

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0674	Case Officer:	Katherine Williams
Application Type:	Householder Application		
Proposal:	Proposed demolition of existing garage and replacement garage building.		
Site:	142 High Street, Hurstpierpoint, Hassocks, West Sussex, BN6 9PX, , ,		
Validation Date	17 Mar 2025	Overall Expiry Date:	18 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	15 May 2025
Target Date:	12 May 2025	Recommending Officer Signature:	Katherine Williams

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	16 May 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0674

**142 High Street, Hurstpierpoint, Hassocks, West Sussex, BN6 9PX, ,
Proposed demolition of existing garage and replacement garage building.
Mrs Jayne Webb**

SUMMARY OF REPRESENTATION

None received

SUMMARY OF CONSULTEES

Conservation Officer - no objection, recommend conditions

PARISH COUNCIL OBSERVATIONS

The committee's recommendation is that MSDC should give permission.

INTRODUCTION

The application seeks planning permission for the demolition of existing garage and replacement garage building.

RELEVANT PLANNING HISTORY

HP/048/98 - PROPOSED REAR EXTENSION AND INTERNAL ALTERATIONS TO EXISTING HOUSE.
Granted

DM/25/0770 - Installation of 8 Solar panels on roof to the rear of the property. Under Consideration

SITE AND SURROUNDINGS

The application property is a two storey mid-terrace dwelling located on the southern side of the High Street, within the built up area and Conservation Area of Hurstpierpoint.

The locality is characterised largely by lines of terraced properties of traditional form and detailed design positioned close to the highway. A number of these properties are listed, including No.s 159-175 High Street (odd numbers) to the north of the application property and Hampton Lodge to the south-east, and all the properties contribute to the special interest of the Conservation Area.

The application property and its attached neighbour to the eastern side form a 'T' shape footprint with a shared pitched roof two storey projection and lean-to single storey projection beyond. This footprint is present along the entire terrace of properties. The terrace of properties is served by a rear private access off the eastern side of South Street which leads to off street parking and garaging.

APPLICATION DETAILS

The proposal includes the demolition of the existing garage, which has already been removed from the property at the time of the site visit. This garage would be replaced by a new garage building located to the north of the existing off street parking area and within the garden of the property. The building would have a width and depth of 2.9 metres and 4.2 metres, with a pitched roof which would have an overall height and eaves height of 1.94 metres and 2.623 metres.

The building would be constructed in brick and slate roof tiles.

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, Hurstpierpoint and Sayers Common Neighbourhood Plan and the Site Allocation DPD.

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:

DP21 - Transport
DP26 - Character and Design
DP34 - Listed Buildings and Other Heritage Assets
DP35 - Conservation Area

Hurstpierpoint and Sayers Common Neighbourhood Plan (made March 2015)

No relevant policies

Mid Sussex Site Allocations Document (DPD)

Mid Sussex District Council adopted its Site Allocations Development Plan Document on 29th June 2022. The Site Allocations DPD identifies sufficient housing sites to provide a five year housing land supply to 2031 and also makes sure that enough land is allocated to meet identified employment needs.

There are no policies deemed relevant to this application.

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.

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 stage 1 hearings were concluded on the 31st 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:

DPS1 - Climate Change
DPS2 - Sustainable Design and Construction
DPB1 - Character and Design
DPB2 - Listed Buildings and Other Heritage Assets
DPB3 - Conservation Areas
DPT4 - Parking and Electric Vehicle Charging Infrastructure

National Planning Policy Framework (NPPF) (December 2024)

ASSESSMENT

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

- Design and Impact on the Conservation Area
- Impact on neighbouring properties
- Impact on the parking provision for the property
- Biodiversity Net Gain

Design and Impact on the Conservation Area

S.66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

'In considering whether to grant planning permission 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.'

S.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 preserving or enhancing the character or appearance of that area.'

Paras 205, 212-215 of the NPPF state:

'205. 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.

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.'

Policy DP34 of the District Plan is relevant and states:

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

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

Other Heritage Assets

Development that retains buildings which are not listed but are of architectural or historic merit, or which make a significant and positive contribution to the street scene will be permitted in preference to their demolition and redevelopment.

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.

Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.'

Mid Sussex District Plan policy DP35 states:

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

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

New buildings of outstanding or innovative design may be acceptable in conservation areas provided that their impact would not cause material harm to the area.'

