

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1259	Case Officer:	Caroline Grist
Application Type:	Full Application		
Proposal:	Proposed change of use from 6 self-contained flats to a single dwellinghouse.		
Site:	Hillsborough House, 118 High Street, Hurstpierpoint, Hassocks, West Sussex, BN6 9PX, ,		
Validation Date	5 Jun 2026	Overall Expiry Date:	10 Jul 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	31 Jul 2026
Target Date:	31 Jul 2026	Recommending Officer Signature:	<i>Caroline Grist</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	31 Jul 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1259

**Hillsborough House, 118 High Street, Hurstpierpoint, Hassocks, West Sussex, BN6 9PX,
Proposed change of use from 6 self-contained flats to a single dwellinghouse.
Martin Machan**

SUMMARY OF REPRESENTATIONS

One representation has been received, in objection, to this application. In summary the following issues were raised:

- No justification has been provided for the loss of houses,
- Previous permissions for a single dwelling do not justify the current proposal,
- Proposal would replace six houses with one, representing a significant reduction in housing stock and type.
- Smaller flats are important for a range of users,
- Retaining a mix of housing types is important for a sustainable community,
- Reduction of houses would have a negative impact on the local economy and the village centre, and
- Impact to the character of the Conservation Area.

SUMMARY OF CONSULTEES

Highways Authority

No objection.

Environmental Protection Officer

No objection.

PARISH COUNCIL OBSERVATIONS

The Committee recommends that MSDC grant permission.

INTRODUCTION

This application seeks planning permission to change the use from 6 no self contained flats to a single dwellinghouse.

RELEVANT PLANNING HISTORY

HP/032/86 - Change of use from residential to office use. Permission.

HP/008/90 - Change of use of part of garage to car parking spaces for offices already consented under HP/032/86. Permission.

02/00860/COU - Change of use of second floor from residential to office use. Permission.

14/00717/CND - Removal of Condition 2 of Planning Permission 02/00860/COU which states 'The second floor offices shall be used in conjunction with those on the ground and first floors, and shall not be used as a separate unit'. Permission.

DM/15/0334 - Change of use from Office to one residential unit. Permission.

DM/19/1118 - Proposed change of use from offices to a six bedroom dwelling. Permission.

DM/19/2120 - Application for determination as to whether prior approval is required for change of use from an Office (Class B1a Use) to 6 no. self contained flats, 4 x 1 bed and 2 x 2 bed. (Class C3 Use). Prior approval granted.

DM/25/2550 - Change of Use from 6 no self contained flats, 4x1bed, 2x 2 bed (Class C3) to Children's Residential Home (Class C2) for a maximum of seven children between the ages of 8 and 18, with up to 5 carers working during the day and up to 3 carers at night. Permission.

SITE AND SURROUNDINGS

Hillsborough House is a north facing, detached, two storey dwelling with accommodation in the roof. It is finished in grey painted walls, with sections of tile hanging, a plain tile roof and timber windows. The property is characterised by two pitched roof dormer windows and box windows across the ground and first floors. To the rear of the site is an off road area of parking.

The application site is situated within the built up area of Hurstpierpoint and the Hurstpierpoint Conservation Area. Neighbouring dwellings are situated to the east and west, with the highway to the north. To the south of the site is South Lane, a private access, with the Hurstpierpoint Recreation Ground beyond. Opposite the application property is Grapevine Cottage, a grade II listed building, and further listed buildings are further east and west along High Street.

APPLICATION DETAILS

Planning permission is sought to change the use of the building from six self-contained flats to a single dwellinghouse. It has been confirmed during the application that no external changes to the building are proposed, which is reflected in the plans. The submitted floor plans sets out that the ground floor would contain a family room, kitchen, living room, dining room and utility. On the first floor four bedrooms, one with an en-suite, and a family bathroom are shown. The second floor, within the attic space, is to accommodate two further bedrooms, a bathroom, study/living area and a guest/teenage suite space.

It is also proposed to retain the rear external area for the dwelling, which also contains off road parking.

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, and*
- b) Any 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 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:

- DP4 - Housing
- DP5 - Planning to Meet Future Housing Need
- DP6 - Settlement Hierarchy
- DP21 - Transport
- DP26 - Character and Design
- DP27 - Dwelling Space Standards
- DP28 - Accessibility
- DP30 - Housing Mix
- DP34 - Listed Buildings and Other Heritage Assets
- DP35 - Conservation Areas

Site Allocations Development Plan Document

The Site Allocations DPD 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

The Hurstpierpoint and Sayers Common Neighbourhood Plan was made on 19th March 2015.

There are no relevant policies.

