

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2686	Case Officer:	Caroline Grist
Application Type:	Full Application		
Proposal:	Proposed demolition of the existing caretaker garage to be replaced with a two storey side extension to the existing caretaker house. A complete new replacement roof and remodelling of the building to convert it into a reception area, offices and meeting rooms. The existing entrance is to be redeveloped into a new access with additional parking to the front and a new outdoor terrace is proposed at the rear.		
Site:	St Pauls Catholic College, Jane Murray Way, Burgess Hill, West Sussex, RH15 8GA, , ,		
Validation Date	26 Nov 2024	Overall Expiry Date:	9 Sep 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	24 Oct 2025
Target Date:	21 Jan 2025	Recommending Officer Signature:	<i>Caroline Grist</i>

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

MID SUSSEX DISTRICT COUNCIL

DM/24/2686

**St Pauls Catholic College, Jane Murray Way, Burgess Hill, West Sussex, RH15 8GA, ,
Proposed demolition of the existing caretaker garage to be replaced with a two storey side extension to the existing caretaker house. A complete new replacement roof and remodelling of the building to convert it into a reception area, offices and meeting rooms. The existing entrance is to be redeveloped into a new access with additional parking to the front and a new outdoor terrace is proposed at the rear.**

Mr David Carter

SUMMARY OF REPRESENTATIONS

No representations have been received in response to this application.

SUMMARY OF CONSULTEES

Southern Water

Southern water has determined the Flow rate for the above site will remain the same/similar as capacity is not an issue and no southern water assets will be affected. Therefore, Southern water has no objections to this proposal.

Surface water should not involve disposal to a public foul sewer and should be in line with the Hierarchy of H3 of Building Regulations.

Any new connections to the public sewerage system will require a New Sewer Connection application (we sometimes refer to this as a Section 106) to be submitted and approved by Southern Water.

Due to changes in legislation that came in to force on 01 October 2011 regarding the future ownership of sewers it is possible that some previously owned private sewers now deemed to be public could also be crossing the above property which are not shown on the Southern Water records. Therefore, should any other sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and the potential means of access before any further works commence on site.

Highways Authority

This application seeks the use of caretaker dwelling as offices/meeting rooms, with associated works. The site is located within St Pauls Catholic College grounds utilising existing internal access roads.

The proposals would not be anticipated to give rise to a significant material intensification of use of the existing vehicular access point from the Triangle Way Roundabout. Two additional car parking spaces are proposed as part of this submission, and these appear suitably sized with space for turning.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

Ecological Consultant

Final Response

We have reviewed the Preliminary Ecological Appraisal and Roost Assessment (Arbtech, September 2024) and the Bat Emergence and Re-Entry Surveys (BERS) (Arbtech, July 2025) relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures.

We have also reviewed the information submitted relating to mandatory biodiversity net gains.

We are satisfied that there is sufficient ecological information available to support determination of this application.

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.

We note the limitations associated with the third bat emergence survey, specifically the lack of visibility to the south elevation and the early termination of the survey due to access constraints. While these limitations are acknowledged, we consider the justification provided to be reasonable given the circumstances and the mitigation measures employed (e.g. use of radios and surveyor coverage).

Although no bat emergences or re-entries were recorded across the three survey visits, the consistent observation of foraging activity and the identification of a well-used commuting route along the western tree line indicate that the site is functionally connected to the wider bat landscape. In light of this, and to avoid adverse impacts to commuting bats, a sensitive lighting design scheme should be secured via condition. This should ensure retention of dark corridors and avoid light spill onto key habitat features, in line with Bat Conservation Trust guidance.

The mitigation measures identified in the Preliminary Ecological Appraisal and Roost Assessment (Arbtech, September 2024) and the Bat Emergence and Re-Entry Surveys (BERS) (Arbtech, July 2025) 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 we support the submitted Biodiversity Net Gain Assessment, including the Habitat Baseline Map, and the Statutory Biodiversity Metric - Calculation Tool. Biodiversity net gains is a statutory requirement set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 and 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.

