

Planning Statement

**The Conservatory, Duckyls,
Selsfield Road, East Grinstead,
Sussex RH19 4LP**

Prepared For
Mr and Mrs Tattersall

9275
April 2025



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1 INTRODUCTION

- 1.1 This statement is prepared for Mr and Mrs Tattersall who have submitted a planning application to Mid Sussex District Council for the following proposed development:

“The retention of existing building (due to be demolished under planning permission DM/22/2429) to create a car port and garden store to be used in connection with newly constructed dwelling”

- 1.2 The purpose of the statement is to provide a planning assessment of the proposed development against the Council’s development plan policies, taking account of any material planning considerations. It concludes that planning permission should be approved.

THE APPLICATION SITE AND PROPOSAL

- 1.3 The application site comprises of a newly constructed dwelling, originally approved under planning permission DM/20/1833 and amended under applications DM/22/1329 and DM/22/2429. Access to the property is achieved via Selsfield Road.

- 1.4 This replaced an existing bungalow on the same site and lived in during the construction of the new home. A condition of the planning approvals for the new home is that:

“Within three months of the substantial completion of the new dwelling hereby permitted, the existing dwelling and outbuildings (as shown on drawing PL-100) shall be fully demolished and the debris removed from the site.”

- 1.5 A subsequent planning permission (DM/23/2086) was then granted in 2023 that allowed the retention of part of original dwelling to create a car port and garden store, used in connection with new dwelling.

- 1.6 This latest application follows the above and seeks to allow the retention of the whole building, which will allow a larger garden store and the number of car port bays to be increased from three to four large bays. This change will avoid the need to demolish



the existing building, which has financial and environmental implications. The owners also require a further car bay for the keeping of their vehicles, and the enlarged garden store will provide additional capacity for keeping wood, a secure area for keeping garden machinery and tools, and an enlarged workshop/crafting area for the owner's various hobbies.

- 1.7 The immediate local area is characterised by a cluster of mostly residential properties with open countryside beyond. The presence of trees and established hedgerows along and around road and field boundaries also gives it a verdant appearance. The whole area also falls within the High Weald National Landscape (formerly known as an Area of Outstanding Natural Beauty).



2 PLANNING ASSESSMENT

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

2.2 For the purposes of this application, the Development Plan comprises off the following:

- Mid Sussex District Plan 2014-2031 (Adopted March 2018);
- Mid Sussex Local Plan 2004 - saved policies (Adopted May 2004);
- The West Hoathly Neighbourhood Plan (Made on 16 April 2015);
- Proposals Map;
- Site Allocations Document (adopted June 2022).

2.3 Whilst not yet formally adopted, the Council has also prepared the new District Plan 2021-2039, which was submitted to the Secretary of State for Public Examination in August 2024. This is also considered as part of this application.

2.4 As well as the development plan policies, material planning considerations may also be taken in to account in the determination of planning applications. This includes the National Planning Policy Framework (The Framework), which sets out the Government's planning policy position and is typically given significant weight.

PRINCIPLE OF DEVELOPMENT

2.5 The Council's Policies Map reveals that the application site is not part of an identified settlement and so is countryside for planning purposes.

2.6 District Plan Policy DP12 (Protection and Enhancement of Countryside) makes clear that the countryside will be protected in recognition of its intrinsic character and beauty. The policy also states that development will be permitted in the countryside where it maintains or enhances the quality of the rural and landscape character of the



District. Emerging Policy DPC1 of the new District Plan sets out a similar requirement that seeks to protect the rural landscape and character.

- 2.7 In this case, the site lies within the National Landscape which the Framework provides protection to, so to conserve its landscape and scenic beauty. Policy DP16 of the Council's District Plan sets out the following policy requirement for development within the National Landscape:

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

- 2.8 Notably, in the Council's assessment of application DM/23/2086, which retains only part of the existing building, they determined that:

"Given the design, form, scale, materials and position of the proposal in relation to the existing dwelling within the site and its limited visibility within the wider landscape it is considered that the proposal would not have an impact on the AONB and would conserve it."

- 2.9 Whilst the proposal differs from the approved scheme, insofar as it only retained part of the existing building, the same rationale can be applied. Indeed, the property is commensurate with the existing built up area of the village, including the new house. Coupled with the lack of general visibility into the site from the countryside beyond, the proposal will continue to preserve the impact characteristics of the local landscape and so complies with the aims of the High Weald AONB Management Plan.