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

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 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:

- DPS2 - Sustainable Design and Construction
- DPS6 - Health and Wellbeing
- DPB1 - Character and Design
- DPB2 - Listed Buildings and Other Heritage Assets
- DPB3 - Conservation Areas

DPT1 - Placemaking and Connectivity
DPH1 - Housing
DPH3 - Sustainable Development - Inside the Built-up Area
DPH7 - Housing Mix
DPH11 - Dwelling Space Standards
DPH12 - Accessibility

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 overarching objectives to sustainable development, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). The three objectives are economic, social and environmental.

Paragraph 9 of the NPPF states *'these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.'*

Paragraph 11 of the NPPF sets out that for both plan-making and decision-taking, the presumption in favour of sustainable development should apply.

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.'

Chapter 11 of the NPPF deals with making effective use of land and paragraph 125 c) sets out that decisions should:

'give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals should be approved unless substantial harm would be caused...'

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

National Design Guide

Published in 2021, the National Design Guide illustrates how the government consider well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice.

Paragraph 134 of the NPPF sets out that this national document, along with the National Model Design Code, should be used to guide decisions on application in the absence of locally design guides or design codes.

Technical Housing Standards

WSCC Parking Standards

Hurstpierpoint Conservation Area Appraisal

ASSESSMENT

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

- o Principle
- o Design, impact on the character of the area and heritage assets
- o Highways
- o Impact on amenity
- o Biodiversity Net Gain
- o Planning Balance and Conclusion

Principle of development

As noted above, planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

This application would effectively result in the loss of six one bed flat within the built up area of Hurstpierpoint, with a six bed house being created.

A High Court judgment in the case of *Richmond upon Thames LB v SoS & another* 28/03/2000 established that the amalgamation of two or more residential units into one unit may constitute a material change of use such to require planning permission.

When considering residential development, policy DP6 of the District Plan is relevant, stating in part that:

'Development will be permitted within towns and villages with defined built-up area boundaries. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale (with particular regard to DP26: Character and Design), and not cause harm to the character and function of the settlement.'

The Council has over a long period of time sought to maintain and increase housing supply, to support the Government's objective of significantly boosting the supply of homes in accordance with paragraph 61 of the NPPF. District Plan Policy DP4 sets a minimum housing provision figure for the plan period.

Whilst there is an overall strategy in the Development Plan to provide new housing, there is no policy reference in the District Plan or Hurstpierpoint and Sayers Common Neighbourhood Plan regarding the loss of dwellings.

As per planning legislation, a decision must be made in accordance with the development plan unless there are any material planning considerations which indicate otherwise.

The policies contained within the NPPF are material considerations which should be taken into account in the determination of this application. This is confirmed within paragraph 231 of the NPPF.

Paragraph 232 clarifies that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

Paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development, and states;

'For decision-taking this means;

*c) approving development proposals that accord with an up-to-date development plan without delay; or
d) where there are no relevant development policies, or the policies which are most important for the determining the application are out-of-date, granting planning permission unless;*

- i. The application of policies within this Framework that protect areas of assets of particular importance provides a strong reason for refusing development proposed; or*
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.'*

Footnote 7 of paragraph 11(i) clarifies that the policies referred to are those in this Framework (rather than those in development plans) and relate to habitats sites (and those and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets and other heritage assets of archaeological interest; and areas at risk of flooding or coastal change.

Footnote 8 of paragraph 11 clarifies that for applications involving the provision of housing, in situations where the local planning authority cannot demonstrate a five year land supply of delivery housing sites (with an appropriate buffer) or where the Housing Delivery Test indicates that delivery of housing has been substantially below (less than 75%) of the housing requirement for the last three years, then relevant policies for the supply of housing should be considered out-of-date.

Having regard to the above, while the Council has performed excellently in respect of the Housing Delivery Test, a new standard method formula was published alongside the NPPF which gives Mid Sussex a significantly higher housing requirement than the current District Plan. As a result, and having regard for the need for an appropriate buffer, the Council is unable to demonstrate a five year supply of deliverable housing sites as per the requirements of paragraph 78 of the NPPF.

In light of the above, this development needs to be considered in the context of the presumption in favour of sustainable development. If a development is found to be sustainable, that would weigh heavily in favour of granting permission in the paragraph 11(d) balance. If however the development is not found to be sustainable, that is not the end of the matter; the Local Planning Authority still need to go through the weighing up process between the positive benefits of the scheme against any harm that may be caused, having particular regard for the key policies indicated in paragraph 11(d)(ii).

As part of this process, the weight to be given to development plan policies will need to be assessed against the degree of conformity with the NPPF.

