

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1444	Case Officer:	Andrew Watt
Application Type:	Householder Application		
Proposal:	Rear extension and loft conversion.		
Site:	74 Western Road, Hurstpierpoint, Hassocks, West Sussex, BN6 9TB, , ,		
Validation Date	13 Jun 2025	Overall Expiry Date:	11 Jul 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	7 Aug 2025
Target Date:	8 Aug 2025	Recommending Officer Signature:	<i>Andrew Watt</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	8 Aug 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1444

**74 Western Road, Hurstpierpoint, Hassocks, West Sussex, BN6 9TB, ,
Rear extension and loft conversion.
Mr And Mrs Fyfe**

SUMMARY OF REPRESENTATIONS

None.

SUMMARY OF CONSULTEES

Southern Water

Southern Water has determined that the flow rate for the above site will remain consistent, so capacity is not an issue and no Southern Water assets will be affected. Therefore, Southern Water has no objections to this proposal.

TOWN / PARISH COUNCIL OBSERVATIONS

The committee recommends that MSDC grant permission if the application is complete and valid.

INTRODUCTION

Full planning permission is sought for a rear extension and loft conversion.

RELEVANT PLANNING HISTORY

None.

SITE AND SURROUNDINGS

The site is a 2-storey, semi-detached Edwardian dwelling, with recessed entrance and ground floor bay window to the front and 2-storey rear wing and single-storey, lean-to projection beyond that. It is located within the built-up area of Hurstpierpoint and within the Hurstpierpoint Conservation Area. It is designated as a Great Crested Newt - Impact Risk Zone (Amber and Green).

APPLICATION DETAILS

Full planning permission is sought for a single-storey rear extension and loft conversion consisting of an L-shaped dormer window atop the main roof of the building and the rear wing, plus 2 rooflights to the front elevation.

The rear extension will infill the area to the side of the rear wing, ending up flush with the side elevation of the main building. It will also project a further 1.6m from the existing rear wall of the lean-to. In total, the maximum dimensions will be 4.7m in width by 6.4m in depth. It will be set slightly within the boundary, so there will be no encroachment beyond the site. This is due to the design of a dual pitched roof with guttering to the side. There will be a set of folding doors on the rear elevation and a total of 6 rooflights above. There will be no side windows on the new extension, although a ground floor window currently facing towards the rear garden will be repositioned in a new opening to the side.

The loft conversion will be achieved by way of 2 connecting flat-roofed dormers of slightly differing heights - one within the main part of the building and the other in the lower rear wing section. This will

require a slight internal change of levels via 3 steps to the new bathroom from the landing staircase. One window will be provided at second floor level facing towards the rear and the other to the side.

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 DP35: Conservation Areas

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.

Relevant policies:

Policy HurstC4: Conservation Areas

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 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
DPB3: Conservation Areas

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 DG45: Privacy of existing and future residents
Principle DG49: General principles for extensions
Principle DG51: Rear extensions
Principle DG52: Loft conversions and roof extensions

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), 193 (biodiversity and ancient woodland) and 202-221 (heritage assets) are considered to be relevant to this application.

ASSESSMENT

Design and visual impact on the character and appearance of the Conservation Area

The proposed development is located within the Hurstpierpoint Conservation Area.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 refers to Conservation Areas and states: *'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that 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;'*

Policy DP35 of the Mid Sussex District Plan states (in part):

'Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:

- *New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials;*

- *Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character;*

Development will also protect the setting of the conservation area and in particular views into and out of the area.'

Policy HurstC4 of the Hurstpierpoint and Sayers Common Neighbourhood Plan states:

'New development in the countryside adjacent to Conservation Areas will be permitted where it does not conflict with other Countryside policies and where the settings of the Conservation Areas are conserved or enhanced.'

Design Principle 11 of the Mid Sussex Design Guide SPD seeks to ensure that heritage assets are enhanced and preserved where appropriate.

