

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0061	Case Officer:	Stefan Galyas
Application Type:	Full Application		
Proposal:	Part retrospective single storey dwelling		
Site:	36 Kings Drive, Hassocks, West Sussex, BN6 8DZ, , , ,		
Validation Date	14 Jan 2026	Overall Expiry Date:	24 Feb 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	3 Mar 2026
Target Date:	11 Mar 2026	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	3 Mar 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0061

36 Kings Drive, Hassocks, West Sussex, BN6 8DZ, , ,
Part retrospective single storey dwelling
Mr Daniel Short

SUMMARY OF REPRESENTATIONS

There were no letters of representation received in response to the proposed development.

SUMMARY OF CONSULTEES

Mid Sussex District Council Drainage: *'We understand the proposed application is for a part retrospective single storey dwelling (Amended description and application form 20.01.2026). The application has gone through an initial review and the information submitted doesn't meet the minimum requirement. As there is an increase in vulnerability at the site, the applicant will need to demonstrate that the proposed development will be safe for the live time of the development and safe access and egress can be provided. A full Flood Risk Assessment is required at this stage of planning. The applicant will need to demonstrate through a measured building survey that the FFL's are 600mm above the 1:100%CC level for all sleeping accommodation and safe access and egress can be provided. We can advise that due to the retrospective nature of the application full detailed drainage design will need to be provided which is based on the finalised/ as built layout and impermeable areas. We would also advise that an 'as built' drainage plan and evidence of this is provided so comparison with the design requirements and the constructed system can be made. Should the required design and the 'as built' differ then retrospective changes may need to be made to the system. Once the required information has been received, we will be able to comment further.'*

West Sussex County Council Highways: *'Based upon the submitted information, the Local Highway Authority does not consider that the proposal for a single one bedroom would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.'*

Mid Sussex District Council Street Naming and Numbering: *' Please can you ensure that the street naming and numbering informative is added to any decision notice granting approval in respect of the planning applications listed below as these applications will require address allocation if approved.'*

TOWN/PARISH COUNCIL OBSERVATIONS

Parish Council: *'Recommend permission is granted, subject to a condition attached that the new dwelling remains part of the original property and cannot be sold off separately.'*

INTRODUCTION

The application seeks part retrospective planning permission for the development of a single storey residential dwelling.

RELEVANT PLANNING HISTORY

DM/24/2689 - Extension and alteration to existing garage, including new pitched roof. Permission 03.10.2025.

SITE AND SURROUNDINGS

The application relates to number 36 Kings Drive, a semi-detached bungalow set within a corner plot as Kings Drive merges into Queens Drive to the east. The dwelling is afforded both front and rear garden amenity space and shares a comparable hipped roof and front bay appearance to the adjoining semi. There is an existing double bay garage outbuilding on site which features brick exterior walls, plain clay roof tiles and black uPVC windows and doors.

There are a number of estate style dwellings set within the site's locality with primarily two storey dwellings fronting the outer ring of the road whilst bungalows which have been extended at loft level are primarily set to the inner ring.

With regard to policy constraints, the site is located within the built-up area boundary for Hassocks.

APPLICATION DETAILS

The development proposal seeks part retrospective planning permission for a single storey dwelling. The building on site as built is not considered to have been built in compliance with the extant permission under DM/24/2689 which showed two garage doors and no bifold opening door or window to the rear (south) elevation.

The proposal would also develop a new closeboard boundary fence to the south of the site as well as a new bin store to the west of the proposed dwelling. The proposed boundary fence is shown to measure at circa 1.6m high when measured from the highest point of the land. The proposed bin store would measure at approximately 1.5m in length, 1m wide and 1.6m high.

As per the proposed elevations, the building measures at approximately 7.2m in length, 7.4m wide, has an eaves height of 2.7m and a ridge height of 3.3m. The proposed dwelling would continue to utilise a part brick exterior, plain clay roof tiles and black uPVC windows and doors.

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.