Policies DP4 (Housing) and DP6 (Settlement Hierarchy) are relevant to this application. These policies are considered to be policies relating to the supply of housing and as such can be considered to be out-of-date, having regard to the NPPF tests. As such, these policies can be given limited weight in the determination of the application.

The appeal decision at 78B West Street in East Grinstead (Planning ref DM/18/4711, Appeal ref W/4000136) is also considered relevant in the determination of this application. It relates to an application for the conversion of two flats to form a single dwelling, returning the property to its original state. In the Inspector's assessment of that case it was recognised that a residential unit would be lost as a result of the proposal. In paragraph 4-7 of the Appeal Decision letter the inspector states:

'4. Policy DP4 of the Mid Sussex District Plan (2018) sets a minimum figure for housing provision over the development plan period 2014 to 2031. The net loss of one unit of residential accommodation would have a modest effect on the Council's housing delivery calculations and conflict with its overall strategy for housing supply. However, the Council advises that there are no specific policies within its development plan that preclude the loss of a residential unit.

5. The Council has drawn my attention to paragraph 59 of the National Planning Policy Framework (the Framework) which seeks to significantly boost the supply of housing. However, this paragraph recognises the importance of a sufficient amount and variety of land being brought forward rather than preventing the reversion of the host dwelling to a single unit of accommodation. Similarly, the housing land supply position is concerned with a deliverable supply of land for housing being able to come forward rather than maintaining the total housing stock of existing dwellings within the District.

6. Furthermore, paragraph 11(d) of the Framework states that where there are no relevant development policies, planning permission should be granted. The Council assessed the proposal and concluded that there were no adverse impacts arising from its effect on highways and parking, the character and appearance of the surrounding area, nor the living conditions of existing and future occupants, and I see no reason to disagree with their professional assessment.

7. Overall, in the absence of any demonstrable harm arising from local or national policy that directs against the proposal I find that there are no material considerations of sufficient weight to justify withholding planning permission'. The Appeal was allowed.

It is acknowledged that the proposal would differ from the appeal scheme in that five dwellings would be lost, which contribute to the mix of houses in the area and have a benefit to the local area. It is equally noted, however, that five dwellings would be considered to attract limited weight when considering the overall shortfall.

An additional statement from the applicant sets out that weight should be given to the planning permission granted under application DM/25/2550. This application allowed the change of use of Hillsborough House away from six flats, in this case to a children's residential home. The applicant sets out that this permission is still extant and could be implemented, which would still result in a loss of the six flats. The implementation of this permission has not yet been implemented due to Council Tax reasons and the proposed scheme would result in one residential property being retained. Whilst there is no guarantee that the children's home consent would be implemented, and was approved under a separate assessment, it is acknowledged that this change of use could still occur.

With the above in mind, it is considered that although the application will result in the loss of a flat, there is no policy justification to refuse this application on that basis.

The proposal therefore falls to be considered against other planning policy considerations.

Design, impact on the character of the area and heritage assets

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 relation to listed buildings, policy DP34 of the Mid Sussex District Plan states:

'Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- o 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;*
- o 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;*
- o Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- o 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;*
- o Special regard is given to protecting the setting of a listed building;*
- o 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'.*

The site is also situated in Hurstpierpoint 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'.*

Policy DP35 of the Mid Sussex District Plan, in relation to development within Conservation Areas, sets out:

'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:

- o 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;*
- o 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;*
- o 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;*
- o 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;*
- o Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;*
- o New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area'.*

In terms of design, policy DP26 of the Mid Sussex District Plan relates to character and design, stating:

'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:

- o is of high quality design and layout and includes appropriate landscaping and greenspace;*
- o 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;*
- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*

- o protects open spaces, trees and gardens that contribute to the character of the area;
- o protects valued townscapes and the separate identity and character of towns and villages;
- o 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);
- o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;
- o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;
- o positively addresses sustainability considerations in the layout and the building design;
- o 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;
- o optimises the potential of the site to accommodate development'.

The Mid Sussex Design Guide SPD seeks to ensure that new development is of a high standard of design.

The application site is situated on the High Street in Hurstpierpoint. The Hurstpierpoint Conservation Area Appraisal sets out that the site lies within the village centre character area of the Conservation Area. It describes this character area as the *'retail and commercial hub of the village'*, although it is acknowledged that further east larger individual houses appear interspersed with commercial properties. It is the view that this description remains accurate. Whilst there are more residential properties present in this section of the High Street, directly to the east of the site there is a section of commercial properties. This also continues to the north east, beyond the Players Theatre.

