

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1522	Case Officer:	Anna Tidey
Application Type:	Removal/Variation of Condition		
Proposal:	Variation of condition 2 relating to DM/24/0792 to allow for amendment to 2 approved drawings.		
Site:	Littleway, West Furlong Lane, Hurstpierpoint, Hassocks, West Sussex, BN6 9RH, ,		
Validation Date	11 Jun 2025	Overall Expiry Date:	18 Jul 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	5 Aug 2025
Target Date:	6 Aug 2025	Recommending Officer Signature:	Anna Tidey

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	6 Aug 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1522

**Littleway, West Furlong Lane, Hurstpierpoint, Hassocks, West Sussex, BN6 9RH,
Variation of condition 2 relating to DM/24/0792 to allow for amendment to 2 approved drawings.
Mr Tony And Mrs Catherine Meredith**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Conservation Officer:

This proposal for minor amendments to an approved scheme at Littleway, a C20th house located within the Hurstpierpoint Conservation Area, including alterations to the fenestration to the front and rear elevations, new roof lights to the front roof slope, relocation of an ASHP, and introduction of an external door and steps to the side of the property. Subject to detail, these alterations are not considered contentious.

I do note that there appears to be an inconsistency on the plans in that the existing greenhouse to the eastern side of the building which was previously proposed to be demolished is shown retained on the revised proposed elevation, but does not appear in side view on the revised proposed rear elevation, or on the revised proposed ground floor plan. This should be addressed, although from a Conservation Area perspective whether it is retained or not is not a contentious point.

The proposal is therefore considered subject to detail to meet the requirements of District Plan Policy DP35 and the relevant paragraphs of the NPPF. Conditions should be to match the previous approval, including one requiring rooflights to be flush fitting metal framed conservation style units.

Further comments: Following receipt of Amended Plans to retain the greenhouse -No further comment

South Downs National Park Authority

No comment.

Environmental Protection:

The amended plans have been viewed and my comments made in relation to DM/24/0792 remain unchanged for this application, which were as follows:

'The air source heat pump has been repositioned closer to the neighbour's boundary. To ensure that there is no loss of amenity from noise from the plant, an assessment will be necessary. I recommend that the Microgeneration Certification Scheme 020 assessment methodology is used. If the proposed installation does not meet the standard of MCS 020, then mitigation will be required to ensure the noise levels at the neighbouring property are unlikely to cause loss of amenity. This can be secured by a condition attached to the decision notice. There is the potential for adverse impacts on nearby residents during the demolition/construction phases from noise. Recommends a condition to control hours of work. Subject to this I have no objections to the proposal.

Naturespace Newt Officer: No comments received.

TOWN/PARISH COUNCIL OBSERVATIONS

Hurstpierpoint and Sayers Common Parish Council: The committee recommends that MSDC grant permission.

INTRODUCTION

This application seeks planning permission to amend condition 2 of planning application DM/24/0792, as amended by planning reference DM/25/1075 - for a Non-material amendment - for the removal of the following wording: 'Supporting Tree Report received 26.09.2024 and Amended Plans including design amendments received 01.10.2024.'

RELEVANT PLANNING HISTORY

DM/25/1075. Non-material amendment to planning application DM/24/0792 - for the removal of the following wording: Supporting Tree Report received 26.09.2024 and Amended Plans including design amendments received 01.10.2024. Approved May 2025.

SITE AND SURROUNDINGS

Littleway is a split level house located on the southern side of West Furlong Lane. The house has been previously extended and has modest single storey front and side extensions with crown rooflines. Due to the falling land level from the front to the rear of the site the property appears to be a single storey dwelling when viewed from West Furlong Lane. At the rear the extended roof slope accommodates two large flat roofed dormers, which contain patio doors which lead onto an existing external first floor balcony.

The property is located in the Red Zone for Great Crested Newts and is sited within the Hurstpierpoint Conservation Area within the Built up Area boundary of Hurstpierpoint. The boundary of the South Downs National Park extends to the rear line of the garden to the south of the dwelling.

APPLICATION DETAILS

Planning permission was granted under application DM/24/0792 for works to enlarge the property on the ground floor and lower ground floor levels, and for a number of associated external alterations. The approved plans show changes to the internal floor level at the front of the property and alterations to the layout of the living accommodation on the ground floor and lower ground floors.

Other approved alterations include the addition of external timber cladding, alterations to the windows and doors, re-roofing of the main roof of the building with new tiles, with the addition of new rooflights and solar panels at the rear and the installation of an air source heat pump.

Externally alterations are proposed to the ground levels and to the hard and soft landscaping to the front of the building to provide level pedestrian access and an off street parking area with a new retaining wall.

The current application has been submitted under Section 73 of the Town and Country Planning Act and seeks permission to vary Condition 2 of planning application of planning application DM/24/0792, as amended by reference DM/25/1075.

