

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1533	Case Officer:	Catherine Cardin
Application Type:	Householder Application		
Proposal:	Construction of an infill extension. Conversion of an existing garage bay into habitable accommodation at ground and first floor. New conservation style rooflight, replacement garage doors and new fenestration. Relocation of existing oil tank. New air source heat pump (ASHP) and replace existing paved drive with gravel.		
Site:	Stonehurst, North Lodge , Selsfield Road, Ardingly, Haywards Heath, West Sussex, RH17 6TN, ,		
Validation Date	12 Jun 2025	Overall Expiry Date:	8 Oct 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	24 Oct 2025
Target Date:	7 Aug 2025	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	24 Oct 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1533

**Stonehurst, North Lodge , Selsfield Road, Ardingly, Haywards Heath, West Sussex, RH17 6TN, Construction of an infill extension. Conversion of an existing garage bay into habitable accommodation at ground and first floor. New conservation style rooflight, replacement garage doors and new fenestration. Relocation of existing oil tank. New air source heat pump (ASHP) and replace existing paved drive with gravel.
Mr And Mrs Edge**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Conservation Officer

Stonehurst is a substantial country house located in a rural position to the north of Ardingly. The building itself is unlisted, but is regarded with its ancillary garden and estate buildings as a non-designated heritage asset (NDHA), and the gardens within which it is set are part of an extensive Grade II listed registered park and garden.

The house at Stonehurst was constructed c.1910 to a design by architect Norman Searle for client John Stewart, on the site of an earlier farmhouse, Stone Farm. The building is in a loosely Arts and Crafts style, with brick and hung tile elevations, with mock timbering to gables, and slate roofs. Originally, the house had a large conservatory wrapping around the south east corner of the building, as well as a tall central tower with a balcony providing views over the surrounding landscape. These features have both been lost, although the base of the tower remains.

The gardens and pleasure grounds around the house were laid out in 1907 to a design by Thomas H. Mawson, with further input from Norman Searle. The formal gardens around the house and the pleasure grounds beyond these are very extensive, particularly to the north and west, extending to incorporate the valley of the Cob Brook and a tributary, mill ponds and woodlands, and also originally retaining some historic buildings including two mills and associated mill cottages. The formal gardens immediately around the house include a series of brick walled enclosures, with buildings incorporated into the walls including an observatory and viewing bastion, as well as a terrace with flanking tea pavilions which extends along the eastern side of the house. Below this terrace are lawns which descend towards the pleasure grounds in the wooded valley below, which are now in separate ownership.

The estate buildings which would be included with the house as part of the NDHA include the subjects of the current proposal, North Lodge, which is located a short distance to the north of the house, adjacent to the entrance driveway and attached to a gateway to the house forecourt, and an adjacent garage block, which was originally a combination of stables and garages, but has been converted entirely to garaging at ground floor. The North Lodge is mirrored by a second, South Lodge, which is just to the south of the house. Originally, these buildings, which are contemporaneous with the house, guarded the two ends of a crescent shaped carriage driveway as it emerged onto Selsfield Road. North Lodge was extended to the east c.1900.

The current proposal is for alterations and extensions to North Lodge and the adjacent garaging, comprising construction of an infill extension between the two, conversion of an existing garage bay into habitable accommodation at ground and first floor, a new conservation style rooflight, replacement garage doors, new fenestration and installation of solar PV panels. It is also proposed to relocate an existing oil tank, install a new air source heat pump (ASHP), and replace existing paving to the area in front of the garage with gravel.

To consider these works in turn:

- The proposed infill extension is to an existing small courtyard area between the North Lodge and the adjacent garage building. The originally larger gap between the buildings appears to have been incrementally infilled, as extensions to the domestic accommodation at North Lodge, during the 20th century. The current proposal relates to the remaining open area to the east, and is for introduction of a part lead, part glazed roof over the area, contained behind the existing wall which encloses the yard to its eastern side, which is to be raised in height. Although the loss of this remaining yard area will reduce the surviving sense of separation between the two buildings of the Lodge and stable block, the proposed partly glazed lodge will preserve some sense of openness, and the retention of the existing brick wall to the east will reduce the visual impact of the works in external views. I would however like to see further detail of the method of raising the height of this wall, which I would suggest should be done in brick to match- the elevations provided are somewhat ambivalent on this point and possibly suggest a deep lead fascia? I also note the points made within the submitted Heritage Statement regarding associated works to doorways, and would suggest that these recommendations are implemented (10.1.13 and 10.1.15).
- The conversion of the garage bay to residential use is not contentious in principle, in my opinion, in built heritage terms. Please see below with respect to the associated works to the garage doors and fenestration.
- The proposed new rooflight is to one of the inward-facing roof slopes of the triple-pitched roof to the garage block. This will have minimal impact on the appearance of the building, and is not considered contentious in principle, however I note and agree with the suggestion made within the submitted Heritage Statement at 10.2.6 regarding the positioning of the rooflight to avoid or minimise damage to original fabric.
- The existing garage doors to the garage block are modern, and are not sympathetic in design or materials to their context. The proposal to replace them is not therefore considered contentious in principle. The submitted proposed elevations suggest glazed garage doors to all openings save the southernmost, which would receive what appear to be fixed full height windows relating to the proposed residential accommodation to this space. Whilst this is an unconventional treatment in terms of garage doors, and I would wish to see further details of the units proposed, to include method of opening, given the unsympathetic nature of the existing doors I do not think an objection in principle could be sustained. With respect to the southernmost opening, I would suggest that the base or plinth below the proposed window insert is treated differently from the adjacent brickwork to indicate that this was previously a full height opening. Timber boarding or possibly a small area of render of an appropriate colour might be possible alternatives.
- It is proposed to replace the existing windows throughout with double glazed timber framed casements. The loss of original windows is regrettable, and I would recommend that if possible the applicant consider retaining the existing casements with slim-line double glazing retro-fitted within the existing frames. If the condition of the existing windows prevents their retention, I would suggest that an appropriate justification should be made in terms of a brief condition statement. We would expect to see further details in either case, although this could be by condition. Replacement windows, if justified, should include functional glazing bars. It is also proposed to install a new three-light oriel casement window to the currently blank east facing gable above the stable block. Whilst I do not think that the principle of this alteration is contentious given the presence of similar features elsewhere to the building, I have some concerns about the scale and visual prominence of the window as shown, and I would suggest it is reduced from a three-light to a two-light window. I would also suggest that the glazing pattern of the casements is amended to match the multi-pane windows elsewhere to the building. The addition of an obscure glazed window to the upper part of the loading bay door to the attic level of the western side of the building is also not considered contentious, but again I would recommend that the design of the window is amended to match those elsewhere including the existing part glazed door further north to this same elevation.
- The proposed solar PV panels are located to the inward (east) facing roof slope of the western pitched roof to the northern part of the stables building. In principle, the installation of PV panels would not be considered contentious, but I would suggest that to avoid potential impact on views of the building from the entrance driveway and from its immediate setting to the north, that the northernmost panels are resited to the east facing roof slope of the central pitched roof, towards its southern end.
- The proposed ASHP is sited against the western wall of the Lodge, facing onto the brick boundary wall with Selsfield Road. This is a discrete location, and the unit should not impact on the more important views of the Lodge. This aspect of the proposal is therefore not considered contentious.

- The proposal to resurface the external area in gravel would involve the loss of the existing paved surface, which is in a poor state of repair. Whilst its replacement is not considered contentious in principle, I have some concerns regarding the loss of the manner in which this paving currently demarcates the 'working' area to the frontage of the garage (and former stables) building. There is no particular comment in the submitted Heritage Statement regarding the historic finish to this area, which may be impossible to determine, but I would suggest that this aspect of the proposal is given further consideration, particularly as historical maps suggest that this was from c.1900 (when the lodge house was extended and the gateway added) until the mid-late 20th century (possibly until the point at which the current modern entrance driveway from the north was added), an enclosed yard, demarcated by the gateway to the south and a wall or walls to the north. It may be that replacement paving or setts of some form would be a more appropriate treatment to this area, to continue to express its differentiation from the domestic forecourt to the south, and the modern driveway to the north.

In summary, while the principle of the proposals is not considered contentious, several areas require further information and/or revision, to ensure that the significance of the NDHA and the special interest of the registered Park and Garden are preserved.

Further comments

The plans have been revised to address the majority of the concerns previously raised, as is set out in the email from Gould Baxter dated 15th September. I note that the previous width of the proposed new oriel window has not been reduced; on balance I do not think an objection could be sustained on this ground alone, however the glazing pattern of the new casement windows within the oriel should be amended as previously suggested to match that the existing fenestration to the north lodge.