Specifically Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to application,*
- b) Any local finance considerations, so far as material to the application, and*
- c) Any other material considerations.'*

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy, but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

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.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocations Development Plan Document (DPD) and the 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:

DP4: Housing
DP5: Planning to Meet Future Housing Need
DP6: Settlement Hierarchy
DP17: Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)
DP21: Transport
DP26: Character and Design
DP27: Dwelling Space Standards
DP28: Accessibility
DP29: Noise, Air and Light Pollution
DP39: Sustainable Design and Construction
DP41: Flood Risk and Drainage

Site Allocations DPD

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

Neighbourhood Plan

Hassocks Neighbourhood Plan (Made July 2020)
Policy 4: Managing Surface Water
Policy 5: Enabling Zero Carbon
Policy 9: Character and Design
Policy 14: Residential Development With and Adjoining the Built-Up Area Boundary of Hassocks

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
DPS4 - Flood Risk and Sustainable Drainage
DPN6 - Pollution
DPN7- Noise Impacts
DPB1 - Character and Design
DPT4 - Parking and Electric Vehicle Charging Infrastructure
DPH1 - Housing
DPH3 - Sustainable Development Inside the Built-Up 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)

The National Planning Policy Framework (NPPF) 2024 is a material consideration.
Paragraphs 2, 8, 9, 11, 12, 39, 48, 115-117, 131, 134, 135 & 139

The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective.

Paragraph 12 of the NPPF states '*The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.*'

Paragraph 39 of the NPPF states '*Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.*'

With specific reference to decision-taking paragraph 48 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Guidance

National Design Guide/Code

Published in 2021, the National Design Guide illustrates how the government consider well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice.

Paragraph 134 of the NPPF sets out that this national document, along with the National Model Design Code, should be used to guide decisions on application in the absence of locally design guides or design codes.

Technical Housing Standards - Nationally Described Space Standards (March 2015)

ASSESSMENT

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

- Principle
- Impact on Character and Design
- Impact on Neighbouring Amenities
- Impact on the Future Occupants of the Development
- Flood Risk and Drainage

- Highways and Parking
- Sustainability
- Ashdown Forst
- Biodiversity Net Gain
- Planning Balance and Conclusion

Principle:

Using this as the starting point the development plan in Mid Sussex consists of the adopted District Plan, Site Allocation DPD, and the Haywards Heath Neighbourhood Plan.

As the proposed development is within the built up area of Hassocks, a Category 2 settlement, the principle of additional windfall housing development is acceptable under Policy DP6 of the District Plan which states:

'Development will be permitted within towns and villages with defined built-up area boundaries. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale (with particular regard to DP26: Character and Design), and not cause harm to the character and function of the settlement.'

Policy 14 of the Neighbourhood Plan states that:

'Development proposals for residential development on unidentified sites within the defined built-up area of Hassocks will be supported where proposals:

- 1. Are of an appropriate nature and scale; and*
- 2. Positively respond to the character and function of the area.'*

The principle of developing a single new build dwelling within a defined settlement boundary is considered to be acceptable, owing to the site's sustainable location. It is however also necessary to consider other planning issues in order to determine the overall planning balance.

Impact on Character and Design

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:

- 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 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'*

Policy 9 of the Hassocks Neighbourhood Plans states that:

"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:

- o Is of high quality design and layout;*
- o Contributes positively to the private and public realm to create a sense of place;*

- o *Respects the character and scale of the surrounding buildings and landscape;*
- o *Protects open spaces and gardens that contribute to the character of the area;*
- o *Protects valued townscapes and the separate identity and character of Hassocks, Keymer and Clayton;*
- o *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;*
- o *Creates safe, accessible and well connected environments;*
- o *Protects existing landscape features and contributes to the village's Green Infrastructure network;*
- o *Incorporates the use of local materials which are appropriate to the defined Local Townscape Character Area; and*
- o *Positively responds to the local vernacular character of the defined Local Townscape Character Area."*

In relation to the height and scale of new buildings, Principle DG39 of the Design Guide notes:

'The scale of new buildings should relate to their context (rural or urban), their location within the hierarchy of routes and whether they act as a focal point, landmark or corner building and the topography of a site.'

