



Appeal Decision

Site visit made on 2 July 2026

by **R Lawrence BSc (Hons), PGDip (TP), MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 July 2026

Appeal Ref: 6006655

Site Of, 60 Keymer Road, Hassocks, West Sussex BN6 8AR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Star Garages (Brighton) Ltd against the decision of Mid Sussex District Council.
- The application Ref is DM/25/0484.
- The development proposed is Mixed use redevelopment of the site comprising of ground floor commercial/community use and 26 No. new residential units on upper floors alongside associated parking and public realm improvements.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council is in the process of preparing a new district plan (2021-2039), and I understand that this is currently at examination. The Council does not seek to rely on any emerging policies and indicates that it has no bearing on the reasons for refusal. I understand that objections remain outstanding to certain policies and the plan has not yet been adopted. Accordingly, I attach very limited weight to the emerging plan and have determined the appeal against the adopted development plan.
3. Since the appeal was lodged, a completed planning obligation dated 18 May 2026 has been submitted. The S106 would, in principle, secure fixed contributions of approximately £260,000, together with an affordable housing review mechanism which could generate a further contribution of up to £468,000 if the scheme were to prove more viable than currently anticipated. Those financial contributions would go towards affordable housing, education, library, active travel, play space, sport, community infrastructure and community building contributions, together with off-site highway works, BNG monitoring and a viability review mechanism. The Council has confirmed that this addresses its third reason for refusal. This is reflected in the main issues accordingly. As a potential benefit to the scheme, this is explored further within my reasoning below.

Main Issues

4. The main issues are the effect of the proposal on
 - the character and appearance of the area, and
 - the effect on the living conditions of neighbouring occupiers.

Reasons

Character and appearance

5. The appeal site occupies a prominent village centre corner at the junction of Keymer Road and Dale Avenue. It sits at the transition between the commercial frontages of Keymer Road and the smaller-scale residential development of Dale Terrace and John Saxby Place. The existing single-storey commercial building, together with its extensive hardstanding, creates a noticeable break in the otherwise continuous frontage along Keymer Road.
6. The immediate surroundings comprise a mix of commercial, residential and mixed-use buildings, with active frontages forming a key characteristic of Keymer Road. Development is predominantly two and three storeys in height and, whilst architectural styles vary, many buildings incorporate traditional proportions, vertically emphasised windows and clearly defined pitched roof forms.
7. More widely, the village centre is characterised by strong frontage definition and buildings which address the street directly, creating a clear linear form along Keymer Road. The townscape comprises a mixture of Victorian and later development rather than a uniform architectural style. Buildings identified within the Townscape Appraisal as landmarks derive their prominence principally from their architectural character, distinctive facades and contribution to local identity and sense of place.
8. The proposal before me would replace the existing single-storey commercial building with a four-storey mixed-use building, incorporating commercial floorspace at ground floor level and 26 residential units above, with the upper floor provided largely within the roof space. The development would substantially increase the amount of built form on the site, creating continuous frontages to both Keymer Road and Dale Avenue and introducing a contemporary building with a pitched roof, dormers and associated public realm improvements.
9. The appellant places considerable reliance on the Townscape Appraisal's references to the corner buildings at Grand Avenue and Keymer Road. I acknowledge that those buildings are identified as making a positive contribution to the village centre and providing a sense of place. However, in my judgement, the characteristics which principally contribute to their prominence are their period charm, distinctive façades, strong frontage definition and corner location, rather than their scale or mass.
10. In this respect, there are important distinctions between those buildings and the proposal before me. The Grand Avenue corner buildings project only a limited distance into the adjoining street, occupy a less substantial proportion of their plots and do not exhibit the same depth of roof form or overall building mass. The proposal would not simply create a corner building marking an important junction. Rather, it would combine that role with a substantial built form extending a considerable distance along Dale Avenue.
11. The Victorian School is also identified within the Townscape Analysis as a landmark building. However, its prominence appears to derive principally from its architectural quality, historic interest and distinctive appearance within the townscape, rather than exceptional scale. This reinforces my view that landmark

