



Proposed change of use and extension to form co-working studios at The Royal British Legion Club, Woodland Road, Hassocks

From Deborah Lynn <Deborah.Lynn@midsussex.gov.uk>

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To Justin Reid <justin@justpropertyplanning.com>

Dear Mr Reid

Reference: DM/24/1030

Thank you for your recent enquiry regarding the above proposal. I'm sorry that I have not been able to reply sooner to you which is due to other pressures of work.

The proposed development would consist of a proposed change of use of the existing vacant social club to co-working studios, with a first floor extension proposed above the existing ground floor addition to the front of the building, together with the installation of new windows, roof lights, solar panels and heat pumps and a bin and cycle store.

I consider that the existing Royal British Legion club use benefits from a class F2 planning use and the proposed co-working studios would benefit from a class E planning use. Therefore, planning permission would be required to change the use of the building.

In terms of planning policy, the site lies within the built up area of Hassocks.

Any planning application submitted would primarily be assessed against policies DP1, DP17, DP21, DP25, DP26, DP28, DP29, DP38 and DP39 of the Mid Sussex District Plan: <https://www.midsussex.gov.uk/media/3406/mid-sussex-district-plan.pdf>, policies 5, 9, 12 of the Hassocks Neighbourhood Plan: <https://www.midsussex.gov.uk/media/5008/hassocks-neighbourhood-plan.pdf> as well as the National Planning Policy Framework (NPPF). The Council's Site Allocations Development Plan Document also forms part of the Development Plan with policy SA38 deemed relevant: <https://www.midsussex.gov.uk/media/8381/site-allocations-dpd-adopted-2022-reduced.pdf>.

The Draft Mid Sussex District Plan 2021 – 2039 is also a material planning consideration although only minimal weight is currently attributed to policies: <https://www.midsussex.gov.uk/media/a4rft3j0/district-plan-review-reg-19-web-version-with-hyperlinks.pdf>.

The Council's Design Guide SPD and West Sussex County Council's parking guidance and car parking demand calculator are also material planning considerations and can be found on the Council's website at the following link: <https://www.midsussex.gov.uk/planning-building/supplementary-planning-documents/>.

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development 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. Where there is conflict between District Plan and Neighbourhood Plan policies, more weight will be given to Neighbourhood Plan policies, as the Hassocks Neighbourhood Plan was adopted at a later date to the Mid Sussex District Plan.

Principle of development

Policy DP25 of the District Plan relates to community facilities and advises that:

'The provision or improvement of community facilities and local services that contribute to creating sustainable communities will be supported.

Where proposals involve the loss of a community facility, (including those facilities where the loss would reduce the community's ability to meet its day-to-day needs locally) evidence will need to be provided that demonstrates:

- that the use is no longer viable; or*
- that there is an existing duplicate facility in the locality which can accommodate the impact of the loss of the facility; or*
- that a replacement facility will be provided in the locality.'*

Policy 12 of the Neighbourhood Plan states that:

'Development proposals which result in the loss of community facilities will not be supported.

Development proposals for the alteration and/or replacement of community facilities will be supported where:

- 1. Equivalent (in qualitative and quantitative terms) or enhanced facilities are provided to serve local needs; and*
- 2. Proposals for the replacement of a community facility ensure the replacement facility is made available before the closure of the existing facility.'*

Policy DP1 of the District Plan relates to sustainable economic development and seeks 'to promote a place which is attractive to a full range of businesses, and where local enterprise thrives, and to provide opportunities for people to live and work within their communities, reducing the need for commuting.' It also encourages 'high quality development of land and premises to meet the needs of 21st century businesses'.

The loss of the existing community use would need to be addressed in the Planning Statement accompanying any application, however considering that the existing club is vacant due to the use being no longer viable, I do not consider that the local planning authority would expect equivalent or enhanced community facilities to be provided elsewhere within the locality as required by policy 12 of the Neighbourhood Plan. In addition, the proposal could be considered to provide a community use for local people and small businesses by providing a communal working space. As such, my informal opinion is that the principle of development would be considered acceptable and in line with the strategic objectives of the Development Plan.

Design and impact on character of the area

Policy DP26 of the District Plan is relevant in this respect, stating in part that:

'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;*
- 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);*
- 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'.*

Policy 9 of the Neighbourhood Plan relates to character and design and 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:

- 1. Is of high quality design and layout;*
- 2. Contributes positively to the private and public realm to create a sense of place;*
- 3. Respects the character and scale of the surrounding buildings and landscape;*
- 4. Protects open spaces and gardens that contribute to the character of the area;*
- 5. Protects valued townscapes and the separate identity and character of Hassocks, Keymer and Clayton;*
- 6. 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;*
- 7. Creates safe, accessible and well connected environments;*
- 8. Protects existing landscape features and contributes to the village's Green Infrastructure network;*
- 9. Incorporates the use of local materials which are appropriate to the defined Local Townscape Character Area; and*
- 10. Positively responds to the local vernacular character of the defined Local Townscape Character Area.'*

The Mid Sussex Design Guide SPD is a useful tool that is intended to inform and guide the quality of design for all development across the District. Section 2 is relevant, emphasising the need for applicants to understand the context and character of their site and establish the constraints and opportunities that will guide their proposals. Section 6 concerns high quality and sustainable building design, with particular emphasis placed upon principle DG37 which encourages that sustainability is at the forefront of the proposal at the design stage. This stance is also reflected under policies DP39 of the District Plan and 5 of the Neighbourhood Plan. Design principle DG44 relates specifically to the design of commercial buildings.

