

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2285	Case Officer:	Andrew Watt
Application Type:	Householder Application		
Proposal:	To relocate border fence, approx. 2.2m closer to boundary, to enclose some of the additional land included within the boundary of the property. Also keep a hedge border in keeping with the current layout and similar to surrounding properties.		
Site:	103 Iden Hurst, Hurstpierpoint, Hassocks, West Sussex, BN6 9XZ, , ,		
Validation Date	15 Sep 2025	Overall Expiry Date:	7 Oct 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	28 Nov 2025
Target Date:	10 Nov 2025	Recommending Officer Signature:	Andrew Watt

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
--	--	-------------------------------	---

Signed and Agreed By:	Stephen Ashdown	Date:	28 Nov 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2285

**103 Iden Hurst, Hurstpierpoint, Hassocks, West Sussex, BN6 9XZ, ,
To relocate border fence, approx. 2.2m closer to boundary, to enclose some of the additional
land included within the boundary of the property. Also keep a hedge border in keeping with the
current layout and similar to surrounding properties.
Mrs Sarah Rockliffe**

SUMMARY OF REPRESENTATIONS

None.

SUMMARY OF CONSULTEES

None.

TOWN / PARISH COUNCIL OBSERVATIONS

The committee recommends that MSDC grant permission.

INTRODUCTION

Full planning permission is sought to relocate a border fence, approx. 2.2m closer to the boundary, to enclose some of the additional land included within the boundary of the property and to keep a hedge border in keeping with the current layout and similar to surrounding properties.

RELEVANT PLANNING HISTORY

None relevant.

SITE AND SURROUNDINGS

The site is a new-build, 2-storey, detached dwelling, which is located in a housing estate less than 10 years old. It is located within the built-up area of Hurstpierpoint and designated as a Great Crested Newt - Impact Risk Zone (Amber).

APPLICATION DETAILS

Full planning permission is sought to relocate a border fence, approx. 2.2m closer to the boundary, to enclose some of the additional land included within the boundary of the property and to keep a hedge border in keeping with the current layout and similar to surrounding properties.

The existing fence continues flush with the flank elevation of the house and encloses the rear garden along the side boundary where it fronts a shared drive serving no. 105 behind (including its garage and parking area). This also acts as a pedestrian link to a footpath that runs alongside the eastern edge of this development. There is a generous grass verge, some 3.2m in depth, and planting immediately in front of the existing fence, together with a gate. There is a similar arrangement opposite.

The proposal seeks to reposition the fence outwards onto this grass verge some 11.9m in length (which includes a splay towards the rear to maintain the visibility splay to the parking area of no. 105, and 4.0m forward of the rear building line of the house, with a return of 2.2m in depth. Thus the grass verge will be fully maintained towards the front of the site and to a depth of 1.0m to the side, with a triangular cut at the far rear. No gate will be proposed within this area, and the fence will be softened with planting and climbers in front.

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 Mid Sussex District Plan, Site Allocations Development Plan Document (DPD) and the Hurstpierpoint and Sayers Common Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Practice Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan (Mar 2018)

The Mid Sussex District Plan 2014-2031 was adopted at Full Council on 28 March 2018.

Relevant policies:

Policy DP26: Character and Design

Policy DP38: Biodiversity

Site Allocations DPD

The SADPD was adopted on 29 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 (Mar 2015)

Mid Sussex District Council formally 'made' the Hurstpierpoint and Sayers Common Neighbourhood Plan part of the Local Development Plan for the Parish of Hurstpierpoint and Sayers Common as of 18 March 2015. The policies contained therein carry full weight as part of the Development Plan for planning decisions within Hurstpierpoint and Sayers Common.

No policies are relevant to this proposal.

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 31 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:

DPN1: Biodiversity, Geodiversity and Nature Recovery

DPN2: Biodiversity Net Gain

DPB1: Character and Design

Mid Sussex Design Guide Supplementary Planning Document (Nov 2020)

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 4 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.

Relevant design principles include:

Principle DG13: Provide positive frontage to streets

Principle DG16: Create a positive development edge

Principle DG40: Design buildings that respond to and animate the street scene

National Planning Policy Framework (NPPF) (Dec 2024)

The National Planning Policy Framework (NPPF) 2024 is also a material consideration and paragraphs 8 (overarching objectives), 11 (presumption in favour of sustainable development), 131 and 135 (design), 187 (conserving and enhancing the natural environment) and 193 (biodiversity and ancient woodland) are considered to be relevant to this application.

ASSESSMENT

Design and visual impact on the character and appearance of the area

Policy DP26 of the Mid Sussex District Plan states (in part):

'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;*
- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *positively addresses sustainability considerations in the layout and the building design;'*

Although the side of this site is fairly prominent in the street scene, the proposed works are considered to be sympathetic to the character of the area, given that a minimum of 1m depth of grass verge will be maintained, which will be unchanged to the front (i.e. 3.2m in depth) and splayed at the rear. This is a fairly modest encroachment onto the grass verge, which is in the applicant's ownership, and given that planting in front can be secured by condition, it is considered that the proposal would comply with Policies DP26 and DP37 of the Mid Sussex District Plan and Mid Sussex Design Guide.

Impact on neighbouring amenity

Policy DP26 of the Mid Sussex District Plan states (in part):

'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 new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29)'*

Given that the visibility splay will be maintained to the parking area of no. 105 behind, it is not considered that the proposal will impact on neighbouring occupiers, and therefore would comply with the above policy.

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.

Other matters

The site is located within a designated Great Crested Newt - Impact Risk Zone (Amber). However, having regard to the nature of the application, it is unlikely to have an impact on newts and accordingly there would be no conflict with biodiversity legislation, policy and guidance.

PLANNING BALANCE AND CONCLUSION

The application is deemed to be sympathetic in relation to the street scene and would not cause significant detriment to surrounding residents. There would be no harm to biodiversity. Accordingly it is considered that the proposed development would comply with Policies DP26, DP37 and DP38 of the Mid Sussex District Plan, the Mid Sussex Design Guide SPD and the NPPF and is therefore considered acceptable.

Decision: Permission

Case Officer: Andrew Watt