In addition, a Habitat Management and Monitoring Plan (HMMP) should be secured for all significant on-site enhancements. However, we note that the post-intervention values have been provided and that no significant on-site enhancements are proposed in the proposals. As a result, we are satisfied that HMMP is not likely to be required by legal obligation or a condition of any consent for a period of up to 30 years.

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 Strategy and should be 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. We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

District Licensing Officer (Great Crested Newts)

Thank you for consulting us on the above application, I have reviewed this and have no further comments following the applicant's submission of their Non-Licensed Method Statement (Non licensed mitigation plan: great crested newts, St Paul's Catholic College, Jane Murray Way, Burgess Hill, RH15 8GA, Arbtech, August 2025). It is recommended that the measures included within section 3.0 of the report are secured via condition.

Drainage Engineer

The site is in flood zone 1 and is at low fluvial flood risk (risk of flooding from Main Rivers). The site is shown to be at very low to high surface water flood risk (comparable to flood zones 1 and 3b).

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.

Sewers on Site

The Southern Water public sewer map does not show any public sewers located within the redline boundary of the site.

There may be sewers located on the site not shown on the plan which are now considered public sewers. Any drain which serves more than one property, or crosses into the site from a separate site may be considered a public sewer. Advice in relation to this situation can be found on the relevant water authority's website.

Surface Water Drainage

Information

Surface water drainage will ultimately need to be designed to meet the latest national and local planning and drainage policies and guidance. The drainage system will need to consider climate change, the allowances for which should be based on the climate change guidance from the Environment Agency at the time of detailed design.

Detailed drainage design should consider the impact a flooded outfall could have on the proposed drainage system.

The recommendation for a drainage condition to be utilised for an application does not preclude the need for updated calculations or alterations to a drainage strategy. Recommendation for a drainage condition shows that the Flood Risk and Drainage Team are of the opinion that the development has shown that, in principle, drainage could successfully be provided on the site.

Application specific comment

The BGS infiltration potential map shows the site to be in an area with low infiltration potential. Therefore, the use of infiltration drainage such as permeable paving or soakaways is unlikely to be possible on site. To ensure the drainage hierarchy is followed this will need to be confirmed through infiltration testing on site as part of detailed drainage design.

No information on the surface water drainage arrangements has been submitted.

Information into our general requirements for detailed surface water drainage design is included within our 'General Drainage Information Guide'.

To ensure the final drainage design meets with the latest design requirements we would advise the applicant to confirm the design parameters required in relation to climate change etc prior to undertaking detailed design.

Foul Water Drainage

No information on the foul drainage arrangements has been submitted.

Information into our general requirements for detailed foul water drainage design is included within our 'General Drainage Information Guide'.

To ensure the final drainage design meets with the latest design requirements we would advise the applicant to confirm the design parameters required prior to undertaking detailed design.

Summary of Further Information Required

At this time, we will require the following further information:

- o Information into our general requirements for detailed surface and foul water drainage design is included within our 'General Drainage Information Guide'.

Following receipt of the additional flood risk information requested we shall review and provide further comment on this application.

Tree Officer

I have reviewed the Arboricultural Report for this application, and I have no objection. Please do condition the report and Tree Protection Plan.

TOWN COUNCIL OBSERVATIONS

Recommend approval.

INTRODUCTION

Planning permission is sought to demolish the existing caretaker garage and replace it with a two storey side extension to the existing caretaker house. A complete new replacement roof and remodelling of the building to convert it into a reception area, offices and meeting rooms. The existing entrance is to be redeveloped into a new access with additional parking to the front and a new outdoor terrace is proposed at the rear.

RELEVANT PLANNING HISTORY

00/02611/C3REG - Outline application for new secondary school complete with playing fields, playgrounds, car parking, access roads, cycle and pedestrian routes and caretaker's house. Permission.

01/01313/C3REG - Reserved matters application for new secondary school complete with playing fields, playgrounds, car parking, access roads, cycle and pedestrian routes, and caretaker's house. Permission.

02/01233/C3REG - Reserved Matters application for details of landscaping as part of the proposed construction of a new secondary school. Permission.

