



Appeal Decision

Site visit made on 26 February 2025

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 March 2025

Appeal Ref: APP/D3830/W/24/3350749

Land to rear of Ockley Grange, Ockley Lane, Hassocks, West Sussex, BN6 8NU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr G Foschini against the decision of Mid Sussex District Council.
 - The application Ref is DM/24/0424.
 - The development proposed is the erection of detached single-storey 1 bed building to be used as a self-contained holiday let.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposed development relates to the setting of listed buildings. Accordingly, I have had regard to the statutory duties set out in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

3. The main issues are:
 - the effect of the proposed development on the living conditions of neighbouring occupiers;
 - the effect of the proposed development on the character and appearance of the surrounding area; and
 - whether the proposed development would preserve the settings of Grade II and Grade II* listed buildings.

Reasons

Living conditions

4. The proposed development would be accessed via a private drive, which is gated, and is currently used by only two properties.
5. Whilst the access would serve only one further property and would therefore unlikely result in a significant increase in the level of trips, this change would be noticeable to the occupiers of Millway Cottage and Ockley Grange. The position of the access and parking/turning space, relative to these existing properties, is such that the starting, manoeuvring and passing of additional vehicles would take place close to established habitable rooms. Moreover, vehicles and pedestrians would pass through the large front garden of Millway Cottage, which is open onto the

shared driveway. Such activity, however minimal, would result in a greater level of disturbance than is currently the case, or would be the case if the previously approved private garage were to be implemented at Ockley Grange. The proposed development would therefore be to the detriment of the living conditions of neighbouring occupants.

6. The appellant sets out that the highways authority had no concerns. This is accepted; however, this relates to highway safety matters and does not mitigate against noise and disturbance.
7. For the above reasons, I conclude that the proposed development would harm the living conditions of the occupants of neighbouring properties, contrary to the relevant provisions of Policy 9 of the Hassocks Neighbourhood Plan. This policy, in summary, seeks to protect the living conditions of neighbours. This is in a similar vein to the objectives of the National Planning Policy Framework (the Framework), insofar as living conditions are concerned.

Character and appearance

8. The main part of the appeal site comprises a parcel of principally undeveloped land. This is positioned to the northeast of Millway Cottage and opposite Ockley Grange. Although undeveloped, the site forms part of the enclosed garden plot of Ockley Grange. From that perspective, it already has a domestic, rather than open countryside, character.
9. The proposed development would introduce additional built form to the established cluster of development to the north of Oldlands Lane, at its junction with Ockley Lane. Glimpsed views of this would be obtained from the main entrance, as well as from the private vantage points of Millway Cottage and Ockley Grange. Nevertheless, the position, single-storey nature and overall appearance of the proposed development would have a minimal impact on the character and appearance of the site and surrounding area, viewed in the context of established development.
10. The Council sets out that the proposed development would be larger than a previously approved (unimplemented) garage structure at the site, and that it would result in an intensification of the site. I do not disagree with this. However, the proposed development would not be out of keeping here.
11. Overall, I conclude that the proposed development would be acceptable and in accordance with the relevant provisions of Policies DP12, DP19 and DP26 of the Mid Sussex District Plan. These policies, in summary, seek to ensure high quality design in development that respects its context. This is in a similar vein to the provisions of the Hassocks Neighbourhood Plan insofar as good design is concerned.

Heritage – special interest and significance

Ockley Manor

12. Ockley Manor is set within an expansive garden plot. It is a Grade II* listed building¹, dating from the early 18th century. It is predominantly finished in red brick, with a painted stringcourse and quoin details.

