

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0785	Case Officer:	Anna Tidey
Application Type:	Householder Application		
Proposal:	Proposed two storey extension on southern side elevation with gabled roof including two gabled dormers, a rooflight and a Juliette balcony. Addition of new gabled dormer on existing east facing roof slope to replace two rooflights, to serve an existing first floor bedroom.		
Site:	The Meadows, Little Park Farm, Marchants Close, Hurstpierpoint, Hassocks, West Sussex, BN6 9UZ,		
Validation Date	27 Mar 2025	Overall Expiry Date:	6 May 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	6 Jun 2025
Target Date:	22 May 2025	Recommending Officer Signature:	Anna Tidey

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	6 Jun 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0785

The Meadows, Little Park Farm, Marchants Close, Hurstpierpoint, Hassocks, West Sussex, BN6 9UZ

Proposed two storey extension on southern side elevation with gabled roof including two gabled dormers, a rooflight and a Juliette balcony. Addition of new gabled dormer on existing east facing roof slope to replace two rooflights, to serve an existing first floor bedroom.

Emma Poland

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Conservation Officer: In my opinion, as stated in relation to previous applications, any further significant addition to the footprint or bulk of The Meadows will be unacceptable in principle, due to the adverse impact of the increased scale of the development on the openness, verdancy, and 'rural' nature of this part of the setting of Little Park and its associated historic farmstead, and the positive contribution which this makes to the special interest of the heritage assets and how this is appreciated. The current proposal is for additions of a significantly greater scale and bulk than the porch addition approved at appeal, and is located to the southern side of the building, closest to the boundary with Little Park.

For this reason the proposal is in my opinion harmful to the wider setting of Little Park, including the views and vistas mentioned above from within the gardens of the listed building. This will be contrary to the requirements of District Plan Policy DP34. In terms of the NPPF, the harm caused will be less than substantial and at the lower end of that scale.

Historic England: No response received.

Southern Water: No objections.

PARISH COUNCIL OBSERVATIONS

Hurstpierpoint & Sayers Common Parish Council: The committee recommend that MSDC should refuse the application for the following reasons:

- o The design is significantly bigger than the porch that was approved despite what the design guide states.
- o It is very similar to the application that was refused in 2024, and the reasons for refusal still stand:
- o The development will harm the rural setting of the Grade II* listed 'Little Park Farm' - DP34
- o DP12 - Protection and Enhancement of the Countryside
- o DP26 - Character and Design
- o Hurst C1 - Conserving and Enhancing character
- o Condition 15 under DM/22/1571 has not been fully implemented which was associated with the original planning permission, specifically the infill indigenous mixture hedging on the boundary and separating the property from the paddock, and therefore the screening from the countryside
- o The two storey extension changes to the roof will impact the view from the listed building and be visible from the meadows (public open space).
- o The scale, footprint, massing and bulk will have a detrimental impact to the rural setting, which should be of a farmyard feel as per the original planning permission.
- o The significant increase in number of toilets and showers may adversely impact upon the existing property foul water treatment plant.

INTRODUCTION

This application seeks planning permission for the erection of a new extension to add ground and first floor accommodation to the existing known as 'The Meadows' at the former Little Park Farmstead off Marchants Close in Hurstpierpoint.

The dwelling, formerly referred to as Unit C in the determination of applications DM/21/2367 and DM/22/0204 for the construction of 3, then 2, dwellings and removal of a Dutch barn, former dairy building, mobile home and other outbuildings on the site, has been completed and has been the subject of a number of applications to enlarge the originally approved dwelling.

Under approval DM/22/0204 planning condition 14 removes the permitted development allowance for any additions to the property and within the curtilage.

The planning history for the unit is detailed below. Of note is the application under DM/22/3843 for a 5.7m wide by 2.7m deep single storey porch extension with a gabled roof, proposed on the southern elevation of the dwelling, which was refused in February 2023. The subsequent Appeal on that refusal was Allowed by the Planning Inspectorate in July 2023.