- status within Hassocks is not dependent on a building being among the largest or most visually dominant in its surroundings.
12. I have also considered Orion Parade as part of the site's immediate context. Whilst it may have a broadly comparable eaves height, it is broken down into shorter visual elements, incorporates a shallower roof profile and exhibits a gradual stepping of the roofscape. By contrast, the proposal would introduce a noticeably deeper roof form and greater roof volume across a substantial length of frontage.
 13. The proposed building takes cues from the surrounding roofscape through its pitched roof and dormers and would improve the continuity of the street frontage when compared with the existing building. It would also reinforce street enclosure and incorporate elements of local character, including pitched roofs, tile-hanging and active frontages. However, I am not persuaded that it responds appropriately to the prevailing scale and roofscape of the area.
 14. The surrounding townscape is characterised by varied building heights, roof pitches and building depths, with Orion Parade stepping down gradually through a relatively shallow roof form and No. 58 Keymer Road providing a more substantial reduction in scale to the west. By contrast, the proposal would introduce a much deeper and more substantial roof form across a significant length of frontage.
 15. Whilst the sloping roof reduces its visual impact when compared with a full additional storey, the combined effect of its width, depth and roof volume would result in a building that appears noticeably larger and more prominent than either adjoining building. Consequently, I am not persuaded that the proposed eaves and ridge lines successfully reflect the pattern of building heights and roof forms exhibited by the surrounding development.
 16. The adoption of vertically proportioned windows provides some visual articulation and reflects an aspect of the local vernacular. However, this is insufficient to overcome the impression of a large and continuous building mass. Whilst the proposed openings have a vertical emphasis, their irregular arrangement across the façade differs from the more ordered and consistent rhythm that characterises much of the surrounding development.
 17. The prominence of the roof and wall planes, together with the irregular placement of openings, would result in a building that remains substantial and visually dominant within the street scene.
 18. The introduction of soft landscaping and greenery through trees, planters and green roofs is a welcome aspect of the scheme on a site currently dominated by hardstanding. However, the footprint of the proposed building, together with the surrounding hardstanding, would remain extensive. In practice, opportunities for meaningful ground-level landscaping would be limited, whilst the roofscape would be dominated by solar panels and the elevations by window openings. Consequently, when viewed against the scale of the proposed built form, I find the extent of landscaping proposed to be relatively modest.
 19. I am content that the site is capable of accommodating a contemporary building. The existing commercial building is of a markedly different character to the surrounding development and does not make a positive contribution to the street scene. A contemporary approach therefore has the potential to enhance local distinctiveness and add visual interest to the village centre. The proposed use of

handmade Keymer clay tiles is a particularly positive aspect of the scheme, reflecting the village's historic association with local tile production and helping to root the building within its local context.

