

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1648	Case Officer:	Stefan Galyas
Application Type:	Householder Application		
Proposal:	Proposed solar panels to be fitted to the south facing roof slope and air source heat pump to be fitted in the garden		
Site:	55 College Lane, Hurstpierpoint, Hassocks, West Sussex, BN6 9AD, , ,		
Validation Date	9 Jul 2026	Overall Expiry Date:	2 Oct 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	14 Sep 2026
Target Date:	3 Sep 2026	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	15 Sep 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1648

**55 College Lane, Hurstpierpoint, Hassocks, West Sussex, BN6 9AD, ,
Proposed solar panels to be fitted to the south facing roof slope and air source heat pump to be fitted in the garden
Mr And Mrs Mark Crook**

SUMMARY OF REPRESENTATIONS

There were no letters of representation received in response to the application.

SUMMARY OF CONSULTEES

Conservation Officer: *'The proposal, because of the adverse impact of the solar array on the appearance of the house, will result in less than substantial harm to the character and appearance of the Conservation Area. I would place this harm as sitting within the lower part of the less than substantial range. Under paragraph 215 of the NPPF, this harm would stand to be weighed against the public benefits of the proposal, bearing in mind the great weight that must be given to the conservation of heritage assets under paragraph 212, and also the significant weight that paragraph 167 requires shall be given to the need to support energy efficiency and low-carbon heating improvements to existing buildings. This balancing exercise will be a matter for the Case Officer.'*

Environmental Protection: No objection.

PARISH COUNCIL OBSERVATIONS

Parish Council: *'The Committee recommends that MSDC grant permission.'*

INTRODUCTION

The application seeks planning permission for solar panels to the dwellings south-facing roof slopes and an air source heat pump (ASHP) within the rear garden.

RELEVANT PLANNING HISTORY

12/03440/FUL - Erection of rear boot-room, installation of additional front facing window, replacement of south facing double doors with window, and modifications to existing porch. Permission 19.11.2012.

SITE AND SURROUNDINGS

The application relates to 55 College Lane, a detached two storey dwelling set to the eastern side of the highway. The dwelling is provided access through a paved driveway which leads to a parking courtyard which is bounded to the north by a detached garage outbuilding and the main dwellinghouse to the east. The existing dwelling is served ample garden amenity space which wraps around the property from the north-east round to the south-west. The existing dwelling is composed of rendered walls, a tiled roof and white coloured windows. In terms of the sites locality, there are a number of other detached residential properties set within fairly generous plots.

With regard to policy constraints, the site is located within the Hurstpierpoint built up area. The site is also positioned within the Hurst Wickham Conservation Area.

APPLICATION DETAILS

The proposed development would install an array of solar panels to the dwellings south-facing roof slopes. The solar panel model would be tiger neo 48HL4M-DB, 450-475 watt all black mono-facial module with dual glass.

Furthermore, an air source heat pump (ASHP) would be installed within the rear garden. The model would be an EHS Mono R32-12kW.

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 and Sayers Common Neighbourhood Plan.

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

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

DP26: Character and Design

DP29: Noise, Air and Light Pollution

DP35: Conservation Areas

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

There are no relevant policies.

Neighbourhood Plan

Hurstpierpoint and Sayers Common Neighbourhood Plan (February 2015)

None relevant.

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 is currently at Examination with initial hearings held in February/March 2026. The Council is consulting on Main Modifications which are required to ensure the plan is legally compliant and sound. The District Plan remains at Examination until the Inspector has published his report, until that time only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant policies:

DPS1 - Climate Change

DPS2 - Sustainable Design and Construction

DPN6 - Pollution

DPN7- Noise Impacts
DPB1 - Character and Design
DPB3 - Conservation Areas

Mid Sussex Design Guide Supplementary Planning Document (SPD)

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

National Planning Policy Framework (NPPF) (August 2026)

The National Planning Policy Framework (NPPF) 2026 is a material consideration. Policies DP3, L2, P3, HE4, HE5, HE6 and HE9.

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

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

ASSESSMENT

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

- Impact on Character and Appearance, Including Heritage Assets
- Impact on Neighbouring Amenities
- Biodiversity Net Gain

Impact on Character and Appearance, Including Heritage Assets

Policy DP35 of the District Plan relates to developments impact on Conservation Areas. It is however considered that this policy attracts very limited weight as it is considered that is materially inconsistent with the NPPF. As such policies HE4, HE5, HE6 and HE9 should be given greater weight.

HE5 and HE6 of the NPPF states that:

'HE5 1 Development proposals affecting heritage assets should be accompanied by an assessment of the significance of the assets affected (including any contribution made by their setting) and of the potential effect of the proposal on their significance. The level of detail should be proportionate to the assets' importance and no more than is necessary to understand the potential effect of the proposal on their significance. The relevant historic environment record should be referred to in making this assessment, and appropriate expertise employed where necessary.'

2 Assessments of the potential effects of development proposals on the significance of heritage assets (including through effects on their setting) should identify whether proposals would be likely to:

- a. Have a positive effect, which is where the significance of a heritage asset would be enhanced, or better revealed; or*
- b. Have no effect on the significance of a heritage asset; or*
- c. Result in harm to the significance of a heritage asset, either from work affecting the asset itself or from development within its setting. The degree of harm should be identified: substantial harm would occur where the development proposal would seriously affect a key element of the asset's significance; or*
- d. Cause the total loss of the significance of a heritage asset.*

3 In making this assessment it is the effect on a heritage asset's significance rather than the scale of the development which should be considered.

4 Decision-makers should be satisfied that assessments accurately reflect the effects on heritage assets caused by development proposals.

