

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0736	Case Officer:	Susan Dubberley
Application Type:	Full Application		
Proposal:	Erection of new outbuilding, internal and external alterations to Grade II Listed Building. Change of use to allow C1 Use to upper floors.		
Site:	Castle Inn, London Road, Hickstead, Haywards Heath, West Sussex, RH17 5LZ, ,		
Validation Date	24 Mar 2025	Overall Expiry Date:	19 Jun 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	8 Jan 2026
Target Date:	19 May 2025	Recommending Officer Signature:	<i>Susan Dubberley</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	2
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Signed and Agreed By:	<i>Steven King</i>	Date:	8 Jan 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0736

**Castle Inn, London Road, Hickstead, Haywards Heath, West Sussex, RH17 5LZ,
Erection of new outbuilding, internal and external alterations to Grade II Listed Building. Change
of use to allow C1 Use to upper floors.
Mrs Chloe Breen**

LETTERS OF REPRESENTATION

One letter of objection received:

- o The application has been submitted prior to planning consent being granted which is inappropriate for a listed property of this nature as it may compromise the heritage integrity of the building.
- o Similar applications have been rejected given the sensitive status of the castle in and the potential for irreversible harm the application should be refused in the interest of preserving our local heritage.

267 letters of support:

- o Local business people supporting and bringing back to life parts of local history.
- o Premises has been neglected / an eyesore for decades, great to see restored to former glory with a purpose / new business, vast improvement.
- o Without substantial investment would have deteriorated, lost landmark building.
- o Provides jobs for local community, great for economy, sound financial viability.
- o Will become a hub for local community and visitors.
- o Great to have some accommodation, somewhere to eat locally.
- o Good small scale accommodation is lacking in area.
- o Farm shop beneficial for locals and visitors.
- o A valued property for many in the equine / agricultural communities, a big part of the history and culture of area / huge part of the social scene.
- o Hickstead is a major attraction, proposal will add to value of area.
- o Great for users of A23.
- o Not competing with other businesses.
- o Preferable to a developer purchasing site and turning it into a block of flats.
- o Should be replaced.
- o Support new outbuildings around pub.

SUMMARY OF CONSULTEES

Conservation Officer:

No objection subject to conditions

Tree Officer

No objection

Southern Water

The flow rate for the above site will remain consistent, so capacity is not an issue and no Southern Water assets will be affected. Therefore, Southern Water has no objections to this proposal.

Any new connections to the public sewerage system will require a New Sewer Connection application to be submitted and approved by Southern Water

Twineham Parish Council

No objections to the application.

INTRODUCTION

Planning permission is sought for the erection of new outbuilding, internal and external alterations to Grade II Listed Building. Change of use to allow C1 Use to upper floors.

RELEVANT PLANNING HISTORY

DM/25/0735 -.New crossover to South-West of site and addition of new acoustic fence to South-East boundary. Refused 19.03.2025.

DM/25/0737 - Erection of new outbuilding, internal and external alterations to Grade II Listed Building. Change of use to allow C1 Use to upper floors. Current application.

SITE AND SURROUNDINGS

The application site comprises The Castle Inn, a Grade II listed pub and restaurant with a flat above, together with surrounding outbuildings and parking and garden curtilage. The listed building is part two storey part single storey and is located towards the eastern side of the site. The pub cellar occupies the basement of the building. To the north and west of the building is hardstanding providing informal parking, whilst to the south there is a garden area. The site is served by two vehicular access points situated along the eastern boundary of the site.

On inspection of the site some works had commenced including the clearance of the garden area with all vegetation including boundary hedges removed and a new lawn laid down.

To the north is a large field, to the east is the A2300 with the A23 beyond, to the south is Hickstead Lane and to the west is a row of dwellings the first of which is Lanzerac. On the western boundary there is a close boarded timber fence with a trellis on top.

The site is located within the countryside as defined by the development plan.

APPLICATION DETAILS

The proposal is for planning permission for the erection of new outbuilding, internal and external alterations to Grade II Listed Building. The proposal also includes a change of use to allow C1 use to upper floors in order to use the first floor as bed and breakfast accommodation. The physical works are as follows:

External works to main building include:

Replacement of all U PVC doors and windows replaced with timber framed doors and windows, including the replacement of upvc windows at ground floor to the restaurant with timber frame French doors and existing upvc windows to the kitchen to be replaced with timber frame windows and the non-original external door to kitchen replaced.

At first floor bedroom windows that are in disrepair are to be replaced with timber sash windows to match the existing.

Heritage black aluminium rainwater goods are to replace non original PVC.

To the rear (north) roofslope of the 18th century wing, it is proposed to remove an existing flat roofed dormer and replace it with an extension of the adjacent catslide. It is also proposed to 'sandblast' the east elevation and repoint with lime mortar.

