

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0117	Case Officer:	Andrew Watt
Application Type:	Full Application		
Proposal:	To upgrade the lighting infrastructure by installing energy-efficient LED ClearFlood units on existing lighting posts within the car park (Retrospective)		
Site:	Hurstpierpoint College, College Lane, Hurstpierpoint, Hassocks, West Sussex, BN6 9JS, ,		
Validation Date	20 Mar 2025	Overall Expiry Date:	14 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	15 May 2025
Target Date:	15 May 2025	Recommending Officer Signature:	Andrew Watt

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	15 May 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0117

**Hurstpierpoint College, College Lane, Hurstpierpoint, Hassocks, West Sussex, BN6 9JS,
To upgrade the lighting infrastructure by installing energy-efficient LED ClearFlood units on
existing lighting posts within the car park (Retrospective)
Mr Dan Higgins**

SUMMARY OF REPRESENTATIONS

None.

SUMMARY OF CONSULTEES

MSDC Conservation Officer

Original comments

The application site, Hurstpierpoint College, is an extensive college campus with at its heart a linked pair of Grade II listed buildings- the original quadrangle dating from 1853, and Star House to the east, built as the headmaster's house and dating from 1873. The College campus has developed significantly since it's foundation, by incremental additions to the built form around the quadrangle, particularly to the west, north west, and east. The College sits in a rural setting to the north of Hurstpierpoint- this surviving rural setting contributes positively to the historical illustrative value of the listed buildings as a 19th century school deliberately established in a semi-isolated rural position, and to their aesthetic value.

The current proposal, which is retrospective relates to the addition of new lighting units to existing lighting columns located between an all weather pitch to the south of the quadrangle and the car parking area which sits between the two.

The existing lighting columns are a fairly prominent and unattractive feature of the setting to the south of the listed buildings, but the additional light units are themselves relatively modest in scale and will have little additional visual impact. However, it will be useful to understand better the level of lighting that will be provided over and above the existing lighting in the area, to ensure that this will not in itself detract from the surviving semi-rural character of the setting of the listed buildings. Typically, we would encourage low level, unobtrusive lighting of parking areas and pathways in the vicinity of heritage assets, particularly in a rural context, and at face value the lights which have been installed here, which have the appearance of floodlighting, would raise concerns in this respect. I would suggest that additional information in the form of night time images of the lighting in use are provided to aid our understanding of this aspect of the proposal. Photographs taken in the immediate vicinity of the buildings and also looking towards the parking area from further south along College Lane would be useful.

Updated comments

The applicant has provided corrected elevations and photographs of the lights when illuminated (and not illuminated for comparison). In my opinion, notwithstanding that the applicant states that there is no light spill onto the buildings themselves, the level and 'harshness' of the flood lighting to this part of the immediate setting of the listed buildings is such that it will be considered to have an adverse effect on the setting within which they are appreciated, and in particular its historically rural character. I would imagine that the lighting will be visually prominent not only from this immediate setting, but also in views looking towards the College from College Lane. It is likely to have an urbanising effect in both of these views.

I would recommend that the proposal is reconsidered to look at less visually intrusive alternatives, such as low level bollard lighting, which is often favoured in historic contexts.

As it stands, I consider that the proposal results in a level of less than substantial harm, at around the low-mid point of that scale, through impact on setting, to the special interest of the listed buildings at

Hurstpierpoint College. This will be contrary to the requirements of District Plan Policy DP34. The balancing exercise set out in paragraph 215 of the NPPF will therefore apply.

MSDC Environmental Protection Officer

The amendments do not affect my previous comments. I have no objection to this proposal.

TOWN / PARISH COUNCIL OBSERVATIONS

The committee have no further comments other than to reiterate, the lightning should reduce overall glare and light pollution in accordance with bio-diversity and net gain policies.

INTRODUCTION

Retrospective planning permission is sought to upgrade the lighting infrastructure by installing energy-efficient LED ClearFlood units on existing lighting posts within the car park.

RELEVANT PLANNING HISTORY

In May 2003, planning permission was refused for the provision of ultra low glare floodlights on 8 No. 13m high columns around existing astro sports pitch (03/00136/FUL). This decision was allowed on appeal in March 2004 (AP/03/0085).

In June 2021, planning permission was granted to vary condition 4 of planning permission 03/00136/FUL (allowed on appeal) to allow the cut-off time for the use of the floodlights to change from 8pm to 9pm each day (DM/21/1755).

In October 2024, planning permission was granted to change the southern astro existing floodlights with new LED floodlights (DM/24/1602).

