

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2943	Case Officer:	Katherine Williams
Application Type:	Householder Application		
Proposal:	Construction of a single-storey extension between the north elevation of the existing dwelling and the existing stable building. Conversion and alteration of existing stable building to habitable accommodation to include raising the roof of the building. Demolition of the existing detached garage building and construction of replacement garage and store building with habitable accommodation to the rear and first floor. Demolition of the existing porch to the north elevation, removal of existing door and infilling of existing door opening. Internal alterations to the existing dwelling to remove the existing Kitchen, widen an existing wall opening and install a glazed partition with door. Associated hard and soft landscaping works to comprise new terracing, steps and low-level retaining walls. Relocation of existing oil tank and installation of a replacement sewage treatment plan.		
Site:	Barlands, The Street, Warninglid, Haywards Heath, West Sussex, RH17 5SZ, ,		
Validation Date	6 Mar 2025	Overall Expiry Date:	17 Sep 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	12 Sep 2025
Target Date:	1 May 2025	Recommending Officer Signature:	Katherine Williams

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
--	--	-------------------------------	---

Signed and Agreed By:	Joanne Fisher	Date:	15 Sep 2025
Comments:			

--	--

MID SUSSEX DISTRICT COUNCIL

DM/24/2943

**Barlands, The Street, Warninglid, Haywards Heath, West Sussex, RH17 5SZ,
Construction of a single-storey extension between the north elevation of the existing dwelling and the existing stable building. Conversion and alteration of existing stable building to habitable accommodation to include raising the roof of the building. Demolition of the existing detached garage building and construction of replacement garage and store building with habitable accommodation to the rear and first floor. Demolition of the existing porch to the north elevation, removal of existing door and infilling of existing door opening. Internal alterations to the existing dwelling to remove the existing Kitchen, widen an existing wall opening and install a glazed partition with door. Associated hard and soft landscaping works to comprise new terracing, steps and low-level retaining walls. Relocation of existing oil tank and installation of a replacement sewage treatment plan.
Mr Thomas And Mrs Emma Hillary**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

Conservation Officer - objection

Ecologist - No objection, recommend conditions

MSDC Tree Officer - No objection, recommend condition

Southern Water - information

PARISH COUNCIL OBSERVATIONS

No objection

INTRODUCTION

The application seeks planning permission for a single-storey extension between the north elevation of the existing dwelling and the existing stable building. Conversion and alteration of existing stable building to habitable accommodation to include raising the roof of the building. Demolition of the existing detached garage building and construction of replacement garage and store building with habitable accommodation to the rear and first floor. Demolition of the existing porch to the north elevation, removal of existing door and infilling of existing door opening. Internal alterations to the existing dwelling to remove the existing Kitchen, widen an existing wall opening and install a glazed partition with door. Associated hard and soft landscaping works to comprise new terracing, steps and low-level retaining walls. Relocation of existing oil tank and installation of a replacement sewage treatment plant.

RELEVANT PLANNING HISTORY

DM/24/2944 - Construction of a single-storey extension and between the north elevation of the existing dwelling and the existing stable building. Conversion and alteration of existing stable building to habitable accommodation to include raising the roof of the building. Demolition of the existing detached garage building and construction of replacement garage and store building with habitable accommodation to the rear and first floor. Demolition of the existing porch to the north elevation, removal of existing door and infilling of existing door opening. Internal alterations to the existing dwelling to remove the existing Kitchen, widen an existing wall opening and install a glazed partition with door.

Associated hard and soft landscaping works to comprise new terracing, steps and low-level retaining walls. Relocation of existing oil tank and installation of a replacement sewage treatment plan. Under Consideration

DM/15/3480 - Minor internal alterations and installation of external oil tank. Granted

DM/15/3478 - Minor internal alterations and installation of external oil tank. Granted

SITE AND SURROUNDINGS

The property consists of a two storey detached dwelling located on the northern side of The Street, within the countryside and the High Weald Area of Outstanding Natural Beauty.

The dwelling is Grade II Listed and dates back to the 17th century, if not earlier. To the rear of the dwelling is an existing patio area with a stable building beyond, which is considered to be curtilage listed. To the rear of this building is an existing pitched roof double garage. The dwelling is accessed by an extended drive with curves around the curtilage of the property from the access onto the highway, which is positioned further to the west than the dwelling. This results in a side approach to the property and parking area.

