



Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Switchboard: 01444 458166

DX 300320 Haywards Heath 1
www.midsussex.gov.uk

Mr John Belliere
BSW Building Services Ltd
Rock Lodge Vineyard
Lewes Road
Scaynes Hill
RH17 7NG

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

REFUSAL

REFERENCE: DM/22/2889

DESCRIPTION: RETROSPECTIVE APPLICATION TO KEEP OUTBUILDING AS A DWELLING FOR AN AGRICULTURAL WORKER.

LOCATION: ROCK LODGE COTTAGE, LEWES ROAD, SCAYNES HILL, HAYWARDS HEATH

DECISION DATE: 27 APR 2023

CASE OFFICER: JOSEPH SWIFT - JOSEPH.SWIFT@MIDSUSSEX.GOV.UK

The Council hereby notify you that they **REFUSE** to permit the above development as shown in the submitted application and plans.

The reasons for the Council's decision are:-

1. The site lies within the countryside where the principle of new dwellings is contrary to the development plan. The proposal is not considered to be essential for an agricultural worker and there is no other special justification for this dwelling. The Council can demonstrate a 5 year supply of deliverable housing, as such the balance to be applied in this case is a non-tilted one. As such the proposal is considered contrary to policies DP12 and DP15 of the District Plan. In addition the proposal is contrary to policy DP6 of the District Plan and Policy 1 and 2 of the Neighbourhood Plan as the proposal is not contiguous/within the existing built up area boundaries of any settlements. There are not considered to be any other material considerations that would warrant determining the planning application otherwise than in accordance with the development plan. The development thereby conflicts with policies DP6, DP12 and DP15 of the Mid Sussex District Plan 2014-2031, Policies 1 and 2 of the Neighbourhood Plan and the provisions of the NPPF.

2. The proposal would represent a new isolated home in the countryside, where occupants would be reliant on the use of a private car to gain access to local services. The site is not a sustainable location for a new dwelling and the proposal fails to accord with Policy DP21 in the Mid Sussex District Plan 2014-2031 and NPPF guidance.
3. The proposal has not been supported by a sustainability statement, as such no details have been provided as to how the proposal seeks to improve the sustainability of the development and therefore the proposal is not deemed to comply with Policy DP39 of the District Plan and the requirements of the NPPF.

INFORMATIVES

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Human Rights Implications

The planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Existing Floor and Elevations Plan	22/101BSK1		11.10.2022
Photographs			16.09.2022
Block Plan			16.09.2022
Location Plan			16.09.2022



Assistant Director Planning and Sustainable Economy

REFULZ

APPEALS TO THE SECRETARY OF STATE

Notes for Applicants

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

As this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice.

However, if

- (i) this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice; or
- (ii) an enforcement notice is subsequently served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
 - 28 days of the date of service of the enforcement notice, or
 - within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.uk](#).