20. I also acknowledge that the proposal draws upon a number of characteristics evident within the surrounding townscape, including pitched roof forms, dormer windows, active ground-floor frontages and vertically proportioned openings. Together with the consistent material palette, these features create a coherent architectural approach which avoids pastiche whilst responding to aspects of local character. The proposal would also assist in addressing the weak frontage and poor sense of enclosure associated with the existing garage site.
21. Nevertheless, the success of these architectural qualities is moderated by the overall scale and massing of the development. Whilst I find merit in the contemporary design approach and several aspects of the detailing, these positive features do not fully overcome my concerns regarding the building's height, depth, roof volume and visual prominence within the street scene.
22. I have had regard to the support expressed by the Mid Sussex Design Review Panel and attach it moderate weight. However, the Panel was providing advisory comments at the pre-application stage and the published note contains only limited reasoning, particularly in relation to scale and massing. Whilst I acknowledge the Panel's positive assessment of the scheme, I consider it both necessary and appropriate to exercise my own planning judgement on these matters. Having done so and having regard to the proposal's relationship with the surrounding townscape, I am not persuaded that the Panel's conclusions outweigh the concerns I have identified regarding the building's scale, massing and prominence. I have also had regard to the statement provided by Mr Lomax. However, for the same reasons, I reach a different planning judgement regarding the effect of the proposal on the townscape.
23. Overall, the proposal would redevelop a prominent brownfield site, remove a building that does not reflect the prevailing grain of development, strengthen the active frontage and reinforce the linear form of Keymer Road. However, whilst the building would be prominent within the street scene, I find that this would arise not only from its corner location but also from its excessive scale and mass. In particular, its relationship with the smaller-scale and more domestic character of Dale Terrace would result in a building that appears overly dominant within its immediate context. Consequently, despite its townscape benefits, I am not persuaded that the proposal responds sufficiently well to its surroundings and find that the proposal would fail to preserve or enhance the character and appearance of the area.
24. Accordingly, there would be conflict with Policy DP26 of the Mid Sussex District Plan 2018 (DP), Policies 9 and 14 of the Hassocks Neighbourhood Plan 2019 (NP) and Chapter 6 of the Mid Sussex Design Guide SPD. These policies and guidance, taken together, require that proposals make a positive contribution to the street scene, including responding appropriately to the character and scale of its surroundings and reinforce the local distinctiveness of Hassocks, having regard to the Townscape Appraisal. Conflict also arises with the Framework, including insofar as it seeks to ensure the creation of high quality, beautiful and sustainable buildings and places; and developments that are sympathetic to the local character.

Living conditions

25. Dale Terrace comprises a short terrace of 4 modest two storey dwellings fronting a parade of local shops, with pitched roofs and chimneys. The modest height of the existing garage building allows for an open aspect at first floor level and above. The houses benefit from modest front gardens, enclosed by a low brick boundary wall. 1 Dale Terrace borders directly onto the appeal site, with just a close board fence and a driveway-width separating the house from the appeal site boundary.
26. The existing garage site has a utilitarian appearance with extensive areas of hardstanding, however, despite this and its commercial character, the low profile of the building means a large portion of it is contained behind the boundary fencing, at least when viewed from ground floor. The low profile means that an open aspect is maintained at upper floor levels, and there is a good sense of outlook from number 1, together with the remaining houses on the terrace.
27. The proposal would substantially change the relationship between Dale Terrace and the appeal site, replacing the low-profile building with a substantially taller and more continuous built form, positioned close to the shared boundary. This would significantly change the relationship between the sites, introducing built form at upper-floor levels, in a manner which would create a sense of enclosure and dominance. Whilst No. 1 Dale Terrace already adjoins a developed commercial site, the existing relationship is moderated by the comparatively low height of the garage building. The proposal would materially alter that relationship through the introduction of substantially greater built form at upper floor levels.
28. These effects would be most prominent from 1 Dale Terrace, as the adjacent property. Due to the depth of the proposed building, its enclosing and dominant effects would be experienced from both the front and rear windows, as well as the front and rear amenity space. As the depth of the proposed building would broadly mirror that of the plot of Dale Terrace, there would be no visual relief from the effects of the building. Whilst the effects on Nos. 2, 3 and 4 would be moderated by increased separation and intervening built form associated with No. 1, they would not be entirely avoided.
29. The building includes an external terrace with a privacy screen, due to its elevated position and the nature of the screening, it would itself appear as an oppressive feature within close proximity, and considerably taller than the boundary treatments which might typically be expected adjacent to a residential property. Whilst the terrace, in combination with the screening sits at a lower height than the remainder of the building, it would nonetheless appear comparable to a two-storey building, and furthermore, it would be seen alongside the 4-storey building behind it, appearing as one solid backdrop.
30. Whilst I acknowledge the upper-floor setbacks and use of lighter materials, neither measure is sufficient to overcome the effects of the proposed scale of development. The setbacks are limited in depth and do not materially reduce the prominence of the building when viewed from Dale Terrace, while lighter materials would not mitigate the loss of outlook resulting from a substantial built form in such close proximity. Although the proposal would lie principally to the side of No. 1 Dale Terrace, rather than directly in front of or behind it, the depth of the building and the extent to which it would run alongside the neighbouring plot means that the oblique

relationship would not materially lessen the sense of enclosure experienced from the dwelling and its associated amenity space to an acceptable level.

