

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/1585	Case Officer:	Katherine Williams
Application Type:	Full Application		
Proposal:	Redevelopment of two storage barns, to provide a new office building.		
Site:	Stanbridge Industrial Park, Staplefield Lane, Staplefield, West Sussex, RH17 6AS, , ,		
Validation Date	6 Dec 2024	Overall Expiry Date:	9 Mar 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	8 Apr 2026
Target Date:	31 Jan 2025	Recommending Officer Signature:	Katherine Williams

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	9 Apr 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/1585

**Stanbridge Industrial Park, Staplefield Lane, Staplefield, West Sussex, RH17 6AS, ,
Redevelopment of two storage barns, to provide a new office building.
Mr J Moyle**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

Flood Risk and Drainage Team - no objection subject to condition

Nature Space - no objection, recommend condition

Ecologist - no objection, recommend conditions

WSCC Highways Authority - No objection, recommend condition

Street Name and Numbering - recommend informative

TOWN/PARISH COUNCIL OBSERVATIONS

No comments received

INTRODUCTION

The application seeks planning permission for redevelopment of two storage barns, to provide a new office building.

RELEVANT PLANNING HISTORY

DM/21/2913 - Change of use of two corrugated iron clad agricultural buildings into a flexible commercial use initially for B8 storage. Granted

CD/066/87 - Change of use from redundant agricultural buildings to small workshop use. Granted

SITE AND SURROUNDINGS

The application property is located off the western side of Staplefield Lane, within the countryside and High Weald Area of Outstanding Natural Beauty.

The application property consists of two agricultural barns located to the southern side of Stanbridge Industrial Park, which consists of a group of agricultural buildings which have previously been converted to commercial units. The group of buildings have maintained a rural agricultural appearance with a shared parking area and access onto the highway.

The property has previously been granted prior approval for the conversion of the building to a flexible commercial use.

The wider locality is characterised by loose knit sporadic development consisting of residential, commercial and agricultural properties with large areas of fields and woodland, which contribute to the character of the locality.

APPLICATION DETAILS

The proposal seeks the demolition of the existing barns and the erection of a two storey office building with a width and depth of some 10.7 metres and 23.8 metres. The building would have pitched gable roof forms with a central area of flat roof, with an overall height and eaves height of approximately 7.3 metres and 5 metres. The building would have the appearance of an agricultural building with vertical timber cladding, metal cladding, open fixed back timber doors, and hit and miss timber over some of the openings.

The proposal would include parking to the southern side of the building for 10 No. parking spaces, along with associated soft landscaping.

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.

Specifically Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to application,*
- b) And local finance considerations, so far as material to the application, and*
- c) Any other material considerations.'*

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy, but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, the Site Allocation DPD and Ansty and Staplefield 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:

- DP1 - Sustainable Economic Development
- DP12 - Countryside Protection
- DP16 - High Weald Area of Outstanding Natural Beauty
- DP17 - Ashdown Forest

DP21 - Transport
DP26 - Character and Design
DP38 - Biodiversity
DP41 - Flood Risk and Drainage

Site Allocations DPD

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

No relevant policies.

Ansty and Staplefield Neighbourhood Plan (made February 2017)

Relevant policies:

AS3 - High Weald Area of Outstanding Natural Beauty

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 hearings were concluded on the 19th March 2026. 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
DPS4 - Flood Risk and Drainage
DPN1 - Biodiversity, Geodiversity and Nature recovery
DPN2 - Biodiversity Net Gain
DPC1 - Protection and Enhancement of the Countryside
DPC4 - High Weald Area of Outstanding Natural Beauty
DPC6: Ashdown Forest SPA and SAC
DPB1 - Character and Design
DPT4: Parking and Electric Vehicle Charging Infrastructure
DPE1 - Sustainable Economic Development

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) (December 2024)

The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective.

Paragraph 12 of the NPPF states *'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'*

Paragraph 39 of the NPPF states *'Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.'*

With specific reference to decision-taking paragraph 48 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Guidance

National Design Guide

Ministerial Statement and Design Guide

On 1 October 2019 the Secretary of State for the Ministry of Housing, Communities and Local Government made a statement relating to design. The thrust of the statement was that the Government was seeking to improve the quality of design and drive up the quality of new homes. The Government also published a National Design Guide, which is a material planning consideration.

The National Design Guide provides guidance on what the Government considers to be good design and provides examples of good practice. It notes that social, economic and environmental change will influence the planning, design and construction of new homes and places.