04/02611/C3REG - Single storey extension to new school to provide supplementary changing and shower facilities and artificial turf pitch. Permission.

09/00135/C3REG - To raise the levels of the existing college site by infill to provide additional playing fields. Permission.

10/00606/C3REG - Construction of a tensile fabric canopy over an existing internal courtyard. Permission.

11/04119/C3REG - To raise the levels of the existing college site by infill to provide additional playing fields (replacement of extant permission CD/09/135/C3REG. Permission.

14/02613/C3REG - Extension to existing science block - Block E - to provide for expansion of sixth form and science teaching accommodation. Permission.

DM/19/2926 - Erection of 160.4sqm permanent, detached, single storey, timber-framed flat roofed classroom building for D1 educational use on existing hard standing on school site. Permission.

DM/20/2214 - Erection of 160.4sqm permanent, detached, single storey, timber-framed flat roofed classroom building for D1 educational use on existing hard standing on school site. Permission.

DM/24/0585 - Installation of new air source heat pumps to replace the existing defective gas fired boilers at the school including acoustic fencing/ enclosure and gates. Permission.

DM/24/2410 - Installation of new air source heat pumps to replace the existing defective gas fired boilers at the school. Permission.

SITE AND SURROUNDINGS

St Pauls Catholic College is a predominantly two storey building that is situated within the built up area of Burgess Hill. The application relates to a building to the west of the main school complex, that is currently used as the caretaker house. Overall it is two storeys, with an attached garage to the side, and is characterised by an a-symmetric roof form. The building is predominantly brick, with sections of timber cladding, and has timber windows. Solar panels are also proposed on the eastern roof slope.

To the west of the site is the A2300, whilst Jane Murray Way is to the east of the college site. Countryside is to the north and the Link Road roundabout is to the south, from which access is gained to the college.

APPLICATION DETAILS

The first part of the application relates to physical works to the building. It is proposed to demolish the existing garage and to replace it with a two storey side extension. The addition is to be some 12.5 metres deep, of which 0.5 metres would project beyond the front elevation and 3.6 metres beyond the rear elevation. It is to be some 4.6 metres wide. A pitched roof design is proposed that would measure approximately 5.3 metres to the eaves and 6.9 metres to the ridge. The walls are to be predominantly finished in brick to match the existing building. It is also proposed to replace the roof, reduce the cladding, so it forms a central strip on the front elevation, and to replace the timber windows with aluminium.

Planning permission is also sought to convert the building to provide offices and meeting rooms for the school, as well as a reception area.

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) Any 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 and the Site Allocations 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.

Mid Sussex District Plan

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

Relevant policies:

- DP6 - Settlement Hierarchy
- DP21 - Transport
- DP25 - Community Facilities and Local Services
- DP26 - Character and Design
- DP37 - Trees, Woodland and Hedgerows
- DP38 - Biodiversity
- DP40 - Renewable Energy Schemes
- DP41 - Flood Risk and Drainage

Site Allocation Development Plan Document

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

There are no relevant policies.

Other Material Considerations

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
- DPS3 - Renewable and Low Carbon Energy Schemes
- DPS4 - Flood Risk and Drainage
- DPS6 - Health and Wellbeing
- DPN1 - Biodiversity, Geodiversity and Nature Recovery
- DPN2 - Biodiversity Net Gain
- DPN4 - Trees, Woodland and Hedgerows
- DPB1 - Character and Design
- DPT1 - Placemaking and Connectivity

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

ASSESSMENT

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

- The principle of development;
- Design and impact on neighbouring amenity;
- Impact on highways;
- Drainage;
- Ecology and Biodiversity Net Gain; and
- Planning Balance and Conclusion.

The Principle of development

The proposed development involves the change of use of a single (C3) dwellinghouse to provide additional administration space for the school. This provision would include a reception, main office, five smaller offices, a meeting room, a working room and WCs.

As such, the proposal would effectively result in the loss of a single dwellinghouse.

Policy DP4 of the District Plan sets out the Council's housing target for the Plan period, stating that there is a minimum District housing requirement of 16,390 dwellings between 2014 - 2031. Policy DP6 of the District Plan sets out the settlement hierarchy for Mid Sussex, with housing and employment

development encouraged within defined settlement boundaries, with Burgess Hill classed as a Category 1 settlement.

