

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/3010	Case Officer:	Deborah Lynn
Application Type:	Full Application		
Proposal:	Proposed installation of a single-storey timber building.		
Site:	Duckyls Farm Centre, Selsfield Road, West Hoathly, East Grinstead, West Sussex, RH19 4QY, ,		
Validation Date	5 Jan 2026	Overall Expiry Date:	27 Jan 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	27 Feb 2026
Target Date:	2 Mar 2026	Recommending Officer Signature:	Deborah Lynn

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	Stephen Ashdown	Date:	2 Mar 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/3010

**Duckyls Farm Centre, Selsfield Road, West Hoathly, East Grinstead, West Sussex, RH19 4QY,
Proposed installation of a single-storey timber building.**

Mr David McGuire

SUMMARY OF REPRESENTATIONS

One letter received from neighbour raising following concerns:

- There has been no building on site of proposed building since 1971. Proposal is not a replacement building.
- Proposal changes use of site from agricultural to care home business.
- Additional space required by care home was granted under planning permission DM/23/2491, however this has not been implemented. It is unclear why new building is required.
- The farmhouse, cottage and farm buildings have a unique character and lie within an AONB. These are mentioned in Peter Brandon's book 'The Sussex Landscape.' Building on proposed site detracts from unique character.
- Entrance way from road is very important and building on both sides of access drive would change character from agricultural / rural to more commercial, will have significant overbearing impact.

SUMMARY OF CONSULTEES

Not applicable.

WEST HOATHLY PARISH COUNCIL OBSERVATIONS

The parish council has no objections.

INTRODUCTION

This application seeks planning permission to install a single storey timber building.

RELEVANT PLANNING HISTORY

HO/066/87 - Training centre / guest house. Permission granted 05.02.1988.

HO/013/92 - Agricultural training centre for persons with learning difficulties. Revised accommodation layout. Permission granted 24.04.92.

DM/23/2491 - Change of use from agricultural building to offices and a multipurpose space to be used ancillary to the care home, partially demolish the unstable structures to the front and insert new doors and windows. (Revised plans and Arboricultural Impact Assessment received 30.01.2024. Revised description agreed 31.01.2024) - Permission granted 08.03.2024.

DM/24/0984 - Re-surfacing of existing track to provide safe access to different parts of the farm. Prior Approval Not Required 26.06.2024.

SITE AND SURROUNDINGS

Duckyls Farm Centre is a residential care home facility and day centre for people with learning difficulties and autism. The centre comprises approximately 100 acres of farmland, woodland, horticultural areas and buildings and provides opportunities for adults to work with the land and look after animals, developing skills and life skills.

The centre is located within a group of former farm buildings on the northeastern side of Selsfield Road. Neighbouring residential properties at Ducklys Farm Cottage and Ducklys Farmhouse are also located within the group of buildings.

The application site currently serves as an outdoor smoking area used in association with the centre and benefits from a concrete base which is partially enclosed by wooden sleepers. A parking area for 3 cars adjoins the site to the north, with the access drive serving the properties located to the west. Established trees adjoin the smoking area to the east and south, with a significant drop in land levels to the east. Land levels gradually decline to the north.

In terms of planning policy, the site lies within the countryside and the High Weald Area of Outstanding Natural Beauty (AONB). A public footpath (PROW - route no. 12WH) adjoins the smoking area to the west and runs along the access drive that separates the smoking area from adjoining buildings.

APPLICATION DETAILS

Plans show that a single storey building is proposed to be sited on the smoking area. This will measure 5.23 metres long by 3.32 metres wide and between 2.26 and 2.5 metres high with a mono pitched roof. The building will be clad with vertical timber cladding with upvc windows and doors in anthracite grey.

The building will serve as a quiet indoor meeting space where safeguarding and private, confidential matters can be discussed away from the main building, as a well as a workspace for staff and a calm space where individuals experiencing distress can decompress.

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.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocation Development Plan Document (DPD) and the West Hoathly 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
- DP16 High Weald Area of Outstanding Natural Beauty
- DP17 Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)
- DP25 community facilities and local services
- DP26 character and design
- DP29 noise, air and light pollution
- DP34 listed buildings and other heritage assets
- DP37 trees, woodland and hedgerows
- DP39 sustainable design and construction

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.

