

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1510	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Erection of proposed detached garden room		
Site:	49 Hassocks Road, Hurstpierpoint, Hassocks, West Sussex, BN6 9QL, , ,		
Validation Date	24 Jun 2026	Overall Expiry Date:	3 Sep 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	15 Sep 2026
Target Date:	19 Aug 2026	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	3
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Signed and Agreed By:	Stephen Ashdown	Date:	17 Sep 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1510

**49 Hassocks Road, Hurstpierpoint, Hassocks, West Sussex, BN6 9QL, ,
Erection of proposed detached garden room
Mr M Rigby**

SUMMARY OF REPRESENTATIONS

Objections have been received from No.51 hassocks Road and 10 Lynton Close on the following grounds:

- Use of building - potential to be let out
- Noise
- Overbearing
- Too large
- Overlooking
- Feeling of enclosure

SUMMARY OF CONSULTEES

None received

PARISH COUNCIL OBSERVATIONS

The Committee recommends that MSDC grant permission.

INTRODUCTION

Planning permission is sought for the erection of proposed detached garden room / annexe.

RELEVANT PLANNING HISTORY

DM/21/0557 - Raising the roof line of the existing lower roof structure. Demolish existing side orangery, erection of a single storey side extension, erection of a single storey rear extension. Reinstate window above the front door and re-organise part of the fenestration. (approved)

SITE AND SURROUNDINGS

49 Hassocks Road is a two storey pitched false front double gabled grey slate tiled dwelling. The walls are characterised by painted render and timber doors and windows. The dwelling is characterised by an existing single storey rear extension and a single storey side lean to extension.

To the north of the site is hedging to the set back neighbour No.47, to the south of the site is close boarded fencing to set back neighbour No.51, to the east of the site is long rear garden with close boarded fencing to neighbour beyond and to the west of the site the driveway leading to the highway.

The site is within the built-up area of Hurstpierpoint.

APPLICATION DETAILS

The existing shed on stilts measures some 6.45m in depth, 3m in width with a height to eaves of 2.15m and an overall height of 3m.

The proposed gym/garden room measures some 8.54m in depth, 5.5m in width with a height to eaves of 2.075m and an overall height of 3.9m. This will serve an office, sauna and gym. It will be sited far closer to the mutual boundary with No.51 than the existing shed some 0.3m from the boundary.

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 Hurstpierpoint and Sayers Common 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:

DP26 - Design and Character

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.

Hurstpierpoint and Sayers Common Neighbourhood Plan

The Hurstpierpoint and Sayers Common Neighbourhood Plan was made on 19 March 2015.

There are no relevant policies.

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 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.

Relevant policies:

DPS2 - Sustainable Design and Construction

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) (August 2026)

ASSESSMENT

Design and Character

Policy DP26 of the District Plan relates to character and design. In addition, policy 9 of the Neighbourhood Plan has a similar ethos. However, policy DP26 is considered to have very limited weight as it is materially inconsistent with the NPPF, and greater weight should be given to policy DP3 of the NPPF.

Policy DP3 in part states:

'To create well-designed places, development proposals should also reflect relevant aspects of the following principles, as appropriate to the nature of the development and its location.

e. Built Form: use the pattern of buildings to define the arrangement of streets, squares and other spaces, promote compact forms of development to optimise the site's potential, distinguish between public and private areas, create focal points and, where appropriate, enhance views into and out of the scheme;

g. Identity: create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting'.

As sited to the rear of the dwelling, the proposed garden building is to be no more than glimpsed from the streetscene. It will be subservient to the main dwelling and of a use not out of character with a residential outbuilding. It will use materials in character with the streetscene.

Therefore, the proposal is deemed to comply with DP3 of the NPPF and policy DP26 of the Mid Sussex District Plan.

Impact on residential amenity

In assessing the potential impact of the proposed development works upon the neighbouring amenities consideration needs to be given to District Plan Policy DP26. Policy 9 of the Neighbourhood Plan has a similar ethos.

However, policy DP26 is considered to have very limited weight as it is materially inconsistent with the NPPF, and greater weight should be given to policies L2 and P3 of the NPPF.

Policy L2 of the NPPF in part states:

'Maintain safe access and egress for occupiers and users, and acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space'

Policy P3 of the NPPF states in part that:

'Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree. Where possible, opportunities should be taken to reduce pollution affecting the wider area (such as through traffic and travel management or improved external lighting).'

Given the distance from the proposal outbuilding and neighbouring No.47 and the single storey nature of the building and locality within the built up area, unacceptable harm is not deemed to be caused in terms of light and pollution (air, light and noise).

In terms of No.51, the building is sited close to the mutual boundary but it will not have direct overlooking and the only windows are on the side and rear elevations looking towards the garden of No.49 primarily and as single storey the overlooking would be no more harmful than the existing or that expected within the built up area. In terms of light using 06/02795/FUL at No.51 as a guide, the most affected room is the summer room but as sited to the north of the affected neighbour, unacceptable harm is not deemed to be caused.

In terms of noise, the use as a gym has the potential to be noisier than a standard garden room, however the insulation required under building control would limit the noise impact. Coupled with this, a degree of noise is to be expected within the built up area.

In terms of pollution (air, light and noise) unacceptable harm is unlikely to be caused as within the built up area.

Therefore, in terms of neighbouring amenities, the proposal is deemed to comply with DP26 of the Mid Sussex District Plan and the relevant policies of the NPPF.

Other

The neighbour at No.10 Lynton Close has raised concerns about the building if approved being let out and used as an Airbnb or similar. This would be a material alteration from the approved plans and would be an unlawful usage which would require planning permission. The proposal in front of us is for a gym, sauna and office rather than a new dwelling or granny annexe.

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 proposed development is deemed acceptable in terms of design, form and scale and will not have a harmful impact upon the character of the area. Nor is the proposal considered to have an unacceptable impact upon neighbouring amenities.

The proposal therefore accords with policy DP26 of the Mid Sussex District Plan and the relevant policies of the NPPF.

Decision: Permission

Case Officer: Andrew Horrell