The locality is characterised by areas of open fields and woodland with sporadic residential and agricultural properties along the highway which contribute to the character of the countryside and the landscape.

APPLICATION DETAILS

The proposal includes a single storey rear extension with a width and depth of some 8.7 metres and 7.5 metres. This extension would have a flat roof with an overall height of up to some 3.5 metres. This extension would be constructed in brick, standing seam zinc, green roof and aluminium fenestration. This extension would be linked to the stable building by a glazed link which would have a width and depth of approximately 3.7 metres and 1.4 metres, and an overall height to match the proposed extension.

The stable building would be converted to become part of the dwellinghouse providing a utility room, boot room and W.C. The end stores of the building would be used as a plant room and store. This conversion would include raising the roof form of the stable building by approximately 1.1 metres. These alterations would be constructed in materials to match the existing building.

The existing double garage would be replaced with a building with a width and depth of some 7.2 metres and 10.9 metres with a pitched barn hip roof with an overall height and eaves height of some 6.7 metres and 3.2 metres. This building would consist of a double garage, shed and home office on the ground floor with a bedroom, bathroom and store above. This building would be constructed in brick, black timber weather boarding, plain roof tiles and timber fenestration.

The proposal includes the removal of the existing rear porch to the dwelling house; the opening would be infilled with lime plaster to match. Internally a new glazed panel and sliding door would be added internally to divide the hall from the existing kitchen.

The proposal also includes the relocation of the oil tank which would be located to the north of the of the buildings and would be positioned beyond the proposed retaining wall and extended driveway. Beyond this would be a new sewage treatment plant.

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) And 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 Allocation DPD, Site Allocation DPD and the Slaugham 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:

- DP16 - High Weald Area of Outstanding Natural Beauty
- DP26 - Character and Design
- DP34 - Listed Buildings and Other Heritage Assets
- DP37 - Trees, Woodland and Hedgerows
- 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.

No relevant policies.

Slaugham Neighbourhood Plan (made November 2016)

Relevant policy:

Policy 1 - Protecting the Area of Outstanding Natural Beauty

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:

DPS1: Climate Change

DPS2: Sustainable Design and Construction

DPS3: Renewable and Low Carbon Energy Schemes

DPN1 - Biodiversity, Geodiversity and Nature Recovery

DPN2 - Biodiversity Net Gain

DPC4 - High Weald Area of Outstanding Natural Beauty

DPB1 - Character and Design

DPB2 - Listed Buildings and Other Heritage Assets

Mid Sussex Design Guide Supplementary Planning Document (SPD)

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

High Weald AONB Management Plan 2024-2029

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 overarching objectives to sustainable development, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). The three objectives are economic, social and environmental.

Paragraph 9 of the NPPF states *'these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.'*

Paragraph 11 of the NPPF sets out that for both plan-making and decision-taking, the presumption in favour of sustainable development should apply.

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

National Design Guide

Published in 2021, the National Design Guide illustrates how the government consider well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice.

Paragraph 134 of the NPPF sets out that this national document, along with the National Model Design Code, should be used to guide decisions on application in the absence of locally design guides or design codes.

ASSESSMENT

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

- Design and Impact on the Listed Building
- Impact on the High Weald Area of Outstanding Natural Beauty
- Impact on the amenities of neighbouring properties
- Impact on Trees
- Biodiversity
- Biodiversity Net Gain
- Other Matters
- Planning Balance and Conclusion

Design and Impact on Listed Building

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

'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.'

Paras 205, 212-215 of the NPPF state:

'205. 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.'

Policy DP34 of the District Plan is relevant and 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.

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.'

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:

- is of high quality design and layout and includes appropriate landscaping and greenspace;*
- contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- protects open spaces, trees and gardens that contribute to the character of the area;*
- protects valued townscapes and the separate identity and character of towns and villages;*
- does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP27);*
- creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- positively addresses sustainability considerations in the layout and the building design;*
- take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- optimises the potential of the site to accommodate development."*

Principle DG11 of the Mid Sussex Design Guide states: *'Heritage assets and historic landscapes should be celebrated, enhanced and preserved where appropriate, for the enjoyment of existing and future residents. Where appropriate and providing it does not cause harm to the heritage assets or their setting, they should be carefully integrated into development proposals as they help to reinforce a sense of place and local identity.'*

Elsewhere new development should generally reflect the scale of adjacent areas and the settlement context within which it is located to deliver a coherent and consistent urban fabric.

