

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1875	Case Officer:	Hamish Evans
Application Type:	Removal/Variation of Condition		
Proposal:	Amend condition 1 and remove condition 5 relating to planning application DM/24/0407.		
Site:	Barn Cottage, Ockley Lane, Hassocks, West Sussex, BN6 8NX, , ,		
Validation Date	29 Jul 2026	Overall Expiry Date:	26 Aug 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	16 Sep 2026
Target Date:	23 Sep 2026	Recommending Officer Signature:	Hamish Evans

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	21 Sep 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1875

**Barn Cottage, Ockley Lane, Hassocks, West Sussex, BN6 8NX, ,
Amend condition 1 and remove condition 5 relating to planning application DM/24/0407.
Mr And Mrs Philip Pain**

SUMMARY OF REPRESENTATIONS

No third-party representation letters have been received in response to this application.

SUMMARY OF CONSULTEES

None received.

PARISH COUNCIL OBSERVATIONS

Hassocks Parish Council

Recommend approval

INTRODUCTION

This application seeks permission, under section 73 of the Town and County Planning Act 1990, to amend condition 1 and remove condition 5 of planning permission DM/24/0407 which was granted on the 29th August 2024 for a "New two-storey, three bedroom dwelling with vehicle parking." at Barn Cottage Ockley Lane Hassocks West Sussex BN6 8NX.

RELEVANT PLANNING HISTORY

DM/16/0347. Conversion and extension of existing garage to form a 3 bedroom dwelling. Refused. Dismissed at Appeal.

DM/20/4539. New two-storey, three bedroom dwelling with vehicle parking, garden and new planted hedgerows. Permission.

DM/24/0407. New two-storey, three bedroom dwelling with vehicle parking. Permission.

DM/24/2902. Variation of condition 1 of planning application DM/24/0407 - to amend the approved plans to allow for design changes. Permission.

DM/25/1098. Variation of condition 1 of planning application DM/24/0407 - to allow for material changes to the external elevations. Permission.

SITE AND SURROUNDINGS

The application site is located on land to the north of Barn Cottage Ockley Lane and it is located adjacent to the Hassocks built up area boundary which is to the north and west of the site. Ockley Lane is located to the east of the site. Residential properties are located to the north, south and west of the site. To the north of the site is the access road to the Ockley Park development which is located to the west of the application site. The residential property to the north of the site is located in excess of some 30 metres from the site. The existing site has a number of trees a double garage that services Barn Cottage and some 2.0 metre high hedgerows bordering the site. The wider street scene is semi-rural in its nature with a number of detached dwellings that are characterised by a variety of external materials. There are a number of listed building within the wider street scene these include Ockley Manor Farm

Cottages a Grade II listed building, Ockley Manor Barn a grade II listed building and Ockley Manor and Ockley Manor North a grade II* listed building.

APPLICATION DETAILS

The application seeks to amend condition 1 and remove condition 5 of planning permission DM/24/0407 which was granted on the 29th August 2024 for a "New two-storey, three bedroom dwelling with vehicle parking." at Barn Cottage Ockley Lane Hassocks West Sussex BN6 8NX.

The application seeks to amend the plans to not include the existing garage within the application site and the removal of condition 5 which sought to secure the removal of an existing garage building due to its impact on the proposed vehicular turning area, parking and access to and from the site. Plans have been submitted to demonstrate the vehicular turning area, parking and access to and from the site.

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, the Mid Sussex Site Allocations DPD and the Hassocks 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.

DP21 - Transport

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.

Hassocks Neighbourhood Plan (adopted June 2020)

There are no relevant policies.

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 is currently at Examination with initial hearings held in February/March 2026. The Council is consulting on Main Modifications which are required to ensure the plan is legally compliant and sound. The District Plan remains at Examination until the Inspector has published his report, until that time only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

DPT4: Parking and Electric Vehicle Charging Infrastructure

NATIONAL POLICY

National Planning Policy Framework (NPPF August 2026)

Planning Practice Guidance

OTHER PLANNING GUIDANCE

Mid Sussex Design Guide Supplementary Planning Document

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.

ASSESSMENT

The application is submitted under Section 73 of the Town and Country Planning Act 1990. The Act states that *"On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—*

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application."

The issue therefore is to consider whether the proposed amended plans to remove the existing garage from the application site and whether the removal of condition 5 of planning permission DM/24/0407 is appropriate. If removed the effect would be that the permitted vehicular turning area, parking and access to and from the site may not be implemented as approved.

Transport

Policy DP21 of the Mid Sussex District Plan relates to highways safety matters. It is considered that policy DP21 is materially inconsistent with the NPPF and as such it is attributed very limited weight. Therefore, consideration should be given to policy TR4 of the NPPF.

Policy TR4 requires development be refused in it would result in an unacceptable impact on highways safety.

Plans have been provided to demonstrate that the vehicular turning area, parking and access to and from the site can be provided in accordance with the approved details and with the retention of the existing garage. Given this it is considered that the retention of the garage is acceptable and it is considered that the amended plans to remove the garage from the application site is appropriate. Having established this, condition 5 no longer serves a planning purpose and its removal is acceptable.

CONCLUSION

In conclusion the removal of the existing garage building is not considered necessary to implement the vehicular turning area, parking and access to and from the site. As such its retention would not result in an unacceptable impact on highways safety and would comply with policy DP21 of the Mid Sussex District Plan and policy TR4 of the NPPF. Condition 5 of DM/24/0407 is no longer considered to be necessary and the amended plans are considered to be acceptable.

Decision: Permission

Case Officer: Hamish Evans