

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0706	Case Officer:	Tanya Leete
Application Type:	Householder Application		
Proposal:	Erection of a garden room		
Site:	36 The Fairway, Hassocks, West Sussex, BN6 9JU, , , ,		
Validation Date	20 Mar 2025	Overall Expiry Date:	15 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	24 Apr 2025
Target Date:	15 May 2025	Recommending Officer Signature:	<i>Tanya Leete</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	25 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0706

**36 The Fairway, Hassocks, West Sussex, BN6 9JU, , ,
Erection of a garden room
Mr Jonathan Shoebridge**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

WSCC NEWT OFFICER

No objection, recommend informative.

TOWN/PARISH COUNCIL OBSERVATIONS

Recommend permission is granted

INTRODUCTION

Planning permission is sought for an erection of a garden room.

RELEVANT PLANNING HISTORY

DM/16/1775 - Comprehensive redevelopment comprising: up to 130 residential units; replacement golf clubhouse; new driving range; new golf holes; new maintenance store; strategic landscaping; and associated drainage and access works. Permission.

DM/18/2616 - Comprehensive redevelopment of the site comprising of 165 residential units (Use Class C3), landscaping, car parking and associated drainage and access works. Permission.

SITE AND SURROUNDINGS

The application relates to a two storey, west facing, semi-detached dwelling. It is constructed of red brick, a plain tile roof and upvc windows. The dwelling is characterised by a canopy porch, which extends across the adjoining property.

The application site is situated within the built-up area of Hassocks. To the north, south, east and west of the site are neighbouring dwellings, whilst the highway is to the west. The dwelling is set back from the highway by a garden area to the front and benefits from a paved drive and a garage to the side.

APPLICATION DETAILS

This application seeks planning permission for a garden room, which will be situated in the southeastern corner of the rear garden. The garden room is to be 3 metres in depth and 3 metres wide, with a height of 2.2 metres to the eaves and an overall height of 2.4 metres. The garden room will be timber cladding with a black EPDM flat rubber roof and a canopy over the doorway, with two upvc windows to the sides and upvc sliding patio door to the front.

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 Hassocks 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

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.

Neighbourhood Plan

Hassocks Neighbourhood Plan

The Hassocks Neighbourhood Plan was formally made on 24th June 2020.

Relevant policies:

Policy 5 - Enabling Zero Carbon

Policy 9 - Character and Design

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.

Relevant policies:

DPS1 - Climate Change

DPS2 - Sustainable Design and Construction

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.

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 8, 11, 131 and 135 are considered to be relevant to this application.

ASSESSMENT

DP26 of the 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."*

A similar ethos is found in policy 9 of the Hassocks Neighbourhood Plan which states:

'Development proposals will be supported where they have regard to the Hassocks Townscape Appraisal, and where their character and design takes account of the following design principles as appropriate to the nature, scale and location of the particular proposal:

- 1. Is of high quality design and layout;*
- 2. Contributes positively to the private and public realm to create a sense of place;*
- 3. Respects the character and scale of the surrounding buildings and landscape;*
- 4. Protects open spaces and gardens that contribute to the character of the area;*
- 5. Protects valued townscapes and the separate identity and character of Hassocks, Keymer and Clayton;*
- 6. Does not cause unacceptable harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight, sunlight and security;*
- 7. Creates safe, accessible and well connected environments;*
- 8. Protects existing landscape features and contributes to the village's Green Infrastructure network;*
- 9. Incorporates the use of local materials which are appropriate to the defined Local Townscape Character Area; and*
- 10. Positively responds to the local vernacular character of the defined Local Townscape Character Area'.*

The proposed garden room is considered to be of a design, form and scale that is acceptable to the existing dwellinghouse. Being sited to the rear of the property, the garden room would have limited visual impact in views from the public realm and is not considered to have a harmful impact upon the

appearance and character of the residential area. The proposal is therefore considered to comply with policy DP26 of the District Plan and policy 9 of the Hassocks Neighbourhood Plan.

Neighbouring Amenities

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 9 of the Hassocks Neighbourhood Plan states that proposals will be supported when it: 'does not cause unacceptable harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight, sunlight and security.'

Policy 9 states that proposals should not "unacceptable harm" amenities of existing nearby residents and future occupants whereas policy DP26 of the MSDP states that development should not cause "significant harm". 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 9 of the Hassocks Neighbourhood Plan is considered to take precedence and therefore the test in this instance is whether the development causes unacceptable harm to neighbouring amenities as outlined above.

The boundaries around the rear garden of the application property are marked by close boarded fencing, the top of the garden room will be visible above the fencing from neighbouring properties. The garden room is single storey and will create no additional overlooking into neighbouring amenity areas and therefore it is considered that no unacceptable harm to the amenities of neighbours will arise from loss of privacy. Furthermore, there will be no overbearing impact or loss of daylight or sunlight.

Therefore, in terms of neighbouring amenities, the proposal complies with policy DP26 of the District Plan and policy 9 of the Hassocks Neighbourhood Plan.

Sustainable Development

Policy 5 of the Hassocks Neighbourhood Plan states:

"Residential development proposals that modify existing buildings (including extensions) should seek to maximise the inclusion of energy-saving measures and renewable energy generation".

Owing to the small-scale nature of the proposal it is not considered to have any impact on the overall sustainability of the dwelling.

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 appropriate in terms of design, size, and scale to the dwellinghouse and locality and would not cause unacceptable harm to the amenities of neighbouring properties. The application is also exempt from the requirement to provide biodiversity net gain. Therefore, the proposal complies with policy DP26 of the Mid Sussex District Plan, policies 5 and 9 of

the Hassocks 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: Tanya Leete