

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2990	Case Officer:	Anna Tidey
Application Type:	Removal/Variation of Condition		
Proposal:	Variation of condition no 2 relating to planning application DM/25/1446 - to allow for design changes.		
Site:	Lydhurst Estate, The Street, Warninglid, West Sussex, RH17 5SJ, , ,		
Validation Date	20 Nov 2025	Overall Expiry Date:	26 Dec 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	14 Jan 2026
Target Date:	15 Jan 2026	Recommending Officer Signature:	Anna Tidey

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	15 Jan 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2990

**Lydhurst Estate, The Street, Warninglid, West Sussex, RH17 5SJ, ,
Variation of condition no 2 relating to planning application DM/25/1446 - to allow for design changes.**

Mr Grant And Mrs Delphine Horsfield

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Conservation Officer: Planning permission was recently granted for the demolition and replacement of the existing 1930s house with a new dwelling in a contemporary style, over an enlarged footprint, together with further work within the wider parkland comprising a change to the existing vehicle access from the east, as it approaches the house.

The current proposal is for amendments to the approved scheme to allow for design changes. These alterations are relatively minor in terms of their impact on the scale and appearance of the building, and will not in my opinion materially affect the impact of the development on the significances of the NDHAs within the Lydhurst estate, or the setting of the Warninglid Conservation Area.

The proposal is therefore considered to meet the requirements of District Plan Policies DP34 (Listed Buildings and Other Heritage Assets) and DP35 (Conservation Areas), as well as the relevant paragraphs of the NPPF.

PARISH COUNCIL OBSERVATIONS

Slaugham Parish Council: No comments received.

INTRODUCTION

This application seeks planning permission to amend condition 2 of planning application DM/25/1446 - to allow for design changes to the approved plans.

RELEVANT PLANNING HISTORY

DM/25/1446. Demolition of existing dwelling and erection of replacement dwelling with associated landscaping. Approved October 2025.

DM/23/0614. Variation of condition 21 relating to planning application DM/21/3959 - To allow the main house Lydhurst to continue to be occupied as a primary residential property until the occupation of the proposed leisure uses on the estate. Approved June 2023.

DM/21/3959. Change of use and conversion of estate buildings from Residential to Assembly and Leisure and Restaurants and Cafes. The new uses that are being proposed are: Entrance, Reception, Restaurant, Club room, Cookery school, Wellness centre, Treatment rooms, Yoga studio, Gym, Craft centre, Offices, Staff facilities, Visitor holiday let accommodation, Maintenance yard, External swimming pools, Children's play area and Kids club. ADDITIONAL INFORMATION received 7th March 2022 concerning an updated transport assessment, arboricultural impact assessment, further details on the 'dutch barn' holiday let accommodation, swimming pools and indicative details on the children's play area. Approved May 2022.

SITE AND SURROUNDINGS

The site for this application is the main house at Lydhurst Estate, Warninglid Lane, Warninglid.

The estate includes the main dwellinghouse, with a number of other smaller residential cottages, estate and farm buildings, a formal walled garden and related buildings, estate roads and infrastructure.

The main house is accessed from the village centre of Warninglid through a pair of decorative gates, flanked by two gatehouses. A straight, formal tree lined driveway provides access to the house and estate buildings. The house is set away from the village core, being located some 300m from the western side of The Street. The estate buildings also are served by a secondary access off Warninglid Lane to the north of the estate farmstead.

The main house is sited within extensive gardens and grounds. The buildings on the site are screened in wider views by tree and vegetation within and on the boundaries of the estate.

The site is located within the countryside and the High Weald Area Outstanding Natural Beauty/ High Weald National Landscape as defined in the Mid Sussex District Plan and the Slaugham Neighbourhood Plan. The site also lies within the Red Impact Risk Zone for Great Crested Newts.

APPLICATION DETAILS

The current application seeks permission to vary Condition 2 of planning application DM/25/1446, which reads as follows:

'Approved Plans

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.'

Planning permission was granted under application DM/25/1446 for the demolition of the existing dwelling and erection of a replacement dwelling with associated landscaping on 2nd October 2025.

Subsequent applications under planning references DM/25/2773 and DM/25/2607 have been made to discharge conditions 14 and BNG Condition 1, and these were discharged in November 2025.

