

Mr S French
c/o Mr John Ainsworth
Savills
Runway East - York And Elder
50 New England Street
Brighton
BN1 4AW

CONTACT: Katherine Williams
PHONE: 01444 477214
E-MAIL: katherine.williams@midsussex.gov.uk
REF: DM/24/2317
DATE: 10th April 2025

Dear Sir/Madam

Congregational Church Street Lane Ardingly West Sussex
Change of use and conversion of former Congregational Church building to provide a single dwellinghouse with associated secure cycle storage provision, vehicle parking, bin storage and private amenity space.

I advise that your application DM/24/2317 was **Granted Permission** on **10th April 2025**.

I enclose a copy of the Decision Notice in relation to the above application. If you are acting as an Agent please ensure that a copy is given to the applicant. **Please read the notes accompanying this decision notice carefully.**

Please also be advised that this permission does not constitute an approval under Building Regulations. Before you proceed with your proposal you should ensure that a Building Control application is not required, or has been submitted.

Yours faithfully



Ann Biggs
Assistant Director Planning and Sustainable Economy

Mr S French
Mr John Ainsworth
Savills
Runway East - York And Elder
50 New England Street
Brighton
BN1 4AW

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015

PERMISSION

REFERENCE: DM/24/2317

DESCRIPTION: CHANGE OF USE AND CONVERSION OF FORMER CONGREGATIONAL CHURCH BUILDING TO PROVIDE A SINGLE DWELLINGHOUSE WITH ASSOCIATED SECURE CYCLE STORAGE PROVISION, VEHICLE PARKING, BIN STORAGE AND PRIVATE AMENITY SPACE.

LOCATION: CONGREGATIONAL CHURCH, STREET LANE, ARDINGLY, WEST SUSSEX

DECISION DATE: 10 APR 2025

CASE OFFICER: KATHERINE WILLIAMS -
KATHERINE.WILLIAMS@MIDSUSSEX.GOV.UK

The Council hereby notify you that they **GRANT** planning permission for the above development to be carried out in accordance with the submitted application and plans and subject to compliance with the following conditions:-

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. **Approved Plans**

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

3. No development shall be carried out unless and until details of materials and finishes to be used for new external facing and roofing for the works, have been submitted to and approved by the Local Planning Authority. The works shall then be carried out in accordance with the approved details.

New brickwork to match existing adjacent work in colour, texture and bonding pattern, and colour, texture and style of pointing

Reason: To preserve the special character of the building for the future and to accord with Policies DP34 and DP35 of the Mid Sussex District Plan 2014 - 2031

4. The development hereby permitted shall not commence unless and until full details of both hard and soft landscaping, to include details of proposed surfacing materials and of any new or altered boundary treatments, has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and of the environment of the development and to preserve the special character of the area to accord with Policies DP26, DP34, DP35 and DP37 of the Mid Sussex District Plan.

5. No development shall be carried out unless and until detailed drawings at an appropriate large scale, including sections, and annotated to show materials and finishes, of the bin and bike stores, typical examples of new windows, external doors, including depth of reveals and glazing bars, have been submitted to and approved by the Local Planning Authority. The works shall then be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority.

Reason: To preserve the special character of the building for the future and to accord with Policies DP34 and DP35 of the Mid Sussex District Plan 2014 - 2031

6. The eaves detail to the altered gable to the existing rear extension are to match existing in form, profile and materials.

Reason: To preserve the special character of the building for the future and to accord with Policies DP34 and DP35 of the Mid Sussex District Plan 2014 - 2031

7. The proposed new rainwater goods and other external pipes work, including soil stacks, shall be painted metal. .

Reason: To safeguard the special character of the heritage asset and to comply with Policies DP34 and DP35 of the Mid Sussex District Plan.

8. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Greenlink Ecology Ltd.,

September 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species in accordance with policy DP38 of the Mid Sussex District Plan, and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended).