RELEVANT PLANNING HISTORY

DM/25/0784 Proposed fencing. Yet to be determined.

DM/24/1406. Proposed two storey side extensions with juliette balcony to first floor also new and relocated dormers. Proposed two storey part single storey rear extension with juliette balcony to first floor. Refused August 2024.

DM/23/2001. Removal of Condition No. 14 of planning permission DM/22/0204. Refused October 2023. Appeal Dismissed under reference AP/24/0002 in April 2024.

DM/23/0305. Proposed detached single-storey Home Office ancillary to 'The Meadows'. Refused March 2023.

DM/23/0891. Single-storey porch extension. Refused May 2023.

DM/23/0189. Removal of Condition 14 of planning application DM/22/0204 relating to The Meadows (Unit C). Withdrawn March 2023.

DM/22/3843. Proposed single storey porch extension. Refused February 2023. Appeal Allowed under reference AP/23/0037 in July 2023.

DM/22/2131. Variation of Condition 2 in relation to DM/22/0204. Approved August 2022.

DM/22/0204. Removal of former dairy, mobile home and other outbuildings and construction of 2 dwellings (revisions to approved scheme DM/21/2367) now including garages and alterations to eastern unit to accommodate rooms within the roof space. Approved April 2022.

DM/21/3720. Discharge of Condition 17 (contamination) and Condition 20 (ecology) relating to planning reference DM/21/2367. Approved December 2021.

DM/21/3341. Discharge conditions 3, 8, 9 and 11 of planning application DM/21/2367. Approved December 2021.

DM/21/2367. Removal of an existing barn, mobile home and other outbuildings. Construction of 3 dwellings. Approved September 2021.

DM/20/1533. Removal of an existing barn, mobile home and other outbuildings. Construction of 3 dwellings. Amended Plans received 16.06.2020. Refused October 2020. Appeal Dismissed May 2021.

DM/19/4153. Removal of an existing barn, mobile home and other outbuildings. Construction of three dwelling, 1x5 bedroom with detached garage, 1 x3 bedroom and 1 x2 bed bedroom. Refused January 2020. Appeal Dismissed May 2021.

DM/19/2344. Application for determination as to whether prior approval is required for the change of use of an agricultural building to 4 dwellinghouses and for associated operational development. Prior approval granted August 2019.

DM/19/0824. Remove existing barn, mobile home and other outbuildings for the construction of 4 dwellings with car ports. Refused May 2019.

14/00745/LDE. Application to site a caravan for domestic use. This is an application to establish whether the development is lawful: this will be a legal decision where the planning merits of the proposed use cannot be taken into account. Approved April 2014.

08/01417/FUL. Installation of 17.5m telecommunications mast, equipment cabinets and ancillary equipment with 6.5m by 6.5m compound. Approved August 2008.

SITE AND ITS SURROUNDINGS

The Meadows is a modern detached 5 bed dwelling located on a site formerly known as Little Park Farm. In the residential development of the site the dwelling was formerly referred to as Unit C. This, and an adjacent completed dwelling at The Old Dairy (formerly referred to as Unit B) are located off a narrow shared access track leading from the northern end of Marchants Close. This access track is shared with another residential property at North End House, which is located to the north east of the site. The track also serves as a pedestrian route for occupiers of the houses at Idenhurst, and also allows public access to Hurst Meadows open space.

A Dutch barn remains undeveloped on the site, occupying the position of a further approved dwelling, known as Unit A. A vehicular access gate located in the site boundary, to the south of the Dutch barn, allows access into an extensive garden area serving the adjacent Grade II* property known as Little Park. Beyond this there is a large private pond which is in the grounds of that property.

Land to the east of the site, which stretches east to the Conservation Area at Hurst Whickham, is in use as Hurst Meadows Public Open Space. This land is allocated for use as public open space for informal recreation, referred to as Hurst Meadows in the Hurstpierpoint Neighbourhood Plan (Policy Amenities HurstA1: Hurst Meadows).