Subject to the above further amendment, which should ideally be submitted at this pre-decision stage, the proposal is considered to preserve the significance of the NDHA, the Stonehurst registered park and garden, and the setting of the Wakehurst RPG. This meets the requirements of District Plan Policy DP34 and DP36 and the relevant paragraphs of the NPPF.

I would recommend the following conditions:

- Details of roofing and facing materials
- Detailed drawings at an appropriate large scale, including sections, annotated to show materials and finishes, of the following:
 - new or altered windows and external doors
 - replacement garage doors
 - typical parapet/eaves detail to the infill extension
 - new rooflights, to show these in the context of the surrounding roof slope and set above the retained rafters of the underlying roof structure.
- Details of the proposed hard landscaping material to the courtyard
- Detailed drawings, including sections, and including glazing bar detail, to show the alterations to the existing windows to insert double glazed units.

Ecology Consultant

Support, subject to conditions.

Historic England

No comment.

Garden's Trust

No comment.

Sussex Garden's Trust

No comment.

Southern Water

No objection.

PARISH COUNCIL OBSERVATIONS

None received.

INTRODUCTION

The application seeks planning permission for the construction of an infill extension, the conversion of an existing garage bay into habitable accommodation at ground and first floor, new conservation style rooflight, replacement garage doors and new fenestration. It also seeks permission to relocate an existing oil tank to install a new air source heat pump (ASHP) and to replace the existing paved drive with gravel and a herringbone paviour driveway.

RELEVANT PLANNING HISTORY

05/02006/FUL- Retrospective application for the erection of a close boarded fence in place of a hedge between road and property. Permission.

07/03885/FUL- A glass and hardwood timber conservatory with lantern. A tiled and glazed building to the top of an existing tower. Amended plan received 16.01.08. Refusal.

DM/15/0231- Conversion and extension of cottage to form a 4 bay garage, garden store room and gardener's rest room. Permission.

SITE AND SURROUNDINGS

North Lodge is a substantial Edwardian country dwelling. The property is located a short distance to the north of Stonehurst, adjacent to the entrance driveway and attached to a gateway to the house forecourt. The property has an adjacent garage block, which was originally a combination of stables and garages, but has been converted entirely to garaging at ground floor. The building has brick and hung tile elevations, with mock timbering to gables, and slate roofs. The building itself is unlisted but is regarded with its ancillary garden and estate buildings as a non-designated heritage asset (NDHA), and the gardens within which it is set are part of an extensive Grade II listed registered park and garden. The North Lodge is mirrored by a second, South Lodge, which is just to the south of the house. The property is set within the High Weald AONB and a Park and Garden of Special Interest, together with two lodge cottages, one to the north and a smaller one to the south. The application refers to the latter building, which stands at the former entrance to the property. Opposite are the main entrances to Wakehurst Place, to the north of Ardingly village.

APPLICATION DETAILS

The planning application seeks permission for the construction of an infill extension, the conversion of an existing garage bay into habitable accommodation at ground and first floor level, to relocate an existing oil tank, to install a new air source heat pump (ASHP) and to replace the existing paved drive with gravel and a herringbone paviour driveway.

The infill extension would be located within an existing courtyard. It is proposed to install a part glazed, part led roof. This would measure some 4.5 metres in width and some 4.3 metres in depth. This would have a flat roof, with a maximum height of some 3 metres. It is proposed to use this as an entrance hall.

Next, it is proposed to convert an existing garage into habitable accommodation at ground and first floor level. This would include the installation of a new conservation style rooflight to one of the inward-facing roof slopes of the triple-pitched roof to the garage block. It is also proposed to replace the existing garage doors on the front (eastern) elevation with new fenestration. The proposed garage doors would be glazed. The southernmost opening would have a new brickwork base beneath.

It is also proposed to replace the existing windows throughout with double glazed timber framed casements and to install a new three-light oriel casement window to the front (eastern) elevation above the stable block.

The proposal also includes the install of 3 no. solar PV panels to the inward facing (eastern) roof pitch and to install an air source heat pump and a PV storage battery on the rear (western) elevation.

Finally, it is proposed to resurface the external area in front of the property with a herringbone pavior and to resurface an area to the north of the property with a gravel area to match the existing driveway.

