

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0774	Case Officer:	Stuart Malcolm
Application Type:	Householder Application		
Proposal:	Proposed replacement of existing conservatory with single storey pitched roof extension.		
Site:	37 Nursery Close, Hurstpierpoint, Hassocks, West Sussex, BN6 9WA, , ,		
Validation Date	24 Mar 2025	Overall Expiry Date:	16 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	28 Apr 2025
Target Date:	19 May 2025	Recommending Officer Signature:	<i>Stuart Malcolm</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	<i>Steven King</i>	Date:	29 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0774

**37 Nursery Close, Hurstpierpoint, Hassocks, West Sussex, BN6 9WA, ,
Proposed replacement of existing conservatory with single storey pitched roof extension.
Alison Palmer**

SUMMARY OF REPRESENTATIONS

One letter of support from immediate neighbour at no. 39.

SUMMARY OF CONSULTEES

Southern Water: No objections

PARISH COUNCIL OBSERVATIONS

Recommendation - permission

INTRODUCTION

This application (DM/25/0774) seeks planning permission for the replacement of an existing conservatory with a single storey pitched roof extension at 37 Nursery Close, Hurstpierpoint.

RELEVANT PLANNING HISTORY

None

SITE AND SURROUNDINGS

The application site is a two storey detached dwelling located in a residential setting on the edge of the village of Hurstpierpoint.

The two nearest neighbours, and therefore those that are most likely to be affected by the proposals, are at 35 to the south and 39 to the north.

In policy terms the site is within the built up area of Hurstpierpoint.

APPLICATION DETAILS

The existing conservatory, which extends to a depth of approximately 4.3 metres and is located on the rear elevation towards the south west corner of the house, is to be removed.

The new extension will be located in the same position and this measures 4.4 metres in depth and 3.7 metres in width. It is single storey and the roof height will match with the existing single storey element on the back of the house which is located in the north west corner of the house.

The roof tiles and brickwork are to match the existing house and upvc doors and windows are proposed.

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, the Site Allocations Development Plan Document 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 in 2018. The most relevant policy is:

DP26 - Character and Design

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.

Hurstpierpoint and Sayers Common Neighbourhood Plan

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.

The site is located within the built-up area of the Neighbourhood Plan area; however, no policies are relevant to this proposal.

Other Material Considerations

Mid Sussex District Plan 2021 - 2039 - Submission Draft (Regulation 19)

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and the stage 1 hearings were concluded on 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.

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.

The National Planning Policy Framework is a material consideration. Paragraphs 8, 11, 131 and 135 are considered to be relevant to this application.

ASSESSMENT

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

- Design and character;
- Impact on neighbouring residential amenity; and
- Biodiversity net gain.

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."*

The Mid Sussex Design Guide SPD also provides advice for extensions to dwellings. Principle DG49 states that:

"Extensions should respond to the design of the original dwelling and applicants will be expected to demonstrate how local character has informed the design proposal. Extensions should also normally be designed to be well-integrated with the existing scale, form and massing allowing the original building to remain the dominant element of the property whether it has one or several additions".

Principle DG51 refers specifically to rear extensions and states that:

"Rear extensions which are not visible from the street and do not negatively impact on neighbouring properties can be expressed in many forms, including by adopting a contemporary architectural approach. With reference to DG49, they should nevertheless have consideration for the character of the existing building and the relationship of the extension with the side boundaries and adjacent buildings and gardens."

This ground floor rear extension is acceptable in design terms and in respect of its size and scale which ensures the proposal is in keeping with the both the existing house and the character of the surrounding area. Being located to the rear means the visual impact on the public realm is minimal. The proposed, matching materials are considered acceptable and will be subject to a condition. Overall, it is considered that the scheme complies with the general design requirements of Policy DP26 and the Council's Design Guide.

In residential amenity terms, the test of development here is whether or not it causes 'significant harm' to neighbouring amenity as per Policy DP26.

The extension has a limited impact on the neighbouring properties, with the neighbour at 35 Nursery Close being the nearest and therefore the most likely to be affected. The extension is single storey and replaces an existing structure of comparable size in the same location. As such the proposal will not cause a loss of outlook or a loss of light to any of the neighbouring properties. Furthermore, there are no side facing windows in the south elevation of the extension that would look towards the neighbour to the south and potentially cause privacy issues.

It can be concluded therefore that the proposal will not cause significant harm to neighbouring residential amenity ensuring compliance with Policy DP26.

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 acceptable in respect of its design, with the proposal preserving the character and appearance of the area, and in terms of the impact on neighbouring residential amenity insofar as significant harm cannot be demonstrated. As such the proposal accords with the requirements of Policy DP26 of the Mid Sussex District Plan, the Mid Sussex Design Guide and the NPPF.

The application therefore accords with the development plan and there are no material planning considerations which indicate an alternative conclusion should be reached.

Planning permission should therefore be granted.

Decision: Permission

Case Officer: Stuart Malcolm