

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/3008	Case Officer:	Peter Davies
Application Type:	Householder Application		
Proposal:	Proposed installation of a fully insulated and electrified single-storey, spruce-wood outdoor garden room and home office, situated on a solid concrete base.		
Site:	30 Gowers Close, Ardingly, Haywards Heath, West Sussex, RH17 6UF, , ,		
Validation Date	16 Dec 2024	Overall Expiry Date:	16 Jan 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	6 Feb 2025
Target Date:	10 Feb 2025	Recommending Officer Signature:	Peter Davies

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Joanne Fisher	Date:	10 Feb 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/3008

**30 Gowers Close, Ardingly, Haywards Heath, West Sussex, RH17 6UF, ,
Proposed installation of a fully insulated and electrified single-storey, spruce-wood outdoor
garden room and home office, situated on a solid concrete base.
Mr Kensington Leverne**

REPRESENTATION RECEIVED

No comments received.

SUMMARY OF CONSULTEES

Naturespace - no objection.

PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

The application seeks planning permission for the construction of a single storey outbuilding to be used as a garden room and home office.

RELEVANT PLANNING HISTORY

No relevant history.

SITE AND SURROUNDINGS

The application property is a semi-detached two storey dwelling located on the north side of Street Lane, within the built-up area boundary of Ardingly. The application property is located within the High Weald Area of Outstanding Natural Beauty.

The application property has a pitched roof and is constructed from brick with plain roof tiles and white uPVC fenestration. The property has a conservatory to the front. The dwelling is semi-detached with the rear elevation connected to the side elevation of the neighbouring property. The dwelling is set back from the highway at a raised level with off street parking and with the garden to the front and side of the dwelling. The locality is characterised by detached and semi-detached two storey dwellings of varying form, scale and design. The south side of Gowers Close consists of woodland and fields.

APPLICATION DETAILS

The application seeks planning permission for a proposed outbuilding to be located to the northeast of the dwelling to be used as a garden room and home office. The building will have a width and depth of 4.06 metres and 2.50 metres. The building will have a flat roof with a height of 2.50 metres. The outbuilding would be located approximately 0.60 metres from the west boundary, 0.70 metres from the north boundary and 1.60 metres from the eastern boundary. There is to be a window and doors on the south western elevation facing into the garden with a high level window on the south east elevation.

The proposed materials are spruce wood finished in 'Pebble Grey' paint with an EPDM rubber roof.

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 Ardingly 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:

DP16 - High Weald Area of Outstanding Natural Beauty

DP26 - Character and Design

Site Allocations DPD

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

There are no relevant policies.

Ardingly Neighbourhood Plan (made November 2014)

Relevant policy:

ARD5 - Housing Design

Other Material Considerations

Mid Sussex District Plan 2021-2039 Consultation Draft

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

DPC4 - High Weald Area of Outstanding Natural Beauty

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)

Paragraphs 8, 11, 131 and 135 are considered to be relevant.

National Planning Policy Guidance

ASSESSMENT

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

- Design and Character
- Impact on the High Weald AONB
- Impact on neighbouring properties
- Biodiversity Net Gain
- Other Matters

Design and Character

Policy DP26 of the Mid Sussex District Plan states:

"All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- *is of high quality design and layout and includes appropriate landscaping and greenspace;*
 - *contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
 - *creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
 - *protects open spaces, trees and gardens that contribute to the character of the area;*
 - *protects valued townscapes and the separate identity and character of towns and villages;*
 - *does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP27);*
 - *creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
 - *incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
 - *positively addresses sustainability considerations in the layout and the building design;*
 - *take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- optimises the potential of the site to accommodate development."*

Policy ARD5 of the Ardingly Neighbourhood Plan requires all developments to be sympathetic to the character and scale of the surrounding buildings and landscape.

The proposed outbuilding is of an acceptable scale and design and would be sited at the back of the plot. The outbuilding would be replacing an existing garden shed and due to the changing levels, it would only be partially viewable from the highway but would not have a harmful impact on the character of the area.

The proposal is therefore considered to comply with policy DP26 of the District Plan and policy ARD5 of the Ardingly Neighbourhood Plan.

Impact on the High Weald AONB

The legal framework for AONBs, (also known as National Landscapes) in England and Wales is provided by the Countryside and Rights of Way Act (CROW) 2000 which at Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty. Section 84 of the CROW requires Local Planning Authorities to *'take all such action as appears to them expedient for accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB'*. The Levelling-up and Regeneration Act (2023) amended section 85 of the CROW Act, to create a new duty on relevant authorities to *'seek to further the purpose of conserving and enhancing the natural beauty of the area when discharging their functions in AONBs'*. A similar ethos is found within The High Weald Area of Outstanding Natural Beauty Management Plan which is a material consideration in the determination of planning applications in the AONB.

Policy DP16 of the District Plan relates to the High Weald AONB and requires proposals to *'conserve or enhance natural beauty'*.

Paragraph 189 of the NPPF states:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks.'

The proposed outbuilding is of a subordinate scale to the existing dwellinghouse and will be viewed in context of the residential property. It is considered that the proposal would conserve the wider landscape of the AONB.

The proposal is deemed to comply with Policy DP16 of the District Plan, The High Weald Management Plan and Para 182 of the NPPF.

Impact on neighbouring properties

DP26 of the Mid Sussex District Plan seeks to ensure that development *'does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29);'*

No. 29 Gowers Close lies to the west, no. 28 to the north and no. 31 to the east. The proposed outbuilding is single storey with the property boundary marked by closeboard fencing. The outbuilding will only have openings facing into the application properties garden area. Therefore, there will be no significant harm to neighbouring amenity areas and complies with policy DP26 of the Mid Sussex District Plan.

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.

Other Matters

Naturespace have raised no objection to the application as there is likely no impact on great crested newts or their habitats.

PLANNING BALANCE AND CONCLUSION

In conclusion, the proposal is considered to be acceptable in terms of design, size and scale to the dwellinghouse and conserve the wider landscape of the High Weald AONB and would not cause

significant harm the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policies DP16 and DP26, policy ARD5 of the Ardingly Neighbourhood Plan, the High Weald AONB Management Plan and with the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Peter Davies