There are no development plan policies in place which explicitly seek to retain C3 residential uses. The loss of the dwellinghouse at a time when there is a general need for Local Authorities to boost significantly the supply of housing is regrettable but is not contrary to a specific policy in the development plan.

A Planning Statement has been provided setting out that the current caretakers house is unoccupied and unused. The current garage is beyond repair. St Paul's Catholic College has been operating since 1963 and since 2004 in its current location.

Policy DP25 of the Mid Sussex District Plan relates to community facilities, stating in part that *'the provision or improvement of community facilities and local services that contribute to creating sustainable communities will be supported'*.

The proposal would provide additional facilities for the school, in close proximity to the existing school complex. As such it would not generate any additional traffic beyond the existing situation. Additionally, given the location of the existing dwelling, it could only be resided in by members of staff, limiting the potential occupancy of the unit. During the officer site visit it was also visible that works were required to the existing building. The proposal is therefore considered to enable a sustainable expansion of the school, thereby according with policy DP25 of the District Plan.

With the above in mind, considering the social benefits that would arise from the proposal, the principle of development is deemed acceptable.

Design and impact on neighbouring amenity

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 DP27);*
- 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.'*

Principle DG38 of the Mid Sussex Design Guide SPD relates to building design and states that:

'Applicants should establish an architectural approach and identity in the design of building that is borne from the place.

The facade and elevational treatment, roofscape fenestration and materials used in existing buildings within the locality should be a starting point for the consideration of architectural design of new buildings. However, this should not result in pastiche replicas of traditional buildings. Instead a re-interpretation of key aspects of their form should be demonstrated.

Good architecture involves the successful co-ordination of proportions, materials, colour and detail. Buildings should therefore be holistically designed with each part in harmony with its whole while appropriately responding to both its context and modern living requirements. This includes:

- o The elevational treatment and overall façade design;*
- o The placement, proportions and design of windows, doors and balconies;*
- o A roofscape and form that creates a harmonious composition and minimises the visual impact of downpipes and guttering;*
- o The appropriate incorporation of dormer windows and chimneys;*
- o An appropriate palette of good quality materials that are preferably locally sourced'.*

The proposal seeks to replace the existing garage with a two storey side extension as well as undertake re-modelling works to the whole building. Whilst large, the proposed extension would not appear overly wide in relation to the existing building. It has been sought to retain the overall design approach to the building, with an a-symmetric roof form continuing. The scheme also seeks to link the building to the existing school complex, through the use of coloured cladding to match the main building. Solar panels are also to be included on the eastern roof slope, which would provide a renewable energy source.

Policy DP26 seeks to protect trees that contribute to the character of the area and policy DP37 of the Mid Sussex District Plan develops this further. There are a number of trees around the application site, which are considered to be positive feature, and further information in relation to these trees has been supplied during the course of the application. The Tree Officer has considered the submitted Arboricultural Report and Tree Protection Plan and has confirmed that they are satisfied with the information. A condition has been requested to ensure that the development is carried out in accordance with these requirements, which is considered to be reasonable and necessary to ensure that the trees are protected during construction works.

With regards to the impact on amenity, the proposed extension is to be sited away from the main school, on the opposite side of the existing building. As such a loss of light or outlook would not occur. The arrangement of windows on the existing elevation is to be retained and, whilst a new window is proposed on the eastern elevation of the extension, it would be set further away from the school building. As such it is not considered to give rise to any significant overlooking concerns. Given that the proposed building is to remain part of the existing school facility, it is not considered that it would have an adverse impact in terms of noise, air or light pollution.

Highways Impact

Policy DP21 of the District requires that development proposals should, amongst other criteria:

- o Provide adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;*
- o Avoid severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation;*
- o Protects the safety of road users and pedestrians;*

The proposal seeks to change the use of the caretaker's house to office and meeting rooms for the school and would use the existing internal access roads.