The eastern boundary of the garden area at The Meadows adjoins this land and the site boundary is enclosed by a chain link fence. Trees growing along this boundary have been retained. There are open public views into the garden and land associated with The Meadows from Hurst Meadows and from adjacent public footpath (HSC/63HU/2), the route of which follows the boundary line.

The District Plan designates the site as countryside, located outside the designated built up area of Hurstpierpoint.

APPLICATION DETAILS

This application seeks planning permission to enlarge the property with a new extension located on the south facing elevation. A new 1.46m wide gabled dormer window addition is also shown on the rear (east facing) elevation on the proposed plans to serve an existing first floor bedroom.

The submitted Existing Floor Plans show that changes have been made to the arrangement of the ground and first floor accommodation from that approved under the original plans for the dwelling under DM/21/2367, and then amended under DM/22/0204. As originally approved under DM/21/2367 the dwelling was a modest, single storey three bedroom dwelling.

Amendments to the form of the building under DM/22/0204 extended the height of the ridge, added an eastern facing gable and introduced dormers to extend the loft space. The revised building form allowed the dwelling to accommodate one ground floor bedroom with an ensuite shower room and two further bedrooms with ensuite bathrooms on the first floor within the extended loft space. Further design amendments were made to the dwelling as it was under construction under application DM/22/2131.

The submitted Existing Floor Plans for the current application show the dwelling accommodates one bedroom on the ground floor, with no ensuite, but a separate toilet off the hall. There are four bedrooms on the first floor, created by the subdivision of one of the original bedrooms into two and the provision of a further bedroom on an extended first floor.

The porch addition that was approved under recent Appeal reference AP/23/0037 (following the refusal of the application under DM/22/3843), has not yet been constructed.

The proposed additions will allow further revisions to the layout of the ground floor and first floor accommodation within the dwelling. The proposed ground floor plan shows the provision of a new ensuite shower room by the partial conversion of a 1.25m wide by 3.2m wide section from the integral garage, leaving the internal space of the remaining garage a minimum of 3.4m wide by 5.15m deep.

Other associated external alterations include blocking in three windows at the rear of the garage (located in the southern side facing wall). In addition an existing external doorway, currently serving the ground floor bedroom, labelled as a study on the proposed plans, is shown to be altered to a 1m wide window.

The proposed extensions is located on the south side elevation of the dwelling. This would be larger than the porch addition which was approved at Appeal, as referred to above. The Appeal on DM/22/3843 allowed a 5.7m wide by 2.7m deep single storey addition with a 5.2m high gabled roof, and eaves at 2.3m in height.

The proposed plans for the current application show a 5.9m wide by 9.4m deep (max) addition, with the ridge height extending to 6.7m (approx.) in height, to reach the main ridge level, and with the eaves at a height of 3.4m. The base level of the wall for the ground floor of this addition is shown to be set 0.42m lower than the main ground floor level. Internal steps are proposed into the addition from the main hallway.

The proposed addition would accommodate a new kitchen, separate utility room and a toilet at ground floor level. The existing open plan kitchen and dining room is shown to be adapted into a drawing room and separate playroom. The lounge is to be made into a TV room. All of these rooms would be accessed off a reconfigured corridor.

The addition would also require a rearranged first floor corridor and bedroom. A new rooflight is proposed in the rear roof slope to serve the altered bedroom. Within the proposed extension a new bedroom with an ensuite is proposed. This would extend into the roof space of the extension, with two 1.5m wide gabled roof lights on the front and rear facing roof slopes adding to the available head height. A full height, 2.7m wide triple paned glazed window is proposed in the south facing elevation of the proposed addition. This has an external Juliette balcony. The extension would provide 49 sqm (approx.) of additional ground and first floor space for the dwelling, increasing the overall floorspace of the dwelling by 98 sqm in total.