ASSESSMENT

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

- Principle of Development
- Design and Character
- Impact on the AONB
- Impact on neighbour amenities
- Highways
- Flood Risk and Drainage
- Ashdown Forest
- Ecology
- Biodiversity Net Gain

Principle of Development

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 in Mid Sussex consists of the Mid Sussex District Plan (2018), the Site Allocation DPD and Ansty and Staplefield Neighbourhood Plan.

Policy DP12 of the Mid Sussex District Plan states:

'The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map,

provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

- *it is necessary for the purposes of agriculture; or*
- *it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.*

Agricultural land of Grade 3a and above will be protected from non-agricultural development proposals. Where significant development of agricultural land is demonstrated to be necessary, detailed field surveys should be undertaken and proposals should seek to use areas of poorer quality land in preference to that of higher quality.

The Mid Sussex Landscape Character Assessment, the West Sussex County Council Strategy for the West Sussex Landscape, the Capacity of Mid Sussex District to Accommodate Development Study and other available landscape evidence (including that gathered to support Neighbourhood Plans) will be used to assess the impact of development proposals on the quality of rural and landscape character.

Built-up area boundaries are subject to review by Neighbourhood Plans or through a Site Allocations Development Plan Document, produced by the District Council.

Economically viable mineral reserves within the district will be safeguarded.'

Policy DP1 of the Mid Sussex District Plan encourages high quality development of land and premises to meet the needs of 21st century businesses, and allows new small-scale economic development in the countryside.

The ethos of this policy are reflected in policy SA34 of the Site Allocation DPD.

Policy DP16 of the Mid Sussex District Plan states that '*small scale proposals which support the economy and social well-being of the AONB that are compatible with the conservation and enhancement of natural beauty will be supported.*'

Paragraph 88 of the NPPF states:

'Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- b) the development and diversification of agricultural and other land-based rural businesses;*
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.'*

The proposed would replace the existing barn buildings with a two storey office building, which would cover a smaller floor area than the existing buildings and would be positioned close to the other existing buildings within the original farmstead, which has subsequently diversified. The proposed building would have the appearance of an agricultural building, with traditional features and materials.

The existing buildings subject to this application have previously been granted prior approval for the conversion of the building to a flexible commercial use, with the initial use for B8 storage. This permission is now lapsed, however should a new prior approval be submitted for flexible use Class R Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) now includes class E. As such this is a material consideration for the current application.

The proposal would not be used for an agricultural purpose, however it would support the rural economy by creating a new rural business and it would protect the intrinsic character and beauty of the countryside, which is the core objective of policy DP12, and would comply with policies DP1 and DP16. It is therefore considered that the proposal would comply with policy and acceptable in principle.

Design and Character

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 requires all development to be of high quality design. Section 6 relates to high quality and sustainable building design, and section 7 relation to business and employment areas and are considered relevant to the current proposal.

The proposed building would have a significantly reduced footprint to the existing buildings and would be largely seen against the existing built form of the adjacent buildings. The proposal would be visible from the public footpath which extends to the north of the site and from distant views from Staplefield Lane. The buildings would retain the overall agricultural appearance of the site and the locality due to the design features and proposed materials. Taking this into account, it is considered that the proposal would be of high quality design and would be in keeping with the rural character of the area.

Impact on the AONB

The legal framework for AONBs in England and Wales is provided by the Countryside and Rights of Way Act (CRoW) 2000 which at Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty. Section 84 of the CRoW requires Local Planning Authorities to 'take all such action as appears to them expedient for accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB'.

Mid Sussex District Plan policy DP16 states:

'Development within the High Weald Area of Outstanding Natural Beauty (AONB), as shown on the Policies Maps, will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan, in particular;

- *the identified landscape features or components of natural beauty and to their setting;*
 - *the traditional interaction of people with nature, and appropriate land management;*
 - *character and local distinctiveness, settlement pattern, sense of place and setting of the AONB;*
- and
- *the conservation of wildlife and cultural heritage.*

Small scale proposals which support the economy and social well-being of the AONB that are compatible with the conservation and enhancement of natural beauty will be supported.

Development on land that contributes to the setting of the AONB will only be permitted where it does not detract from the visual qualities and essential characteristics of the AONB, and in particular'

The ethos of this policies is echoed in policy AS3 of the Ansty and Staplefield Neighbourhood Plan.

Paragraphs 182 of the NPPF states that

'182. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

A similar ethos is found within The High Weald Area of Outstanding Natural Beauty Management Plan requiring proposals to conserve and enhance the AONB.

