

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2787	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Conversion of garden room to residential annex.		
Site:	White Oaks, London Road, Sayers Common, Hassocks, West Sussex, BN6 9HT, ,		
Validation Date	9 Dec 2024	Overall Expiry Date:	7 Jan 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	31 Jan 2025
Target Date:	3 Feb 2025	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	3 Feb 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2787

**White Oaks, London Road, Sayers Common, Hassocks, West Sussex, BN6 9HT,
Conversion of garden room to residential annex.**

Mr Paul Harding

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEEES

Southern Water: Following on from the Weekly list sent on 28th December 2024, Southern water has determined the Flow rate for the above site will remain the same/similar as capacity is not an issue and no southern water assets will be affected. Therefore, Southern water has no objections to this proposal.

Surface water should not involve disposal to a public foul sewer and should be in line with the Hierarchy of H3 of Building Regulations.

Drainage and waste disposal: Approved Document H - GOV.UK (www.gov.uk)

Any new connections to the public sewerage system will require a New Sewer Connection application (we sometimes refer to this as a Section 106) to be submitted and approved by Southern Water.

Due to changes in legislation that came in to force on 01 October 2011 regarding the future ownership of sewers it is possible that some previously owned private sewers now deemed to be public could also be crossing the above property which are not shown on the Southern Water records. Therefore, should any other sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and the potential means of access before any further works commence on site.

PARISH COUNCIL OBSERVATIONS

Hurstpierpoint and Sayers Common Parish Council: We recommend that MSDC grant permission, with the condition that the annex remains tied to the main dwelling

INTRODUCTION

Planning permission is sought for the conversion of garden room to residential annex.

RELEVANT PLANNING HISTORY

14/04179/FUL - Erection of two no. three bedroom semi-detached cottages and one no. four bedroom detached house. (approved)

DM/20/3536 - Ground floor extension to rear and side, new entrance hall with reconfigured staircase, new car port, new attached garage, first floor extension to both sides and demolition of existing timber car port shed. (Amended plans 25/11) (approved)

DM/21/0283 - Proposed outbuilding with a pitched roof, comprising home gym, office and shower room. (amended plans received 02/03) (approved)

DM/23/2758 - Application for change of use of rear outbuilding approved under DM/21/0283 for annexe and holiday short let accommodation. (amended ground floor received 31/10) (withdrawn)

SITE AND SURROUNDINGS

White Oaks is a two storey detached pitched roofed dwelling with a front gable. The walls are characterised by face brickwork and timber cladding and upvc and timber doors and upvc windows.

To the north of the site is close boarded fencing to set back No.3 Oakfield, to the south of the site is close boarded fencing to newly built chalet bungalow, to the east of the site is the driveway leading to the highway and to the west of the site is rear garden to fields beyond.

The site is within the built-up area of Sayers Common.

APPLICATION DETAILS

The existing outbuilding approved under DM/21/0283 measures some 4.88m in depth, 10.95m in width with a height to eaves of 2.45m and an overall height of 3m. It will serve a home gym, office and shower room.

No external alterations are proposed. The alterations are the changing of the previously approved home office and gym outbuilding to an annexe with two bedrooms and a living/kitchen room. The existing shower room is to be retained.

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:

DP6 - Settlement Hierarchy
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.

Hurstpierpoint and Sayers Common Neighbourhood Plan

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

Relevant policies:

None relevant

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 (Regulation 19) is currently at Examination and the 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:

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)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 8, 11, 131 and 135 are considered to be relevant to this application.

ASSESSMENT

Principle of development

Policy DP6 of the Mid Sussex District Plan in part states:

'Development will be permitted within towns and villages with defined built-up area boundaries. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale (with particular regard to DP26: Character and Design), and not cause harm to the character and function of the settlement.'

It has been confirmed that the building will be used for ancillary purposes to the main dwelling and not as an independent separate unit of residential accommodation, which can be secured by a suitably worded condition. The site is located within the built up area boundary which, subject to its compliance with policy DP26 of the Mid Sussex District Plan, is considered acceptable in principle and complies with the above part of policy DP6 of the Mid Sussex District Plan.

Design and character

Policy DP26 of the District Plan relates to character and design and states 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;*
- *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;*
- *incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed; (see Policy DP29)';*

Given there are no external alterations proposed, the building would not be out of character with the area. The kitchen shall only have basic facilities, and the building will be used for ancillary purposes to the main dwelling and not as an independent separate unit of residential accommodation. To ensure that it would remain ancillary a planning condition would be attached to any consent restricting its use

Therefore, the proposal is considered to comply with policy DP26 of the Mid Sussex District Plan and the Mid Sussex Design Guide SPD in terms of character and design.

Neighbouring amenities

In terms of impact upon neighbouring amenities Policy DP26 in part 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);'

With regards to the impact on neighbouring amenity, no changes to the form or height of the building are proposed. No loss of light or outlook would therefore arise from the proposal.

In terms of noise and disturbance, the annex is to be used by a relative of the homeowner and is not intended to be rented out. Whilst the annex is to contain living accommodation, it would be connected to the host dwelling by the rear garden. It is considered that whilst the facilities would be suitable for an annex, there would be insufficient space to accommodate an independent unit. As such a condition can, be attached to any permission, restricting the use to ancillary purposes.

Therefore, in terms of neighbouring amenities, the proposal is deemed to comply with 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.

PLANNING BALANCE AND CONCLUSION

In conclusion, the proposal is considered to address the character and scale of the existing and surrounding buildings and would not cause unacceptable harm to the amenities of neighbouring properties. The application is also exempt from the requirement to provide biodiversity net gain.

Therefore, the proposal complies with policies DP6 and DP26 of the Mid Sussex District Plan and with the relevant provisions of the NPPF.

Decision: Permission

Case Officer: Andrew Horrell