

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1046	Case Officer:	Anna Tidey
Application Type:	Householder Application		
Proposal:	Proposed two storey front, rear and side extensions with an extension to the existing garage to create a double garage.		
Site:	Newtons, 40 New Way Lane, Hurstpierpoint, Hassocks, West Sussex, BN6 9BB, ,		
Validation Date	23 Apr 2025	Overall Expiry Date:	24 Jul 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	25 Jul 2025
Target Date:	18 Jun 2025	Recommending Officer Signature:	Anna Tidey

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	Stephen Ashdown	Date:	25 Jul 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1046

**Newtons, 40 New Way Lane, Hurstpierpoint, Hassocks, West Sussex, BN6 9BB,
Proposed two storey front, rear and side extensions with an extension to the existing garage to
create a double garage.**

Mark Dunk

SUMMARY OF REPRESENTATIONS

One representation received which contains the following comments on the Amended proposal.

- Concern regarding overlooking of rear garden at Treetops, New Way Lane, Hurstpierpoint due to the rear proposed extension of the building.
- new windows have increased the line of the sight into that, impacting upon privacy.

SUMMARY OF CONSULTEES

Southern Water: The flow rate for the above site will remain consistent, so capacity is not an issue and no Southern Water assets will be affected. No objections to this proposal.

Naturespace Newt Officer: There would be no likely impact on Great Crested Newts or their habitats. I therefore have no comments.

PARISH COUNCIL OBSERVATIONS

Hurstpierpoint & Sayers Common Parish Council: The committee's recommendation is that MSDC should give permission.

Amended Plans: Our planning meeting is not until 28th July, so unable to submit comments before then. However, the committee had already recommended approval for this application prior to the amendments.

INTRODUCTION

This application seeks planning permission for two storey front, rear and side extensions to a detached house, and an extension to the existing single garage to create a double garage, at 'Newtons' at No 40 New Way Lane in Hurstpierpoint.

RELEVANT PLANNING HISTORY

None found.

SITE AND SURROUNDINGS

Newtons is a detached 3 bed dwelling located on the western side of New Way Lane close to the road junction with Hassocks Road (the B2116).

The house benefits from a small single storey side addition, providing a covered porch to the side doorway, linking the front and rear garden and a detached single garage, located forward of the house. The house has a shared vehicular access with the adjacent property at No 38, which is sited to the north.

At the time of the application there was a large tree growing in the front garden forward of the house, but this has been felled during the course of the determination.

The house and garden are located within the designated built up area of Hurstpierpoint, and back onto an area of woodland known as the Tenementfield Plantation.

The site and the immediate area is within a Red Impact Risk Zone for Great Crested Newts.

APPLICATION DETAILS

This application seeks planning permission to extend the property on three elevations, extending it from a 3 to a 5 bed house.

A two storey gabled extension is proposed on the front elevation of the house. This will serve to enlarge the front hallway on the ground floor and to create additional first floor corridor space. The extension is to be built partly over the footprint of the existing single storey flat roofed porch entrance. The addition will extend 0.45m forward of the front gable of the house, with a width of 4.1m. This addition will reflect the form, eaves and gable heights of the existing front gable on the house.

Amended plans received during the course of determining the application have altered the external wall finish on the new front gabled addition from vertical cladding to a brick finish with corbelled brickwork to match this original external detailing on the original house. The amended plans show the existing front gable next to the new extension to be clad in vertical composite cladding with enlarged, vertical proportioned, windows. The extension includes glazed double entry doors with 1.7m wide glazing extending the full height of the gable.

A full width two storey extension is proposed on the rear elevation of the house, which attaches to a proposed side extension. The rear extension includes a twin pair of rear facing gables with a connecting flat roof, set behind a hipped roofline.

As originally proposed the rear elevation included a 2.5m set of first floor glazed doors and the addition of a Juliette balcony to serve the largest new bedroom. The Amended Plans have altered this to a 1.7m wide by 1.3m high triple paned window of a design to reflect others proposed in the rear elevation.

The rear elevation is shown to be finished in a mix of facing brickwork and vertical cladding, with full height glazed doors at ground floor level. These will allow garden access from the large open plan kitchen/dining/family room, which is to be created at the rear of the property. The application form details that aluminium windows and doors are proposed throughout the extended property.

Other alterations to the plans include the reduction in the scale of the proposed side extension from 7.34m to 6.74m in depth. The 4.1m width on this addition has not been altered. The reduction has been achieved by setting back the first floor front wall on the side addition from a position originally 0.3m from the line of the front wall on the house, to a position 0.8m back. This alteration introduces a small lean to roofline on the front facing elevation. On the side elevation of the extension this reduced depth has the effect of lowering the ridge height on the addition from approx. 0.1m below the main ridge to approx. 0.35m below the ridge height of the original house.