Chapter 9 of the Mid Sussex Design Guide SPD relates to household extensions. Design Principle DG49 states that extensions should respond to the design of the original dwelling. Principle DG51 relates to rear extensions and advises that they should have consideration for the character of the existing building and the relationship with side boundaries and adjacent buildings and gardens. Principle DG52 refers to loft conversions and roof extensions and states that if dormers and rooflights are out of scale or character with the roofscape, they can have an adverse impact on the dwelling and the streetscape.

Paragraphs 207, 208, 210, 212 and 215 of the NPPF are relevant, as follows:

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.

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.*

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.

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 proposed ground floor extension is considered to be of an appropriate scale and design in relation to the existing property, and although the extended flank wall would be marginally visible in the gap between nos. 74 and 76, it would not be harmful to the street scene or to the character and appearance of the Conservation Area, in accordance with Design Principles DG49 and DG51 of the Mid Sussex Design Guide.

However, while noting the presence of a number of box dormers on the rear elevations of adjacent and nearby properties (e.g. nos. 68, 70, 76 and 78), the proposed dormer is significantly oversized and out of scale with the roofscape of the existing building. It is poorly designed, being L-shaped, and the stepping down does not mitigate the harm of extending the dormer over the rear wing, which is considered to be inappropriate in design terms, contrary to Design Principle DG52 of the Mid Sussex Design Guide. It would be harmful to the character and appearance of the Conservation Area, and although of less than substantial harm, the harm would not be outweighed by any public benefits.

Accordingly, the scheme would fail to comply with Policies DP26 and DP35 of the Mid Sussex District Plan, Policy HurstC4 of the Hurstpierpoint and Sayers Common Neighbourhood Plan, the Mid Sussex Design Guide and paragraph 215 of the NPPF.

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)'

The main properties affected by the proposal would be 72 Western Road to the north-east (the other half of this pair of semi-detached properties) and 76 Western Road to the south-west.

The single-storey rear extension will project an additional 1.6m approximately from the rear wall of the neighbouring lean-to (to which it is currently attached). It will be marginally set back from the boundary so that there will be no encroachment over the party wall. The height of the extension is relatively modest and the roof pitch is shallow and slopes away upwards from the boundary. Therefore it is not considered that the height or depth of the extension would be overbearing to the amenities of the neighbouring occupants at no. 72.

The extension will be extended sideways as well towards no. 76 across a depth of approximately 6.4m. Due to a gap between the properties, it is not considered that this depth or height will be an overbearing form of development. There will be no new windows in the side elevation of this extension, other than rooflights above, although a new high-level window will be inserted in the side elevation to provide more light to the original rear room on the ground floor. None of these features would result in any loss of privacy to the neighbouring occupants.

The proposed windows to the rear-facing dormers would not result in harmful overlooking to neighbouring rear gardens, where some degree of overlooking is considered normal in areas of 2-storey dwellings in built-up areas. However, the proposed window to the side dormer would look straight back, albeit obliquely, to the rear windows of the neighbouring property at no. 76. This could only be mitigated by a condition to ensure that this bathroom window is obscure glazed and non-openable below 1.7m in height above internal floor level. This could be controlled by condition, although the dormer itself, for reasons explained above, is considered unacceptable in design.

Accordingly, the scheme would comply with Policy DP26 of the Mid Sussex 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. 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 and Green). 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

While the proposed ground floor rear extension is considered appropriate in design and scale, the proposed dormer would be significantly oversized and out of scale with the roofscape of the existing building. However, neither would cause significant harm to the amenities of neighbouring residents and there would be no harm to biodiversity.

Overall, the proposed dormer would be harmful to the character and appearance of the Hurstpierpoint Conservation Area, and the less than substantial harm would not be outweighed by any public benefits. It would therefore be contrary to Policies DP26 and DP35 of the Mid Sussex District Plan, Policy HurstC4 of the Hurstpierpoint and Sayers Common Neighbourhood Plan, the Mid Sussex Design Guide (DG52) and paragraph 215 of the NPPF.

Decision: Refusal

Case Officer: Andrew Watt