Externally the proposed addition would be finished with black timber cladding on the walls and plain roof tiles to match the existing property. The windows and doors are proposed to be aluminium and finished in anthracite grey to match the existing.

The application has been supported with a Design and Access Statement which is available to view on the planning file. This includes the following points:

- *The works are minor in nature. They are a result of the applicant's desire to improve the standard and quality of living within the dwelling. The scale of the extensions are detailed to remain subservient to the overall design.*

- *All the extensions are proposed in a traditional style to match the vernacular of the existing dwelling. There is no unacceptable overlooking of any neighbouring dwelling. The roof pitch of the additions matches the pitch of the existing dwelling.*
- *The design is fully sympathetic to the host dwelling, with materials to match.*
- *The site is well screened from surrounding vantage points, including the publicly accessible Hurst Meadows to the east and north. The additions would be viewed in the context of the existing dwelling and would not be harmful to the wider countryside or the setting of the Listed building to the west.*
- *The dwelling is not visually apparent to Little Park by nature of the built-out levels and landscape screening to all boundaries as noted strongly by 2 appeal inspectors.*
- *Visually, the extensions proposed are 'contained' within the existing scale and mass of the approved dwelling. They will therefore NOT be apparent from Little Park Listed Building, and therefore it is concluded that there will be no detrimental impact on the setting of the Listed Building.*

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, Site Allocation Development Plan Document (DPD) and the Hurstpierpoint & 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:

- DP12 Protection and Enhancement of Countryside
- DP26 Character and design
- DP34 Listed Buildings and other Heritage Assets

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.

Neighbourhood Plan

Hurstpierpoint & Sayers Common Neighbourhood Plan, made March 2015.

Policy HurstC1: Conserving and enhancing character of countryside

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

Other Material Considerations

Mid Sussex District Plan 2021-2039 Consultation Draft

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) was published for public consultation on 12th January 2024 for six weeks and as a result of this consultation there are unresolved objections to some of the Policies in the draft District Plan. 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
DPS6 Health and Wellbeing
DPC1 Protection and Enhancement of the Countryside
DPB1 Character and Design
DPB2 Listed Buildings and Other Heritage Assets

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 to consider in the determination of this application are as follows:

- Design
- Removal of pd rights
- Impact upon the rural setting
- Impact upon the Listed Building
- Residential amenity
- 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.

Design Guide 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).'

The Design Guide also contains Principle DG50 which specifically relates to front and side extensions. With regards to side extensions it states:

'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.'

This part of the Little Park Farm site formerly accommodated a single storey mobile home unit. As originally approved the replacement residential property permitted on this site (Unit C) was a three bed, single storey dwelling with an integral garage.

Incrementally the size and scale of the dwelling has been increased, starting with the permission granted under DM/22/0204. Permitted development rights were removed by Condition No:14 of planning permission DM/22/0204. An application in 2023 (Planning reference DM/23/2001 refers) to remove this condition was Refused in October 2023, and an Appeal subsequently Dismissed.

Amended plans have been permitted to allow the dwelling to be enlarged to include first floor accommodation by raising the roof and by the addition of dormers and a rear gabled roofline. Alterations

have been made to the internal layout and the resulting dwelling now contains five bedrooms and enlarged and reconfigured ground and first floor living spaces.

The current proposal involves the addition of a substantial extension altering the footprint of the building from an L shape to a T configuration. The extension would add significant additional areas of floorspace at both ground and first floor levels and added bulk to the building at roof level, with the addition of three further dormers. The base of the addition is set below the existing ground floor level on the existing building, and as the ridge and eaves levels extend to meet those on the existing building the addition cannot be considered to be subordinate in form to the house building.

It is appreciated that the extension and the related external alterations have been designed to seek to complement the existing dwelling by the use of matching external materials. However the proposed gabled addition, further added dormers and an additional rooflight, the full height first floor window with Juliette balcony will all add to the bulk and prominence of the building.