¹ List Entry Number: 1285397

13. Based on the evidence before me, the special interest and significance of the listed building is largely derived from its architectural and historic interests. An important contributor in these regards, which is pertinent to the appeal, is its impressive scale, set within formal grounds.
14. The open and landscaped grounds of Ockley Manor have an historic, visual and functional connection with the main house. These grounds are clearly defined by boundary treatments, including walls and mature landscaping. These grounds form the immediate setting of the listed building and it is from here that the asset is best appreciated. This immediate setting contributes positively to the special interest and significance of the heritage asset.
15. Beyond this, the surrounding area is made up of both verdant and open fields and suburban development. This surrounding area forms the asset's wider setting. There is limited intervisibility between the heritage asset and the wider setting. This has undoubtedly changed over time with the maturing of landscaping, and has altered how the asset is experienced from the wider setting. This therefore moderates the contribution the wider setting, which includes the appeal site, makes to the special interest and significance of the assets.

Ockley Manor Farm Cottages, Dovecot and Barn

16. The grounds of Ockley Manor contain several buildings listed in their own right. This includes Ockley Manor Farm Cottages² (Grade II listed), Dovecot to the South-West of Ockley Manor³ (Grade II listed), and Barn to the North-West of Ockley Manor⁴ (Grade II listed).
17. The Farm Cottages are of early to mid-19th century origins, finished in traditional materials. The Dovecot dates from the 18th century and is of red brick construction. The barn dates from the 18th century and is faced in both weatherboarding and red brick. Based on the evidence before me, the special interest and significance of the listed buildings is largely derived from their architectural and historic interests. Important contributors in these regards, which are pertinent to the appeal, are their age and the use of traditional building materials and methods. Their immediate setting is formed of the enclosed grounds of Ockley Manor. As described above for Ockley Manor, the surrounding area, which includes the appeal site, forms the wider setting of these assets.

Heritage – appeal proposal and effects

18. Although positioned close to Ockley Manor and associated assets, the extent and nature of the proposed development together with the limited intervisibility between the appeal site and the identified heritage assets, would mean that the visually and physically separate relationship between the appeal site and those assets would be maintained. The historic and architectural interests of the assets would remain unaffected. Ultimately, the immediate and most of the wider settings that contribute to the significance of those assets would remain undisturbed by the proposed scheme.
19. Overall, I conclude that the proposed development would preserve the setting of Grade II* listed building, Ockley Manor, and the settings of the associated Grade II

² List Entry Number: 1462874

³ List Entry Number: 1025652

⁴ List Entry Number: 1354853

listed buildings, and therefore the contribution those settings make to the significance of the assets would be preserved. Accordingly, the proposed development would be in accordance with the requirements of section 66(1) of the Act and the relevant provisions within the Framework which seek to conserve and enhance the historic environment. The proposed works would also accord with the relevant provisions of Policy DP34 of the Mid Sussex District Plan which, in summary, seeks to protect heritage assets.

20. As I have not identified any harm to the significance of the designated heritage assets, it is not incumbent on me to consider any wider public benefits that the proposed development may bring.

Other Matters

21. My attention is drawn to the development of 500 dwellings at a site referenced as 'Land to the North of Clayton Mills'. Whilst this is noted, I have very limited information before me about that scheme and I am unable to draw direct comparisons between it and the proposed development before me, including the planning balance undertaken there. In any case, the existence of that scheme is not reason to automatically allow any other development, particularly where harm has been identified. Ultimately, this consideration has not led me to come to an alternative conclusion on the main issues.
22. I note the argument that public benefits would arise from the proposed development, including the provision of access to the South Downs National Park, and an increase in local spend. However, given the limited scale of the proposed development I afford this consideration very limited weight.
23. The appellant has set out that the previously permitted garage structure (unimplemented) forms a fallback position, noting caselaw. Specifically, they set out that this would be constructed if the appeal were to fail. However, there is no substantive evidence before me that leads me to conclude that the appellant could reasonably implement a similarly harmful scheme. The private garage, as approved, would not only be physically smaller than the proposed development before me, but would not be occupied as a holiday let or living accommodation. I therefore afford this consideration very limited weight in favour of allowing the appeal.
24. I note the letter of support from the Parish Council and lack of objection from various other third parties. However, this is neutral in my determination of the appeal.

Conclusion

25. For the reasons above, having had regard to the development plan as a whole and to all other relevant material considerations, I conclude that the appeal should be dismissed.

A Price

INSPECTOR