

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1527	Case Officer:	Peter Davies
Application Type:	Full Application		
Proposal:	Retrospective replacement of fascia, soffits and barge boards in white UPVC.		
Site:	84-88 High Street , Pitt Court, High Street, Hurstpierpoint, Hassocks, West Sussex, BN6 9PY,		
Validation Date	30 Jun 2025	Overall Expiry Date:	1 Aug 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	21 Aug 2025
Target Date:	25 Aug 2025	Recommending Officer Signature:	Peter Davies

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	22 Aug 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1527

84-88 High Street , Pitt Court, High Street, Hurstpierpoint, Hassocks, West Sussex, BN6 9PY
Retrospective replacement of fascia, soffits and barge boards in white UPVC.
Ambleside Property Investment Company

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

MSDC Conservation Officer

The application site is an unlisted building in a prominent position on Hurstpierpoint High Street, within the Conservation Area. The building, which appears to date from the mid 20th century, consists of shops at ground floor with a number of apartments above. It is brick built, with a pitched roof, which until recently had painted timber soffit, fascia and barge boards. The windows to the upper floors were originally steel casements, but a number have been replaced with uPVC. It is not a building of any particular architectural merit, but it is very much of its period, and contributes to the diversity of the architecture along the High Street. In my opinion, it makes a neutral contribution to the character and appearance of the Conservation Area.

The current proposal is for the retention of uPVC fascia, soffit and barge boards which have been introduced at eaves level, replacing the painted timber noted above.

uPVC is not a material which would normally be regarded as suitable for use within a Conservation Area, and in particular in such a prominent location on the High Street. Although this is a relatively modern building, it would not originally have had uPVC as part of the palette of its facing materials, which were traditional in nature (brick, timber, metal), such that the building sits relatively comfortably within the more historic street scene of the High Street. It is noted that uPVC windows have been introduced in several locations to the upper floors of the building, however these detract from its appearance, and I am not currently able to find any record of planning permission having been granted for their installation. In this context, I would consider the replacement of the painted timber fascia, soffit and barge boards and eaves level with uPVC as contentious, contrary to the requirements of District Plan Policy DP35 and resulting in a low level of less than substantial harm to the character and appearance of the building and of the Hurstpierpoint Conservation Area.

This may however be re-assessed if the applicant is able to provide evidence that planning permission was previously granted for the introduction of uPVC windows to the building?

PARISH COUNCIL OBSERVATIONS

The committee ask that this is referred to the conservation officer to assess if the materials used are appropriate and suitable for a conservation area.

INTRODUCTION

The application seeks retrospective planning permission for the replacement of the fascia, soffits and barge boards with uPVC.

RELEVANT PLANNING HISTORY

No relevant history.

SITE AND SURROUNDINGS

The application site is a three-storey building located on the south side of the Hurstpierpoint High Street. The building is located within the built-up area boundary and the Hurstpierpoint Conservation Area.

The building has a pitched roof and is constructed from brick with shops at ground floor and flats above. The majority of the upper floor windows serving the flats have been changed to uPVC and have been there for at least 15 years. Some flats still have the original white steel casement windows.

The locality is characterised by shops of varying designs and residential flats and dwellings of varying forms and designs.

APPLICATION DETAILS

The application seeks retrospective planning permission for the replacement of the fascia, soffits and barge boards of the building from white painted timber to white uPVC. The works were carried out in 2022.

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.

Specifically Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to application,*
- b) And local finance considerations, so far as material to the application, and*
- c) Any other material considerations.'*

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy, but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocations 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.

Hurstpierpoint and Sayers Common Neighbourhood Plan (made March 2015)

No relevant policies.

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

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

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

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)

The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective.

Paragraph 12 of the NPPF states '*The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.*'

Paragraph 39 of the NPPF states '*Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.*'

With specific reference to decision-taking paragraph 48 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Guidance

ASSESSMENT

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

- Design and Character
- Impact on Conservation Area
- Impact on neighbouring properties
- Biodiversity Net Gain

Design and Character

Policy DP26 of the Mid Sussex 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:

- *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 DP27);*
- *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.'*

The proposed alterations are small in scale and of the same design as the previous timber with the change being to the materials. The alterations would be visible from the street scene however due to

being at height and the small nature would not cause harm to the character of the area. It is therefore considered to comply with policy DP26 of the Mid Sussex District Plan.

Impact on Conservation Area

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states 'In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of conservation preserving or enhancing the character or appearance of that area.'

Paras 210, 212-215 of the NPPF state:

'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.

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.'

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:

- 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;*
- 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;*

- *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;*
- *Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;*
- *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.'

The MSDC Conservation Officer has commented on the application raising concerns on the use of uPVC. Whilst uPVC has been used for many of the windows there was no planning permission granted for this change. It was considered that the use of uPVC is contentious, resulting in a low level of less than substantial harm to the character and appearance

It is noted that no planning permission was approved for the use of uPVC for the installed windows on the majority of the flats. However, Google Street View shows they have been installed for at least 15 years. Additionally, the uPVC fascia, soffits and barge boards have been in place since 2022 and has not been raised as a concern by anyone. The alterations are high up and of the same colour making them not visually noticeable. As a result it is considered the uPVC fascia, soffits and barge boards have a neutral impact on the Hurstpierpoint Conservation Area

Therefore, the proposal is deemed to comply with policy DP35 of the Mid Sussex District Plan in terms of impact on the Hurstpierpoint Conservation Area.

Impact on neighbouring properties

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);'

Due to the nature of the works replacing the fascia, soffits and barge boards, there will not be any additional harm to neighbour amenity areas. The proposal therefore accords with policy DP26 of the District Plan.

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.

PLANNING BALANCE AND CONCLUSION

In conclusion, the proposal would not have an adverse impact on the character of the building or the character and appearance of the Hurstpierpoint Conservation Area. It would not cause significant harm on the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policies DP26 and DP35, and with the relevant provisions of the NPPF.

Decision: Permission

Case Officer: Peter Davies