9. Prior to occupation of the development a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal (Greenlink Ecology Ltd., September 2024), shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species in accordance with policy DP38 of the Mid Sussex District Plan and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (as amended).

10. No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use and in accordance with policy DP21 of the Mid Sussex District Plan.

11. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and policy DP21 of the Mid Sussex District Plan.

12. The windows on the eastern side elevation and southern rear elevation, which would serve the living dining room, bedroom and en-suite bathroom, shall at all times be glazed with obscured glass and fixed shut up to 1.7 metres above the internal floor level.

Reason: To protect the amenities of the neighbouring property in accordance with policy DP26 of the Mid Sussex District Plan.

Biodiversity Net Gain

1. This permission is considered to be one which **will not require the approval of a biodiversity gain plan before development is began** because it is considered that one or more of the statutory exemptions or transitional arrangements is considered to apply.

Please see the information contained within the notes to applicants/agents set out below.

Informatives

1. The proposed development will require formal address allocation. You are advised to contact the Council's Street Naming and Numbering Officer before work starts on site. Details of fees and developers advice can be found at www.midsussex.gov.uk/streetnaming or by phone on 01444 477175.
2. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
3. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance.

Accordingly, you are requested that:

- Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 - 1800 hrs, Saturdays 0900 - 1300 hrs, No construction/demolition work on Sundays or Public Holidays.
- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- No burning of materials shall take place on site at any time.

If you require any further information on these issues, please contact Environmental Protection on 01444 477292.

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

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

Human Rights Implications

The planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Location Plan	24021-HNW-ZZ- ZZ-DR-A-1110	P03	30.01.2025
Existing Block Plan	24021-HNW-ZZ-	P03	30.01.2025

Proposed Block Plan	ZZ-DR-A-1100 24021-HNW-ZZ-	P04	24.01.2025
Existing Floor Plans	ZZ-DR-A-2100 24021-HNW-ZZ-	P02	14.10.2024
Existing Elevations	00-DR-A-1200 24021-HNW-ZZ-	P04	30.01.2025
Existing Elevations	ZZ-DR-A-1301 24021-HNW-ZZ-	P03	30.01.2025
Existing Roof Plan	ZZ-DR-A-1300 24021-HNW-ZZ-	P03	14.10.2024
Existing Sections	02-DR-A-1202 24021-HNW-ZZ-	P03	30.01.2025
Proposed Floor Plans	ZZ-DR-A-1400 24021-HNW-ZZ-	P04	24.01.2025
Proposed Elevations	00-DR-A-2200 24021-HNW-ZZ-	P05	30.01.2025
Proposed Elevations	ZZ-DR-A-2301 24021-HNW-ZZ-	P04	30.01.2025
Proposed Floor Plans	ZZ-DR-A-2300 24021-HNW-ZZ-	P02	14.10.2024
Proposed Sections	01-DR-A-2201 24021-HNW-ZZ-	P03	30.01.2025
Proposed Roof Plan	ZZ-DR-A-2400 24021-HNW-ZZ-	P02	14.10.2024
	ZZ-DR-A-2202		



Ann Biggs
Assistant Director Planning and Sustainable Economy

PEFULZ

APPEALS TO THE SECRETARY OF STATE

Notes for Applicants

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice;

However, if

- (i) this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice; or
- (ii) an enforcement notice is subsequently served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
 - 28 days of the date of service of the enforcement notice, or
 - within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.uk](#).

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Mid Sussex District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition that apply in this instance

Development below the de-minimis threshold, meaning development which:

- (i) does not impact an onsite priority habitat (a habitat specified in a list published under Section 41 of the Natural Environment and Rural Communities Act 2006), and
- (ii) impacts less than 25sq m of onsite habitat that has biodiversity value greater than zero and less than 5m in length of onsite linear habitat (as defined in the statutory metric).

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

The effect of Paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990

If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set

out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).

Purchase Notices

If either the Local Planning Authority or Secretary of States refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.