There may be potential to introduce a new character / development form and massing (refer to chapter 5):

- On larger urban extensions; this will typically be within the middle of the site and associated with a new neighbourhood centre, spine road or the main open space.*
- In town centre locations defined as coarse grain areas and nearby sites identified on the brownfield sites register.'*

Principle DG49 of the Mid Sussex Design Guide states: *'Extensions should typically use simple, uncomplicated building forms to compliment and coordinate with the scale, form and massing of the original dwelling. The design approach may benefit from coordinating with the existing pattern of window and door openings as well as employing facing materials to match those of the existing dwelling. Otherwise it should demonstrate the appropriateness of the alternative approach.'*

Principle DG51 specifically relates to rear extensions and states that *'rear extensions which are not visible from the street and do not negatively impact on neighbouring properties can be expressed in many forms, including by adopting a contemporary architectural approach. With reference to DG49, they should nevertheless have consideration for the character of the existing building and the relationship of the extension with the side boundaries and adjacent buildings and gardens.'*

The Council's Conservation Officer has been consulted on the application and has provided the following initial comments:

'Barlands is a Grade II listed former farmhouse located in a rural position to the south west of Warninglid. The farmhouse is part of a historic farmstead which includes a small number of surviving former farm buildings to the east which from historic map regression appear to date from the 19th century or earlier and may (depending on their history of ownership and other criteria) be regarded as curtilage listed, as well as an ancillary building to the north (known as the stables) which from the submitted Heritage Statement dates from the 19th/early 20th centuries (being of a number of phases of work) and would certainly be regarded as curtilage listed, and a more modern garage building beyond this.

The submitted HS suggests that the core of the farmhouse is a small mid-16th century building with an open hall, overshot cross passage and service rooms. The building appears to have been extended and substantially altered in a number of phases during the late 16th and 17th centuries, including the addition of a two storey plus attics extension to the eastern end, and the insertion of a substantial brick built chimneys stack, as well as the creation of a cellar. Further alterations were carried out in the late 17th and 18th centuries; during the 19th century further works took place including the underbuilding of the majority of ground floor external walls, new windows and tile hanging introduced to the rear, and internal alterations including a new stair and stair enclosure. The house was for some time during the 19th century divided into two cottages, but was reinstated as single dwelling during the 20th century.

The earliest fabric of the 'stables' building lies in the masonry base to its eastern end, which may represent the remains of an earlier building shown on the 1839 tithe map. The fabric above this is c. mid 19th century, and forms the eastern cell of the building. The western end of the building was rebuilt in more than one phase during the late 19th/early 20th century, and two small extensions made at either end of the building, which are thought to be WCs for each of the two cottages into which the house was then divided. Further alterations were made during the 20th century including infill of a previously open section to the southern elevation, addition of new windows, addition of a loft within the east end of the range, the installation of stall partitioning within the eastern end of the building, and refinishing of the floor in concrete. These alterations are thought to correspond with the reinstatement of the house as a single dwelling.

Based on the evidence within the historic building survey contained within the HS and our own site visits I would consider that the significance of the farmhouse to lie primarily in the following:

- The architectural evidential value of the survival of the fragmentary remains of the small building with open hall, over shot cross passage and at least one first floor chamber- as the HS notes this type of building was usually entirely rebuilt due to its modest scale, but is preserved here due to the particular nature of the successive building campaigns- as well as of the subsequent phases of its development, particularly the earlier work;*
- The complex sequence of development of the house from that earliest phase to its current form, which has historical illustrative value in terms of the evolution of local socio-economic conditions and the domestic needs and aspirations of successive occupants;*
- The construction and craftsmanship of the building's different phases, including the use of vernacular materials viewed within the landscape from which they were drawn;*
- The relative lack of alteration to the footprint or immediate setting of the building from its appearance on 19th century maps with the exception of the addition of the new garage to the north; and*
- The continuing relationship of the farmhouse and ancillary building to the north with the surviving historic farmstead buildings to the east, notwithstanding the intervening fencing and the new buildings which have been added to the farmstead.*

The current proposal, which follows on from pre-application advice, is for internal and external works to the farmhouse and outbuildings to the north, including both the former stables directly to the north of the house and the modern garage building beyond this.