The side extension retains a catslide style roofline with a 2.4m wide gabled dormer on the rear facing roof slope. The side extension is shown to be constructed in brickwork on the side and rear elevations, with cladding on the front elevation, which will be partly obscured from public views from New Way Lane by the position of the existing single garage.

The proposed plans also show that this garage is to be extended forward on the site, into a double garage a replicated gabled roofline. The new garage is shown to be constructed in brickwork with side hung access doors to match those in the existing garage. A lead lined valley gutter is proposed between the old and new garage rooflines. The resulting garages will have an overall width of 6.1m, with a 5.5m depth.

The applicant has confirmed that the brickwork elements are to be in a matching brick to that used in the construction of the original house, the cladding is to be a black/dark grey colour and the windows and doors throughout are to be replaced with black or anthracite grey coloured 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, the Hurstpierpoint & Sayers Common Neighbourhood Plan and Site Allocations DPD.

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
DP38 Biodiversity

Site Allocations Development Plan Document

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

There are no policies deemed relevant to this application.

Neighbourhood Plan

Hurstpierpoint & Sayers Common Neighbourhood Plan, made March 2015.

No relevant policies.

Other Legislation

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
DPN1 Biodiversity, Giodiversity and Nature Recovery
DPN2 Biodiversity Net Gain
DPB1 Character and Design
DPT4 Parking and EV charging infrastructure
DPS6 Health and Wellbeing

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:

- Design
- Impact on residential amenities
- Parking provision
- Biodiversity
- Biodiversity Net Gain

Design

Policy DP26 of the District Plan seeks to promote well located and designed development, to protect valued characteristics of the built environment for their historical and visual qualities and support sustainable communities and create accessible environments. 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;*
- * 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;*
- * creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- * protects open spaces, trees and gardens that contribute to the character of the area;*
- * protects valued townscapes and the separate identity and character of towns and villages;*
- * 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);*
- * creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- * incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- * positively addresses sustainability considerations in the layout and the building design;*
- * 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;*
- * optimises the potential of the site to accommodate development.'*

Also relevant in the determination of the application is the design guidance contained in the Mid Sussex Design Guide, which seeks good design in house alterations and extensions.

Principle DG49 states:

'Extensions should respond to the design of the original dwelling and applicant will be expected to demonstrate how local character has informed the design proposal. Extensions should also normally be designed to be well integrated with the existing scale, form and massing allow the original building to remain the dominant element of the property whether it has one or several additions.'

Extensions should typically use simple, uncomplicated building forms to complement 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.

Extensions should not result in a significant loss to the private amenity area of the dwelling.

There are two general approaches to extending a property:

*-designing in the style of the existing building by closely matching its facing materials, architectural features, window sizes and proportions; and
-designing in a contemporary style that takes its cues from key aspects of the existing building that might include its underlying form and proportions, facing materials, window design and other specific architectural features. The success of this approach is particularly reliant on high quality facing materials and finishes, and this will normally need to be demonstrated through detailed elevations and section drawings.*

Both approaches can create successful, well designed extensions that can be mutually beneficial to both the house and the wider area. All extensions and alterations should consider their impact on neighbouring properties (refer to Chapter 8 on residential amenity).'

Design Guide Principle DG50 refers to Front and Side extensions and 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

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.

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'.

Design Guide Principle DG51 refers to Rear extensions and 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 proposed front gable addition is of a design that complements the original dwelling, with the addition of contemporary glazing and composite cladding. The amended plans have included corbelled brickwork, which reflects the original house construction materials and design features. As the bulk of the

rear two storey additions are located at the back of the property they will not harmfully affect the overall character and appearance of the area or public views from the street.

The proposed side addition is sited to the rear of the existing, and enlarged, garage building. The amended plans have addressed the scale of this addition and made more subordinate in form to the original dwelling.

Overall the design of the proposed additions is considered acceptable. Whilst substantially enlarging the overall ground and first floor living space in the house, the overall design and form of the proposed contemporary additions are considered acceptable to complement the style of the original dwelling. The additions will not harmfully affect the overall character and appearance of the area or public views from the street.

Consequently the appearance of the proposed works are considered to accord with Policy DP26 and with the relevant Design Guide principles and NPPF guidance.

Impact on residential amenities

District Plan Policy DP26 requires 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.'*

In addition Principle DG45 in the Design Guide refers to the need to consider privacy of existing and future residents and it is noted that privacy may be affected by the relationship of buildings to each other.

The immediate neighbouring properties to the site are No 38 New Way Lane to the north and Treetops, No 42 to the south. Both of these nearest residential properties have been altered and extended.