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, Site Allocation Development Plan Document (DPD) and Ardingly 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:

DP12 - Protection and Enhancement of the Countryside
DP16 - High Weald Area of Outstanding Natural Beauty
DP26 - Character and Design
DP34 - Listed Buildings and Other Heritage Assets
DP36 - Historic Parks and Gardens
DP38 - Biodiversity

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.

Neighbourhood Plan

Ardingly Neighbourhood Plan made in 2015.

Relevant policies:

Policy ARD 5: Housing Design
Policy ARD 8: Biodiversity

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.

Relevant policies:

DPS2 - Sustainable Design and Construction

DPB1 - Character and Design

DPC4 - High Weald Area of Outstanding Natural Beauty

DPB2 - Listed Buildings and other Heritage Assets

DPN1 - Biodiversity, Geodiversity and Nature Recovery

DPN5 - Historic Parks and Gardens

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)

ASSESSMENT

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

- Design, character and impact on the character of the surrounding area
- Impact on Heritage Assets and their setting
- Impact on the High Weald AONB
- Neighbouring amenity;
- Biodiversity; and
- Biodiversity Net Gain.

Design, character and impact on the character of the surrounding area

Policy DP26 of the Mid Sussex District Plan states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- o is of high quality design and layout and includes appropriate landscaping and greenspace;*
- o 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;*
- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- o protects open spaces, trees and gardens that contribute to the character of the area;*
- o protects valued townscapes and the separate identity and character of towns and villages;*
- o 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);*
- o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- o positively addresses sustainability considerations in the layout and the building design;*

o 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;

o optimises the potential of the site to accommodate development.'

Policy ARD 5 of the Ardingly Neighbourhood Plan relates to housing design and states that:

'The Neighbourhood Plan requires all developments, including alterations to existing buildings, to be sympathetic of the character and scale of surrounding buildings and landscape.'

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.'

It goes on to state:

'There are two general approaches to extending a property:

o Designing in the style of the existing building by closely matching its facing materials, architectural features, window sizes and proportions; and

o Designing in a contemporary style that takes its cues from key aspects of the existing building that might include its underlying form and proportions, facing materials, window design and other specific architectural features. The success of this approach is particularly reliant on high quality facing materials and finishes, and this will normally need to be demonstrated through detailed elevations and section drawings. Both approaches can create successful, well-designed extensions that can be mutually beneficial to both the house and the wider area'.

The dwelling is sited adjacent to Selsfield Road. The proposed infill extension would be located in an existing courtyard and would be located behind an existing wall. As the proposal includes raising the height of the existing wall on the front (eastern) elevation, it would be visible from the private driveway to east. Given the modest nature of this aspect, it is not considered that the infill extension would be harmful to the character of the existing property. The proposed extension would not be visible from the street scene so it is not considered to be harmful to the street scene. The proposed garage doors, oriel window and replacement windows are considered to be appropriate and are considered to reflect the character of the existing property. These aspects of the proposal would not be visible from the street scene so it is not considered to be harmful to the street scene.

In addition, it is considered that the proposed solar PV panels and ASHP have been sited discretely and avoid potential impact to the views of North Lodge from the entrance driveway and would not be visible from the street scene. Furthermore, it is considered that the proposed resurfacing of the external area in gravel and the herringbone pavior driveway appropriately considers the character of the existing dwelling.

The proposed obscure glazed window on the rear (western) elevation would be visible from the street scene. Given the modest nature of this aspect of the proposal, it is not considered that this would be harmful to the character of the street scene. Overall, the proposed works would respond appropriately in terms of form and design.

The works would not have a harmful impact on the character of the area, therefore the proposal is considered to comply with policy DP26 of the Mid Sussex District Plan, policy ARD5 of the Ardingly Neighbourhood Plan, and principles DG49 and DG50 of the Mid Sussex Design Guide.

Impact on Heritage Assets and their setting

MSDC District Plan policy DP34 states:

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

- o A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*
- o Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;*
- o Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- o Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;*
- o Special regard is given to protecting the setting of a listed building;*
- o Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.*

Other Heritage Assets

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

The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic.

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

Paragraphs 212 - 216 of the NPPF states:

'212. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

213. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

214. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;*
- and c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

216. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

The Conservation Officer was consulted and has commented on the application. They have identified that the building itself is unlisted, but is regarded with its ancillary garden and estate buildings as a non-designated heritage asset (NDHA), and the gardens within which it is set are part of an extensive Grade II listed registered park and garden. The Conservation Officer has not raised any objections to the application and considers the works to be acceptable in principle. However, concerns were raised regarding the method of raising the height of the eastern brick wall of the courtyard, the positioning of the rooflight, details of the garage doors, replacement windows, the three-light oriel casement window, an obscure glazed window, the location of the PV panels and the resurfacing of the external area with gravel.