SITE AND SURROUNDINGS

The site is located between a astroturfed sports pitch, used for hockey and floodlit by 8 x 13m high columns, and a car park accessed off College Lane. It is also located immediately south of the main quadrangle of College buildings and Star House, which are both Grade II listed. The pitch is sunken into the ground, below the level of the adjacent car park and College Lane to the east. Land levels fall from north to south. There is open countryside to the south and other College buildings adjacent to the west and opposite to the east.

The site (and the wider College campus) is located within the countryside to the north of Hurstpierpoint and within a designated Great Crested Newt - Impact Risk Zone (Red).

APPLICATION DETAILS

Retrospective planning permission is sought to upgrade the lighting infrastructure by installing energy-efficient LED ClearFlood units on existing lighting posts within the car park.

One light has been added to each of 4 existing floodlighting columns, which already contain 3 lights directed towards the hockey pitch. These new lights face the opposite direction downwards towards the car park and college buildings.

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 Mid Sussex 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 and National Planning Practice Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan (Mar 2018)

The Mid Sussex District Plan 2014-2031 was adopted at Full Council on 28 March 2018.

Relevant policies:

Policy DP12: Protection and Enhancement of Countryside
Policy DP25: Community Facilities and Local Services
Policy DP26: Character and Design
Policy DP29: Noise, Air and Light Pollution
Policy DP34: Listed Buildings and Other Heritage Assets
Policy DP38: Biodiversity

Site Allocations DPD

The SADPD was adopted on 29 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 (Mar 2015)

Mid Sussex District Council formally 'made' the Hurstpierpoint and Sayers Common Neighbourhood Plan part of the Local Development Plan for the Parish of Hurstpierpoint and Sayers Common as of 18 March 2015. The policies contained therein carry full weight as part of the Development Plan for planning decisions within Hurstpierpoint and Sayers Common.

Relevant policies:

Policy HurstC1: Conserving and Enhancing Character
Policy HurstC5: Hurstpierpoint College

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

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 31 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:

DPN2: Biodiversity Net Gain
DPN6: Pollution

DPN8: Light Impacts and Dark Skies
DPC1: Protection and Enhancement of the Countryside
DPB1: Character and Design
DPB2: Listed Buildings and Other Heritage Assets
DPI6: Community and Cultural Facilities and Local Services

Mid Sussex Design Guide Supplementary Planning Document (Nov 2020)

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 4 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.

Relevant design principles include:

Principle DG11: Respond to the existing townscape, heritage assets and historic landscape
Principle DG48: Design to minimise the impact of noise, air and light pollution

National Planning Policy Framework (NPPF) (Dec 2024)

The National Planning Policy Framework (NPPF) 2024 is also a material consideration and paragraphs 8 (overarching objectives), 11 (presumption in favour of sustainable development), 96 (achieving healthy, inclusive and safe places and beautiful buildings), 98 (social, recreational and cultural facilities and services), 131 and 135 (design), 187 (conserving and enhancing the natural environment), 193 (biodiversity and ancient woodland), 198 (noise and light pollution) and 202-221 (heritage assets) are considered to be relevant to this application.

ASSESSMENT

Design and visual impact on the character and appearance of the area

Policy DP12 of the Mid Sussex District Plan states (in part):

'The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

- *it is necessary for the purposes of agriculture; or*
- *it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.'*

Policy HurstC1 of the Hurstpierpoint and Sayers Common Neighbourhood Plan is similar in intent:

'Development, including formal sports and recreation areas, will be permitted in the countryside, where:

- *It comprises an appropriate countryside use;*
- *It maintains or where possible enhances the quality of the rural and landscape character of the Parish area;*

In the South Downs National Park, policy HurstC2 will take precedent.'

The application does not comply with the first criteria of DP12, but in relation to the second, Policies DP25 and DP26 of the Mid Sussex District Plan and Policy HurstC5 of the Neighbourhood Plan are relevant.

Policy DP25 of the Mid Sussex District Plan includes car parks and states (in part):

'The provision or improvement of community facilities and local services that contribute to creating sustainable communities will be supported.'

Policy DP26 of the Mid Sussex District Plan states (in part):

'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;'*

Policy HurstC5 of the Neighbourhood Plan states:

'Development will be permitted within the environs of Hurstpierpoint College where:

- *It does not detract from the special architectural character and appearance of the existing collection of buildings and their setting in the landscape;*
- *It conserves or enhances the character and appearance of Listed Buildings;*
- *It complies with the requirements of Policy C1;*
- *It enhances the role of the College as a school and local employer.'*

In principle, the enhancement of existing lighting is supported by the above policies.

Additionally, in allowing the appeal for the use of the floodlights at the site in 2004, the Inspector concluded that the site fell within zone E2 (low brightness areas) rather than E1 (intrinsically dark areas) of the Chartered Institute of Building Services Engineers Lighting Guide. Since this appeal, there have been other approvals for floodlighting at the site and further developments at the College so the conclusion that the site is not within zone E1 would be valid now. The site is therefore not within an intrinsically dark landscape as referred to in Policy DP29.