Reference has been made in the applicant's supporting statement to the Inspector's comments with regards to the porch addition allowed under the Appeal following on from the refusal of DM/22/3843. He considered the porch to be: *'both a good design and modest scale. As regards design, the porch would fit in the frame of the existing gable end together with the entrance's similarity to the existing combined door/window features, the addition would be fully reflective of the building's defining characteristics. In terms of floorspace the proposed porch's total area of under 12 sqm is by any reasonable assessment a subservient addition of the building's footprint, as opposed to the Council's description of it being 'large', significant' and 'substantial'.*

The proposed extension under the current application will increase the footprint of the building by 49 sqm (approx.), with the same additional floor space at first floor level the additions, increasing the overall floorspace of the dwelling by 98 sqm in total. This is not a subordinate addition to the dwelling.

Related works under the current application seek to reconfigure large parts of the property, which include the partial conversion of the garage, relocating the kitchen and changing the configuration of much of the ground floor living space, as well as further extending the first floor bedroom and bathroom provision. The addition would change the footprint of the building from a modest L shape to an enlarged overall T shaped form and will serve to increase the overall height and scale of the building, thereby increasing its presence and the dominance of the dwelling on this site.

As a result of the added bulk of the new roof dormers and introduction of a further gabled roofline the proposed addition cannot be considered subservient to the already extended original single storey dwelling. It is considered that the proposed additions would dramatically change the form and layout of this dwelling.

The associated dormer and rooflight additions, and the associated additional night time lighting that these will cast to the eastern side of the site, will impact further on public views from the adjacent rural public paths and open space.

Removal of pd rights

The property at The Meadows has a planning condition (Condition 14 of DM/22/0204) which limits the permitted development rights to extend the property and works within the residential curtilage. The condition states:

'14. 'Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or as amended in the future, no enlargement, improvement or other alteration of the dwelling houses hereby approved, whether or not consisting of an addition or alteration to their roofs, nor any other alteration to their roofs, shall be carried out, (nor shall any building or enclosure, swimming or other pool be provided within the curtilage of the dwelling houses) without the specific grant of planning permission from the Local Planning Authority.

Reason: To prevent the overdevelopment of the site and to accord with Policies DP26 and DP34 of the Mid Sussex District Plan 2014 - 2031 and Policies AS1 and AS2 of the Ansty, Staplefield and Brook Street Neighbourhood Plan'.

(The reference in the Reason to Policies in the Ansty, Staplefield and Brook Street Neighbourhood Plan, is an error as the site falls within the Hurstpierpoint Neighbourhood Plan area and the relevant NP policy is Policy HurstC1).

Application DM/23/2001 sought to remove this planning condition and was refused in October 2023. The subsequent Appeal (ref AP/24/0002) to remove this condition was Dismissed in April 2024.

It is relevant in the determination of the Appeal that the Inspector considered that:

'The condition continues to serve a useful purpose in respect of maintaining the rural character of the site and its setting in accordance with the aims of the development plan. Nor does the condition prohibit future planning applications to be submitted and approved where the designs accord with the relevant planning policies. I am therefore satisfied that there remains clear justification for the removal of permitted development rights in this location.'

The Inspector considered that the main issue in his deliberations was whether condition 14 is reasonable and necessary to preserve the rural character and setting of the site and surrounding area including the setting of the adjacent Grade II* listed building known as 'Little Park'.

In his opinion the condition is required for the ongoing protection of the rural character of the countryside. He considered that there is not a meaningful visual relationship between the appeal property and the setting of the adjacent listed building and concluded that the removal of condition 14 would not result in harm to designated heritage assets and, therefore, would not conflict with Policy DP34 or Chapter 15 of the NPPF.

Detailed consideration is given to the impact of the current proposal in this regard in the following sections of this report.

