

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2612	Case Officer:	Stefan Galyas
Application Type:	Full Application		
Proposal:	Retrospective change of use of existing double garage to a one bedroom detached dwelling, which has had the addition of new windows, doors and rendering and the addition of a new porch as well as new pergola and decking.		
Site:	16A The Quadrant, Hassocks, West Sussex, BN6 8BP, , , ,		
Validation Date	3 Dec 2024	Overall Expiry Date:	24 Dec 2024
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	27 Jan 2025
Target Date:	28 Jan 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
---	--	------------------------	---

Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	28 Jan 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2612

16A The Quadrant, Hassocks, West Sussex, BN6 8BP, , ,
Retrospective change of use of existing double garage to a one bedroom detached dwelling,
which has had the addition of new windows, doors and rendering and the addition of a new
porch as well as new pergola and decking.
Mr And Mrs Nick Gates

SUMMARY OF REPRESENTATIONS

There were no letters of representation received in response to the current proposal.

SUMMARY OF CONSULTEES

West Sussex County Council Highways Authority: No objection.

Environmental Health: Room sizes - To prevent future enforcement action under Environmental Health legislation the developer must ensure that all bedrooms in the proposed development meet the following minimum room sizes: Single bedroom minimum size 6.5 square meters. Double bedroom minimum size 10 square meters. Please note that specific requirements in the Technical Housing Standards - Nationally described space standards used by planning departments.

Means of escape - suitable and sufficient fire protection and means of escape must be provided including fire doors and interlinked fire alarm systems where appropriate. Access should be avoided via high risk rooms such as kitchens.

Heating - The system shall be capable of maintaining the following internal temperatures when the external temperature is -1 degrees C. Living room and dining room 21 degrees C. Bathroom 22 degree C. Elsewhere 18 degrees C. All storage heaters shall have automatic charge control and thermostatically controlled damper outlet. Living rooms to be provided with a fan assisted combination storage heater with thermostatically controlled top up convection heater. Gas central heating systems should satisfy the design and installation requirements of British Standard 5449: 1990 in accordance with Part L of the current Building Regulations (as amended).

Ventilation - All kitchen/ living areas must be provided with open-able windows of a suitable size to ensure sufficient ventilation without causing excessive draughts.

Lighting - Provision of adequate natural lighting via windows to kitchen, bedroom and living rooms to provide adequate natural lighting. BS8206 Code of practice Parts 1 and 2. There should be sufficient natural light during daylight hours to enable normal domestic tasks to be carried out without eyestrain.

TOWN/PARISH COUNCIL OBSERVATIONS

Parish Council: RECOMMEND APPROVAL. The applicant is advised that Government has committed to adopt a 'Future Buildings Standard' during 2021 which will change the Building Regulations requirements for alterations and extensions to homes to bring these alterations closer to that of a 'zero energy building'. This is supported by Policy 5 'Enabling Zero Carbon' of the Hassocks Neighbourhood Plan which states that proposals that modify existing buildings (including extensions) should seek to maximise the inclusion of energy-saving measures and renewable energy generation. Energy saving measures include floor, roof and wall insulation, and low u-value windows (which may need to be triple glazed). These requirements may require amendments to your design which could affect the drawings submitted for planning permission. The applicant may wish to note that alterations that are built to a Nearly Zero Energy standard, are unlikely to need further retrofitting to minimise the carbon emissions that the nation is required to reduce to zero by 2050. As retrofitting an existing home to be highly energy

efficient is more complex than doing so for a new building, applicants may wish to look at the 'EnerPHit' standard that the Government is understood to be considering as the applicable 'Nearly Zero Energy' standard in this context, or at the Archetypes published by the London Energy Transformation Initiative for u-values for your extension walls, windows etc. and for ventilation and overheating prevention standards to be achieved.

INTRODUCTION

The application seeks retrospective planning permission for the change of use of an existing double garage to a one bedroom detached dwelling. A new principal entrance porch and a pergola would be erected as part of the development proposal. The proposal would also see the addition of a pitched roof timber shed within the properties rear garden.

RELEVANT PLANNING HISTORY

07/02232/FUL - Extension of existing bungalow and conversion into a house. Refused 17.09.2007.

07/02235/FUL - Erection of detached bungalow. Refused 19.09.2007.

07/02894/FUL - Erection of pitched roof double garage. Permission 01.11.2007.

10/03978/FUL - New detached 2 bedroom bungalow on land rear of 16 The Quadrant. Refused 23.02.2010.

10/02888/EOT - To extend the time limit for implementation of 07/02894/FUL - erection of pitched roof double garage. Permission 04.11.2010.

11/01960/FUL - Erection of a detached 1-bedroom bungalow. Refused 16.08.2011.

14/01342/FUL - Pitched roof detached double garage. Permission 05.06.2014.

DM/19/2946 - Pitched roof single storey front extension to existing double garage and conversion to form a 1 bedroom detached dwelling. Refused 16.09.2019.

