

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0669	Case Officer:	Catherine Cardin
Application Type:	Householder Application		
Proposal:	Proposed porch extension		
Site:	44 College Lane, Hurstpierpoint, Hassocks, West Sussex, BN6 9AH, , ,		
Validation Date	14 Mar 2025	Overall Expiry Date:	18 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	6 May 2025
Target Date:	9 May 2025	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	6 May 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0669

**44 College Lane, Hurstpierpoint, Hassocks, West Sussex, BN6 9AH, ,
Proposed porch extension
Ms Jenny Hawkes**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

MSDC Conservation Officer

44 College Lane is an unlisted building forming part of a terrace of similar 19th century cottages located to the western side of College Lane within the Hurst Wickham Conservation Area. This terrace is a prominent feature at the heart of the Area, and makes a strong positive contribution to its character and appearance. The current proposal is for the addition of a front porch to the property.

In my opinion, the principle of this proposal is contentious. Although there are some examples of other front porches to properties within the terrace, these are apparently in general of some age, are not a positive feature of the terrace, and tend to detract from its characteristic uniformity. This detracts from the positive contribution which the terrace makes to the Conservation Area.

The proposal is therefore contrary to the requirements of District Plan Policy DP35. In terms of the NPPF the proposal would result in less than substantial harm so that the balancing exercise set out in paragraph 215 will apply. I would place the harm caused at around the low-mid point of the less than substantial scale.

Southern Water

No objection.

PARISH COUNCIL OBSERVATIONS

The committee's recommendation is that MSDC should give permission.

INTRODUCTION

Planning permission is sought for a front porch extension.

RELEVANT PLANNING HISTORY

HP/012/91- Proposed alteration to attic. Permission.

07/00719/FUL- Proposed ground floor extension at rear. Permission.

SITE AND SURROUNDINGS

The application site is a two-storey terraced dwelling which is characterised by painted brick walls, brown clay roof tiles and white timber windows and door frames.

The site is located within the Hurstpierpoint built up area boundary and within the Hurst Wickham Conservation Area. College Lane is located to the east of the site, residential properties are located to the north and south of the site and open countryside is located to the west. Residential properties in the

surrounding area are of a similar scale and design to the application site. There are several porches within the surrounding area.

APPLICATION DETAILS

The proposed front porch extension would measure some 2.2 metres in width, some 1.2 metres in depth, and would have a maximum height of some 3.1 metres. It is proposed to install a white sash window on both the southern and the northern elevations.

The extension would be finished in external materials to match the existing.

The proposal includes the construction of a small multi facing brickwork retaining wall on the north elevation.

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 - Character and Design

DP35 - Conservation Areas

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 made in 2015.

Relevant policies:

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 (Regulation 19) is currently at Examination and the 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:

DPS2 - Sustainable Design and Construction

DPS6 - Health and Wellbeing

DPB1 - Character and Design

DPB3 - Conservation Areas

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)

ASSESSMENT

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

- Impact on Heritage Assets and Character and Appearance
- Neighbouring Amenities
- Biodiversity Net Gain

Impact on Heritage Assets and Character and Appearance

The site is located within the Hurst Wickham Conservation Area, as designated in 1989. A Conservation Area is defined as an area of "special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance" 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;*
- 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."*

Paragraphs 212 - 216 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.

216. 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.'

Policy DP26 of the Mid Sussex District Plan relates to design and character and 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 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 DP27);*
- 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."

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 in part states:

'Front and side extensions are typically visible from the public realm and will be resisted where they have an adverse impact on the street scene or the appearance of a dwelling. Front extensions are more likely to be acceptable where the building line is staggered or where the dwelling is set well back from the road. They are less likely to be acceptable in streets with a strong consistent building form as they risk disrupting the underlying order. Where front extensions are considered acceptable, they should normally be limited to a modest single storey or porch-type extension that reflect the character of the existing property'.

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 heritage asset (the Hurst Wickham Conservation Area), the site being within its boundary, and any features of special interest, as set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The Conservation Officer was consulted on the application and has provided a response. It has been advised that the application property dates from the 19th century and that the terrace makes a strong positive contribution to the character and appearance of the Conservation Area. The Conservation Officer has raised an objection to the proposal and considers the proposal to be harmful to the character of the area. Although it is acknowledged that some of the porches in the terrace are of some age, there are several newer examples that form part of the character of the street scene. The proposal would be similar in design to the existing porches within the surrounding area, being of a modest single storey porch like design and would be set back from the main highway. Given that the proposed works would be characterised by external materials similar in appearance to those used in the existing dwelling and the terrace, it is considered that this addition would have a neutral impact to the character and appearance of the Conservation Area.

Taking into account the above the proposed works are considered to address the scale and character of the existing buildings and landscape and they would conserve the character and appearance of the Conservation Area. Therefore, the application is considered to comply with the above part of policies DP26 and DP35 of the Mid Sussex District Plan and principles DG49 and DG50 of the Mid Sussex Design Guide SPD.

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);"

A similar ethos is contained within the Mid Sussex Design Guide SPD.

The proposed porch extension would be set away from the boundary of the site and would be of a modest single storey nature. The proposal would not have direct views into neighbouring properties

private amenity spaces due to its location. Taking into account the above, the works would not cause significant harm to the amenities of nearby residents including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution. The works are therefore, considered to comply with the above-mentioned part of policy DP26 of the Mid Sussex District Plan and the Mid Sussex Design Guide SPD.

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, due to the design, scale, position and nature of the proposed works they would address the character and scale of the existing buildings and landscape, they would not cause significant harm to the amenities of nearby residents and they would conserve the character and appearance of the Conservation Area. Therefore, the application complies with policies DP26 and DP35 of the Mid Sussex District Plan, the Hurstpierpoint and Sayers Common Neighbourhood plan, principles DG49 and DG50 of the Mid Sussex Design Guide SPD and with the relevant provisions of the NPPF.

Decision: Permission

Case Officer: Catherine Cardin