Given that there are other floodlights within the site which can be operated until a similar time (9pm), it is not considered that this development would have an adverse impact on the character of the countryside or the area more generally.

Accordingly, it is considered that the development would comply with Policies DP25 and DP26 of the Mid Sussex District Plan and Policy HurstC5 of the Neighbourhood Plan.

Impact on the setting of the Listed Buildings

Hurstpierpoint College contains two designated heritage assets, being Grade II listed buildings.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Policy DP34 of the Mid Sussex District Plan states (in part):

'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.'*

Design Principle DG11 of the Mid Sussex Design Guide SPD seeks to ensure that heritage assets are enhanced and preserved where appropriate.

Paragraphs 207, 208, 210, 212 and 215 of the NPPF are relevant, as follows:

207. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

208. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

210. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

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.

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.

The Council's Conservation Officer has made comments (set out above) concluding that the development results in a level of less than substantial harm, at around the low-mid point of that scale, to the setting of the listed buildings at Hurstpierpoint College.

As the application affects a listed building, the statutory requirement to have special regard to the desirability of preserving the building, its setting and any features of special interest must be taken into account when making any decision. In addition, in enacting section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the desirability of preserving the settings of listed buildings should be given 'considerable importance and weight' when the decision taker carries out the balancing exercise, thus properly reflecting the statutory presumption that preservation is desirable.

It is therefore necessary to consider whether according to Para 215 of the NPPF sufficient public benefits would offset the harm which must be given significant importance and weight in accordance with S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The public benefits are considered to be increased public safety for users of the car park, during both school hours and out-of-hours, for both children and adults; and reduced energy consumption.

It is considered that the adverse impacts to the setting of the listed building and the historic landscape would not on their own significantly and demonstrably outweigh the benefits of the scheme (even when given considerable importance and weight in accordance with S66(1) of the 1990 Act).

Consequently it is considered that the proposal will comply with Policy DP34 of the Mid Sussex District Plan, Policy HurstC5 of the Neighbourhood Plan, Design Principle DG11 of the Mid Sussex Design Guide and paragraph 215 of the NPPF.

Impact on neighbouring amenity

Policy DP26 of the Mid Sussex District Plan states (in part):

'All applicants will be required to demonstrate 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)'*

Policy DP29 states (in part):

'The environment, including nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife habitats, and the quality of people's life will be protected from unacceptable levels of noise, light and air pollution by only permitting development where:

Light pollution:

- o The impact on local amenity, intrinsically dark landscapes and nature conservation areas of artificial lighting proposals (including floodlighting) is minimised, in terms of intensity and number of fittings;*
- o The applicant can demonstrate good design including fittings to restrict emissions from proposed lighting schemes.'*

Design Principle DG48 of the Mid Sussex Design Guide states:

'Noise disturbance and air/light pollution can be reduced through careful design including the following measures:

- *Orientating or organising buildings so that the principal habitable rooms and sitting-out areas face away from the source of the pollution;*
- *Incorporating design features such as recessed balconies and acoustic lobbies;*
- *Constructing barriers such as garages or walls between the source of the pollution and dwellings;*
- *Using landscape features (including trees and earth mounding) to absorb noise/air pollution and deflect light; and*
- *Avoiding parking where it will create noise and headlight nuisance from vehicle movements.'*

The nearest residential properties are three flats some 23m to the west of the astro turf pitch that are in the ownership of the College. It is not considered that the proposal would result in significant harm to the amenities of these flats. Therefore it is considered that the development complies with Policies DP26 and DP29 of the Mid Sussex District Plan and Design Principle DG48 of the Mid Sussex Design Guide.

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 matters

The site is located within a designated Great Crested Newt - Impact Risk Zone (Red). However, having regard to the nature of the application, it is unlikely to have an impact on newts and accordingly there would be no conflict with the above legislation, policy and guidance.

PLANNING BALANCE AND CONCLUSION

The application is deemed to be of an appropriate design in relation to rural locality and the public benefits would offset the less than substantial harm to the setting of the listed buildings. It would not cause significant detriment to surrounding residents, subject to condition limiting the hours of usage to those of the associated floodlights, and there would be no harm to biodiversity. Accordingly it is considered that the development complies with Policies DP12, DP25, DP26, DP29, DP34 and DP38 of the Mid Sussex District Plan, Policies HurstC1 and HurstC5 of the Hurstpierpoint and Sayers Common Neighbourhood Plan, the Mid Sussex Design Guide SPD and the NPPF, in particular paragraph 215, and is therefore considered acceptable.

Decision: Permission

Case Officer: Andrew Watt