Condition 2 of DM/24/0792 reads as follows:

'The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.'

This application is made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. The Act states that *'On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and-*

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.'

The application seeks permission to vary the approved Lower Ground floor and Ground Floor Plans and the Proposed Elevations. The plans have been amended during the course of determining the application to show the retention of an existing lean-to greenhouse, located on the eastern side of the building.

The main changes that are proposed are as follows: removal of a pair of permitted rooflights located in the front facing roof slope, altered door and window positions in the approved side extension, altered fenestration in the front elevation, replacement of the garage/store door with a new high level window to serve a new lower ground floor bedroom, introduction of a new privacy screen next to the side extension to screen a relocated proposed ASHP and access steps to the new door position to serve the kitchen/dining room. The floor plans show the kitchen and dining rooms retained in their current positions with separate rooms to accommodate a bedroom and study. The degree of open plan space has been reduced from that on the approved plans.

The application has been submitted with a supporting Design and Access Statement, which is available to view on the planning file.

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 and Sayers Common Neighbourhood Plan and Site Allocation Development Plan Document (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:

DP26 Character and design
DP35 Conservation Areas
DP38 Biodiversity

Hurstpierpoint & Sayers Common Neighbourhood Plan - made March 2015

No relevant policies.

Site Allocations Development Plan Document

Mid Sussex District Council adopted its Site Allocations Development Plan Document on 29th June 2022. The Site Allocations DPD identifies sufficient housing sites to provide a five year housing land supply to 2031 and also makes sure that enough land is allocated to meet identified employment needs.

There are no policies deemed relevant to this application.

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 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.

DPS2 Sustainable Design and Construction
DPN1 Biodiversity, Geodiversity and Nature Recovery
DPN4 Trees, Woodland and Hedgerows
DPN7 Noise Impacts
DPC5 Setting of the South Downs National Park
DPS6 Health and Wellbeing
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)

ASSESSMENT

The result of this application would be to issue a new planning permission, so it is not considered necessary to go through all of the original planning issues in this report. The specific changes to the plans that are now proposed are considered below with regards to the design and the impact upon the Hurstpierpoint Conservation Area.

It is necessary to consider the application against the relevant policies of the development plan and any other material planning considerations.

Design

District Plan Policy DP26 is relevant in the determination of this application. 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. The Council has adopted this Design Guide as a Supplementary Planning Document (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.

The principle of the extensions and external alterations to the dwelling at Littleway found acceptable under planning application DM/24/0792.

That application was subject to a number of pre commencement conditions, which require the submission of various details ahead of the commencement of the development works, and in summary relate to:

- Condition 3 - Material samples
- Condition 4- Window, door, brise soleil and solar panel details
- Condition 5 - Rooflight details
- Condition 6 - Rainwater goods/external pipework details
- Condition 7 - Hard and soft landscaping details
- Condition 8- ASHP noise emissions details.

The proposed design changes accord with the Design Guide principles and are not out of keeping with the design or appearance of the original building.

Consequently the alterations are considered to accord with the aims of District Plan Policy DP26 and the principles of the Design Guide.

Impact upon the Conservation Area

The original determination to permit the alterations and extensions to the property took into account the aims of District Plan Policy DP35 and the relevant NPPF guidance with regard to the statutory duty of the Council, as the Local Planning Authority, to have special regard to the desirability of preserving the character or appearance of the Hurstpierpoint Conservation Area, as set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

District Plan Policy DP35 requires development to conserve or enhance the special character and appearance of Conservation Areas.

The detailed advice and guidance of the Council's Conservation Officer has been sought on this application. She supports the proposal, which she finds acceptable.

It is considered that the amended plans and elevations submitted under this application are acceptable. The internal changes will serve to upgrade and enhance the living space in the property and the external changes to the building will not detract from the character and appearance of the Hurstpierpoint

Conservation Area, subject to the imposition of the original planning conditions, as for DM/24/0792, to control the details of the proposal and the external materials used in the extensions and alterations.

The amended proposal will accord with the aims of District Plan Policy DP35, the principle of the Design Guide and the relevant paragraphs of the NPPF.

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.

CONCLUSION

In conclusion, the amended proposal is considered to be appropriate in terms of design and appearance and would not negatively impact on the character and appearance of the dwelling or its setting. The proposal would accord with Policy DP26 of the District Plan and the Design Guide principles.

Consideration has been given to the impact of the proposed development upon the character and appearance of the Hurstpierpoint Conservation Area. The proposed development will accord with the aims of District Plan Policy DP35, the principle of the Design Guide and the relevant paragraphs of the NPPF.

Consequently this application is recommended for approval, repeating the relevant planning conditions from the approval granted by DM/24/0792 as these have yet to be discharged.

Decision: Permission

Case Officer: Anna Tidey