The Highways Authority have commented on the application and have advised that the proposal would not be anticipated to give rise to a significant material intensification of use of the existing vehicular access point from the Triangle Way Roundabout. It has been noted that two additional car parking spaces are proposed as part of this submission, however they are advised as appearing of a suitable

size with space for turning. It is therefore considered that the proposal would accord with policy DP21 of the Mid Sussex District Plan.

Drainage

Policy DP41 of the Mid Sussex District Plan relates to flood risk and drainage and, in part, states:

'Proposals for development will need to follow a sequential risk-based approach, ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. The District Council's Strategic Flood Risk Assessment (SFRA) should be used to identify areas at present and future flood risk from a range of sources including fluvial (rivers and streams), surface water (pluvial), groundwater, infrastructure and reservoirs.

Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates'.

The application was initially reviewed by the Drainage Engineer. It was noted that the application site is within food zone 1 and located within an area with low infiltration potential. No information was provided as part of the application in relation to foul and surface water arrangements and so these details were requested.

During the course of the application updates have been made to drainage guidance, including the surface water mapping. As a result the risk associated to the application site, arising from surface water, has lowered. Furthermore the site has been previously developed and there is a dwelling at this site. As such it is considered that the principle of the proposed development would accord with the requirements of policy DP41 and a condition can be attached to any consent to secure the final details of the drainage design.

Ecology and Biodiversity Net Gain

Policy DP38 of the Mid Sussex District Plan relates to biodiversity and, in part, states:

'Biodiversity will be protected and enhanced by ensuring development:

- o 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*
- o 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*
- o Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and*
- o Promotes the restoration, management and expansion of priority habitats in the District; and*
- o 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'.

During the course of the application, further information has been supplied in relation to Great Crested Newts and bats.

The District Licencing Officer has reviewed the additional information relating to newts, that has been set out within the Non licenced mitigation plan: great crested newts. No further information has been requested on this matter and a condition has been recommended to ensure that the development is carried out in accordance with the measures set out within this report. This condition is considered to be necessary in order to ensure that protected species would not be harmed as part of the development.

The Preliminary Ecological Appraisal and Roost Assessment and Bat Emergence and Re-Entry Surveys have been reviewed by the Ecological Consultant who, whilst acknowledging limitations, is satisfied with the level of information that has been provided. A condition has been recommended in order to secure the mitigation measures, which would conserve and enhance protected and priority species particularly those recorded in the locality. Additional conditions have also been recommended that would ensure that lighting is sensitive to the bats and to secure enhancements.

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 development would result in a 6.74% net loss in habitat units and it is proposed to use landscaping to achieve a 10% on site gain or to reduce off-site compensation requirements. The documents supplied in relation to BNG has also been reviewed by the Ecological Consultant, who is satisfied that submitted information provides sufficient information at application stage. As such, the application can progress with the aforementioned condition.

PLANNING BALANCE AND CONCLUSION

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the Development Plan and then to take account of other material planning considerations including the NPPF. The Development Plan in this instance consists of the Mid Sussex District Plan, the Site Allocations Development Plan Document and the Burgess Hill Neighbourhood Plan.

Courts have confirmed that the Development Plan must be considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy within the Development Plan.

Weighing in favour of the scheme are the social benefits that the proposal would have in terms of allowing the existing school to expand in a sustainable manner.

The proposed development as amended is considered to have a neutral impact in respect of a number of issues. The proposal is considered to conserve the appearance and character of the area and should not be harmful to neighbouring amenities or adjoining trees. Nor should the proposal be detrimental to highway safety or in relation to ecology.

Weighing against the scheme are the concerns that the proposal would result in the loss of a C3 dwellinghouse at a time when there is a general need for Local Authorities to boost significantly the supply of housing. However the residential use forms part of the school complex on the edge of Jane Murray Way, and would have restricted occupancy.

When considering the above, it is considered that the planning balance falls in favour of supporting the proposal.

For the above reasons, the proposal is considered to accord with policies DP21, DP25, DP26, DP37, DP38, DP40 and DP41 of the Mid Sussex District Plan and the Mid Sussex Design Guide.

Decision: Permission

Case Officer: Caroline Grist