

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1314	Case Officer:	Katherine Williams
Application Type:	Householder Application		
Proposal:	First floor existing former garage extension and ground floor link extension		
Site:	Birch House, Courtmead Road, Cuckfield, Haywards Heath, West Sussex, RH17 5LR, ,		
Validation Date	23 May 2025	Overall Expiry Date:	27 Jun 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	8 Jul 2025
Target Date:	18 Jul 2025	Recommending Officer Signature:	Katherine Williams

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	9 Jul 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1314

**Birch House, Courtmead Road, Cuckfield, Haywards Heath, West Sussex, RH17 5LR,
First floor existing former garage extension and ground floor link extension
Mr D McLeod**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

Conservation Officer - no objection, recommends conditions

PARISH COUNCIL OBSERVATIONS

No objection

INTRODUCTION

The application seeks planning permission for a first floor existing former garage extension and ground floor link extension.

RELEVANT PLANNING HISTORY

CU/031/91 - Demolition of existing outbuildings and workshop reconstruction of outbuildings and workshop. Granted

CU/032/91 - Demolition of existing outbuildings and workshop, reconstruction of outbuildings and workshop. Granted

DM/20/1015 - Two storey side extension to incorporate new living and master bed/en-suite/dressing area. Conversion of existing store to form games room and first floor study including insertion of new Velux rooflights. Single storey ground floor and infill extensions and new entrance gates including lighting to top of brick piers. Withdrawn

DM/20/3837 - Conversion of existing store to form games room and first floor study including insertion of new Velux rooflights. Single storey infill of current open space between store / study / utility Internal alterations. Granted

SITE AND SURROUNDINGS

The application property is a detached two storey dwelling located on the northern side of Courtmead Road, with Broad Street to the north, within the Conservation Area and built up area of Cuckfield.

The locality is characterised by large, detached dwellings of differing designs and forms, with off street parking and soft landscaping. The properties are set back from the highway with wide verges, which also includes a public footpath that runs parallel with the road. Many of the properties are partly screened from the highway by mature front boundary hedging which contributes to the verdant character of the area. Many of the dwellinghouses have also benefited from extensions and alterations.

The dwellinghouse have a pitched gable roof form with front and rear gable projections and a converted garage building to the rear. The driveway for the property extends along the western side of the dwelling and leads to a rear parking area which separates the dwelling from the rear garden.

The dwelling is constructed in brick, hanging tiles, interlocking roof tiles and black timber fenestration.

APPLICATION DETAILS

The proposed first floor extension would be located above the former double garage; this extension would have a width and depth of 6.1 metres and 6.4 metres. This extension would have a pitched gable roof with an overall height and eaves height of some 6.5 metres and 3.9 metres.

The proposed link extension would create a study between the former garage and main dwellinghouse. The extension would have a width and depth of some 6.2 metres and 2.3 metres. This extension would have a pitched roof with an overall height and eaves height of some 4.8 metre and 2.4 metres.

The proposal would be constructed in materials to match the existing dwelling.

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 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

DP35 - Conservation Area

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 October 2014)

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 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
DPB3 - Conservation Area

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)

National Planning Policy Guidance

Cuckfield Conservation Area Appraisal

ASSESSMENT

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

- Design and Impact on the Conservation Area
- Impact on neighbouring properties
- Biodiversity Net Gain

Design and Impact on the Conservation Area

S.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 preserving or enhancing the character or appearance of that area.'

Paras 205, 212-215 of the NPPF state:

'205. 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.*

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.'

Mid Sussex District Plan policy DP35 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:

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

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."

Cuckfield Neighbourhood Plan policy CNP1 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.'*

Policy CNP10 of the neighbourhood plan 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.'*

Principle DG11 of the Mid Sussex Design Guide states: *'Heritage assets and historic landscapes should be celebrated, enhanced and preserved where appropriate, for the enjoyment of existing and future residents. Where appropriate and providing it does not cause harm to the heritage assets or their setting, they should be carefully integrated into development proposals as they help to reinforce a sense of place and local identity.'*

Elsewhere new development should generally reflect the scale of adjacent areas and the settlement context within which it is located to deliver a coherent and consistent urban fabric. There may be potential to introduce a new character / development form and massing:

- On larger urban extensions; this will typically be within the middle of the site and associated with a new neighbourhood centre, spine road or the main open space.*
- In town centre locations defined as coarse grain areas and nearby sites identified on the brownfield sites register.'*

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 DG51 specifically relates 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 Council's Conservation Officer has been consulted on the application and has provided the following comments:

'Birch House, which is an unlisted detached dwelling set in extensive gardens within the Cuckfield Conservation Area. Although the itself house is relatively modern, and is not of any particular historical or architectural interest, the gardens make a positive contribution to the spacious and verdant character of Courtmead Road, which has a deliberately 'villagey' feel (ref. the Council's adopted character appraisal, Character Area 5 Cuckfield Conservation Area Appraisal)

DM/25/1314: Alteration and extension of an existing link between the house and converted garage, and extension at roof level of the former garage building.

These structures are attached to the north east corner of the house. Although the proposed extensions would result in some increase in height and bulk, in the context of the existing substantial house this is relatively minor, such that the garage and link will remain appropriately subservient to the main building. The impact on the character of the site, including the gardens around the house, and its contribution to the character and appearance of the wider Conservation Area, will be minor and acceptable.

I would however suggest that for clarity, existing and proposed roof plans should be provided, as these do not form part of the application submission and the roof forms are relatively complex.

Subject to these plans, this proposal is therefore considered to meet the requirements of District Plan Policy DP35 and the relevant paragraphs of the NPPF.

I would suggest the following conditions:

- Details of roofing and facing materials.*
- New brickwork to match existing adjacent work in colour, texture and bonding pattern, and colour, texture and style of pointing.*
- Detailed drawings, at an appropriate large scale, including sections and annotated to show materials and finishes of the following:*
 - typical examples of new windows and external doors; and*
 - typical eaves detail to the extensions.*
- New guttering and other external pipework shall be of painted metal.'*

Following these comments, the existing and proposed roof plan was provided.

The proposal would be of a design, scale and materials that is in proportion and appropriate to the character of the dwelling. The proposed extensions would be located to the rear of the dwelling and

would not be seen from public views. Given this, it is considered that the proposal is in keeping within the character of area and would have a neutral impact on the special interest of the Conservation Area.

Pre-commencement conditions for further details regarding materials and fenestration has been requested by the Conservation Officer. The proposal is to be built in materials to match the existing dwelling, the property has previously been granted approval for alterations to the property (DM/20/3837), which did not include any pre-commencement conditions. Given this, it is not considered reasonable or necessary to include such conditions in this instance.

It is therefore considered that the proposal would comply with policies DP26 and DP35 of the Mid Sussex District Plan and policies CNP1 and CNP10 of the Cuckfield Neighbourhood Plan.

Impact on neighbouring properties

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);'*

Policy CNP10 states that proposals should "safeguard" adjoining neighbours amenity whereas policy DP26 of the MSDP 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. As such, policy DP26 of the MSDP 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.

To the western side of the property is The Orchard, the proposal would be some 22 metres from this neighbour. Given the separation distance it is considered that the proposal would not cause harm to the amenities of this neighbour.

On the eastern side is Southways which would be some 22 metres from the proposed extensions, due to this separation distance it is considered that the proposal would not cause harm to the amenities of this neighbour.

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 considered to be appropriate in terms of design, size and scale to the dwellinghouse and Conservation Area, and would not cause harm to the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policies DP26 and DP35, and policies CNP1 and CNP10 of the Cuckfield Neighbourhood Plan, with the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Katherine Williams