The proposed works include:

- Internal alterations to the listed farmhouse at ground floor;*
- Removal of an existing rear porch and other alterations to the rear of the house;*
- Construction of a substantial partly glazed extension to the rear of the house, linking the house to the former stables building;*
- Alterations to the stables building both internally and externally including raising the height of the roof and alterations to the internal layout;*

- Forming of a glazed link between the stables building and the proposed replacement garage (?);
- Demolition and rebuild of the modern garage building to provide a 1 ½ storey replacement building with garaging, and a study at ground floor and additional bedroom accommodation and storage above;
- Associated hard and soft landscaping and installation of a new sewage treatment plant.

To consider these works in turn:

- In respect of the internal alterations to the house at ground floor I would firstly note that these are not addressed in the submitted Heritage Statement- the Statement should be expanded to include commentary on these aspects of the scheme. The proposed new glazed panel/sliding door to the existing opening (no. 3 on the proposed ground floor plan key) appears to sit under a Phase 1 (mid 16th century) beam, which retains mortices and other evidence of earlier framing elements. Whilst (subject to discussion within an expanded HS) I would therefore consider that this aspect of the proposal may be acceptable in principle, great care would have to be taken in the design and location of the panel/door to ensure that it did not obscure or result in damage to fabric or features of interest. Further, more detailed information of this work should be provided, as we would wish to be assured that the principle of the work would be practical in terms of avoiding adverse impact on surrounding fabric. The proposed floor plan is also annotated at 5 to suggest a nib is to be cut back, but I am not clear from the drawing what is referred to. The ground floor plan within the HS suggests that this part of the building was largely altered during the 19th century, however due to the proximity of Phase 1 fabric I would require more clarity as to the location and level of significance of the fabric affected by this work.
- The rear porch appears to be modern in date, and its removal is not considered contentious in principle. The infilling of the doorway itself however is in my opinion potentially contentious- I would be interested to understand the date of the aspect of the building's plan form. If it were to date, for example, as seems likely, from the subdivision during the 19th century of the house into two cottages I would suggest that the door should be retained and fixed shut, rather than infilled, as this would be illustrative of a fairly significant aspect of the house's narrative. Again, the HS should be expanded to address this.
- At pre-application stage the principle of a link extension between the house and stables was regarded as contentious, due to the distance between the two buildings. Concerns were also raised regarding the scale, form and design of the link, in the context of the existing house and its setting.

Although some modifications have been made to the proposal as currently before us, in my opinion it raises similar issues in terms of the principle of the proposal, and also the scale of the extension (which remains very substantial), its form and its detailed design. In my opinion, putting aside the difficulty with the principle of linking the two historic buildings, any significant addition to the rear of the existing house, which as noted above largely retains its historic footprint which has not been significantly added to or altered since the 17th century, remains contentious. Even were a significant extension to be regarded as acceptable in principle, the scale of the addition as shown would be regarded as excessive.

The scale, form and position of the addition continue to essentially sever the house and the outbuilding to the north from the remaining historic farmstead to the east. As the HS suggests, despite the intervening fencing there remains an appreciable relationship between the buildings which contributes positively to the setting and special interest of the farmhouse, and to the significance of the remaining elements of the historic farmstead. The high level windows shown to the eastern elevation of the extension will not be adequate mitigation for this.

I also consider that aspects of the detailed design of the proposed extension remain contentious, in particular the treatment of the eastern elevation which appears particularly unsympathetic to the context. Whilst I appreciate the reasoning behind the inclusion of the high level windows, they do not relate well to the form or proportions of the existing fenestration to the house, and do not do enough to prevent this elevation appearing stark and largely unrelieved, so that the house appears to 'turn its back' on the historic farmstead with which it was previously associated. This will be apparent in views from the direction of the farmstead and also likely from The Street, looking north east through the farmyard entrance, in which the house and farm buildings still appear as a group despite the intervening fence.