Solar panels are proposed to the flat roof of the 20th century extension to the rear (north facing) elevation.

New build

The proposal includes two new outbuildings to the west of the main building. A new auxiliary detached single storey rectangular building with pitched roof is proposed to provide a staff room with office and stores. A small single storey pitched roof standalone WC with access from the garden for customers is also proposed adjacent to the new auxiliary building.

A bike store for 12 cycles is proposed to the north of the car park and adjacent to this a refuse and recycling storage.

Landscaping

The garden area would be laid to lawn with some tree planting proposed and a low brick wall on the boundary with a maximum height of 1.1m and shrub planting.

Change of use

On the 1st floor there is currently a seven-bed flat with 2 bathrooms. The proposal is for a change of use from a residential to a six-bedroom bed and breakfast accommodation and a managers studio flat. The ground floor would remain as a public house and restaurant with a cafe and farm shop proposed in the west wing of the building.

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, Site Allocations Development Plan Document (DPD) and Twineham 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 Countryside

DP21 - Transport

DP26 - Character and Design

DP34 - Listed buildings and other Heritage Assets

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.

Twineham Neighbourhood Plan

The Twineham Neighbourhood Plan was made on 24 March 2016.

Relevant policies:

TNP2 (Design)

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

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:

DPN7 - Noise Impacts

DPC1 - Protection and Enhancement of the Countryside

DPB1 - Character and Design

DPB2: Listed Buildings and Other Heritage Assets

DPT3 - Active and Sustainable Travel

Mid Sussex Design Guide 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)

National Planning Policy Guidance

ASSESSMENT

The principle of development

The proposed development involves the change of use of a single (C3) flat to a C1 use to be used as bed and breakfast accommodation in association with the restaurant on the ground floor. As such, the proposal would effectively result in the loss of a single dwelling unit, which appears to have previously been used as accommodation for staff working in the restaurant.

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.

There are no development plan policies in place which explicitly seek to retain C3 residential uses, therefore whilst the loss of the unit of accommodation at a time when there is a general need for Local Authorities to boost significantly the supply of housing is regrettable, there is not a conflict with the development plan in this regard.

In this case the loss of the unit of accommodation also has to be weighed up against the wider benefits of the works of restoration to the listed building that are proposed and by the establishment of an ongoing use for the Inn. It is also relevant that history of the site shows that the building has historically been used as a hotel for periods of its history.

With the above in mind, considering the benefits of the restoration, long term upkeep and maintenance of the listed building that would arise from the proposal, the principle of the change of use is deemed acceptable.

Design and Impact on character of the area and countryside

The site is located in the countryside and Policy DP12 of the District Plan states:

'The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

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

While policy DP26 of the District Plan in part 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;*
- 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'*

Policy TNP2 of the Neighbourhood Plan states:

'All development should be of good design consisting of the best practice standards for well-designed new homes and neighbourhoods in force at the time, contemporary and innovative design is encouraged where appropriate. This means development should:

- Include energy and water efficiency measures*
- Use quality materials, these should be sustainably and locally sourced where feasible.*
- Apply space standards taking into account the user, circulation space and the need for storage*
- Contribute positively to the local character and rural setting*
- Recognise that architectural integrity is of paramount importance and respond in a coherent way*
- Not be dominated by parking and hard surfacing*
- Utilise appropriate landscaping.'*

The Council's adopted Design Guide is also a material consideration in the determination of the application.

It is considered that the external changes proposed to the listed building including the replacement of UPVC windows and doors with timber doors will improve and enhance the appearance of the building. Similarly, the proposal to remove an existing flat roofed dormer and replace it with an extension of the adjacent catslide should enhance the appearance of this part of the building.

The two proposed outbuildings are considered acceptable; both would be subordinate to the main listed building. The simple design of the auxiliary building, to be used as a staff room, office and store would be in keeping with the main building in term of materials and has been designed so as to give the appearance of a stable block, with materials to match those of the main listed building. The small WC outbuilding is also not considered to be contentious.

While the landscaping could be improved in the car parking area and to screen the refuse store this can be considered further when the landscaping condition is submitted for discharge.

In view of the above it is considered that the proposal would comply with policies DP12 and DP26 of the Mid Sussex District Plan and policy TN2 of the neighbourhood plan, and the provisions of the NPPF.

Impact upon The Castle Inn Grade II listed building

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Policy DP34 of the MSDP states:

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

- 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;*
- 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;*
- Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- 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;*
- Special regard is given to protecting the setting of a listed building;*
- 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.'*

The following paragraphs of the NPPF are also relevant:

'210. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

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.'

