



Appeal Decision

Site visit made on 31 March 2026

by Alice James BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2026

Appeal Ref: 6002980

3 Dairy Cottages, High Beeches Lane, Handcross, West Sussex RH17 6HQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Laura-May Scott against the decision of Mid Sussex District Council.
- The application Ref is DM/25/1363.
- The development proposed is a single storey rear extension, single storey side extension and annex.

Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension, single storey side extension and annex at 3 Dairy Cottages, High Beeches Lane, Handcross, RH17 6HQ in accordance with the terms of the application, Ref DM/25/1363, subject to the conditions in the attached schedule.

Preliminary Matters

2. The application form only gives the surname Scott for the applicant however it has been clarified that the name should have been 'Laura-May Scott.' I have reflected this in the heading above.
3. The description of proposed works in the application form was not reflective of the development on the plans therefore I went to the parties for clarification. The parties have agreed on the following description of proposed works 'Single storey rear extension, single storey side extension and annex' and I have judged the appeal on this basis.
4. The council have indicated that the Draft District Plan 2021-2039 (Regulation 19) is at examination, and the stage 1 hearings were concluded on the 31 October 2024. However, the council have indicated there are unresolved objections to some of the policies in the Draft District Plan 2021-2039 and the policies therefore carry limited weight.
5. In 2023, Areas of Outstanding Natural Beauty (AONBs) in England and Wales were redesignated as National Landscapes. The appeal site lies within the High Weald, formerly designated as an AONB, and now recognised as the High Weald National Landscape (HWNL). Consequently, certain policies and plans continue to reference AONBs, as they have not yet been updated. However, these remain applicable and relevant.

6. Section 245 of the Levelling Up and Regeneration Act 2023 (LURA) amended the duty on relevant authorities in respect of their interactions with the statutory purposes of National Landscapes, as set out in Section 85 of the Countryside and Rights of Way Act 2000 (as amended) (CRWA). This duty requires that, in exercising or performing any function in relation to, or so as to affect, land in a National Landscape, authorities must seek to further the purpose of conserving and enhancing the natural beauty of the National Landscape.

Main Issues

7. The main issues are:
- whether the proposed development would be tantamount to a separate dwelling and, if so, whether the site is a suitable location, with regard to the development plan policy; and
 - whether the proposed development would seek to further the purpose of conserving and enhancing the natural beauty of the High Weald National Landscape.

Reasons

Annex or a self-contained dwelling

8. The council have indicated that policy DP15 of the Mid Sussex District Plan 2014-2031 (DP) indicates that new 'granny annexes' that are physically separate to the dwelling are defined as a new home and are subject to the requirements of the policy.
9. The proposed annex would be located close to the main dwelling. The evidence shows that it would share the main dwellinghouse's garden space, garage, parking area, and vehicle access. The access to the annex would be through the private garden of the main dwelling. The annex would be small in comparison with the large main dwellinghouse and would contain a living room, one bedroom, and a shower room. It would not include a kitchen and would instead rely on the kitchen facilities of the main dwellinghouse. As a result, the occupier of the annex would likely take their meals with the main household and function as a single household.
10. The appellant explains that the annex is intended to accommodate the appellant's mother, who provides childcare. There would be a clear familial relationship between the occupier of the annex and those living in the main dwellinghouse. Taking all of this into account, I consider that the proposed annex would have both a physical and functional connection with the main dwellinghouse and would provide primary living accommodation that forms part and parcel of the existing residential use. I am therefore satisfied that the annex would not be physically separate from the main dwellinghouse and would not be tantamount to a self-contained dwelling.
11. Both parties have suggested a condition which links the proposed annex to the main dwellinghouse. The description of the development has been clarified to include the proposed annex, but I am mindful that the development will remain in place long after the potential need has gone. I have had regard to the tests within the National Planning Policy Framework (the Framework), the Planning Practice Guidance (PPG), and relevant statute, and have accordingly amended the wording

of the condition proposed by the council and the appellant without altering its overall aim.

12. The proposed development would be in the countryside but would be within an established residential unit. I consider the design, position, scale and massing of the proposed annex to be appropriate in this context.
13. In conclusion, I am satisfied that the annex would not be physically separate from the main dwellinghouse. It would not be tantamount to a self-contained dwelling and would be in a suitable location. Accordingly, the proposed development complies with the provisions set out in policies DP6, DP12, DP15 and DP16 of DP. These policies in summary seek to restrict development in the countryside unless it meets an identified need and ensures good design which responds to local circumstances.
14. Policy DP4 of DP is a strategic housing policy which relates to the council's housing requirement, and I do not consider this directly relevant to the determination of this appeal, and it holds neutral weight in my decision.

High Weald National Landscape

15. It is proposed that the outbuilding would be demolished and the annex erected in its place. The proposed annex has an appropriate appearance and would not have a footprint that is much larger than the existing outbuilding. The proposed annex would be contained in an established domesticated garden and would not proliferate domestic paraphernalia into the countryside. The proposed development is small in scale and there is no evidence before me to suggest that there will be an increase in noise, parking issues or transport generation. The proposed annex would make a small contribution to supporting the social well-being of the inhabitants of HWNL. The scale and position of the proposed development is such that it would not have a harmful impact on the special qualities of the HWNL.
16. The council and the appellant agree that the proposed side and rear extension to the main dwelling would not have an adverse effect on the character and appearance of the main dwellinghouse or surrounding area. The position, massing and scale of the proposed side and rear extensions would be subservient and in keeping with the character and appearance of the main dwellinghouse and surrounding area.
17. Overall, I am satisfied the proposed development would seek to further the purpose of conserving and enhancing the natural beauty of the High Weald National Landscape. It would therefore comply with policies DP12, DP16, and DP26 of DP and Policy 1 of the Slaugham Neighbourhood Plan 2014 -2031 (September 2019). These policies seek to conserve and enhance the national landscape and protect the intrinsic character and beauty of the countryside.

Other Matters

18. Schedule 7A of the Town and Country Planning Act 1990 (as amended) introduced a statutory framework for biodiversity net gain, and it applies to all planning applications for non-major development submitted on or after 2 April 2024. Under the statutory framework, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the Biodiversity Gain Condition (BGC), which requires that at least a 10% increase in biodiversity

value is met. However, the PPG states that the BGC does not apply to householder development, such as the appeal proposal.

Conditions

19. I have attached the standard time limit condition (1). I have specified the approved plans condition for the avoidance of doubt (2). I have also specified a condition relating to the materials. This is necessary to ensure the external changes are of a satisfactory appearance, in the interests of the character and appearance of the area (3). I have attached a condition which ensures the annex will be as part of the dwelling known as 3 Dairy Cottages (4).
20. In imposing conditions, I have had regard to the tests within the Framework, the PPG, and relevant statute, and have accordingly amended the wording of certain conditions proposed by the council without altering their overall aim.

Conclusion

21. For the above reasons, having had regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be allowed subject to conditions.

Alice James

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing numbers: 25_166_PL_00_107 rev 01, 24_3_PL_214 rev 12, 24_3_PL_215 rev 03, 24_3_PL_110 rev 13 and 24_3_PL_111 Rev 08.
- 3) No development above ground level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) The annex as shown on drawing 24_3_PL_214 rev 12 hereby permitted shall not be used other than as part of the dwelling known as 3 Dairy Cottages.

END OF SCHEDULE