

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/3025	Case Officer:	Joanne Fisher
Application Type:	Householder Application		
Proposal:	Proposed construction of swimming pool and pool house and associated external landscaping.		
Site:	Lychgate Cottage, Church Road, Scaynes Hill, Haywards Heath, West Sussex, RH17 7NH, ,		
Validation Date	17 Feb 2025	Overall Expiry Date:	11 Mar 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	17 Mar 2025
Target Date:	14 Apr 2025	Recommending Officer Signature:	Joanne Fisher

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	18 Mar 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/3025

**Lychgate Cottage, Church Road, Scaynes Hill, Haywards Heath, West Sussex, RH17 7NH,
Proposed construction of swimming pool and pool house and associated external landscaping.
Mr C Winn**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

MSDC Drainage

No objection. Pre-commencement condition regarding foul and surface water drainage and means of disposal.

Southern Water

The applicant has not provided details of the proposed means of disposal of foul drainage from the site. Southern Water is unable to comment fully

NatureSpace

It is considered that the proposed development would present a low risk to great crested newts and/or their habitats. However, as the development is within the red Impact Risk Zone, as modelled by district licence mapping, recommend an informative should be attached to planning consent.

PARISH COUNCIL OBSERVATIONS

We would like to be assured that there will be no adverse noise impact to neighbours from this new building.

INTRODUCTION

Permission is sought for the construction of a swimming pool and pool house and associated external landscaping.

RELEVANT PLANNING HISTORY

05/00203/FUL - Plant maintenance and service building and new forecourt. Approved.

07/03659/FUL - Proposed change of use of part field and installation of tennis court with 2.75m high black of evergreen upvc chain link fencing Approved.

14/00005/FUL - Extension to existing garages. Approved.

DM/18/1983 - Frontage landscaping including two pairs of automated gates, post and rail boundary fencing and re-profiled driveway kerb and associated surfacing. Approved.

DM/22/2079 - Proposed lawful development certificate for the erection of single storey outbuilding. Approved.

DM/22/2080 - Proposed lawful development certificate - Erection of 4 x single storey residential extensions, 1 x two storey residential extension and a porch. Approved.

DM/23/1086 - Proposed two-storey side extension with basement with associated landscaping and reposition entrance gates. Approved.

DM/24/1910 - Variation of condition 2 relating to planning application DM/23/1086 - to allow for small changes to the above ground extension, and to enlarge the below ground basement. Approved.

DM/24/3024 - Single storey outbuilding. Approved.

SITE AND SURROUNDINGS

The property is a large detached residential dwelling set off and back from a private lane and set within extensive grounds. There is a gated vehicular access to the north-west of the dwelling shared with the neighbouring property Pantiles. From this access is a large area of hardstanding with a detached 5-bay garage and a detached two bay garage / workshop with accommodation above accessed by external stairs. To the east of the 5 bay garage there are two further smaller outbuildings. Beyond the outbuildings to the north is a tennis court and summerhouse building.

To the south-east of the dwelling within the garden is a single storey brick built outbuilding/store with a seating area enclosed in part with hedging and a vegetable patch beyond.

The application site is within the countryside as defined in the District and Neighbourhood Plan.

APPLICATION DETAILS

The outbuilding is to be sited to the south-east of the existing dwelling Lychgate Cottage within the garden which is partly enclosed with hedging. It would replace an existing smaller scale brick outbuilding.

The outbuilding is to form a 'L' shape and measure a minimum of some 5.5 metres and a maximum of some 10.3 metres wide, some 18.1 metres in length with an eaves height of some 2.4 metres and an overall height of some 5.3 metres. There would be two pitched elements to the west elevation with a walk through area to the front of the building to lead to the garden area behind the building. There would be a canopy overhang to the front of the building.

The pool building would provide a kitchen, lobby, toilet, store, two changing rooms with two additional toilets. There would be a BBQ area to the side of the building facing towards the proposed pergola.