The Council's Conservation Officer has reviewed the application and commented as follows:

'The application site, the Castle Inn, is a Grade II listed building, dating originally from the 18th century, with attached early 19th century parallel ranges, and later additions. The 18th century core of the building faces onto Hickstead Lane, whereas the larger 19th century ranges are set perpendicular to this fronting onto London Road. To the rear (west) is an attached 18th century stables building which appears to be part of an originally significantly larger group of attached and unattached buildings which formed a courtyard to the rear of the building. A further 18th century outbuilding positioned in the angle of the original and 19th century ranges has also become attached to these ranges by 19th and 20th century extensions. Historical map regression suggests that the group of buildings was during the 19th century the farmstead of Hickstead Farm, and only became a hotel during the late 19th or early 20th century. It was renamed the Castle Hotel, taking the name from the previously existing Castle Inn, which was located just to the south of the adjacent road junction (now known as The Old Post Office).

Based on the information in front of us I would consider that the listed building possesses architectural value based on its design, construction and craftsmanship, historical illustrative value particularly relating to the evolution of its use over time from farm to hotel and public house, and aesthetic value, based in part on the use of vernacular materials within the older parts of the building. As a c.1900 public house it will also have some communal value as a longstanding focus of the local community.

The current proposal, which is partly retrospective, is for extensive external and internal works to the building and its grounds. In some respects the works affect non original plan form, features or fabric and are not considered contentious - I will comment here only on those which raise concerns and/or require further information.

To consider these works in turn:

'External works:

Replacement windows:

Replacement windows are proposed in a number of positions throughout the building. Further information will be required in this respect, in the form of a window survey which gives the age and condition of the windows affected. The loss of original or early windows will be considered contentious unless justified by their condition. We will also need to see detailed drawings (large scale elevations and sections, annotated to show materials and finishes, including glazing bar detail and depth of reveal, as

appropriate) for the replacement windows. These could be requested by condition but given the advanced stage of works on site might be better provided now as part of the current applications.

Similar details will be required for new or replacement doors.

To the rear (north) roofslope of the 18th century wing, it is proposed to remove an existing flat roofed dormer and replace it with an extension of the adjacent catslide. This is not considered contentious subject to detail, and should enhance the appearance of this part of the building.

It is proposed to 'sandblast' the east elevation and repoint with lime mortar. The removal of the existing paintwork would require robust justification in the form of evidence that this part of the building was not originally painted. If this can be provided (and it is not supported by the historical images provided in the DAS), the removal of the paint may be acceptable in principle (subject also to confirmation of the expected condition of the underlying brickwork) but sandblasting is highly unlikely to be considered an appropriate method, due to the damage that this is likely to cause to the underlying bricks. A gentler, less abrasive method should be specified, which we would then expect to be tested with a test patch in an unobtrusive position (which would be required by condition) before work commenced. However, as above, the starting point would be to establish that the removal of the paint is acceptable in principle.

Details of the proposed mortar mix for re-pointing works should be provided (or could be requested by condition).

The proposed new outbuildings to the west of the existing are not considered contentious, although further detail of roofing and facing materials and of external doors and windows would be sought by condition on any approval granted.

Solar panels are proposed to the flat roof of the 20th century extension to the rear (north facing) elevation. These should be shown on appropriate sectional drawings- it appears likely that they may be hidden from view from ground level by surrounding roof structures, but sectional drawings would be required to confirm this.

To the rear (north) roofslope of the 18th century wing, it is proposed to remove an existing flat roofed dormer and replace it with an extension of the adjacent catslide. This is not considered contentious subject to detail, and should enhance the appearance of this part of the building.

Proposed landscaping:

-The proposed refuse store is shown in a rather isolated and exposed position to the northern side of the car park, which is likely to render it unduly visually prominent. This side of the parking area would benefit from further planting of e.g. native hedgerow species and I would suggest that some reconsideration of the treatment of this area should include provision of appropriate planted screening around the store.'

Following the submission of amended plans which remove two of the ensuites from within bedrooms and the submission of the further information and details requested, the Conservation Office has now commented:

'In general, this information is acceptable. With respect to the works to the elevations of the building as set out in the plans received on 25th November and the previously received method statement from the contractor, I have some concerns regarding the condition of the brickwork- it is suggested that this had been previously shotblasted, but it is difficult since the recent works have been completed in advance of consent being granted to assess whether the removal of paint using chemical peels and sand blasting may have exacerbated this damage. On balance, given the lack of evidence either way, it is considered that an objection to this aspect of the scheme would be difficult to sustain.

With respect to the further repair work including repointing which is now proposed, I note the suggested use of a 1:3 lime putty:aggregate mortar, rather than the hydraulic lime mix which was included with the previous details provided by Medland. This amendment is welcomed, however we would need some clarity regarding the detail of the pointing style, which is variously described as flush, weathered and bucket handle. Given the condition of the brickwork including the arisses of the bricks, a flat recessed

joint may be more appropriate- weatherstruck, which appears to be shown in the photograph on the most recent plan, will in particular not be appropriate to this context. If the application moves towards approval, a condition requiring further detail including a sample panel should be imposed. Details of the mix to the proposed render repairs should also be required.