The National Design Guide (2021) states in Paragraph 44 that:

'to communicate the benefits of a scheme, it is important to explain how the design of a development relates to context and local character.' It adds that 'well-designed places and buildings are influenced positively by:

- o *The history and heritage of the site, its surroundings and the wider area, including cultural influences;*
- o *The significance and setting of heritage assets and any other specific features that merit conserving and enhancing;*
- o *The local vernacular, including historical building typologies such as the terrace, town house, mews, villa or mansion block, the treatment of facades, characteristic materials and details' (Paragraph 46).'*

The proposed dwelling would alter the existing garage outbuilding so that a white painted render would in part be utilised to the exterior walls. It is considered that the most visually prominent change would be to the principal elevation, where a new doorway, windows and entrance canopy would be added. The existing building would not be increased in footprint and the main alterations in design would be to the exterior elevations. The roof form would remain as existing.

It is considered that the existing roof is of a particularly shallow appearance and that the overall height of the outbuilding was key towards the acceptability of the previous permission granted on site under DM/24/2689. This was in order to ensure that the existing outbuilding would not become the predominant building on site in association with the existing bungalow.

When considering the alteration of the existing garage building into a dwelling, it is considered that the low eaves and shallow roof pitch would give rise to an appearance more commonly associated with outbuildings. Although a front doorway, canopy and windows would be added to provide a more domestic appearance, it is considered that this would be at odds with the overall scale and appearance of the building.

There are a number of other bungalows within the streetscene whereby there is some variance in roof forms. However, these nearby bungalows are considered to be of a legible and considerable additional height than that of the proposed dwelling. The site is also considered to be set within a relatively visually prominent corner plot location as the road skirts the sites boundary from north-west to north-east. Accordingly, the proposal would result in a discordant appearance within the context of the streetscene.

Following a Case Officer site visit, it was observed that a new close board boundary fence has been constructed fronting the highway without approval under the previous application. This measures above the 1m restriction under Class A, Part 2 of the General Permitted Development Order and therefore would require permission in its own right. Although there was some existing fencing above a low brick

built wall on site, this was not to the same extent and layout as the new fencing and it therefore does not replace the existing.

It is considered that whilst the fence does cover a substantial stretch of the pavement edge and is set within a visually prominent position, this would not be too dissimilar to the previous fence arrangement on site. Although the proposed fence would cover a greater stretch of the pavement edge to the previous, this would not appear overly incongruous in the locality. Furthermore, the proposed bin store is considered to blend with this fencing nearby the application site.

In light of the above, it is considered that the proposed dwelling would retain the appearance of an outbuilding due to its low eaves and shallow pitch design features. The building would therefore not correspond to its proposed use as a residential dwelling. Furthermore, this would appear discordant with the streetscene which displays bungalows of a more sizeable and substantial design. The proposal would therefore fail to comply with the provisions of DP26 of the District Plan, Policy 9 of the Hassocks Neighbourhood Plan and DG39 of the Mid Sussex Design Guide.

Impact on Neighbouring Amenities

Policy 9 of the Hassocks Neighbourhood Plan states that proposals should not cause 'unacceptable harm' with regard to neighbouring 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 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 proposed building is already built albeit not having been converted to a residential dwelling. As such the findings of DM/24/2689 are considered to be applicable when the proposals impact on the neighbouring property at No.2 Queens Drive is assessed. To this end, the proposal would result in an acceptable impact in terms of the impact on this neighbouring dwelling.

In terms of the proposals impact on No.36, there would be a significantly reduced amount of private garden amenity space. It is considered that the remaining private garden amenity space would not be sufficient to meet the needs of the current and future occupiers. The proposed fence line is shown to end towards the principal elevation of No.36 and the rest of the space to the south would be access for the dwelling.

Accordingly, the proposal is not considered to demonstrate that sufficient private garden amenity space would be retained for the neighbouring dwelling at No.36. It is considered that this reduction would not be sufficient to meet the needs of the current and future occupiers of the neighbouring dwelling. The proposal would therefore fail to meet the provisions of Policy 9 of the Hassocks Neighbourhood Plan and would cause unacceptable harm in this regard.

