

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1769	Case Officer:	Stefan Galyas
Application Type:	Householder Application		
Proposal:	Permission for proposed two storey side extensions, single storey rear and side extension. Amendments and additions to fenestration, solar panels, thermal upgrade measures and air source heat pump. Part Retrospective Proposed garden landscaping.		
Site:	Fairhaven, Abberton Field, Hurstpierpoint, Hassocks, West Sussex, BN6 9QD, ,		
Validation Date	16 Jul 2025	Overall Expiry Date:	2 Mar 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	9 Mar 2026
Target Date:	10 Sep 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	3
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Signed and Agreed By:	<i>Steven King</i>	Date:	10 Mar 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1769

Fairhaven, Abberton Field, Hurstpierpoint, Hassocks, West Sussex, BN6 9QD,
Permission for proposed two storey side extensions, single storey rear and side extension.
Amendments and additions to fenestration, solar panels, thermal upgrade measures and air
source heat pump. Part Retrospective Proposed garden landscaping.
Mr Richard McBrayne

SUMMARY OF REPRESENTATIONS

There were three letters of representation received in response to the original proposal. Two letters sought to object to the original proposal for the following reasons:

- The two new windows to the eastern elevation resulting in an overlooking impact towards the neighbouring dwelling.
- The proposed amount of zinc cladding not being in keeping with the character and appearance of the area.
- A covenant within the deeds stating that all neighbours should agree to extensions in the street.
- There being an increase in traffic, resulting in more comings and goings.

The other letter of representation neither sought to support or object towards the proposal but raised concerns regarding the proposed materials and impact on neighbouring outlook.

No further representation letters have been received in response to the latest set of plans.

SUMMARY OF CONSULTEES

Conservation Officer: *'Although the extensions remain substantial, on balance given the rearward position of the majority of the additions and the now subservient height of the first floor addition in this location, on balance I do not consider that a continued objection on grounds of the scale of the additions in terms of the impact on the character and appearance of the Conservation Area and the setting of the listed building could be sustained. The revised palette of materials also relates the proposal better to the context, subject to detail.'*

Environmental Health Officer: No objection.

Southern Water: *'If the applicant is proposing to utilise the existing connection, Southern Water will have no objections to the proposed extension.'*

Tree Officer: No objection.

District Licensing: No comment.

TOWN/PARISH COUNCIL OBSERVATIONS

Parish Council: *'The committee recommends that MSDC grant permission'*

INTRODUCTION

The application seeks planning permission for the development of a two storey side extension, a single storey rear and side extension, proposed solar panels and an air source heat pump. The application also seeks part-retrospective permission for garden landscaping works.

RELEVANT PLANNING HISTORY

There is no recent history of planning applications relating to the site.

SITE AND SURROUNDINGS

The application relates to Fairhaven, a detached two storey dwelling with a pitched roof and a dormer to the northern roof slope. The existing dwelling has an existing single storey element to the northern side which features a flat roof and incorporates a porch and garage space. Garden amenity space wraps around the existing dwelling to the eastern, southern and western sides and the property is set back from the highway edge by a tarmacked front driveway. In terms of existing materials, the dwelling is composed of facing brickwork and tile hanging to the walls, a concrete tiled roof, white uPVC windows and doors.

In terms of the sites locality, there are a number of other residential detached dwellings, typically of a two storey size and scale. Mature tree planting throughout provides a verdant character to the locality.

With regard to policy constraints, the site is located within the Hurstpierpoint built up area. The site is also positioned within the Hurstpierpoint Conservation Area and there is an existing tree subject to a tree preservation order to the south-west of the site. The grade II listed Abberton House is set to the north of the application site.

APPLICATION DETAILS

The proposal would develop a two-storey side (north) extension which would measure at approximately 10.5m in length, 5m wide, 5.1m high to the eaves and 6.5m high to the ridge.

Furthermore, a new single storey side (north and south) and rear (east) extension would be developed. The single storey side (north) extension would measure at circa 7m in length, 8.7m in maximum width and 3.1m high.

The other single storey side (south) extension would measure at circa 6.8m in length, 3m in width and 3.1m high.

A single storey rear extension would also be developed which would measure at approximately 2.4m in length, 10.4m wide and 3m high.

A new 1.5m high close boarded boundary fence would be erected to the west and south of the site with associated landscaping.

New solar panels would be added to the two storey extensions southern roof slope. A new air source heat pump would be added to the northern side of the property. Further hard and soft landscaping would be carried out within the garden amenity space, including a basket gabion wall, patio paving and levelling.