No 38 is of a similar original design to No 40. It has a detached single storey garage sited forward of the house, which is located close to the northern boundary with No 40. The house itself has been enlarged at the front by the addition of a projecting single storey extension and lean to canopy and open porch. There is also a single storey extension at the rear. The loft has been converted and rooflights added. There are no ground or first floor windows in the south facing side gabled wall of No 38 to overlook the house and rear garden at No 40. The removal of the originally proposed first floor glazed doors and Juliette balcony in the proposed rear addition at No 40 will ensure that the amenities and privacy of the neighbours at No 38 are protected.

The house at No 40 is inset approx. 5.5m from the boundary with a larger, previously extended, house at Treetops, No 42 New Way Lane. The north facing gable end of that house is inset approx 3m from the boundary line between the two houses. A single storey extension has been constructed on the side of that house and this extends up to, and some 15m along, the line of the side garden boundary of No 40.

From a review of the planning history for No 42 it has been possible to discover that the two nearest first floor windows, sited in the north facing side elevation of that property, serve a bathroom and a landing. Neither are principle rooms and whilst the proposed extension at No 40 will bring the built form of that property closer to No 42, by 4m, it is considered that the form of the catslide roofline, and the reduced height and depth of the first floor element on the proposed addition will not be harmful to the outlook or amenities of the occupiers of No 42, Treetops, due to the relationship of the existing built form.

The potential impact from the enlargement of No 40 upon the amenities and privacy of the rear garden at No 42 has been carefully considered. The proposed extensions, and new first floor windows in the proposed rear additions will not impinge harmfully upon the outlook or the amenity for the neighbouring occupiers.

Given the detail of the proposal and the relationship with the neighbouring properties, it is deemed that no significant harm will be caused by the proposed development to the privacy, outlook, daylight and sunlight of the immediate residents.

The proposal accords with the requirements of the more up to date Policy DP26 of the District Plan and the relevant principles of the Design Guide.

Parking provision

With regards to parking provision for the extended house the relevant District Plan Policy is DP21, which states:

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

- o A high quality transport network that promotes a competitive and prosperous economy;*
- o A resilient transport network that complements the built and natural environment whilst reducing carbon emissions over time;*
- o Access to services, employment and housing; and*
- o 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:

- o 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);*
 - o 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;*
 - o The scheme is designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages;*
 - o 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;*
 - o 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;*
 - o 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;*
 - o The scheme avoids severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation;*
 - o The scheme protects the safety of road users and pedestrians; and*
 - o 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'.*

For a 3 bed property located in Hurstpierpoint the West Sussex County Council Guidance on Parking recommends 2.1 spaces should be provided. This increases to 2.7 spaces for a four+ bed property.

The existing garage and frontage parking provision will provide sufficient space for on site parking to meet the requirements of the West Sussex County Council Guidance. The proposal will increase the number of bedrooms in the house to five, but a second garage space will also be provided.

As there is also unlimited on street parking space on New Way Lane to the front of the house it is considered that the proposed parking provision is acceptable in this case, and the development accords with the aims of District Plan Policy DP21.

Biodiversity

The site falls within the Red Impact Risk Zone for Great Crested Newts. The relevant District Plan Policy with regards to biodiversity and its protection is DP38. This states:

'Biodiversity will be protected and enhanced by ensuring development:

- o Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and*
- o Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances); and*
- o Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and*
- o Promotes the restoration, management and expansion of priority habitats in the District; and*
- o Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated*

Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.

Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks.

Valued soils will be protected and enhanced, including the best and most versatile agricultural land, and development should not contribute to unacceptable levels of soil pollution.

Geodiversity will be protected by ensuring development prevents harm to geological conservation interests, and where possible, enhances such interests. Geological conservation interests include Regionally Important Geological and Geomorphological Sites.'

The Newt Officer has reviewed the proposal and has confirmed that there would be no likely impact on Great Crested Newts or their habitats as a result of the proposed development. The proposal will therefore accord with the aims of District Plan Policy DP38.

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

The proposed extensions will enlarge the property at ground and first floor levels. The plans have been amended to overcome design issues and the construction materials have been clarified by the applicant.

It is considered that the form, scale and position of the amended additions will not adversely affect the character and appearance of the property within the street scene.

It is considered that the new additions will not cause significant harm to the neighbouring amenities. The proposal accords with the aims of District Plan Policy DP26 and the relevant principles of the Design Guide.

The on site parking provision will meet the requirements of the West Sussex County Council Guidance for a five bed house.

There would be no likely impact on Great Crested Newts or their habitats as a result of the proposed development. The proposal will therefore accord with the aims of District Plan Policy DP38.

Consequently this application is recommended for approval.

Decision: Permission

Case Officer: Anna Tidey