In summary, the majority of the proposal is now considered on balance acceptable. I remain concerned regarding the introduction of ensembles at first floor, and there are some areas where further information would be required by condition were an approval to be granted.

The proposals result in a low level of less than substantial harm due to the adverse impact of the changes in plan form at first floor. This harm may however be considered to be balanced by the works of restoration elsewhere to the building, by the establishment of an ongoing use for the Inn, and potentially by other public benefits, if these are present, under the terms of paragraph 215 of the NPPF.'

While the conservation officer remains concerned with the internal partitioning proposed to create the ensuite bathrooms to some of the guest bedrooms, there are no objection raised with the external works subject to conditions requiring further details, such as details of external materials and sectional details of glazing bars of the proposed new windows. The comments regarding the landscaping can be considered further when the landscaping condition is submitted for discharge.

In this case, it is considered that the partitioning required to install the ensembles has to be weighed up against the wider benefits of the works of restoration to the listed building that are proposed and by the establishment of an ongoing use for the Inn. With this in mind, considering the benefits of the restoration, long term upkeep and maintenance of the listed building and it is considered by your Planning Officer that overall, the proposal would preserve the special interest of the Listed Building and its setting and would therefore meet the aims of Policy DP34 of the District Plan and the requirements of the NPPF.

In view of the above it is considered that the application would not cause harm to the listed building and its setting and would comply with Policy DP34 in respect of the external works.

Residential Amenity

Policy DP26 of the MSDP states in part that, *'All applicants will be required to demonstrate that development:*

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);'

In this case it is not considered that the change of use of the first floor to bed and breakfast accommodation with 6 bedrooms would cause any significant additional noise or disturbance beyond that which would have occurred when the residential flat was occupied.

The new single storey, staffroom, office and store would be set some 18.8 m from the joint boundary with the nearest residential property to the west and in addition there is a close boarded timber fence and mature vegetation on the western boundary.

In view of the above it is considered that the application would comply with policy DP26 of the District Plan in regard to residential amenity.

Highways matters

Policy DP21 of the Mid Sussex District Plan states (in part) 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 property benefits from a large parking area and is in walking distance of alternative forms of transportation (buses). It is not considered that the change of use would result in a significant increase in traffic using the site and consequently the proposal is deemed acceptable in that it should not be detrimental to highway safety, thereby according with policy DP21 of the District Plan.

Trees

Policy DP37 of the Mid Sussex District Plan states that the *'District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.'*

The tree officer has reviewed the Tree Protection Plan for the application and has raised no objection. The tree officer has commented that the on the Landscaping proposal noting that the majority of new tree planting shows native species, although it would be preferable to see something with more longevity than fruit trees that are proposed to be planted. The comment is noted and this can be considered further when the landscaping condition is submitted for discharge.

It is therefore considered that the application would comply with policy DP26 of the District Plan.

Ashdown Forest

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

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

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

Recreational disturbance

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

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

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

Atmospheric pollution

Increased traffic emissions as a consequence of new development may result in additional atmospheric pollution on Ashdown Forest. The main pollutant effects of interest are acid deposition and eutrophication by nitrogen deposition. High levels of nitrogen may detrimentally affect the composition of an ecosystem and lead to loss of species.

The potential effects of the proposed development are incorporated into the overall results of the transport model prepared for the Mid Sussex Transport Study, which indicates there would not be an

overall impact on Ashdown Forest. This means that there is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

Conclusion of the Habitats Regulations Assessment

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

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

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

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain this application comprises development below the de-minimis threshold meaning that this development is exempt from providing biodiversity net gain.

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 Twineham 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 against the scheme are the concerns that the proposal would result in the loss of a C3 unit of accommodation at a time when there is a general need for Local Authorities to boost significantly the supply of housing.

Weighing in favour of the scheme are the benefits of the restoration, long term upkeep and maintenance of a grade II listed building that would arise from the proposal. The building has suffered from neglect over the years, and the application offers an opportunity for improvements and refurbishment works that will preserve the future of this listed building.

The proposed works are overall considered to be of a design and scale sensitive to the character of the house and countryside setting, including the proposed two new outbuildings.

The proposal would have a neutral effect in terms of highways and parking, neighbouring amenity and trees. There will be no likely significant effect on the Ashdown Forest SPA and SAC and the impact on the Ashdown Forest.

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

The proposal is considered to comply with policies DP12, DP21, DP26 and DP34 of the Mid Sussex District Plan and policy TN2 of the neighbourhood plan.

Decision: Permission

Case Officer: Susan Dubberley