Impact on the Future Occupiers of the Development

Policy DP27 of the District Plan states that all new residential development should comply with minimum nationally described space standards for internal floor space and storage.

A minimum floor area of 50m² with 1.5m² of built in storage is recommended for a single storey, one bedroom dwelling with two bed spaces. It is noted that the submitted planning statement states under Paragraph 6.40 that the proposal would comprise one double room and one single occupancy. The paragraph then goes on to state that the dwelling would be a one bed, single person one bedroom dwelling and therefore would have to meet a lower floor space requirement. The submitted floor plans however appear to show a double bed space.

The proposed dwelling would measure at approximately 44.92m² of internal floor space with 1m² of built in storage. Moreover, the proposed garden amenity space would measure at approximately 65m². This is not considered to be of a suitable size to provide sufficient private garden amenity space to meet the needs of the current and future occupiers of the application site. The submitted Planning Statement notes that the application site would have a larger garden amenity area than another application for a retrospective change of use from a double garage to a one-bedroom dwelling. This previous determination is considered to attribute limited weight as each application should be determined on its own merits.

The proposal would fail to meet the requirements of the Technical Housing Standards and therefore fail to comply with DP27 of the District Plan.

Flood Risk and Drainage

Policy DP41 of the District Plan notes that:

'Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates.'

Moreover, Policy 4 of the Neighbourhood Plan goes on to state:

'Technical proposals which seek to reduce the risk of surface water flooding will be supported. Development proposals should seek to reduce existing run-off rates in the first instance.'

'Development proposals which incorporate sustainable drainage techniques to manage surface water will be supported. Where technically feasible sustainable drainage techniques should include infiltration measures that reflect natural drainage patterns and manage water as close to its source as possible.'

The Council's Drainage Engineer has been consulted in response to the proposed development. Whilst a Foul Sewage and Surface Water Assessment as well as an Environment Agency Flood Map for Planning has been submitted, the Drainage Engineer requested that a full flood risk assessment is submitted in support of the application. It was commented that the level of information was insufficient and a further survey should show finished floor levels to be 600mm above the 1:100%CC level for sleeping accommodation and for safe access and egress.

The Applicant was then offered the opportunity to address this request for further information. However, no full flood risk assessment was undertaken and the planning application is considered to be supported by insufficient information in this regard. The proposal would therefore fail to demonstrably comply with the provisions of DP41 of the District Plan and Policy 4 of the Neighbourhood Plan.

Highways and Parking

Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or residual cumulative impacts on the road network would be severe. Additionally, Policy DP21 of the District Plan requires development proposals to protect the safety of road users and pedestrians.

In response to the proposed development, the Council's Highways Engineer commented that the proposal would not likely cause a highways capacity concern. The 2 proposed parking spaces would satisfy the demand generated by a property of this size and the spaces would meet the minimum West Sussex County Council parking requirements. As such, no objection was raised towards the development proposal on highways grounds.

The proposal is considered to therefore comply with the provisions of D21 of the District Plan on highways grounds.

Sustainability

Policy DP39 of the District Plan relates to Sustainable Design and Construction and requires development proposals to improve the sustainability of development. It states:

'All development proposals must seek to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate the following measures:

- *Minimise energy use through the design and layout of the scheme including through the use of natural lighting and ventilation,*
- *Explore opportunities for efficient energy supply through the use of communal heating networks where viable and feasible,*
- *Use renewable sources of energy,*
- *Maximise efficient use of resources, including minimising waste and maximising recycling/re-use of materials through both construction and occupation,*
- *Limit water use to 110 litres/person/day in accordance with Policy DP42: Water Infrastructure and the Water Environment,*
- *Demonstrate how the risks associated with future climate change have been planned for as part of the layout of the scheme and design of its buildings to ensure its longer term resilience'*

The application is supported by a Planning and Sustainability Statement which notes that the proposal will make use of a number of measures to improve its overall sustainability. The proposal would use high thermal performance building fabric, utilise double glazed windows and install low energy fitting lights. The proposal would also provide an electric vehicle charging point, however this has not been shown on the proposed drawings and would most likely be pursued under permitted development rights.