- At pre-application stage the principle of the conversion of the Stables building to ancillary accommodation was not considered contentious, however we had insufficient information to be able to comment meaningfully on some aspects of the detail of the works then proposed. The scheme has evolved since then, and now includes more invasive work, including in particular a significant increase to the roof height of the building, which would result in the complete loss of the existing roof structure. In my

opinion, this aspect of the scheme is also contentious, in particular the loss of the historic fabric to the roof, the adverse impact on the existing, historic proportions of the building, which will have related directly to its use, and its relationship of scale with the house, the extent to which the southern elevation of this modestly scaled building is obscured by the proposed infill extension, and the adverse impact on the internal plan form and features of the building including the loss of the stall partitions, which while dating from the 20th century speak strongly of the narrative of the building.

- The proposed ground floor plan is annotated to show the indicative position of a future link between the altered stables building and the proposed replacement garage. This however is not shown on the proposed elevations. As was noted at pre-application stage any link between the two buildings is likely in the context of this scheme overall not to be favourably viewed as this would have the effect of increasing the effective footprint of the additions to the house even further.

- The proposed replacement garage is not considered contentious in principle. The proposed new garage is quite significantly bigger than the existing, but I do not consider given the lower position of this building on the slope dropping away to the north of the house that this would be necessarily problematic in itself, viewed in isolation with the remainder of the proposals. As part of the current scheme, however, this increase in bulk does contribute to the overbearing scale of the proposed new work to the rear of the house.

- The associated hard and soft landscaping works immediately around the buildings are intimately associated with the proposed extension and other works discussed above, so that it is difficult to comment these in isolation. However, I would note that the significant expansion of hard surfacing in the area around the house which appears to be shown to its north may be regarded as contentious. We would also need to see existing and proposed sections to allow us to understand the extent and nature of any regrading involved with this work before I could comment fully, as well as full details of the proposed bunded oil tank and sewage treatment plant.

In summary, although some aspects of the proposal may be acceptable in principle, viewed in isolation, others are considered contentious in principle and/or their scale, form and detailed design. In other respects, further information would be required for fully informed comment.

As it stands, I would consider that the proposed rear link extension and the works to the stables building would result when viewed in isolation in less than substantial harm to the special interest of the building, at around the mid-high range of that scale. However, it is not possible to comment fully on the impact of the scheme as whole without the further information mentioned above. The proposal is also, as submitted, contrary to the requirements of District Plan Policy DP34 (Listed buildings and other heritage assets), and the requirements of the Council's adopted Design Guide, specifically the design principles referring to domestic extensions.'

Following these comments an amended Heritage Statement has been submitted to provide the requested further information. The Conservation Officer has considered this information, and although these details are not fully addressed in detailed plans sufficient information has been provided to allow the proposal to be fully addressed and a number of the alterations are acceptable subject to further details. However, the information provided has not changed the Conservation Officer's opinion on the acceptability of the proposed extension, link and alterations to the stable building who considers that:

'In summary, notwithstanding the further comments by the architect and the revised HS, the proposal remains in my opinion unacceptable in terms of its impact on the special interest of the listed farmhouse and curtilage listed stables, for the reasons set out again below and in my previous comments. This will be contrary to the requirements of District Plan Policy DP34. The works would result in less than substantial harm to the house and to the stables building, at around the mid-high range of that scale in both cases.'

The proposed internal alterations to the listed farmhouse and the removal of the existing rear porch and associated external alterations are considered to be of scale and form which would not have an adverse impact on the fabric of the building and are appropriate to the significance and special interest of the building. The proposed oil tank and sewage treatment plant is also considered to be acceptable and would not cause harm to the setting of the heritage assets due their proposed positions.

The proposed replacement garage building would be located in a similar location to the existing outbuilding, the building would be larger in footprint and scale to the existing building, however given the

lower position of the building to the rear of the farmhouse and existing stable building it is considered that increased form of the building is considered acceptable when seen in isolation.

