

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0714	Case Officer:	Rachel Richardson
Application Type:	Full Application		
Proposal:	Incorporating existing ancillary accommodation within existing 1-bed dwelling to form a larger 3-bed dwelling.		
Site:	Garage Annexe, Big Edgerley Barn, College Lane, Hurstpierpoint, West Sussex, BN6 9QY, ,		
Validation Date	1 Apr 2026	Overall Expiry Date:	30 Apr 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	30 Jun 2026
Target Date:	27 May 2026	Recommending Officer Signature:	Rachel Richardson

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	30 Jun 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0714

**Garage Annexe, Big Edgerley Barn, College Lane, Hurstpierpoint, West Sussex, BN6 9QY, Incorporating existing ancillary accommodation within existing 1-bed dwelling to form a larger 3-bed dwelling.
Mr And Mrs Baldey**

SUMMARY OF REPRESENTATIONS

None

SUMMARY OF CONSULTEES

Southern Water: Have requested a condition should permission be granted. The condition requests details be submitted for foul/surface water drainage.

TOWN/PARISH COUNCIL OBSERVATIONS

Recommends permission be granted.

INTRODUCTION

Permission is sought to incorporate existing ancillary accommodation within existing 1-bed dwelling to form a larger 3-bed dwelling.

RELEVANT PLANNING HISTORY

07/00395/FUL Change of Use of Big Edgerley Barn from ancillary residential use to a dwelling. There were 2 subsequent applications for an extension of time in 2010 and 2013.

07/00396/FUL Proposed double garage with cart shed and fuel store. Permission 19.04.2007

09/01735/FUL Amendment to 07/00396. Permission was granted in 2009 for the erection of a garage with store above, this was an amendment to the previously approved application 07/00396/FUL which was approved in 2007.

10/00187/FUL - Planning permission was granted in March 2010 for the change of use of room over the garage from storage to ancillary accommodation and the insertion of new window and door.

DM/15/2969 - Planning permission was refused in September 2016 for the proposed conversion of the garage to enlarge the existing annex to form self-contained ancillary accommodation for a family member. This application sought permission for the conversion of the ground floor to create additional ancillary accommodation.

DM/16/1656 - Planning permission was granted in September 2016 for alterations and extension of existing barn conversion to create additional residential accommodation, and alterations to the existing annexe to provide disabled accessible accommodation and home office.

DM/25/1532 - Existing Certificate of Lawful Use or Development for the use of part of the annex as a separate independent unit of residential accommodation. Permission 08.08.2025

SITE AND SURROUNDINGS

The Annexe, the subject of this application, is a detached residential barn located to the west of College Lane, albeit set back some distance from College Lane and accessed via a long driveway. The site is generally surrounded by open agricultural land with areas of recent residential development further west and northwest of the site.

There is a mix of residential properties in the surrounds which reflects the former farm estate use of the site. Big Edgerley is a large, detached dwelling located to the south and was built in the 1990's on the footprint of 2 Victorian farm cottages that were demolished in 1994/95. Big Edgerley Barn is a former barn converted into a separate residential dwelling, and the Annexe and Cart Lodge have been converted to provide ancillary accommodation to Big Edgerley Barn.

The Annexe shares an access track from College Lane with both Big Edgerley and Big Edgerley Barn. However, the Annexe has its own separate curtilage with courtyard garden and parking.

The application site is located within the countryside outside of the built-up area boundary as defined in the District Plan.

APPLICATION DETAILS

The Design and Access Statement submitted with the application describes the proposal as follows;

'The proposal seeks planning permission for the creation of a 3 bedroom dwelling through the conversion of the disability suite on the ground floor of the Annexe and incorporation of this into the existing separate 1-bed dwelling to create a 3-bed, 1 & 1/2 -storey detached dwelling.

The existing disability suite was built and designed to enable the applicant's elderly father to live in the property. The Annexe was occupied by their father until 2019, at that time their elderly father came to share the facilities in the main house of Big Edgerley Barn and use only the disability suite of the Annexe which is located on part of the ground floor of the Annexe. The disability suite of the Annexe is no longer required, and as such the proposal is to incorporate this into the main dwelling and create a larger 3-bed family home.

The proposal would involve minimal external alterations to the building which comprise the filling-in of the existing car port with a French door. The proposed external alterations to the dwelling would be of traditional design, in keeping with the locality and the existing materials and fenestration on the dwelling and the surrounds.

Vehicular access to the dwelling would remain as existing be via the existing access track from College Lane which is also used by both Big Edgerley and Big Edgerley Barn. The proposal would incorporate the existing separate curtilage with courtyard garden which is currently used by the Annexe, but also proposes the inclusion of part of the garden of Big Edgerley Barn in order to provide sufficient residential amenity garden space for the larger 3 bed family home. It should be noted that this part of the site is already in use as a residential garden.

The Annexe dwelling currently has its own parking on site for 2 vehicles and the proposed 3-bed dwelling would continue to utilise these parking spaces.'

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.