The current application is made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. The Act states that *'On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and-*

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.'

The application has been accompanied by a Planning Statement from the applicant's agent which supports the application. This confirms that the application seeks to vary 19 of the approved plans with revised plans. There is reference to a further supporting letter from the project architect, Meloy Architecture and Design Limited.

The architect's letter confirms that the changes have resulted from the development of production information drawings for Building Control and the tender stage. The main changes that are shown on the submitted plans are summarised, with the following supporting comments, as follows:

- Change in internal floor levels/external ridge height - the placement of the replacement building on the site has required the dwelling to be raised by 500mm. It is confirmed that the maximum ridge height of the new dwelling will still remain lower than the existing house, by over 4m.
- Fenestration changes to reduce amount of glazing - minor changes are proposed including the reduction in the size of some windows. Light pollution will be reduced and this is considered to be of benefit to preserve the dark skies of the High Weald AONB/National Landscape, which is noted as an AONB Management Plan objective.
- Small extension of pool wing - a 1.75m extension of the north elevation of this wing of this part of the building, which is considered acceptable within the built envelope/scale of the replacement building and would not encroach upon the retained Games Room building, Walled Garden and wider estate buildings.

The applicant's agent concludes that the design amendments are minor in nature and do not change the design ethos, character or quality of the approved scheme.

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 Slaugham Neighbourhood Plan and Site Allocation Development Plan Document (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.

The following policies are considered relevant when considering this application:

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

Relevant policies:

DP16 High Weald Area of Outstanding Natural Beauty
 DP26 Character and design
 DP34 Listed Buildings and other Heritage Assets
 DP35 Conservation Areas

Site Allocations Development Plan Document

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

There are no policies deemed relevant to this application.

Neighbourhood Plan

The Slaugham Neighbourhood Plan was made on 25th September 2019.

Policy 1 Protecting the AONB

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.

DPC1 Protection and Enhancement of Countryside
DPC4 High Weald Area of Outstanding Natural Beauty
DPB1 Character and Design
DPB2 Listed Buildings and other Heritage Assets
DPB3 Conservation Areas
DPT4 Parking and Electric Vehicle Charging Infrastructure
DPH6 Self and Custom Build Housing
DPH11 Dwelling Space Standards
DPS2 Sustainable Design and Construction
DPN1 Biodiversity, Geodiversity and Nature Recovery
DPS6 Health and Wellbeing
DPB1 Character and Design

West Sussex County Council Guidance on Parking at New Developments - September 2020

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

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.

High Weald Area of Outstanding Natural Beauty Management Plan 2019-2024

High Weald National Landscape - Technical Advice Note: Dark Skies Planning Advice Note - July 2024

National Planning Policy Framework (NPPF) (December 2024)

ASSESSMENT

The result of this application would be to issue a new planning permission, so it is not considered necessary to go through all of the original planning issues in this report. The specific changes to the plans that are now proposed are considered below with regards to the design amendments and their impact upon the High Weald AONB/ National Landscape, Heritage Assets - the Conservation Area and adjacent NDHAs and the neighbouring amenities.

It is necessary to consider the application against the relevant policies of the development plan and any other material planning considerations.

Design

District Plan Policy DP26 is relevant in the determination of this application. Policy DP26 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 DP29);*
- * 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.'*

Also relevant in the determination of the application is the design guidance contained in the Mid Sussex Design Guide, which seeks good design in all forms of new development.

The principle of the replacement dwelling at Lydhurst was found acceptable under planning application DM/25/1446.

The proposed dwelling represents a new and contemporary design approach for the site. Despite the proposed increased height of the new dwelling it will remain lower in height than the existing main house on the site and will still be positioned partly over the footprint of the existing house, as for the approved scheme.

The proposed design changes to the fenestration details and elevations will not result in a significantly different overall appearance for the replacement house. The changes will result in some additional areas of stone walling in place of some of the large approved glazed windows. Overall, it is considered that the design changes to the approved contemporary dwelling are acceptable.

It is considered that the proposal would also comply with the design aims of District Plan Policy DP26 and with the relevant Design Guide principles.