5 Where a development proposal involves, or has the potential to involve, a heritage asset with archaeological interest, an appropriate desk-based assessment should be undertaken and, where necessary, a field evaluation. These should be used to help understand the asset's significance and the potential effect of the proposal on this, which should inform the design, mitigation and implementation of the development.'

HE6 1. When considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial 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 effect amounts to a positive effect, harm, substantial harm, or total loss of its significance.

Development proposals which would have a positive effect on a designated heritage asset should be supported.

Any harm to a designated heritage asset will be a matter of considerable importance and weight, which should be dealt with in accordance with paragraphs 4 to 6 of this policy.

Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal. Important public benefits can include securing the long-term reuse of a vacant or underused listed building, and enabling energy efficiency and low carbon heating measures to be employed.

Where a development proposal would cause substantial harm to, or the total loss of, the significance of a designated heritage asset, consent should be refused unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm or loss, or if all of the following apply:

- a. The nature of the heritage asset would otherwise prevent all reasonable uses of the site;*
- b. No suitable use for the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;*
- c. Conservation by grant-funding or some form of not for profit, charitable or public ownership is not possible; and*
- d. The harm or loss is outweighed by the benefit of bringing the asset back into use.'*

Policy HE9 of the NPPF relates to Conservation Areas:

'Development proposals within or affecting the significance of conservation areas should:

Retain and conserve buildings and other features which make a positive contribution to the character or appearance of the conservation area where possible; and

Consider the area's special architectural or historic interest (as identified as part of the designation of the conservation area) in the design of development.

Not all elements of a conservation area will necessarily contribute to its significance. Where a development proposal would result in the loss of a building or other element which contributes to the character or appearance of a conservation area that is desirable to conserve, the assessment of impact should take into account the relative significance of the element affected and its contribution to the significance of the conservation area as a whole, and the effects of this considered in accordance with policies HE5 and HE6.

Proposals which conserve those elements of a conservation area that make a positive contribution to the area (or which better reveal its significance) should be supported.'

Policy DP26 of the District Plan relates to character and design. However, policy DP26 is considered to have very limited weight as it is materially inconsistent with the NPPF, and greater weight should be given to policy DP3 of the NPPF.

Policy DP3 of the NPPF in part states:

To create well-designed places, development proposals should also reflect relevant aspects of the following principles, as appropriate to the nature of the development and its location.

e. Built Form: use the pattern of buildings to define the arrangement of streets, squares and other spaces, promote compact forms of development to optimise the site's potential, distinguish between public and private areas, create focal points and, where appropriate, enhance views into and out of the scheme

g. Identity: create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting'.

The below assessment is made whilst being mindful of this guidance and having regard to the statutory duty of the Council, as the Local Planning Authority, to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

The Council's Conservation Officer has provided their comments in response to the development proposal with the full comments viewable on the applications case file. It was commented that the building likely dates from the mid 20th century and is of modest architectural interest, making a neutral contribution towards the character and appearance of the Conservation Area at present.

The Conservation Officer noted that the solar panel array to the south facing roof slopes would be perceivable from the public domain, albeit at oblique angles. Due to the scale and location of the solar panel array, it was considered that there would be some adverse impact towards the character and appearance of the Conservation Area.

The ASHP would be set to the north of the dwelling and positioned adjacent to the existing fence. It was considered by the Conservation Officer that the ASHP would be hidden from public view and on balance result in a neutral impact on the Conservation Area. The Conservation Officer's comments throughout are agreed with by the Case Officer.

Policy HE6 of the NPPF states among other matters that:

'Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal. Important public benefits can include securing the long-term reuse of a vacant or underused listed building, and enabling energy efficiency and low carbon heating measures to be employed.'

As identified above, the proposed development would result in harm towards the Conservation Area, albeit at a low level. Furthermore, it is considered that the existing dwelling only makes a neutral contribution towards the Conservation Area. It is considered that the addition solar panels and an ASHP would both enable energy efficiency and employ a low carbon heating measure. As such these important public benefits are considered to be sufficient to outweigh the low level harm inflicted.

In light of the above, the proposal would comply with the provisions of policies HE5, HE6, HE9 and DP3 of the NPPF.

Impact on Neighbouring Amenities

In assessing the potential impact of the proposed development works upon the neighbouring amenities consideration needs to be given to District Plan Policies DP26 and DP29.

However, policy DP26 is considered to have very limited weight as it is materially inconsistent with the NPPF, and greater weight should be given to policies L2 and P3 of the NPPF.

Policy L2 of the NPPF relates to making effective use of land. Part L2(1dii) requires proposals to have *'acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space'*.

Policy P3 of the NPPF relates to living conditions and pollution. Part 2(b) of this policy requires proposals *'Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site'*.

An MCS 020 calculation and ASHP brochure details were submitted as part of the application. The Council's Environmental Health Officer commented that the MCS 020 noise assessment meets the 37dBA standard and was satisfied that the noise impact would be low from the ASHP. Accordingly, no objection was raised in response to the development proposal in this regard.

To the south of the application site at No.53A, there is a side (north) elevation window at first floor level. In terms of glint and glare generated from the south facing solar panel array, it is considered that the panels would be set at a high level and would be upwards facing. It is therefore not considered that an unacceptable glint and glare impact would be incurred in this regard.

Accordingly, the proposal is considered to comply with the provisions Policies L2 and P3 of the NPPF in terms of neighbouring 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

In conclusion, the proposal is appropriate in terms of design, will not negatively impact on the host dwelling nor its immediate setting and will not harm neighbouring amenities.

The proposal will comply with Policies L2, P3, HE5, HE6, HE9 and DP3 of the NPPF, DP26, DP34 and DP35 of the District Plan, the MSDC Design Guide and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act.

Decision: Permission

Case Officer: Stefan Galyas