During the course of the application, amended plans were received.

The proposal was considered again by the Conservation Officer who has advised that these revised plans addressed many of the concerns. Furthermore, they have advised that, subject to amendment of the glazing pattern of the new casement windows within the oriel and other conditions, the proposal is considered to preserve the significance of the NDHA, the Stonehurst registered park and garden, and the setting of the Wakehurst RPG. This can be secured by a suitable worded condition. The views are shared and agreed upon from a planning perspective. The proposal is therefore considered to comply with policy DP34 of the District Plan and relevant paragraphs of the NPPF.

Impact on the High Weald AONB

The legal framework for AONBs, (also known as National Landscapes) 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'*. The Levelling-up and Regeneration Act (2023) amended section 85 of the CROW Act, to create a new duty on relevant authorities to *'seek to further the purpose of conserving and enhancing the natural beauty of the area' when discharging their functions in AONBs*. A similar ethos is found within The High Weald Area of Outstanding Natural Beauty Management Plan which is a material consideration in the determination of planning applications in the AONB.

Paragraph 189 of the NPPF states:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes 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.'

Policy DP12 in the District Plan seeks to protect the character of the countryside and states that development will be permitted where it maintains or where possible enhances the quality of the rural and landscape character of the District and is supported by a specific policy reference in the District Plan, Neighbourhood Plan or Development Plan Document. In this case policy DP26 is the relevant policy that supports high quality development. Policy DP16 sets out that development within the HWAONB will only be permitted where it conserves or enhances natural beauty.

The application relates to an existing residential property outside the built-up area of Ardingly. As the proposal seeks to undertake works to this building, the proposal would not form an isolated development within the wider landscape. The proposal would not have any adverse impact on the landscape quality of

the AONB due to it being viewed in context with existing built form. As such the proposal would comply with the requirements of Policies DP12 and DP16 of the District Plan, The High Weald AONB Management Plan and paragraph 189 of the NPPF.

Neighbouring amenity

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan states proposals should *'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'*.

To the north is Beech Cottage. Given the separation distance of over 137 metres from the development, it is not considered that proposal would be harmful to the amenities of this neighbour. To the south is Stonehurst. Given the separation distance of over 27 metres from the development, it is not considered that proposal would be harmful to the amenities of this neighbour. Due to the domestic nature of the proposed development, it is considered that there would not be a harmful impact in terms of noise, air and light pollution. It is therefore considered that the proposal would not cause harm to the amenities of neighbouring properties. The proposal is therefore deemed to accord with the above part of policy DP26 of the District Plan.

Biodiversity

DP38 of the MSDC relates to biodiversity and states in part that biodiversity will be protected and enhanced by ensuring that development *'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)'*

Policy ARD 8 of the Ardingly Neighbourhood Plan relates to biodiversity and states: *'The Neighbourhood Plan will support proposals that protect and enhance the rich natural features that are a key component of the High Weald cultural landscape which provide habitats for Ardingly's diverse species populations. Proposals that provide favourable conditions for biodiversity including maintenance and enhancement of habitat connectivity and landscape scale conservation will be supported. Mitigation measures will be sought where any loss would be unavoidable and cause significant harm.'*

The Council's Ecology consultants have been consulted on the application and have provided a response. They have raised no objection to the proposal, subject to conditions. The condition requiring a Biodiversity Enhancement Layout and the condition requiring a bat license are considered reasonable as these are mitigation measures which would avoid and reduce disturbance to bats, which are a Priority species. The proposal is therefore considered to accord with policy DP38 of the District Plan and policy ARD 8 of the Ardingly Neighbourhood 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. 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.

PLANNING BALANCE AND CONCLUSION

The proposal is considered to be appropriate in terms of design, size and scale to the dwellinghouse and locality, and would not cause harm to the amenities of neighbouring properties. In conclusion, the proposal complies with Mid Sussex District Plan policies DP12, DP16, DP26, DP34, DP36 and DP38, policy ARD 5 and policy ARD 8 of the Ardingly Neighbourhood Plan and the relevant provisions of the NPPF. The application is therefore recommended for approval.

Decision: Permission

Case Officer: Catherine Cardin