

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1367	Case Officer:	Katherine Williams
Application Type:	Householder Application		
Proposal:	Proposed erection of a garden building and greenhouse		
Site:	Applegarth, Halton Shaws, Hurstpierpoint, Hassocks, West Sussex, BN6 9QR, ,		
Validation Date	4 Jun 2026	Overall Expiry Date:	3 Jul 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	23 Jul 2026
Target Date:	30 Jul 2026	Recommending Officer Signature:	Katherine Williams

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	24 Jul 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1367

**Applegarth, Halton Shaws, Hurstpierpoint, Hassocks, West Sussex, BN6 9QR,
Proposed erection of a garden building and greenhouse
Mr And Mrs M Johnson**

SUMMARY OF REPRESENTATION

None received

SUMMARY OF CONSULTEES

Conservation Officer - No objection
Tree Officer - no objection, recommend condition

PARISH COUNCIL OBSERVATIONS

The Committee recommends that MSDC grant permission.

INTRODUCTION

The application seeks planning permission for the erection of a garden building and greenhouse.

RELEVANT PLANNING HISTORY

DM/23/3120 - Proposed rear and side extension, roof and first floor extension to the southern side, dormer windows above the existing integral garage and existing windows following consent under application DM/23/1325. Addition of rooflight to front elevation, window added in utility room, and facias/soffits to be grey. Granted

DM/23/1325 - Proposed rear and side extension, roof and first floor extension to the southern side, dormer windows above the existing integral garage and existing windows to be replaced with grey framed windows. Granted

DM/22/3749 - Proposed rear and side extension, roof and first floor extension to the southern side and dormer windows above the existing integral garage. Granted

06/02781/FUL - Conversion of existing garage to study/studio and shower room, which involves some external alterations. New porch and construction of detached garage. Granted

HP/138/98 - Alterations and extensions to existing house and garage. Granted

SITE AND SURROUNDINGS

The application property consists of a detached chalet bungalow located on the north-western side of Halton Shaws, a private road, and to the south of Hassocks Road within the built up area and Conservation Area of Hurstpierpoint.

Halton Shaws is a short cul-de-sac of 6 No. buildings consisting of dwellinghouses and flats. The buildings are of varying forms, designs and scales, with differing orientations and frontages onto the highway. Due to this arrangement the properties are sporadically positioned with large visual gaps and mature planting which gives the highway a verdant character. Halton Shaws is accessed off the southern side of Hassocks Road and is positioned at an elevated position with a sloping road. The majority of the

properties, including the application property, are not visible from the Hassocks Road due to the mature boundary planting.

The application property has a pitched hipped roof with a number of existing projections and pitched roof front and rear dormer windows, resulting in a number of roof forms. The dwelling is constructed in yellow brick, brown hanging tiles on the dormer windows, plain roof tiles and white fenestration.

APPLICATION DETAILS

The proposed garden building and greenhouse would be located to the south of the dwellinghouse adjacent to the eastern boundary of the property. The proposed garden building would have a width and depth of 4.8 metres and 3.7 metres with a flat roof with an overall height of 2.78 metres. This building would be close in oak cladding with black PVC fenestration. The greenhouse would have a width and depth of 1.97 metres and 2.63 metres, with an overall height of 2.81 metres. This building would be constructed in a brick plinth and green powder coated aluminium frame.

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, Hurstpierpoint and Sayers Common Neighbourhood Plan and the Site Allocation 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
DP34 - Listed Buildings and Other Heritage Assets
DP35 - Conservation Area
DP37 - Trees, Woodland and Hedgerows

Hurstpierpoint and Sayers Common Neighbourhood Plan (made March 2015)

No relevant policies

Mid Sussex Site Allocations Document (DPD)

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 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.