DESIGN AND AMENITY

- 2.10 The Framework states that "Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".
- 2.11 Local Plan Policy B1 is consistent with the above by requiring development to be of a 'high standard of design' that respects the character of the locality and its landscape



setting. Policy B3 adds to this requirement by requiring the amenity of nearby residents to be considered and not harmed. Emerging design policies also require developments to be of high quality, adding that they should prioritise sustainability.

- 2.12 In this case, the character of the area comprises of a cluster of residential properties, many of which are set in generous grounds, interspersed with areas of woodland and tree lined roads. The properties tend to be set back from the roads but vary in form and architectural style.
- 2.13 The proposed development would not depart from the above. Indeed, it makes use of the existing building and so the key characteristics of the area will remain, noting that consent has already been given to retain a significant proportion of the former dwelling.
- 2.14 Even so, the proposal does necessitate some changes to the external appearance of the building, to allow it to function as required. The proposed car ports for instance will result in the removal of existing brickwork and fenestration and will become open on its forward facing elevation. The remaining external brickwork, except for one some element, will remain but with new feather-edge cladding. The existing roof is to remain.
- 2.15 These changes will have the benefit of refreshing the appearance of the building and combined with the removal of windows and doors, will be more akin to a domestic outbuilding rather than its former dwelling use. Indeed, the owners have consciously sought to make a clear distinction in this respect.
- 2.16 There are also environmental benefits associated with the proposal, because demolishing buildings can itself result in waste materials and loss of embedded carbon. Therefore, the buildings retention will result in a more sustainable form of development that the removal of the existing building. It also avoids the need for a new out-building that serves the same functional needs.
- 2.17 In addition, from a neighbouring amenity position, the retention of the existing building will result in less disturbance compared to its demolition. That would have of



course been a temporary impact, but the proposal also removes external windows. Whilst there was no previous overlooking, this will further remove that potential.

- 2.18 Consequently, the design will not be out of keeping and nor will it give rise to any issues of amenity (e.g., overlooking).

TREES

- 2.19 The Local Plan states that the Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting (Policy DP37 Trees, Woodland and Hedgerow).
- 2.20 In this instance, whilst there are trees within and around the application site that may have amenity value, none benefit from Tree Preservation Orders. Even so, the proposed development does not seek to remove any trees or hedgerow, because the proposal retains the existing building, and because it does not need any additional ground works there is minimal potential for harming any trees. Consequently, it is considered that a detailed Arboricultural Impact Assessment is not required.

ECOLOGY

- 2.21 Local Plan Policy DP38 (Biodiversity) seeks to ensure that biodiversity is protected and enhanced. In this case, given that the proposed building already has permission to be demolished, and no previous concern about loss of any features of biodiversity was recorded, its retention is less likely to result in harm. Accordingly, it is considered that no additional ecological survey is required.
- 2.22 Notwithstanding the above, new statutory requirements under the Environment Act 2024 normally require all developers to demonstrate how they will deliver a 10% improvement to the biodiversity value of any application site. In this case, because the proposal is a householder scheme, it falls with one of the exceptions.



3 SUMMARY AND CONCLUSION

- 3.1 The proposed development seeks to make use of the existing building that is otherwise due to be demolished, for use as a car port and garden store. This will comply with the aims of the development plan, as it results in a sustainable form of development. For instance, a benefit of the proposal is that will save on materials and prevent unnecessary waste going to landfill.
- 3.2 Indeed, planning permission has already been given for a similar proposal whereby only part of the existing building would be retained, so the principle has already been established as acceptable. As this latest proposal will use the whole of the existing building, it is more sustainable.
- 3.3 In other respects, the proposal will not cause harm visually and in terms of design will refresh the appearance of the building, thereby improving its appearance. There are no issues of overlooking and whilst the site is located within a National Landscape, the proposal will not harm its important character or amenity value.
- 3.4 Similarly, the proposal will not result in the loss of trees or any important features of biodiversity or ecology. Similarly, it will not impact on the highway or change the level of parking provision.
- 3.5 It is therefore considered to comply with the aims of the development plan and the NPPF in supporting sustainable development. Planning permission may therefore be granted for the proposal.