The proposed single storey extension would extend from the original rear elevation of the dwelling across the rear courtyard area and would be linked to the existing stable building. The extension would be of a modern, flat roof design and of a scale and form which appears disproportionate to the form, scale and modest depth of the original farmhouse. This extension would be highly visible on the approach to the property along the driveway with views from the highway. The modern design of the extension, compounded by its scale, would fail to reflect the special character of the existing property and its farmstead setting. The western elevation of the extension is highly glazed with a comparatively solid eastern elevation, which would sever the remaining visual relationship with the historic farmstead to the east of the site. It is noted that there is a close boarded fence in place between the application property and the farmstead, however a level of visual relationship is still retained at present.

This extension would be linked to the curtilage listed stable building, which would also be converted to form part of the farmhouse. These works would include an increase in the height of the roof form of the building resulting in a loss of historic fabric of the existing roof form as well as the historic proportions of the building, which relate to its original use and its relationship with the farmhouse. This is considered to result in a poor proportioned building which would detract from its special character and the contribution it makes to the historic setting of the farmhouse. This is particularly evident in the position of the windows and doors on the elevations of the building and its visual separation from the roof form and the expanse of brickwork. It is noted that this alteration is proposed as it is considered by the applicant that the eaves are too low for practical use. From the site visit to the property the existing stable building is used as storage and no evidence that the use of the building for storage could not continue.

The combination of the proposed extension, conversion and alteration of the stable building and replacement garage building would be of a scale and footprint which would overwhelm and dominate the original dwelling and would have harmful impact on the special interest of the listed building and the curtilage listed stable building, contrary to policies DP26 and DP34 of the Mid Sussex District Plan, the Design Guide and the relevant provisions of the NPPF.

In terms of the NPPF the proposal would cause less than substantial harm to the heritage assets, as set out in paragraph 2015, and is weighed against the public benefits of the proposal. The proposal relates to the enlargement of the existing residential property, and no specific public benefit for the proposal has been put forward. It is therefore considered that the proposal would not result in a public benefit of a domestic extension that would outweigh this harm.

Impact on the High Weald Area of Outstanding Natural Beauty

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.

Mid Sussex District Plan policy DP16 states:

'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, in particular;

- the identified landscape features or components of natural beauty and to their setting;*
- the traditional interaction of people with nature, and appropriate land management;*
- character and local distinctiveness, settlement pattern, sense of place and setting of the AONB; and*
- the conservation of wildlife and cultural heritage.*

Small scale proposals which support the economy and social well-being of the AONB that are compatible with the conservation and enhancement of natural beauty will be supported.

Development on land that contributes to the setting of the AONB will only be permitted where it does not detract from the visual qualities and essential characteristics of the AONB, and in particular'

Paragraphs 189 of the NPPF states that

'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 and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas'

A similar ethos is found within the High Weald Area of Outstanding Natural Beauty Management Plan and Policy 1 of the Slaugham Neighbourhood Plan requiring proposals to conserve and enhance the AONB.

Given the form position and scale of the proposal in relation to the existing property and materials within the locality it is considered that the proposal would not have an impact on the AONB and would conserve it.

Impact on the amenities of neighbouring properties

Policy DP26 of the District Plan relates to character and design of proposals. Within this there is a requirement that proposals do *'...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'*.

The closest neighbouring residential property is Gillhurst some 81 metres to the south of the dwellinghouse. Given the separation distance it is considered that the proposal would not cause harm to the amenities of neighbouring properties.

Impact on Trees

Mid Sussex District Plan policy DP37 states:

'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.

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- prevents damage to root systems and takes account of expected future growth; and*
- where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
- has appropriate protection measures throughout the development process; and*
- takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*

- does not sever ecological corridors created by these assets.

Proposals for works to trees will be considered taking into account:

- the condition and health of the trees; and
- the contribution of the trees to the character and visual amenity of the local area; and
- the amenity and nature conservation value of the trees; and
- the extent and impact of the works; and
- any replanting proposals.

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary.'

The Council's Tree Officer has been consulted on the application and raises no objection to the proposal and recommends a condition to comply with the mitigation measures put forward. The proposal is therefore considered to comply with policy DP37 of the Mid Sussex District Plan and is acceptable.