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 hearings were concluded on 19th March 2026. The District Plan remains at Examination until the Inspector has published his report, until that time 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:

DPS1 - Climate Change
DPS2 - Sustainable Design and Construction
DPN4 - Trees, Woodland and Hedgerows
DPB1 - Character and Design
DPB2 - Listed Buildings and Other Heritage Assets
DPB3 - Conservation Areas

National Planning Policy Framework (NPPF) (December 2024)

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 Impact on the Conservation Area and Setting of Listed Building
- Impact on neighbouring properties
- Impact on Trees
- Biodiversity Net Gain

Design and Impact on the Conservation Area and Setting of Listed Building

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

'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.'

S.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 preserving or enhancing the character or appearance of that area.'

Paras 205, 212-215 of the NPPF state:

'205. 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 DP34 of the District Plan is relevant and states:

'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.'*

Mid Sussex District Plan policy DP35 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.'

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.'*

Principle DG11 of the Mid Sussex Design Guide states: *'Heritage assets and historic landscapes should be celebrated, enhanced and preserved where appropriate, for the enjoyment of existing and future residents. Where appropriate and providing it does not cause harm to the heritage assets or their setting, they should be carefully integrated into development proposals as they help to reinforce a sense of place and local identity.'*

Elsewhere new development should generally reflect the scale of adjacent areas and the settlement context within which it is located to deliver a coherent and consistent urban fabric. There may be potential to introduce a new character / development form and massing:

- *On larger urban extensions; this will typically be within the middle of the site and associated with a new neighbourhood centre, spine road or the main open space.*

- *In town centre locations defined as coarse grain areas and nearby sites identified on the brownfield sites register.'*

There have been discussions with the Council's Conservation Officer regarding the proposal, and no objection has been raised following the alteration in the proposed rear elevation materials of the garden building from cement panels to timber cladding to match the rest of the building.

The proposal would be of a design, scale and materials that is in proportion and appropriate to the character of the property and the locality. The proposed outbuildings would be positioned to the southern side of the dwellinghouse within the existing garden of the property. The existing boundary with the highway consists of close boarded fence along with mature planting and trees which would obscure the proposed buildings from public view.

The proposal would be some 50 metres from Abberton House, a Grade II listed property which dates back to the 18th century. This property would be obscured from the proposal by mature trees and hedging with no visibility between the properties.

Given the scale and position of the proposal it would not have a harmful impact on the appearance of the property of the Conservation Area, and would protect the setting of the nearby listed building. It is therefore considered that the proposal would comply with policies DP26, DP34 and DP35 of the Mid Sussex District Plan.

Impact on neighbouring properties

DP26 states:

"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);"

To the south-east are Halton Lodge (Flats 1-4), Wee Wych and Wych House, which would be at least 16 metres from the proposal. To the southern side is Colwood which is some 30 metres from the proposal. To the rear of the property is Abberton Cottage and Abberton House which are some 50 metres from the proposal with mature planting in between.

It is considered that due to the separation distances to neighbouring properties and the mature planting in between the proposal would not cause harm to the amenities of neighbouring properties.

Impact on Trees

Mid Sussex District Plan policy DP37 states:

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- *incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- *prevents damage to root systems and takes account of expected future growth; and*

- *where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
- *has appropriate protection measures throughout the development process; and*
- *takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*
- *does not sever ecological corridors created by these assets.*

Proposals for works to trees will be considered taking into account:

- *the condition and health of the trees; and*
- *the contribution of the trees to the character and visual amenity of the local area; and*
- *the amenity and nature conservation value of the trees; and*
- *the extent and impact of the works; and*
- *any replanting proposals.*

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary.'

The Tree Officer has been consulted on the application and raises no objection to the proposal and requests a condition the tree protection measures during the proposed works.

It is therefore considered that the proposal would be acceptable in terms of policy DP37 of the Mid Sussex District Plan subject to a condition.

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 proposal is considered to be appropriate in terms of design, size and scale to the dwellinghouse and locality, would conserve the special character of the Conservation Area and protect the setting of the nearby listed building, would not cause harm the amenities of neighbouring properties and acceptable in terms of trees. Therefore, the proposal complies with Mid Sussex District Plan policies DP26, DP26, DP34, DP35 and DP37 and with the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Katherine Williams