Impact upon the rural setting

The built up area boundary of Hurstpierpoint takes in the houses on the western side of Marchants Close and the new houses on Idenhurst to the north of the site, but cuts around Little Park and the adjacent former barn conversions at Marchants Barn, The Old Stables, The Red Barn and also North End House to the west and north west of The Meadows and The Old Dairy.

Planning permission was approved for the property at The Meadows, and the adjacent property (The Old Dairy) as a departure from the Development Plan regarding provision of new dwellings in the countryside. Together they are located outside the defined settlement boundary of Hurstpierpoint village, on the edge of a group of dwellings sited off Marchants Close, and beyond this there is open undeveloped countryside.

The relevant District Plan Policy is DP12. This seeks to maintain and enhance the quality and character of the rural area and states:

'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:

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

The proposal must also be assessed against Hurstpierpoint Neighbourhood Policy Countryside HurstC1, which states:

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

- o It comprises an appropriate countryside use;*
- o It maintains or where possible enhances the quality of the rural and landscape character of the Parish area;*
- o In the South Downs National Park, Policy HurstC2 will take precedent.'*

Whilst The Meadows is partly screened by established boundary trees and vegetation located on the western side of the site, and growing around the adjacent ponds, it is more highly visible from the north east and from the east from the public footpath that extends along the garden boundary and from across Hurst Meadows open space, and particularly during the winter months, due to the deciduous nature of the boundary trees.

It is considered that the proposed further addition to the footprint and the associated first floor accommodation, further enlarging the scale and width of the dwelling, would impact upon the visual dominance of this dwelling on the site. The proposed side addition would impact upon the appearance of the dwelling and make its presence much more visible in wider public views of the site. This would negatively impact upon the rural character of this area of countryside beyond the edge of the village.

Consideration has been given to the proposed degree and extent of added glazing proposed within the addition, at both ground and first floor levels. It is considered that the new first floor windows, added Juliette balcony with full height glazing and the additional dormers and rooflight in the proposed addition will increase the prominence of the dwelling at night time. The scale of floor to ceiling glazing at ground and first floor levels proposed in the new addition will result in added light spill from the dwelling which will be visible from surrounding public vantage points and this will be harmful to the setting of the dwelling on this rural margin of the village.

The further enlargement of the dwelling would fail to protect the rural setting and the character of this site within the countryside area on the village boundary. The proposal would have a negative impact on the appearance of the area, and fails to accord with Policy DP12 of the District Plan, Neighbourhood Policy Countryside Hurst C1 and relevant Design Guide and NPPF guidance.

Impact upon the Listed Building

The southern facing side elevation of the dwelling at The Meadows lies approximately 80 metres to the north east of Little Park, which is a Grade II* listed building. With this status the ex-farm house building has a high degree of significance, being one category lower than a Grade I Listed building. Taken together Grade I and Grade II* Listed buildings account for just 8% of all listed buildings, with Grade II Listed Buildings accounting for 92% of all listed buildings.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states 'In considering whether to grant planning permission (or permission in principle) 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.'

In addition, in enacting section 66(1) of the Listed Buildings Act, 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.

District Plan Policy DP34 is relevant in the determination of this application. This requires development to protect listed buildings and their settings, and states:

'The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance

can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic.'

Paragraphs 207-210 of the NPPF provide advice to Local Planning Authorities regarding development proposals that affect heritage assets. They state:

'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.

209. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

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.'

Paragraphs 212-215 of the NPPF are also relevant to the consideration of potential impacts from development, and state:

'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.'

The application has been submitted with an accompanying Design and Access, Planning and Heritage Statement, which has been reviewed by the Conservation Officer and Planning Officer in the consideration of this proposal. This refers to the relationship of the site to the Grade II* Listed Building at Little Park. Reference is made to the recent Appeal Inspectors decisions.

Whilst at a distance from the Grade II* Listed Building at Little Park, The Meadows does fall within its historic setting, being sited within the original farmstead area.