Specifically, Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

- a) *The provisions of the development plan, so far as material to application, and*
- b) *Any local finance considerations, so far as material to the application, and*
- c) *Any other material considerations.'*

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the 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.

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocations Development Plan Document (DPD) and the Hurstpierpoint and Sayers Common Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework (NPPF) 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:

DP12: Protection and Enhancement of the Countryside
DP21: Transport
DP26: Character and Design
DP27: Dwelling Space Standards
DP41: Flood Risk and Drainage

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

Relevant policies. None.

Hurstpierpoint and Sayers Common Neighbourhood Plan

The H and SC Neighbourhood Plan was made on 19th March 2015.

Relevant policies:

Hurst C1 Conserving and Enhancing Character

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 hearings were concluded on the 19th March 2026. 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:

DPB1: Character and Design
DPC1: Protection and Enhancement of the Countryside
DPH11: Dwelling Space Standards
DPS4: Flood Risk and Drainage
DPT1: Placemaking and Connectivity
DPT4: Parking and Electric Vehicle Charging Infrastructure

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 NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three overarching objectives to sustainable development, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). The three objectives are economic, social and environmental.

Paragraph 9 of the NPPF states *'these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.'*

Paragraph 11 of the NPPF sets out that for both plan-making and decision-taking, the presumption in favour of sustainable development should apply.

Paragraph 12 of the NPPF states;

'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'

Paragraph 39 of the NPPF states;

'Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers

and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.'

Technical Housing Standards

ASSESSMENT

It is considered that the main issues that need to be considered in the determination of this application are as follows;

- o Principle
- o Design and Impact on the character and appearance of the area
- o Space Standards
- o Impact on Residential Amenity
- o Highways
- o Ashdown Forest
- o Biodiversity Net Gain
- o Planning Balance and Conclusion

Principle

As noted above, planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

In terms of policy designations, the starting point for this assessment is that the application site falls outside of the built-up area of Hurstpierpoint and Sayers Common as defined by the District Plan. As such the site is located within the defined Countryside.

Policy DP12 of the District Plan refers to the protection of the Countryside and states, in part, that development will be permitted in the countryside provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and is necessary for the purposes of agriculture or is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.

The proposed development is seeking to enlarge the 1 bedroom dwelling (DM/25/1532) to a 3 bedroom dwelling by converting and combining the 1 bedroom dwelling at first floor with the disability suite at ground floor. This would not involve the creation of a new dwelling and as such is acceptable in principle subject to any design alterations being in accordance with policies DP12 and Hurst C1 which seek to maintain or where possible enhance the quality of the rural landscape.

As the proposed conversion only seeks to enclose and fill in the car port with a French door and install a rooflight, this is considered acceptable in policy terms.

Design and Impact on character of the area

Policy DP26 states:

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;
o 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;*

- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- o protects open spaces, trees and gardens that contribute to the character of the area;*
- o protects valued townscapes and the separate identity and character of towns and villages;*
- o 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);*
- o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- o positively addresses sustainability considerations in the layout and the building design;*
- o take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- o optimises the potential of the site to accommodate development.'*

In terms of design and character, and as said above, there are minimal external alterations proposed, the proposed conversion is compliant with policy DP26 and the Mid Sussex Design Guide as well as national policy contained within the NPPF.

Space Standards

The Government's Technical Housing Standards - Nationally Described Space Standards document was published in March 2015. It sets out space standards for all new residential dwellings, including minimum floor areas and room widths for bedrooms and minimum floor areas for storage, to secure a satisfactory standard of accommodation for future residents. Policy DP27 of the District Plan supports this.

Technical Nationally Described Housing Standards requires a 3 bedroom two/three storey house (the application form states that the proposed dwelling is a 3-bedroom house) to have a minimum internal floor area of between 102 sqm and 108 sqm with 2.5 sqm of storage. The proposed dwelling will have an internal floor area of about 143 sqm including storage area which more than meets minimum requirements.

As such, the application is over and above the minimum internal floor area required and complies with Technical Standards and policy DP27.

Residential Amenity

As above policy DP26 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);

There is a mix of residential properties in the surrounding locality which reflects the former farm estate use of the site. Big Edgerley is a large, detached dwelling located to the south and is a converted barn. Big Edgerley Barn is also a former barn converted into a separate residential dwelling. These neighbouring dwellings are located some 10m from the dwelling, due to the orientation of these dwellings and the courtyard gardens which separate the properties, and given that a separate dwelling already exists on the site, it is not considered that the proposal would have any significant harm on neighbouring amenity.

The proposal would incorporate the existing separate curtilage with courtyard garden which is currently used by the Annexe, but also proposes the inclusion of part of the garden of Big Edgerley Barn in order to provide sufficient residential amenity garden space for the larger 3-bed family home.

As such, the proposed conversion is considered to be acceptable and would comply with policies DP26 and DP29 in terms of noise.