Accordingly, it is considered that the proposed development will be compliant with Policy DP39 of the District Plan.

Ashdown Forest

Under the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), the competent authority - in this case, Mid Sussex District Council - has a duty to satisfy itself that any plans or projects that they regulate (including plan making and determining planning applications) are not likely to have a significant effect on a European site of nature conservation importance. For most developments in Mid Sussex, the European sites of focus are the Ashdown Forest Special Protection Area (SPA) and Ashdown Forest Special Area of Conservation (SAC). Planning permission cannot be granted by the District Council where the likelihood of significant effects exists. The main issues are recreational disturbance on the SPA and atmospheric pollution on the SAC, particularly arising from traffic emissions.

The application site is outside of the 7km zone of influence and thus there would be no effect on the SPA from recreational disturbance.

Increased traffic emissions as a consequence of new development may result in atmospheric pollution on Ashdown Forest. The main pollutant effects of interest are acid deposition and eutrophication by nitrogen deposition. High levels of nitrogen may detrimentally affect the composition of an ecosystem and lead to loss of species.

The proposed development was modelled in the Mid Sussex Transport Study (Updated Transport Analysis) as a windfall scheme such that its potential effects are incorporated into the overall results of the transport model, which indicates there would not be an overall impact on Ashdown Forest. This means that there is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain this application is retrospective meaning that this development is exempt from providing biodiversity net gain.

Planning Balance and Conclusion

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the Development Plan and then to take account of other material planning considerations including the NPPF. The Development Plan in this instance consists of the Mid Sussex District Plan, the Site Allocations Development Plan Document and the Hassocks Neighbourhood Plan.

Courts have confirmed that the Development Plan must be considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy within the Development Plan.

National planning policy states that planning should be genuinely plan-led. Planning decisions should therefore be in accordance with the development plan unless material considerations indicate otherwise.

The proposed development is considered to appear incongruous within the existing streetscene where a number of existing bungalows of a more substantial bulk and scale are perceivable. Furthermore, the proposed building is not considered to correspond to its proposed residential use and by virtue of the low eaves and shallow roof pitch, the building would likely retain the appearance of an outbuilding. The proposed residential plot would be served by a limited amount of rear garden amenity space. Moreover, an insufficient amount of garden amenity space would be provided at the existing host dwelling at No.36. The proposal would also fail to comply with the technical housing standards for a single storey, one bedroom dwelling with two bed spaces. The application is considered to be supported by insufficient drainage information to allow the Council to determine whether or not the proposal would lead to an adverse flooding impact.

The application is therefore considered to conflict with Policies DP6, DP26, DP27 and DP41 of the District Plan and Policies 4, 9 and 14 of the Hassocks Neighbourhood Plan.

As a result, it is considered that the application conflicts with the development plan when read as a whole. This is not the end point as planning law requires that *'where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise'*.

As the Council is currently unable to demonstrate a five year supply of deliverable housing sites, it follows that the relevant policies for the supply of housing from the development plan are out-of-date (footnote 8 of paragraph 11 NPPF). As such, reduced weight should be given to these policies. In these circumstances paragraph 11 of the NPPF provides for a presumption in favour of sustainable development which means that planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole (having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination), or specific policies in the NPPF that protect areas or assets of particular importance provide a strong reason for refusing the development.

As there are no policies in the District Plan which positively favour development of this kind in this location, there would be a conflict with the development plan as a whole. These factors weigh heavily against the proposal.

On the positive side, the proposal would result in the provision of a new residential unit on site which would make a minor yet positive contribution to the district's housing supply. Because of the small scale of the development, this benefit is considered to attribute limited weight.

In weighing up these issues, when taken together, it is considered that the adverse impacts of the development would significantly and demonstrably outweigh the benefits of the proposal. The proposed development is considered to be contrary to District Plan Policies DP6, DP26 and DP27 and

Neighbourhood Plan policies 4,9 and 14 and there are no other material planning considerations to justify a decision otherwise than in accordance with the development plan.

In summary, the planning balance is considered to fall significantly in favour of refusing planning permission.

Decision: Refusal

Case Officer: Stefan Galyas