Proposed materials throughout would comprise matching brickwork, matching tile hanging and larch cladding to the walls, matching roof tiles, a single ply flat roof membrane and zinc roofs to the single storey elements and aluminium windows.

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 the 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:

DP21: Transport

DP26: Character and Design

DP34: Listed Buildings

DP35: Conservation Areas

DP37: Trees, Woodland and Hedgerows

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.

Neighbourhood Plan

Hurstpierpoint and Sayers Common Neighbourhood Plan (February 2015)

None relevant.

Mid Sussex District Plan 2021-2039 Consultation Draft

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 stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to some of the 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:

DPS1 - Climate Change

DPS2 - Sustainable Design and Construction

DPB1 - Character and Design

DPB2 - Listed Buildings and Other Heritage Assets

DPB3 - Conservation Areas

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 National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 2, 8, 11, 39, 48, 96, 98, 131, 134, 135, 139, 189, 207, 208, 209, 212-215, 219 & 220.

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66(1) - Special regard to be had to the preservation of a listed building or its setting.

Section 72(1) - Special attention to be paid to preserving or enhancing the character or appearance of a conservation area.

ASSESSMENT

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

- Impact on Character and Appearance, Including Heritage Assets
- Impact on Neighbouring Amenities
- Highways Impact
- Trees Impact
- Other Matters
- Biodiversity Net Gain

Impact on Character and Appearance, Including Heritage Assets

With regard to the setting of the listed building, DP34 requires:

'Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- *A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*
- *Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;*
- *Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- *Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;*
- *Special regard is given to protecting the setting of a listed building;*
- *Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.'*

In terms of the impact on the Hurstpierpoint Conservation Area, policy DP35 of the District Plan states:

'Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:

- o New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials;*
- o Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character;*
- o Traditional shop fronts that are a key feature of the conservation area are protected. Any alterations to shopfronts in a conservation area will only be permitted where they do not result in the loss of a traditional shopfront and the new design is sympathetic to the character of the existing building and street scene in which it is located;*
- o Existing buildings that contribute to the character of the conservation area are protected. Where demolition is permitted, the replacement buildings are of a design that reflects the special characteristics of the area;*
- o Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;*
- o New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area.*

Development will also protect the setting of the conservation area and in particular views into and out of the area.

New buildings of outstanding or innovative design may be acceptable in conservation areas provided that their impact would not cause material harm to the area.'

Policy DP26 of the District Plan 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:

- o 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 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'*

Paragraph 216 of the NPPF is relevant in this instance, stating that:

'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

Significance is defined in Annex 2 of the NPPF as *'The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.'*

Paragraph 208 of the NPPF requires the Local Planning Authority to identify and assess the particular significance of any heritage asset that may be affected and take this into account when considering the impact of a proposal.

Paragraphs 212 - 215 of the NPPF states:

'212. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'

213. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

214. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

Principle DG49 of the Mid Sussex Design Guide states:

'Extensions should typically use simple, uncomplicated building forms to compliment and coordinate with the scale, form and massing of the original dwelling. The design approach may benefit from coordinating with the existing pattern of window and door openings as well as employing facing materials to match those of the existing dwelling. Otherwise, it should demonstrate the appropriateness of the alternative approach.'

Principle DG50 of the Mid Sussex Design Guide elaborates further on what constitutes 'good design' in relation to side extensions:

'Side extensions should normally be subservient to the original dwelling and typically be set-back from the front of the house to help define the original building.'

The gaps between dwellings can sometimes positively contribute to articulating (for example, through the consistent rhythm of repeated houses) and adding interest in a street frontage or by providing views / visible connections to the surrounding countryside. Side extensions will therefore need to appropriately respond to the character of the street form and will not normally be accepted where they close an important gap and view.'

In terms of rear extensions, principle DG51 states:

'Rear extensions which are not visible from the street and do not negatively impact on neighbouring properties can be expressed in many forms, including by adopting a contemporary architectural approach. With reference to DG49, they should nevertheless have consideration for the character of the existing building and the relationship of the extension with the side boundaries and adjacent buildings and gardens'

The below assessment is made whilst being mindful of this guidance and having regard to the statutory duty of the Council, as the Local Planning Authority, to have special regard to the desirability of preserving the listed building or its setting in accordance with the requirements of Section 66 and to pay special attention to the desirability of preserving or enhancing the character or appearance of that area in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

It was noted in response to the proposed development by the Council's Conservation Officer that the extension was of a substantial overall size. However, the scheme has been revised to reduce the overall size and materials of the original scheme. The palette of materials is considered to now be more sympathetic to the site's surroundings than the originally proposed zinc cladding throughout.