The Council's Conservation Officer has made a detailed assessment of the proposal and is of the opinion that the current proposal is unacceptable in terms of the impact on the wider setting of the Grade II* Listed Building at Little Park, and her views are supported.

A further extension to the dwelling at The Meadows will create an impact upon the setting of the Listed Building. The boundary vegetation between the Dutch barn and the Little Park garden has been thinned and this provides vantage points through from that house to the site. This is a relevant consideration in the determination of this application.

The proposed enlargement to the southern side of the dwelling and the increase in the bulk of the building by the addition of a full height gabled addition, would detract from the rural quality of the site and impact the setting of Little Park. The resulting building will be prominent in views from the listed building and its immediate garden setting. It is considered that this will detract from the special interest of the listed building and the manner in which it is appreciated.

The proposal is therefore found to be contrary to the aims of District Plan Policy DP34. In terms of the NPPF, the harm caused is judged to be less than substantial, such that the balancing exercise set out in paragraph 215 will apply. In carrying out this balancing exercise, the requirements of paragraph 212 of the Framework are relevant.

There would be no public benefit as a result of the proposal, other than the very limited economic benefits arising from increased economic activity associated with construction works. The deemed 'less than substantial harm' to the setting of the heritage asset might be judged as a lower level impact, but as the limited public benefits would not outweigh this, the proposal is considered unacceptable and contrary to District Plan Policy DP34 and the relevant NPPF guidance.

It is therefore considered that the proposed extension at The Meadows would harmfully impact upon the setting of the Grade II* Listed Building at Little Park.

Impact on residential amenities

In assessing the potential impact of the proposed extension works upon the neighbouring amenities consideration needs to be given to District Plan Policy DP26. Policy DP26 requires that *'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 the new dwellings.'*

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 proposed addition has been designed to reflect the style and construction materials of the extended host property. Given the orientation of the dwelling at The Meadows to the neighbouring dwelling at The Old Dairy the siting of the proposed side addition would have little visual impact upon the outlook and amenities of the occupiers of that dwelling, which is the nearest residential property.

It is considered that the form and siting of the proposed extension would not harmfully impact upon the amenities of the immediate neighbours living at The Old Dairy, or affect the occupiers of North End House beyond that, due to the distance of the additions from these nearby properties.

The proposal is therefore considered to comply with Policy DP26 of the District Plan with regard to residential amenities.

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

It is considered that the proposed extension represents the further enlargement of the footprint of the originally modest 3 bed dwelling on this site. It is considered that the proposal would represent a further incremental increase in the floor space and built bulk of this new property in its rural setting on the edge of the village and fails to accord with Policy DP12 of the District Plan, Neighbourhood Policy Countryside HurstC1 and relevant Design Guide and NPPF guidance.

The proposed gabled addition and added rooflight and dormers, the full height first floor windows and Juliette balcony will significantly enlarge and add to the bulk and prominence of the building. It is considered that due to the scale of the proposed addition to the dwelling the proposal fails to accord with District Plan Policy DP26 and the overall principles of the Design Guide and therefore this application is recommended for refusal.

The proposed extension would result in 'less than substantial harm' to the nearby Grade II* Listed Building at Little Park, such that paragraph 215 of the NPPF would apply. There would be no public benefit from the proposal, which would only benefit the occupants of The Meadows, by further enlarging the living space in that property. There are no public benefits to balance against the 'less than substantial harm' to the setting of the heritage asset and therefore the proposal is considered unacceptable and contrary to District Plan Policy DP34 and the relevant NPPF guidance.

It is considered that the siting of the proposed extension would not have a significantly harmful impact upon the amenities of the immediate neighbours living at The Old Dairy or North End House. The proposal is therefore considered to comply with Policy DP26 of the District Plan with regard to its impact upon residential amenities.

The application is therefore recommended for refusal.

Decision: Refusal

Case Officer: Anna Tidey