31. I acknowledge the appellant's submission that existing boundary features associated with No. 1 Dale Terrace provide a degree of screening to properties further along the terrace. Nevertheless, this does not alter my findings in respect of the relationship with No. 1 Dale Terrace, where the effects would be experienced most acutely.
32. Whilst the effects identified above would be experienced most acutely by the occupiers of No. 1 Dale Terrace, I do not find that the impacts would be confined solely to that property. The existing extension, boundary treatments and associated structures at No. 1 provide a degree of screening between the proposal and Nos. 2, 3 and 4 Dale Terrace, and the increased separation distances would lessen the likely effects that would be experienced by those properties. Nevertheless, due to the elevated height of the proposed building, there would remain opportunities for overlooking of private amenity spaces from the upper floors. Similarly, owing to the raised position of the communal terrace, noise and disturbance arising from its use would not necessarily be contained by the existing boundary treatments. Whilst the effects on Nos. 2-4 would be materially less and would not, in themselves, be significant, they nonetheless add modestly to the harm identified.
33. I have had regard to the submitted Daylight, Sunlight and Overshadowing Assessment, which concludes that the effects on neighbouring properties would be negligible when assessed against BRE guidance. However, the concerns identified above relate principally to outlook, enclosure, dominance, privacy and disturbance. Whilst the BRE assessment is a relevant consideration, compliance with BRE guidance does not in itself demonstrate that a development would provide an acceptable relationship in all respects. In this case, I find that the adverse effects arising from the scale, height and proximity of the proposal would remain notwithstanding the conclusions of that assessment.
34. The southern elevation of the proposed building would provide a number of windows with direct views into the rear (and front) gardens of Dale Terrace. Due to the elevated height of the building, this would enable direct views across all gardens within the terrace from the upper floors. These windows include a number of bedroom windows, which are the sole source of outlook and light for those rooms. Whilst reference has been made to the use of part obscure glazing, this would not represent a suitable solution where there is no alternative source of outlook and light. In this respect the Council refer specifically to flat numbers 2.5 and 3.5, my concerns in this respect would also extend to 2.4. As such, any condition to require such would be unreasonable. Accordingly, there is no evidence of any suitable mitigation against a harmful loss of privacy.
35. The proposals include a communal terrace immediately adjacent to the rear garden of No. 1 Dale Terrace. Use of this space, even by relatively small groups of residents, would have the potential to generate noise and disturbance for neighbouring occupiers, particularly those at No. 1, although occupiers of the remaining properties within Dale Terrace would also be affected to a lesser degree. The elevated position of the terrace would increase the potential for sound to travel when compared with a typical ground-level residential garden. Furthermore, its communal nature and size could facilitate a level and frequency of activity beyond

that normally associated with a private domestic garden serving a single household.

36. I acknowledge that management measures, such as restrictions on hours of use, guidance for residents and the retention of a privacy screen, could go some way towards limiting adverse effects. However, the information before me contains little detail regarding the nature of any proposed management arrangements, how they would operate in practice, or how compliance would be monitored and enforced.
37. Furthermore, insufficient information has been provided regarding the acoustic performance of the proposed privacy screen and the extent to which it would mitigate noise transmission. Given the importance of this issue to the acceptability of the development in living conditions terms, and in the absence of sufficient evidence demonstrating that the potential impacts could be adequately controlled, I cannot conclude that these matters could reasonably be left to be addressed by condition.
38. The Council has also expressed concern regarding the living conditions of future occupiers of apartments 2.5 and 3.5 were privacy film or obscure glazing to be applied to the south-facing windows. However, I have already found that it would not be reasonable to rely on such measures by condition to mitigate the effects of overlooking. Consequently, to consider any resulting impact on the outlook and amenity of future occupiers as a separate matter would effectively amount to double counting the same issue. I therefore attach no separate weight to this concern.
39. For the reasons set out above, I find that the proposal would result in unacceptable harm to the living conditions of neighbouring occupiers. The height, scale and proximity of the building, together with the raised communal terrace, would result in an overbearing relationship with No. 1 Dale Terrace, harmful effects on outlook and privacy, and unacceptable noise and disturbance. More limited adverse effects would also be experienced by the remaining properties within Dale Terrace.
40. The proposal would therefore conflict with Policy DP26 of the DP and Policy 9 of the NP. These, taken together, require development to avoid significant harm to the amenity of existing residents, having regard to effects on privacy, outlook, daylight and sunlight