The proposal seeks to undertake the change of use of a property from six flats to one single dwelling house. No extensions are proposed to create additional floor space or alterations to exterior to the property. Off road parking is to remain as existing, to the rear of the property. The submitted plans show that the proposal is to be achieved through works to the interior of the building. Furthermore, as set out within the planning history, the proposal would be bringing the property back to its original residential use. Given the level of visible works that are proposed and that the building would be returning to its original use, it is considered that no harm would arise in design terms or in relation to designated heritage assets.

Impact to amenity

In terms of the impact to neighbouring amenity the test, policy DP2 6 of the Mid Sussex District Plan seeks to ensure that new 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 DP27)'*.

The development would not result in an enlargement of the building. As such a loss of light or outlook would not occur to neighbouring properties. No new windows are proposed that would result in any direct overlooking.

The Environmental Protection Officer has commented on this application and has raised no objection to the proposal.

With regards to future users, the Government's Technical Housing Standards - Nationally Described Space Standards document was published in March 2015 and replaced the Council's adopted Dwelling Space Standards Supplementary Planning Document on 1st October 2015. It sets out space standards for all new residential dwellings, including minimum floor areas and room widths for bedrooms and minimum floor areas for storage, to secure a satisfactory standard of accommodation for future residents.

The proposal would provide 1 No. 6-bed, 10 person dwelling. The internal floor space of the dwelling would meet the relevant minimum space standards with regards to bedroom size and floor space. Whilst storage areas have not been specified on the drawings, it is considered that the dwelling would be large

enough to comfortably accommodate an area 4 metres squared. It is therefore considered that the proposal would comply with policy DP27 of the District Plan and the National Dwelling Space Standards.

It is therefore considered that the proposal would accord with the requirements of policy DP26 of the Mid Sussex District Plan and would not cause significant harm to the amenity of neighbouring properties.

Highways impact

Policy DP21 of the District requires that development proposals should, amongst other criteria:

- o Provide adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;*
- o Avoid severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation;*
- o Protects the safety of road users and pedestrians;*

The application site is situated in High Street, which is a B classified road subject to a speed restriction of 20mph in this location. No changes are proposed to the existing vehicle access or off-street parking area.

The Highways Authority have reviewed the application and commented that the proposal is not anticipated to give rise to a material intensification of use. With regards to parking it is advised that the existing area appears to provide sufficient space for at least three cars, which would be in accordance with WSCC Parking Standards. An area for cycle storage is also shown in the submitted block plan, which the Highways Authority are satisfied with.

No objection has been raised by the Highways Authority and it is considered that the proposal would not have an unacceptable impact with regards to highways safety. The proposal would thereby accord with policy DP21 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

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the Development Plan and then to take account of other material planning considerations including the NPPF. The Development Plan in this instance consists of the Mid Sussex District Plan, the Site Allocations Development Plan Document and the Hurstpierpoint and Sayers Common Neighbourhood Plan.

For the reasons set out within the assessment section, it is considered that the application complies with Mid Sussex District Plan policies DP6, DP26, DP27, DP28 and DP30, DP34 and DP35.

As a result, it is considered that the application complies with the development plan. This is not the end point as planning law requires that 'where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise'.

As the Council is currently unable to demonstrate a five year supply of deliverable housing sites, it follows that the relevant policies for the supply of housing from the development plan are out-of-date (footnote 8 of paragraph 11 NPPF). As such, reduced weight should be given to these policies.

In these circumstances paragraph 11 of the NPPF provides for a presumption in favour of sustainable development which means that planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole (having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination), or specific policies in the NPPF that protect areas or assets of particular importance provide a strong reason for refusing the development.

Weighing in favour of the scheme are the limited economic benefits of that would arise from the conversion.

The proposed development is considered to have a neutral impact in respect of a number of issues. The proposal is considered to conserve the appearance of the area, would not cause harm to the significance of heritage assets and should not be harmful in terms of amenity. Nor should the proposal be detrimental to highway safety.

Weighing against the scheme are the concerns that the proposal would result in the loss of a flats within a sustainable location at a time when there is a general need for Local Authorities to boost significantly the supply of housing. The residential use, however, would not be wholly lost and, as set out above, there is no specific policy justification to resist the conversion of six flats to one house. The existing extant permission is also acknowledged.

In weighing up these issues, when taken together, it is not considered that the adverse impacts of the development would significantly or demonstrably outweigh the benefits of the proposal.

In these circumstances the NPPF states that permission should be granted, and this is a material consideration of sufficient weight to overcome the proposal's conflict with the development plan.

There are no other material considerations that would alter the above planning balance.

Decision: Permission

Case Officer: Caroline Grist