Biodiversity

Policy DP38 of the Mid Sussex District Plan states:

'Biodiversity will be protected and enhanced by ensuring development:

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

Valued soils will be protected and enhanced, including the best and most versatile agricultural land, and development should not contribute to unacceptable levels of soil pollution.'

Paragraph 193 of the NPPF states:

- 'When determining planning applications, local planning authorities should apply the following principles:*
- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
 - b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not*

normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons 67 and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.'

The Council's Ecologist has been consulted on the application and has provided the following comments:

'We have reviewed the Bat Survey Report (Batscan Ltd., September 2024), relating to the likely impacts of development on designated sites, protected & Priority species and habitats, and identification of appropriate mitigation measures.

We have also reviewed the information submitted to demonstrate that Biodiversity Net Gain can be delivered within the timescale promised and to meet any mandatory BNG requirements required. This includes the Application Form.

We note from the Bat Survey Report (Batscan Ltd., September 2024) that a licence for bats will be required before commencement of any works and recommend that a copy of this is secured by a condition of any consent. This is because the combined Phase 1 (daytime building inspection) and Phase 2 (dusk emergence surveys) in June and August 2024 confirmed an occasional day roost for a single Natterer's bat in the former stable. We support the outline mitigation measures on page 21 of the Bat Survey Report (Batscan Ltd., September 2024). We understand that the applicant intends to use a registered bat consultant under a Bat Mitigation Class Licence and therefore, post consent, evidence of the site registration under a Bat Mitigation Class Licence for Bats will need to be submitted to the LPA.

We also note that no bats or evidence of bats was found in the garage, and, although there is evidence of a possible maternity roost for Long-eared bat species in the roof void of the main house, this location is not included in the proposed works and therefore there will be no impact to the bat roost. We therefore agree that no further surveys for bats are required.

We are satisfied that there is sufficient ecological information available to support determination of this application. However, please note we have no comments on Great Crested Newt as we have been instructed to leave comments on this European Protected Species to the NatureSpace Partnership.

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.

The mitigation measures identified in the Bat Survey Report (Batscan Ltd., September 2024) 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, which includes bats.

With regard to mandatory biodiversity net gains, it is highlighted that applications are required to deliver a mandatory 10% measurable biodiversity net gain, unless exempt under paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024. As a result, we are satisfied that this application is exempt from mandatory biodiversity net gains, as the development meets the householder exemption.

We also recommend that reasonable biodiversity enhancements for protected, Priority and threatened species (such as bird boxes) should be identified and implemented 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 Layout 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.'

Nature Space have not been consulted on this application as the proposal does not meet the criteria for consultation.

It is therefore considered that the proposal is acceptable on ecology terms subject to conditions. It is therefore considered that this proposal would also comply with the aims of policy DP38 of the Mid Sussex Plan and the NPPF.

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.

Other Matters

Southern Water has provided comments on the application and advise that the Environment Agency should be consulted directly by the applicant regarding the use of a private wastewater treatment works which disposes of effluent to sub-soil irrigation.

PLANNING BALANCE AND CONCLUSION

In conclusion, it is considered that the proposal would not cause harm to the amenities of neighbouring properties, would conserve the landscape and scenic beauty of the AONB, would be acceptable in terms of trees and biodiversity. The proposed internal alterations, removal of the porch and associated alteration are not considered to cause harm to the special interest of the listed building. In addition to this, when seen in isolation the proposed replacement garage is also considered to protect the setting of the listed building.

However, the proposed extension would be of a form, design and scale which would fail to reflect the special character and proportions of the existing listed farmhouse. The alterations and increased height in the roof form of the stable building would result in the loss of the historic fabric of the roof form as well as the historic proportions of the building. These alterations are also considered to amount to poor quality design due to the resulting proportions of the building which would detract from the special character of the building and the contribution it makes to the historic setting. The combination of these works, along with the proposed replacement garage building would dominate and overwhelm the original listed building would have harmful impact on the special interest of the listed building and the curtilage listed stable building. This is considered to cause less than substantial harm to the heritage assets. The proposal is therefore considered to be contrary to the requirements of District Plan Policies DP26 and DP34; the Mid Sussex Design Guide, and the relevant provisions of the NPPF.

Decision: Refusal

Case Officer: Katherine Williams