To the front of the building an outdoor pool would be created some 15 metres in length, 5 metres in width and 1.8 metres in depth. There would be a large area of hardstanding surrounding the pool as well as a pergola area measuring some 4 metres in width, 14.1 metres in length, and an overall height of some 2.6 metres.

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 the Lindfield and Lindfield Rural 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:

DP12: Protection and enhancement of the countryside
DP26: Character and design
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.

There are no relevant policies.

Neighbourhood Plan

The Lindfield and Lindfield Rural Neighbourhood Plan was made in March 2016.

There are no relevant policies for consideration.

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:

DPS2: Sustainable Design and Construction
DPC1: Protection and enhancement of the countryside
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.

National Planning Policy Framework (NPPF) (December 2024)

ASSESSMENT

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

- Design and impact on character of the area;
- Neighbouring amenity;
- Drainage; and
- Biodiversity net gain.

Design and impact on character of the area

One of the objectives of achieving sustainable development is to ensure that proposals '*contribute to protecting and enhancing our natural, built and historic environment*' (para 8, NPPF). In addition, the NPPF states that policies and decisions should contribute to and enhance the natural and local environment by '*recognising the intrinsic character and beauty of the countryside*' (para 187).

As the proposed development is located within the countryside the proposal, Policy DP12 of the District Plan is relevant. The principal aim of Policy DP12 of the District Plan states the: '*countryside will be protected in recognition of its intrinsic character and beauty.*'

Policy DP26 of the Mid Sussex District Plan relates to character and design and states, in part:

'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;.....'*

Whilst the proposal is to form a large detached outbuilding within the curtilage of the property, it is to replace an existing detached building in a similar location.

The proposed outbuilding is to be of a traditional rural appearance. To break up the mass of the building there are to be single storey pitched elements. Due to its single storey nature its impact would be minimised within the wider site.

The pergola, external pool and area of hardstanding around the pool and building are considered to be of an appropriate design and scale and would be seen in connection with the pool building.

The proposal is considered to address the character and scale of the surrounding buildings and maintain the character of the countryside.

The proposal is thereby considered to comply with policies DP12 and DP26 of the District Plan and the requirements of the NPPF.

Neighbouring amenities

Policy DP26 of the District Plan requires developments to demonstrate that it does not cause significant harm to amenities of existing nearby residents (or future occupiers), taking into account matters such as impact on light, privacy and outlook.

The property is set on a substantial plot with vegetation screening on boundaries and away from nearby residential properties. Due to the positioning of the outbuilding within the site, its single storey nature, and the relationship with surrounding residential properties, it is considered that the proposal will not result in detriment to the amenities of this neighbouring property thorough an overbearing impact, loss of light or a loss of privacy.

The Parish Council has raised comments concerning the impact of noise to neighbours from this new building. Lychgate Cottage is set within extensive grounds and the building and pool are set within the garden of the property. The rear of the building is to be set a minimum of some 7.3 metres and a maximum of some 14.2 metres from the eastern boundary with the neighbour Yew Tree Cottage which

has a paddock area beyond. It is not considered that the use of the building and pool would result in significant detriment to the amenities of this neighbouring property.

The proposal is thereby considered to comply with policy DP26 of the District Plan.

Drainage

Southern Water has commented on the proposal and considers insufficient information has been provided in respect of the proposed means of disposal of foul drainage from the site. The Agent has advised that it would likely be by a septic tank.

The Council's Drainage Engineer has considered the proposal and raises no objection. They have recommended a pre-commencement condition requiring details of the proposed foul and surface water drainage and means of disposal prior to the commencement of the development. It is considered that this is reasonable and necessary and would address the comments from Southern Water. The Agent has agreed to this condition.

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

The proposal is considered appropriate in design, size and scale to the existing dwelling and will not result in significant detriment to the amenities of surrounding occupiers and would maintain the character of the area. The application therefore complies with policies DP12 and DP26 of the District Plan, as well as the requirements of the NPPF.

Decision: Permission

Case Officer: Joanne Fisher