The reduction in size through the latest set of revisions are considered to help ensure that the extensions would be read as subservient towards the original dwelling. The two-storey side extension would be slightly offset in both eaves and ridge height to the original property despite its significant overall height. Furthermore, the use of tile hanging at first floor level would likely allow the proposal to assimilate with the existing.

Although the proposed single storey extensions would utilise flat roof pitches, it is considered that this is not an entirely new feature on site. The existing dwelling utilises a flat roof pitch to the side (north) garage and porch space and it is not considered that the application could be resisted on the basis of the introduction of a new flat roof alone. The use of the timber cladding to the walls to both side elements is considered to give rise to a slightly more contemporary appearance, however, on balance is considered to be acceptable.

The proposed development would also include a 1.5m high boundary fence to the sites western and southern boundaries. Further landscaping and planting would be added out the outer/ roadside periphery of the fence in order to soften the close board fences' utilitarian appearance. It is considered that the proposed fence would not be of a significant height either despite its positioning in a visually prominent position in terms of the street scene. It was noted by the Tree Officer in response to the proposal that it would be preferable that native species were used for the planting, however, no objection was sustained on this basis. As such, the proposed new boundary planting is considered to be acceptable.

In light of the above, the proposal is considered to result in a neutral impact on the Conservation Area and would preserve the setting of the nearby listed buildings. The proposal would therefore meet the provisions of policies DP26, DP34 and DP35 of the District Plan.

Impact on 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 DP29);'*

Principle DG47 of the Mid Sussex Design Guide SPD relates to neighbouring amenities in terms of light and states:

'All dwellings should benefit from daylight and sunlight levels that conform to BRE (Better Regulation Executive) standards.'

A new first floor side (east) elevation window serving as a principal window to bedroom 4 is proposed as part of the development. This window would face out to the east where the neighbouring site at Squirrels Gate is set, albeit at a slightly higher finished floor level. There is an existing unobscured glazed window at the neighbouring site to the east which would face back towards the application site. It is considered that a distance in excess of approximately 17m would remain between the two windows and 10m between the proposed window and the neighbouring garden. Furthermore, there is a degree of boundary planting between the two sites which would help restrict views. It is therefore not considered that the proposed window would give rise to a significant overlooking impact.

To the northern elevation, there would be two new side elevation windows set within a closer proximity to the neighbouring site at Abberton House immediately to the north. It is considered that these would serve bathroom W/Cs and finished in an obscure glazed finish. These windows would therefore not likely result in overlooking.

In terms of the proposals impact on the dwelling to the west on the opposite side of the road at Ailsa Craig, a new first floor bathroom window would be added. It is considered that the separation distance in excess of 20m would be sufficient to overcome a significant overlooking impact.

The proposal would create an expanse of flat roof space to the east, south and west elevations which could be potentially accessed and used as a balcony/ vantage point. As such, a condition restricting this spaces use as a balcony is considered relevant and necessary in the instance that permission is granted. This is in the interest of preserving neighbouring amenities.

Accordingly, the proposed development is considered to result in an acceptable impact with regard to neighbouring amenities. The proposal would therefore meet the provisions of policy DP26 of the District Plan.

Highways Impact

Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or residual cumulative impacts on the road network would be severe. Additionally, Policy DP21 of the District Plan requires development proposals to protect the safety of road users and pedestrians.

The proposed development would not increase the quantum of bedrooms and would still have a total of four bedrooms. As such, the proposal would not trigger the requirement to provide additional parking spaces in line with the West Sussex County Council Parking Provision Guidance. The existing driveway and integral garage would be kept as part of the proposal and would not reduce the amount of parking available on site.

Trees Impact

In relation to new developments impact on trees, policy DP37 of the District Plan states that:

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.'

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.'

The Council's Trees Officer was consulted in response to the proposed development and raised no objection towards the submitted arboricultural impact assessment and the landscaping plan.

It is therefore considered that the proposal would result in an acceptable impact in terms of nearby trees and would comply with the provisions of policy DP37 of the District Plan.

Other Matters

It is noted that a representation letter raised that extensions within the neighbourhood would be required to be agreed upon by the neighbouring dwelling. However, this is required by a deed which falls outside the remit of planning and is considered to be a civil matter.

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 appropriate in terms of design and will not negatively impact on the host dwelling nor its immediate setting, will not harm neighbouring amenities and result in an acceptable highways impact.

The proposal will comply with Policies DP21, DP26, DP34, DP35 and DP37 of the District Plan, the Hurstpierpoint and Sayers Common Neighbourhood Plan, the MSDC Design Guide and the requirements of the NPPF.

Decision: Permission

Case Officer: Stefan Galyas