Impact upon the High Weald AONB/ National Landscape

The proposed development is located within the High Weald AONB. The principle of the replacement dwelling at Lydhurst within the High Weald AONB was found acceptable under planning application DM/25/1446, with consideration of the legal framework of the Countryside and Rights of Way Act (CROW) 2000, the High Weald Area of Outstanding Natural Beauty Management Plan 2024-2029 and the High Weald Housing Design Guide 2019 and guidance within paragraph 189 of the NPPF.

The Management Plan includes specific objectives (DS1 and DS2) that seek to preserve the dark skies of the High Weald AONB, and to protect wildlife and habitats from light pollution across the High Weald.'

In the determination of the application under DM/25/1446 it was recognised that the proposed replacement dwelling includes some large areas of new glazing, and that these will create new light sources at night time. The reduced areas of glazing proposed in the amended house design will reduce the degree of light spill from that originally accepted.

It is considered that the character and appearance of this part of the AONB, and the wider rural setting will not be harmed by the proposed design changes. It is considered that new contemporary design may be accommodated within the National Landscape/AONB and the proposed dwelling would not detract from the visual quality of the area.

Accordingly, it is considered that the proposed design changes will comply with the aims of District Plan Policy DP16 and Slaugham Neighbourhood Plan Policy 1 for the High Weald AONB and the relevant national guidance.

Impact upon Heritage Assets

The house at Lydhurst Estate is not located within the Warninglid Conservation Area, although the main gates and two associated Gatehouses to either side of the driveway approach and the pond at the entrance do fall within the Conservation Area, and therefore benefit from that designation. As such the public approach to the site has heritage asset status and, with this, added protection.

Whilst the approved footprint of the replacement dwelling will extend closer to the boundary of the Conservation Area it will remain at a significant distance from it. The proposed added 0.5m overall height increase will not be appreciable from within the Conservation Area and the views of the Conservation Officer are accepted in this regard. The impact of the proposed design changes to the new dwelling upon the setting of the Conservation Area will be limited and are acceptable.

It is considered that the proposed design changes to the replacement house will not impact upon the character and appearance of the existing walled garden, the associated estate buildings or the wider parkland setting or impinge upon their value as a NDHA. The proposed enlargement of the north wing will bring it closer to the retained Games Room, but this change is considered acceptable as that building is to be retained for ancillary use to the proposed new house. As such the proposal will accord with the aims of District Plan Policies DP34 and DP35 and the relevant paragraphs of the NPPF.

Impact on residential amenities

The nearest properties to the proposed replacement dwelling are Stable Cottage and Stable Flat, which are located 58m away to the north of the development site, within the grouping of the estate buildings. Other nearby estate cottages are sited to the rear of the walled garden. As such any visual impact to the occupiers of those properties from the completed development will be very limited.

The northern elevation of the proposed dwelling contains fewer windows and doors, as the main extent of the glazed areas face to the south and away from the neighbouring properties, thereby shielding night time lighting from the neighbouring houses.

It is considered that the proposed design alterations will have no greater impact than the siting and design of the approved replacement house. Accordingly, the proposed amendments will comply with Policy DP26 of the Mid Sussex District Plan with regards to the amenities of adjoining properties.

Biodiversity Net Gain

The original application under DM/25/1446 was submitted as a proposal for Self-build and custom build. The development site exceeds 0.5 hectares.

The approval was subject to Biodiversity Net Gain Condition 1 to require the approval of a biodiversity gain plan before development commences on the site. This BNG condition was discharged under Discharge of Condition application DM/25/2607 in November 2025.

CONCLUSION

In conclusion, the principle of the replacement dwelling at Lydhurst was found acceptable under planning application DM/25/1446. The proposed design amendments which have been proposed under this application are relatively minor and are considered acceptable.

The changes comply with the design aims of District Plan Policies DP16 and DP26 and with the relevant Design Guide principles, with Neighbourhood Plan Policy 1 for the High Weald AONB and the relevant national guidance, will have a limited impact upon the setting of the Conservation Area and are considered acceptable.

It is considered that the proposed design changes will not impact upon the character and appearance of the existing walled garden, the associated estate buildings or the wider parkland setting or impinge upon their value as a NDHA or cause significant harm to the neighbouring amenities.

Consequently this application is recommended for approval, with conditions repeated from the approval under DM/24/1446, with the exception of BNG Condition 1 and Condition 14, which have been discharged.

Decision: Permission

Case Officer: Anna Tidey