Planning Balance

41. Notwithstanding the January 2026 Housing Topic Paper, which indicates that a housing land supply of 5.37 years could be demonstrated following adoption of the emerging District Plan, that assessment is expressly dependent upon adoption of the emerging plan, which has not yet occurred. Both main parties agree that the Council is currently unable to demonstrate a five-year supply of deliverable housing sites and no evidence has been provided to quantify the extent of the shortfall. Accordingly, paragraph 11(d) of the Framework is engaged and the policies most important for determining the appeal are to be regarded as out-of-date.
42. Permission should therefore be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the 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. The appeal site is not within an area or asset of particular importance identified in footnote 8 of the Framework.

43. The aims of Policy DP26 of the DP and Policy 9 of NP to avoid significant harm to the amenity of existing residents broadly align with the requirements of the Framework to provide a high standard of amenity for existing and future users. Whilst their requirements, along with Policy 14 of the NP, to make a positive contribution to the street scene, including responding appropriately to the character and scale of their surroundings, are consistent with the Framework's objective of securing well-designed and visually attractive places. Collectively, and insofar as relevant to the appeal before me, I attribute substantial weight to the conflicts with these policies.
44. The proposal would be acceptable in terms of the principle of development, highway safety, parking, drainage and flood risk, biodiversity net gain, and infrastructure provision. However, the absence of harm in these respects is a neutral matter.
45. The identified benefits associated with the delivery of 26 residential units are significant, particularly in light of the Council's inability to demonstrate a five-year supply of deliverable housing sites. Whilst the extent of the shortfall has not been quantified before me, I have nevertheless attached substantial weight to the contribution the scheme would make towards housing delivery. The proposal would also make a modest contribution towards affordable housing provision in an area where the need for such housing is well established, to which I attach considerable weight. In addition, the proposal would reintroduce active retail units together with community floorspace on a vacant site, which I consider would positively contribute to the vitality and viability of the village centre and provide economic benefits. However, no detailed evidence has been provided to quantify the likely economic effects and, whilst I find this to be a meaningful benefit of the scheme, I afford it moderate weight. I also recognise that the proposal would redevelop a site identified within local evidence as making a limited contribution to the townscape and would improve frontage definition.
46. I am mindful of the Framework's emphasis on giving substantial weight to the value of using suitable brownfield land within settlements for homes and I have taken that benefit into account. However, the Framework also advises that the creation of high quality, beautiful and sustainable places is fundamental to what the planning and development process should achieve. For the reasons set out above, I have found that the proposal would result in significant harm to the character and appearance of the area arising from its scale, massing and design. I have also found that it would cause unacceptable harm to the living conditions of neighbouring occupiers, particularly those at No. 1 Dale Terrace, through its overbearing presence, overlooking and the effects associated with the communal terrace. In these circumstances, I find that the proposal would not amount to suitable brownfield land. Whilst the proposal would make a valuable contribution towards housing delivery and would result in social and economic benefits, the proposal fails to satisfy the environmental objective of sustainable development and runs counter to the Framework taken as a whole, particularly those policies that seek to secure well-designed places and safeguard living conditions.
47. Overall, even affording substantial weight to the housing benefit arising from the delivery of 26 dwellings, the adverse impacts of granting planning permission would

significantly and demonstrably outweigh the benefits in this case when assessed against the Framework as a whole and having particular regard to the sustainable location of the site and its modest contribution towards affordable housing. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

48. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. On this basis, the appeal is dismissed.

R. Lawrence

INSPECTOR

Richborough