Given the design, form and scale of the proposed building and would has a reduced footprint to the existing building on the site, and as a result in small-scale development within the AONB. The proposal includes soft landscaping which would soften the urban edge of the site. This is considered to result visual enhancements to the site which would have a positive impact to the wider landscape and scenic beauty of the AONB.

Due to the above it is considered that the proposal would conserve and enhance the landscape of the AONB and is considered acceptable.

Impact on neighbouring properties

DP26 states:

'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 closest neighbouring residential properties to the site include No.s 1 and Stanbridge Grange Farm Cottages and Stanbridge Lea to the north of the industrial park and North Hall to the south-east of the site. The closest of these neighbours would be some 60 metres from the proposed building. Given the separation distance to these neighbouring properties along with the existing surrounding commercial uses and proposed office use, it is considered that the proposal would not cause significant harm to the amenities of residential properties.

Highways

West Sussex County Council Highways Authority have been consulted on the proposal and raise no highway objection to the proposal.

The site is accessed from Staplefield Lane, a publicly maintained, low trafficked, unclassified rural road subject to national speed limit. The proposal would not alter the existing access and visibility from this access appears sufficient. There have been no reported incident of personal injury accident near to the

site access to the WSCC, which indicates there are no existing highway safety concerns associated with the road layout or geometry.

The parking provided with the application is anticipated to be sufficient for a development of this size and location, with bus stops to the front of the site access. Bicycle parking storage is also provided with the proposal.

It is noted that the site located within the countryside with a reliance on private motor vehicles. However, given that the principle of small scale economic development is considered acceptable in the countryside and the surrounding existing commercial properties, it can be reasonably concluded that there are no sustainable reasons to refuse the scheme on highways, access or parking grounds as the proposal complies with Policy DP21 of the District Plan.

Flood Risk and Drainage

The site is in flood zone 1 and is as low fluvial flood risk (risk of flooding from Main Rivers) and surface water (pluvial) flood risk. Mid Sussex District Council's records do not contain records of the site flooding. Our records also contain no records of flooding within the area immediately surrounding the site. Mid Sussex District Council's records are not complete, and flooding may have occurred which is not recorded. A site having never flooded in the past does not mean it won't flood in the future.

The Council's Flood Risk and Drainage Team have been consulted on the application and have reviewed the submitted information and raise no objection to the application.

Ashdown Forest

Under the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations'), the competent authority - in this case, Mid Sussex District Council - has a duty to ensure that any plans or projects that they regulate (including plan making and determining planning applications) will have no adverse effect on the integrity of a European site of nature conservation importance. The European site of focus is the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC).

The potential effects of development on Ashdown Forest were assessed during the Habitats Regulations Assessment (HRA) process for the Mid Sussex District Plan 2014-2031. This process identified likely significant effects on the Ashdown Forest SPA from recreational disturbance and on the Ashdown Forest SAC from atmospheric pollution.

A Habitats Regulations Assessment has been undertaken for the proposed development in this planning application.

Recreational disturbance

Increased recreational activity arising from new residential development and related population growth is likely to disturb the protected near-ground and ground nesting birds on Ashdown Forest.

In accordance with advice from Natural England, the HRA for the Mid Sussex District Plan 2014-2031, and as detailed in District Plan Policy DP17, mitigation measures are necessary to counteract the effects of a potential increase in recreational pressure and are required for developments resulting in a net increase in dwellings within a 7km zone of influence around the Ashdown Forest SPA. A Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) mitigation approach has been developed. This mitigation approach has been agreed with Natural England.

This planning application does not result in a net increase in dwellings within the 7km zone of influence and so mitigation is not required.

Atmospheric pollution

Increased traffic emissions as a consequence of new development may result in additional atmospheric pollution on Ashdown Forest. The main pollutant effects of interest are acid deposition and

eutrophication by nitrogen deposition. High levels of nitrogen may detrimentally affect the composition of an ecosystem and lead to loss of species.

The potential effects of the proposed development are incorporated into the overall results of the transport model prepared for the Mid Sussex Transport Study, which indicates there would not be an overall impact on Ashdown Forest. This means that there is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

Conclusion of the Habitats Regulations Assessment

The Habitats Regulations Assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development.

No mitigation is required in relation to the Ashdown Forest SPA or SAC.

A full HRA (that is, the appropriate assessment stage that ascertains the effect on integrity of the European site) of the proposed development is not required.

Impact on Biodiversity

Policy DP38 of the Mid Sussex District Plan states:

'Biodiversity will be protected and enhanced by ensuring development:

- *Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and*
- *Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances); and*
- *Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and*
- *Promotes the restoration, management and expansion of priority habitats in the District; and*
- *Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.*

Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks.