DM/20/3160 - Proposed change of use - conversion of existing double garage into a one bedroom holiday let. Permission 20.11.2020.

DM/24/1874 - Removal of condition 10 relating to planning application DM/20/3160. Withdrawn 05.11.2024.

SITE AND SURROUNDINGS

The application site is a small plot of land, situated on a small island of bungalows in a residential area; the site previously formed the rear garden to no. 16 The Quadrant. A detached double garage constructed from brick and tile has been erected towards the south eastern corner of the site, approved under planning permission 14/01342/FUL. This outbuilding has previously been converted into a holiday let and displays an appearance associated with a separate unit within the streetscene. The site is currently lined with a 1.8 metre high close boarded fence, sections of which have been removed to the northern boundary fronting the road. Adjoining bungalows at no's 14 and 16 lie to the south and west of the site, with the rear garden of no. 12 situated to the east, screened by established trees. A detached single garage, served by a driveway sits to the rear of no. 12. A vegetated grass verge and stream lies opposite the site, screening houses to the north.

APPLICATION DETAILS

The development proposal would change the use of the existing double garage into a one bedroom detached dwelling. A new fenestration arrangement would be added alongside doorway openings and external rendering. The existing building would be extended through the addition of a front entrance porch utilising a hipped roof pitch. Additionally, a pergola would be erected to the south of the site and

new decking would be laid. The proposed porch extension would measure at approximately 1.7m deep, 2m wide, have an eaves height of 2.4m to the eaves and 3.3m high to the ridge. Proposed external materials would comprise white uPVC double glazed windows and doors.

Furthermore, a detached pitched roof shed would be erected within the proposed properties rear garden amenity space. The shed would measure at approximately 3.5m in length, 2.4m wide, have an eaves height measuring at 1.7m and a ridge height of 2.3m. Proposed external materials would include timber clad walls and timber 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, and*
- 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 (NPPF) 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

Site Allocations DPD

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

Relevant policies.

Neighbourhood Plan

Hassocks Neighbourhood Plan Made July 2020

Relevant Policies:

Policy 5: Enabling Zero Carbon

Policy 9: Character and Design

Policy 14: Residential Development Within 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 stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to the majority of 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

DPC6 - Ashdown Forest SPA and SAC

DPH12 - Accessibility

DPB1 - Character and Design

DPT4 - Parking and Electric Vehicle Charging Infrastructure

DPH1 - Housing

DPH3 - Sustainable Development Inside the Built-Up Area

DPH11 - Dwelling Space Standards

DPH12 - Accessibility

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, 125, 131, 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 overarching objectives to sustainable development, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). The three objectives are economic, social and environmental.

Paragraph 9 of the NPPF states *'these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.'*

Paragraph 11 of the NPPF sets out that for both plan-making and decision-taking, the presumption in favour of sustainable development should apply.

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.

Chapter 11 of the NPPF deals with making effective use of land and paragraph 125 c) sets out that decisions should;

'give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals should be approved unless substantial harm would be caused...'

National Planning Policy Guidance

National Design Guide

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

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
- Highways Impact
- Impact on Future Occupants of the Development
- Ashdown Forest

- Other Matters
- 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 Hassocks 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 Hassocks Neighbourhood Plan states:

'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.*

Development proposals for residential development outside of the built-up area of Hassocks will be supported where they are in accordance with Policy DP6 of the Mid Sussex District Plan, Policy SD25 of the South Downs Local Plan and Policy 1 of this Plan.'

The principle of changing the use of an existing double garage to a new residential housing unit within a defined settlement boundary is considered to be suitable in its location. It is also noted that the building has previously been used for separate living accommodation through the form of a holiday let. As such the principle of development is considered to be acceptable in this instance.

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."*

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 proposal would largely utilise the existing double garage's footprint, albeit with the addition of a front hipped porch adding to the overall built footprint. It is considered that the porch would be of a sympathetic appearance and would utilise a matching hipped roof pitch to the host dwelling. The porch would assimilate further to the existing dwelling through the use of rendered exterior walls and matching roof tiles. It is considered that this feature would help assist in establishing the main point of entry through an external architectural feature. It is also noted that the current appearance of the building within the streetscene is read largely as a wholly separate dwelling and the proposal would regularise this alteration.

A number of additional windows would be added to various elevations as well as two roof lights to the south-eastern roof slope. It is considered that the proposed windows would give rise to a more domestic appearance when compared to the previous detached garage appearance.

The proposed detached dwelling would be positioned between the two residential sites at No.16 to the west and No.12 to the east. It is considered that the dwelling would be read in conjunction with the existing built form within the locality. Furthermore, the dwelling would be set back from the former host dwelling at No.16, leading to a more staggered building line in this immediate context.