Policy DP26 of the Mid Sussex District Plan 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 DP27);*
- *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.'*

Principle DG11 of the Mid Sussex Design Guide states: *'Heritage assets and historic landscapes should be celebrated, enhanced and preserved where appropriate, for the enjoyment of existing and future residents. Where appropriate and providing it does not cause harm to the heritage assets or their setting, they should be carefully integrated into development proposals as they help to reinforce a sense of place and local identity.*

Elsewhere new development should generally reflect the scale of adjacent areas and the settlement context within which it is located to deliver a coherent and consistent urban fabric. There may be potential to introduce a new character / development form and massing:

- *On larger urban extensions; this will typically be within the middle of the site and associated with a new neighbourhood centre, spine road or the main open space.*
- *In town centre locations defined as coarse grain areas and nearby sites identified on the brownfield sites register.'*

The Councils Conservation Officer has commented on the application as follows:

'The proposed development site is an unlisted mid terrace house located within the Hurstpierpoint Conservation Area. The house, which appears to date from the late 19th or early 20th century, is part of a terrace of properties located to the southern side of the High Street, at its eastern end. The terrace appears to be similar in age, and are similar in style, although the pair at the eastern end (nos. 142-144) differ from the remainder of the row in having single storey bay windows to the front elevation, rather than the two storey bays present to the other houses in the group. The terrace is arranged into handed pairs of houses- nos. 142 and 144 are symmetrical in their form and façade treatment. No. 142 and the other houses along the terrace retain period features such as the bay windows, several with original sashes, and recessed porches with arched brick surrounds. The terrace has considerable character, and contributes positively to the character and appearance of the Hurstpierpoint Conservation Area.

There are also a number of listed buildings in the vicinity, including the terrace at 159-171 High Street opposite, and Hampton Lodge just to the south east, which are both Grade II listed. No. 142 would be considered to be within the setting of these listed buildings.

The existing garage, which is located at the southern end of the rear garden adjacent to a lane which extends across the back of the terrace, is not of any particular architectural or historical merit, and its demolition and replacement is not considered contentious, subject to detail. The proposed replacement building is located further north into the garden, to allow for two off street parking spaces in front of it, and although described as a garage would appear in practice to be more of a garden outbuilding. Although the relocation of the building will result in some loss of garden space, the garden is relatively long, so that this is considered on balance acceptable. The design of the building is simple, with brick elevations and a pitched slate roof. This is not considered contentious, although the proposed rooflights to the roof appear boxy in profile and should be amended to flush-fitting, metal framed conservation style rooflights. The doors to front and rear should be of painted timber- this could be secured by condition. A condition should also be applied regarding details of roofing and facing materials, including the brickwork to the altered rear garden wall. Subject to this, the proposal is considered to preserve the character and appearance of the Hurstpierpoint Conservation Area, meeting the requirements of District Plan Policy DP35 and the relevant paragraphs of the NPPF.'

Subsequent to this, confirmation was received that the rooflights would be flush fitting conservation style along with details of the proposed materials which were considered acceptable.

The proposal would be of a design, scale and materials that is in proportion and appropriate to the character of the property and the locality. The proposed building would be seen within the context of the surrounding outbuildings and off street parking spaces. It is noted that the building would be positioned within the existing garden of the property and set further back than the surrounding garaging, however the proposal would retain a large proportion of the garden and is considered to be in keeping with the character of the area and would preserve the special interest of the Conservation Area.

It is therefore considered that the proposal would comply with policies DP26, DP34 and DP35 of the Mid Sussex District Plan.

Impact on neighbouring properties

Policy DP26 seeks to ensure 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 proposed garage would be some 12 metres from the adjacent application properties, No.s 140 and 144 High Street, and some 21 metres from the No. 1 South Street to the south. Given the nature and scale of the proposal and that it would be seen within the context of the adjacent garaging and off street parking, it is considered that the proposal would not cause harm to the amenities of neighbouring properties.

Impact on the parking provision for the property

West Sussex County Council September 2020 Parking Standards Guidance, outlines that for a 3 bedroom dwelling in this location 2.1 parking spaces should be provided.

The internal dimensions of the garage would not meet the requirements as set out within the WSCC guidance and the doors to the garage are not of a sufficient width to allow a vehicle to access the garage. However as the garage would be located within the garden of the property there would be sufficient space on the drive for 2 No. vehicles which would maintain the off street parking provision for the property.

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.

CONCLUSION

In conclusion, the proposal is considered to be appropriate in terms of design, size and scale to the dwellinghouse and locality, would conserve the special character of the Conservation Area and protect the settings of surrounding listed buildings. The proposal would also not cause harm the amenities of neighbouring properties and acceptable in terms of parking. Therefore, the proposal complies with Mid Sussex District Plan policies DP21, DP26, DP34 and DP35 and with the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Katherine Williams