Highways

Policy DP21 of the District Plan relates to transport and requires proposals to be sustainably located and provide adequate parking. It states:

'Development will be required to support the objectives of the West Sussex Transport Plan 2011-2026, which are:

- A high quality transport network that promotes a competitive and prosperous economy,*
- A resilient transport network that complements the built and natural environment whilst reducing carbon emissions over time,*
- Access to services, employment and housing, and*
- A transport network that feels, and is, safer and healthier to use.*

To meet these objectives, decisions on development proposals will take account of whether:

- The scheme is sustainably located to minimise the need for travel noting there might be circumstances where development needs to be located in the countryside, such as rural economic uses (see policy DP14: Sustainable Rural Development and the Rural Economy),*
- Appropriate opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking, have been fully explored and taken up,*
- The scheme is designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages,*
- The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport, and with the relevant Neighbourhood Plan where applicable,*
- Development which generates significant amounts of movement is supported by a Transport Assessment/ Statement and a Travel Plan that is effective and demonstrably deliverable including setting out how schemes will be funded,*
- The scheme provides appropriate mitigation to support new development on the local and strategic road network, including the transport network outside of the district, secured where necessary through appropriate legal agreements,*
- The scheme avoids severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation,*
- The scheme protects the safety of road users and pedestrians, and*
- The scheme does not harm the special qualities of the South Downs National Park or the High Weald Area of Outstanding Natural Beauty through its transport impacts.*

Where practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles.

Neighbourhood Plans can set local standards for car parking provision provided that it is based upon evidence that provides clear and compelling justification for doing so.'

The NPPF para 116 states:

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.'

The Local Highway Authority (LHA) was not consulted on this application as it does not result in a new dwelling. The existing access would be utilised and there is sufficient off street parking within the site to serve the proposed 3 bedroom dwelling. There are 2 spaces already provided.

As such, and in terms of access, parking and safety, the proposed development would not be prejudicial to highway safety and there are no grounds to resist this proposal in terms of transport. The proposed development is therefore compliant with policy DP21 and the provisions contained within the NPPF.

Ashdown Forest

Under the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations'), the competent authority - in this case, Mid Sussex District Council - has a duty to ensure that any plans or projects that they regulate (including plan making and determining planning applications) will have no adverse effect on the integrity of a European site of nature conservation importance. The European site of focus is the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC).

The potential effects of development on Ashdown Forest were assessed during the Habitats Regulations Assessment (HRA) process for the Mid Sussex District Plan 2014-2031. This process identified likely significant effects on the Ashdown Forest SPA from recreational disturbance and on the Ashdown Forest SAC from atmospheric pollution.

An overall Habitats Regulations Assessment has been undertaken for the planning application which includes the type of development proposed.

Recreational disturbance

Increased recreational activity arising from new residential development and related population growth is likely to disturb the protected near-ground and ground nesting birds on Ashdown Forest.

In accordance with advice from Natural England, the HRA for the Mid Sussex District Plan 2014-2031, and as detailed in District Plan Policy DP17, mitigation measures are necessary to counteract the effects of a potential increase in recreational pressure and are required for developments resulting in a net increase in dwellings within a 7km zone of influence around the Ashdown Forest SPA. A Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) mitigation approach has been developed. This mitigation approach has been agreed with Natural England.

This planning application does not result in a net increase in dwellings within the 7km zone of influence and so mitigation is not required.

Atmospheric pollution

Increased traffic emissions as a consequence of new development may result in additional atmospheric pollution on Ashdown Forest. The main pollutant effects of interest are acid deposition and eutrophication by nitrogen deposition. High levels of nitrogen may detrimentally affect the composition of an ecosystem and lead to loss of species.

It is considered that the proposed development will not lead to a significant increase in traffic across Ashdown Forest. There is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

Conclusion of the Habitats Regulations Assessment

The Habitats Regulations Assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the types of development identified which includes this proposed development.

No mitigation is required in relation to the Ashdown Forest SPA or SAC.

A full HRA (that is, the appropriate assessment stage that ascertains the effect on integrity of the European site) of the proposed development is not required.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain this application comprises development below the de-minimis threshold meaning that this development is exempt from providing biodiversity net gain.

Other

Southern Water has commented that insufficient information has been provided for foul and surface water drainage and that any permission should include a planning condition to request these details. The Drainage team have not been consulted on this application because the nature of the proposal does not meet the requirements to do so. However, the application form confirms that the site is not at risk of flooding and surface water/foul drainage will be disposed of in the mains sewer. This is considered acceptable in terms of policy DP41 (Flood Risk and Drainage).

PLANNING BALANCE AND CONCLUSION

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the Development Plan and then to take account of other material planning considerations including the NPPF. The Development Plan in this instance consists of the Mid Sussex District Plan, the Site Allocations Development Plan Document and the Hurstpierpoint and Sayers Common Neighbourhood Plan.

For the reasons set out within the assessment section, it is considered that the application, which is for a conversion and enlargement of an existing dwelling, complies with Mid Sussex District Plan policies DP12, DP21, DP26, DP27 and DP41 and Neighbourhood Plan policy HurstC1.

Decision: Permission

Case Officer: Rachel Richardson