In view of the above, the proposal is considered to comply with Policy DP26 of the District Plan and Policy 9 of Neighbourhood Plan and would result in an acceptable impact with regard to the character and appearance of the area.

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 buildings footprint would only marginally be increased through the addition of a single storey porch which is considered to be limited in size and scale. Furthermore, a distance of 6.2m would remain towards the adjacent neighbouring site at No.16.

Whilst the proposed timber-built shed would be constructed within a closer proximity to the neighbouring site at No.16, this would be at its closest point to the rear of the garage space. In any circumstance, it is considered that the shed would be of a limited size and would not likely result in a significant overbearing impact.

With regards to the proposed pergola, the structure would measure at around 2.8m high. The structure would be within a close proximity to the property immediately to the south at No.14, however a distance of approximately 3.4m would remain between the two. It is not considered that the pergola would give rise to a significant overbearing impact.

A number of windows would be added to the north-eastern and south-western elevations throughout the dwelling, all of which would be contained at ground floor level. The proposed south-western windows would both serve the living, kitchen and dining area and would both act as the primary light source for this room. Whilst a distance of approximately 6.3m would remain between the application property and No.14 to the south, it is considered that views would partially be obscured by the proposed pergola and boundary fencing and treatment. As such, it is not considered that the proposal would give rise to a significant overlooking impact.

Accordingly, the proposal is considered to comply with the provisions of DP26 of the Mid Sussex District Plan and Policy 9 of the Hassocks Neighbourhood Plan in terms of neighbouring amenities.

Highways

Policy DP21 of the Mid Sussex District Plan in part states:

"The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;"

The West Sussex County Council September 2020 Parking Guidance outlines that for a dwelling of this size in this location two parking spaces should be provided. There is sufficient room within the site for two parking spaces and no objection was raised from West Sussex County Council's Highways Engineer following consultation. As such the proposed parking arrangement is considered acceptable.

Impact on Future Occupants 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 50 square meters plus 1.5 square meters of built-in storage is recommended for a one storey, one bedroom dwelling that can accommodate two people. The approximate total floor space would fall short of this requirement, measuring at approximately 24 square meters. However, the required floor space for the proposed bedroom would be 10 square meters and the proposed bedroom would measure at around 14 square meters. It is also noted that no explicit objection was offered from the Council's Environmental Health Officer and that the layout is currently used within a holiday let.

DP26 requires that dwellings do not cause significant harm to the amenities of future occupants of new dwellings. In this regard, whilst the overall space standards would not be met for the dwelling, it is not considered that the internal level of accommodation would be significantly substandard. As such, the proposal is not considered to cause significant harm to the amenities of the future occupiers of the unit.

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.

Other Matters

Policy 5 of the Hassocks Neighbourhood Plan, among other matters, requires domestic extensions to maximise the inclusion of energy-saving measures and renewable energy generation. The submitted Sustainability Assessment notes *'The outside lighting is to be low energy LED lights, all internal light fittings are only to be able to use lighting low energy bulbs. The mechanical ventilation for the kitchen area/ shower room is to be on a timed use system. A minimum 90% efficient condensing boiler is to be installed to provide heating and instantaneous hot water.'* As such there would be a number of energy saving measures included within the current proposal. Further details of these energy saving measures can be covered off at the building regulations stage and it is not considered reasonable to refuse the application on this basis.

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 comprises development below the de-minimis threshold 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.

Although the application must be assessed against the policies of the development plan taken as a whole, this assessment has identified conflict with the development plan. This being in respect of what types of development are allowable under policy DP27 of the District 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.

Paragraph 125 states in part (at criteria c) that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused. In this case, substantial harm has not been demonstrated and as such substantial weight needs to be given in the planning balance to the value of developing this brownfield site.

The proposed development would result in the creation of one new dwellinghouse in a sustainable location within the built up area for Hassocks. The provision of one new dwelling would make a limited but nevertheless positive contribution towards the District's housing supply. Provided that the Council cannot demonstrate a five year housing land supply, the creation of a new housing unit within this context would offer a clear benefit and weighs in support of the proposal.

The proposed development is considered to have a neutral impact in terms of its impact upon highways and the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC).

Weighing against the scheme is the unit's non-compliance with the prescribed overall space standards for a one storey, one bedroom dwelling providing two bedspaces. Whilst this would render the proposal non-compliant with DP27 of the District Plan, it is considered that given the pre-existence of the building as a holiday let and meeting the prescribed space standards for the bedroom, the proposal would not inflict significant harm upon the amenities of the property's future occupiers.

In weighing up these issues, when taken together, it is not considered that the adverse impacts of the development would significantly or demonstrably outweigh the benefits of the proposal.

In these circumstances the NPPF states that permission should be granted, and this is a material consideration of sufficient weight to overcome the proposal's conflict with the development plan.

There are no other material considerations that would alter the above planning balance and as such, permission should be granted in this instance.

Decision: Permission

Case Officer: Stefan Galyas