Woodsland Road has a varied street scene that is predominantly residential, with a mix of dwelling types and styles. The existing building is relatively well set back from the road in comparison with surrounding properties and is not considered to be of any architectural merit. The proposed sketch submitted with the enquiry shows that the first floor extension would be sited above the existing ground floor addition to the front of the building and would have a dual pitched gable roof that sits subserviently against the existing building, with tile hanging proposed to the external walls. The extension would have a contemporary appearance. Taking into account the varied nature of the street scene and the appearance of the existing building, subject to detail, I do not consider that the proposed first floor addition would be contentious in terms of impact upon the appearance and character of the street scene. It would be helpful if a street elevation could be provided with any application submitted.

I would query the elevated position of the heat pumps on the northern side of the building and would recommend that these are sited in a more discreet location to the rear of the building, if possible.

With regards to the relocation of the war memorial plaque, I would recommend that you enter into discussions with the parish council and other relevant bodies such as the War Memorials Trust to see if the plaque could be moved to a more suitable location within the village.

Impact on neighbouring amenities

The test as set out under policy 9 of the Neighbourhood Plan is that development proposals should *'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'*.

A modest bungalow at Cresta adjoins the site to the south, with a chalet style dwelling at no. 2 Woodsland Road set forward to the north. To the rear (east) lies a block of garages serving flats at Holmwood Court which lies beyond. Semi-detached properties are located to the west, at no.'s 1 to 7 Woodsland Road.

Having regard to the existing and proposed use, I consider it unlikely that the proposal would cause unacceptable harm to neighbouring amenities in terms of generating additional noise and disturbance. However, consideration would need to be given to potential noise generated by the air source heat pumps and how this will impact neighbouring amenities. Further information in the form of a Noise Impact Assessment may be required in this respect.

The proposed extension would be sited to the north of the neighbouring bungalow at Cresta and therefore should not adversely impact sunlight levels to the property. However, I note that a ground floor bedroom window is located in the northern flank wall of the bungalow that would be impacted by the first floor extension in terms of reduced light levels and outlook. You may therefore wish to consider setting the first floor extension further back from the south elevation in order to ensure that the development does not appear overly imposing or significantly impact light levels to the room. BRE Trust guidelines recommend that a 25 degree guideline is taken from the centre of an affected window to assess potential impact upon skylight levels; if the development is found to encroach upon this then it is likely to have a substantial effect on diffuse daylight.

The proposed first floor extension is likely to cause overshadowing to the adjoining garden at no. 2 Woodland, however it is not considered that this would cause unacceptable harm.

The sketch indicates that first floor windows may be installed to the rear eaves of the building to replace roof lights. In order to prevent overlooking onto flats at Holmwood Court, I would recommend that high level windows are installed.

Highways impact

Policy DP21 of the District Plan relates to transport and requires development proposals to provide adequate parking for the proposed development, having regard to the accessibility of the development and access to other modes of public transport; in addition, consideration would be given to ensure that the proposal does not have a detrimental impact upon highway safety. The Highways Authority at West Sussex County Council would be consulted in this respect as part of the application process.

Biodiversity Net Gain

From 2nd April 2024 onwards, development proposals on small sites are legally required to deliver a minimum of 10% biodiversity net gain (BNG) under the Environment Act 2021. Further guidance on BNG can be found on the Council's website at the following link: <https://www.midsussex.gov.uk/planning-building/biodiversity-net-gain/> and also on the Government's website at the following link: <https://www.gov.uk/government/collections/biodiversity-net-gain>. Development proposals that do not impact a priority habitat and impact less than 25 square metres of on-site habitat are exempt from this requirement and therefore I do not consider that this would be applicable in this instance. However the Council would support any proposals to introduce trees or soft landscaping at the site.

Impact on Ashdown Forest

As part of the application process and in accordance with habitats regulations and District Plan policy DP17, potential traffic impacts upon the Ashdown Forest SAC would be considered as part of the application process, although it is unlikely that the proposal would be considered to have a significant effect in this respect.

Further guidance on submitting a planning application can be found on the Council's website at the following link: <https://www.midsussex.gov.uk/planning-building/apply-for-planning-permission/>. I consider that a Planning Statement which addresses the loss of the social club use and relocation of the war memorial (amongst other matters), Sustainability Assessment and Noise Assessment should be included with any application submitted: <https://www.midsussex.gov.uk/media/8497/msdc-local-list-september-2022.pdf>.

The views expressed in this letter are at officer level only and do not prejudice the Council from making whatever decision it considers appropriate on any application subsequently submitted.

I hope that the above assists but please get back to me should you have any queries.

Kind regards

Debbie

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