Valued soils will be protected and enhanced, including the best and most versatile agricultural land, and development should not contribute to unacceptable levels of soil pollution.'

Paragraph 193 of the NPPF states:

'When determining planning applications, local planning authorities should apply the following principles:

- a) *if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) *development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*

- c) *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons 67 and a suitable compensation strategy exists; and*
- d) *development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.'*

The Council's Ecologist has been consulted on the application and has provided the following comments:

'We have reviewed the Preliminary Ecological Appraisal and Preliminary Roost Assessment (CT Ecology, September 2023), relating to the likely impacts of development on designated sites, protected & Priority species and habitats, identification of proportionate mitigation measures and mandatory Biodiversity Net Gain.

In addition, we have reviewed the submitted Biodiversity Net Gain Assessment (CT Ecology, November 2024) and the Statutory Biodiversity Metric (CT Ecology November 2024), relating to mandatory biodiversity net gains.

We note from the Preliminary Ecological Appraisal and Preliminary Roost Assessment (CT Ecology, September 2023) that Buildings 1 and 2 (agricultural building) have negligible bat roost potential, that the adjacent building will not be impacted by the works and that no trees will be removed. Therefore we agree that no further surveys for bats are required.

We are satisfied that there is sufficient ecological information available for determination of this application. However, please note we have no comments on Great Crested Newt as we have been instructed to leave comments on this European Protected Species to the Nature Space Partnership.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation and enhancement measures identified in the Preliminary Ecological Appraisal and Preliminary Roost Assessment (CT Ecology, September 2023) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality.

With regard to mandatory biodiversity net gains, it is highlighted that there will be a loss of -41.53% and therefore purchase of off-site habitat units will be required to achieve a 10% Biodiversity Net Gain for this development. However, we are satisfied that the pre-development baseline is appropriate and in line with the Preliminary Ecological Appraisal and Preliminary Roost Assessment (CT Ecology, September 2023). Biodiversity net gains is a statutory requirement set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990. Therefore, we are satisfied that submitted information provides sufficient information at application stage.

As a result, a Biodiversity Gain Plan should be submitted prior to commencement, which also includes the following:

- a) The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.*
- b) Pre and post development habitat plans.*
- c) Legal agreement(s)*
- d) Biodiversity Gain Site Register reference numbers (if using off-site units).*
- e) Proof of purchase (if buying statutory biodiversity credits at a last resort).*

...

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended to secure net gains for biodiversity, as outlined

under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Layout and secured by a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended) and delivery of mandatory Biodiversity Net Gain.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013.'

Nature Space Partnership have been consulted on the application raises no objection subject to the recommended reasonable avoidance measures set out within the Ecological Impact Assessment submitted to be secured by condition.

The Ecologist Consultants concluded that there is no biodiversity policy reason of refusal and recommended conditions. It is therefore considered that this proposal would also comply with the aims of policy DP38 of the Mid Sussex 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. Under the statutory framework for biodiversity net gain this application is deemed to have been granted subject to the biodiversity net gain condition for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

The biodiversity net gain condition is set out in the Town and Country Planning Act 1990, Schedule 7A, Part 2, 13 (2). It states:

'The condition is that the development may not be begun unless—

- (a) a biodiversity gain plan has been submitted to the planning authority (see paragraph 14), and*
- (b) the planning authority has approved the plan (see paragraph 15)'.*

The two biodiversity metric spreadsheets have been submitted with the application, Scenario B and C) which both meet the biodiversity net gain requirements and are acceptable.

In line with the legislation on biodiversity net gain, a Biodiversity Gain Plan must be submitted and approved by the planning authority before commencement of the development. This Plan is the mechanism to ensure that the biodiversity gain objective is met. The biodiversity gain condition is a pre-commencement condition.

CONCLUSION

In conclusion, the proposal is considered to be acceptable in principle and would amount to small scale economic development in the countryside. The proposal is also appropriate in terms of character and scale of the surround buildings and AONB landscape; would not cause significant harm the amenities of neighbouring properties and acceptable in terms of drainage, highways, biodiversity and net gain. Therefore, the proposal complies with Mid Sussex District Plan policies DP1, DP12, DP16, DP21, DP26, DP38 and DP41, policy AS3 of the Ansty and Staplefield Neighbourhood Plan, and the relevant provisions of the NPPF. The application is therefore recommended for approval.

Decision: Permission

Case Officer: Katherine Williams