PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

The application seeks planning permission for a hexagonal summer house.

RELEVANT PLANNING HISTORY

DM/24/3108 - General repairs and conservation works. External and internal alterations including replacement and alteration of modern windows and minor changes to internal layout. Installation of photovoltaic panels, construction of workshop and covered patio area. Associated landscape works. Permission

DM/24/3110 - General repairs and conservation works. External and internal alterations including replacement and alteration of modern windows and minor changes to internal layout. Installation of photovoltaic panels, construction of workshop and covered patio area. Associated landscape works. Permission

DM/26/1035 - Retrospective application for entrance gates and close boarded timber fence. Pending consideration

DM/26/1036 - Retrospective application for entrance gates and close boarded timber fence. Pending consideration

SITE AND SURROUNDINGS

The application relates to Rose Cottage, a grade II listed property which occupies the southern corner of the junction between London Lane (north) and the B2036 (west). The building is constructed of a brick exterior with a tiled roof in a pitched format. The building is listed under the following description:

House and surgery. Exterior appearance of early C19 altered C20 but said to have a brick dated 1720. Red brick with tiled roof. L-shaped building of 2 storeys with 2 windows and central window space. 16-pane sash windows with cambered heads and gauged brick arches. Central doorcase with flat hood on brackets, semi-circular fanlight, panelled reveals, pilasters and 6-fielded panelled door. 2 sashes to L-wing. Interior contains plain early C19 staircase.

The site is located within the built-up area boundary of Cuckfield and is set nearby a number of other grade II listed buildings such as The Rose and Crown public house to the north.

APPLICATION DETAILS

The application seeks planning permission for a summer house in the rear garden. The outbuilding is to be approximately 0.5 metres from the eastern boundary. The building will be hexagonal and have a maximum width and depth of 3.0 metres. The building will have a hipped polygonal roof form with an eaves height of approximately 1.90 metres and an overall height of 2.50 metres. The building will be constructed from timber with a felt roof.

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 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:

DP26 - Character and Design

DP34 - Listed Buildings and Other Heritage Assets

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 May 2014)

Relevant policy:

Policy CNP1 - Design of New Development and Conservation.

Policy 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 hearings were concluded on the 19th March 2026. The District Plan remains at Examination until the Inspector has published his report, until that time 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

DPB1 - Character and Design

DPB2 - Listed Buildings and Other Heritage Assets

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)

Paragraphs 8, 11, 131 and 135 are considered to be relevant.

National Planning Policy Guidance

ASSESSMENT

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

- Design Character
- Designated Heritage Assets
- Impact on Neighbouring Properties
- Biodiversity Net Gain

Design and Character

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 CNP1 of the Cuckfield neighbourhood Plan 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.'*

The proposed outbuilding is of an acceptable scale, form and design to the character of the dwelling and the locality. The outbuilding would not be visible from the street scene set back within the rear garden. The outbuilding would be constructed from appropriate materials.

The proposal is therefore considered to comply with policy DP26 of the District Plan and policy CNP1 of the Cuckfield Neighbourhood Plan.

Designated Heritage Assets

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.'*

Policy DP34 of the Mid Sussex District Plan relates to listed buildings and states:

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

- 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;*
- 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;*
- Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- 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;*
- Special regard is given to protecting the setting of a listed building;*
- 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 NPPF states that 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.

Paras 210-215 of the NPPF state:

'210. 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.*

211. In considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.

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.'

Comments have been received from the MSDC Conservation officer who has raised no objection. The proposal is a modest structure which given the extent of the garden, will only have limited impact on their openness. The design and materials are broadly sympathetic to the context and is therefore not considered to detract from the setting of the listed building.

As such the works are considered to preserve the special interest of the listed building. The proposal is deemed to comply with policy DP34 of the District Plan and the relevant paragraphs of the NPPF.

Impact on neighbouring properties

In terms of neighbouring amenities Policy CNP10 of the Cuckfield Neighbourhood Plan states that proposals should "safeguard" adjoining neighbours amenity in terms of privacy, daylight, sunlight and outlook whereas policy DP26 of the Mid Sussex District Plan 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. Consequently, policy DP26 of the Mid Sussex District Plan 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.

The proposed outbuilding is located within close proximity to the shared boundary with Woodgates to the east with the shared boundary marked by close board fencing. The structure is of modest height and will face into the application property garden and will therefore not create any additional overlooking into neighbour amenity areas. The proposal will not be located close to any other neighbouring properties and will therefore not result in significant harm.

Therefore, there will be no significant harm to neighbouring amenity areas and complies with policy DP26 of the Mid Sussex District Plan.

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 is considered to be acceptable in terms of design, scale and form to the dwellinghouse and locality and would preserve the special interest of the listed building. It would also not cause significant harm the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policies DP26 and DP34, policies CNP1 and CNP10 of the Cuckfield Neighbourhood Plan and with the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Peter Davies