West Hoathly Neighbourhood Plan

The Neighbourhood Plan was made on the 16th April 2015.

There are no relevant policies.

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:

DPS2 sustainable design and construction
DPS6 health and wellbeing
DPN2 biodiversity net gain
DPN4 trees, woodland and hedgerows
DPN6 pollution
DPN7 noise impacts
DPN8 light impacts and dark skies
DPC1 protection and enhancement of the countryside
DPC4 High Weald Area of Outstanding Natural Beauty
DPC6 Ashdown Forest SPA and SAC
DPB1 character and design
DPB2 listed buildings and other heritage assets
DPI6 community and cultural facilities and local services

Mid Sussex Design Guide Supplementary Planning Document (SPD)

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

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework (NPPF) 2023 is also a material consideration. Paragraphs 8, 11, 12, 48, 131, 135, 189, 202, 208 and 216 are considered relevant to this application.

High Weald Area of Outstanding Natural Beauty Management Plan 2024-2029

ASSESSMENT

The main issues deemed relevant to the consideration of this application are:

- Principle of development
- Design and impact on character of area and High Weald AONB
- Impact on neighbouring amenities
- Impact on trees
- Sustainability

- Impact on Ashdown Forest.

Principle of development

As noted above, planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

As the application site lies within the countryside, policy DP12 of the District Plan is relevant and states in part that:

'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.'*

As the site lies within the High Weald AONB, policy DP16 also applies, stating in part that *'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.'*

Ducklyls Farm Centre is a residential care home facility and day centre for people with learning difficulties and autism. Policy DP25 of the District Plan concerns community facilities and local services and states in part that *'the provision or improvement of community facilities and local services that contribute to creating sustainable communities will be supported.'*

The application as originally submitted stated that the proposed building would be sited on the footprint of a former outbuilding, with the block plan annotated that the proposed building would be a replacement building. The replacement nature of the proposal has been disputed by a neighbour who advises that no building has been on the site of the smoking area since 1971. Further comments provided by the applicant advise that the former building was removed at some point in the early 2000's. As a building has not been present on the site for at least 20 years, it is not considered that the proposal would represent a replacement building and any reference to the proposed building as such is considered incorrect and misleading.

Planning permission was granted in March 2024 to partly demolish and change the use of an attached agricultural building to offices and a multipurpose space for purposes ancillary to the care home, including rooms for private meetings to take place; this permission has not yet been implemented. In view of this extant consent, a local resident has queried the need for the proposed outbuilding.

In response, the applicant has advised that they intend to implement the previous planning permission, however it will take time to raise the necessary funds to carry out the works. Managers are currently using private accommodation in the main house as offices which is not ideal. The proposed outbuilding would provide a quick solution to the issue and could be installed within a couple of days.

As there is no guarantee that the previous planning permission would be implemented and as the proposed building would provide improved facilities at the site, the proposed development is considered to comply with policy DP25 of the District Plan. In addition, given the modest size and scale of the building which would be located close to the existing group of buildings, the proposal is considered to maintain the rural and landscape character of the District in accordance with District Plan policy DP12. The principle of development is therefore deemed acceptable.

The proposal therefore falls to be considered against other planning policy considerations.

Design and Impact on character of area and High Weald AONB

As the site lies within the countryside, NPPF paragraph 187 is relevant, stating in part that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

This ethos is reflected under policy DP12 of the District Plan which, as noted above, requires development proposals to maintain or where possible enhance the quality of the rural and landscape character of the District.

The application site also lies within 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 can be 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.

Paragraph 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 can be found under policy DP16 of the District Plan, which states in part that development *'will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan'*...

District Plan policy DP26 relates to character and design and advises that development proposals should be well designed and should reflect the distinctive character of the towns and villages while being sensitive to the countryside. It requires development proposals to be of a high-quality design and layout, contribute positively to and clearly define public and private realms as well as create a sense of place whilst addressing the character and scale of surrounding buildings and landscape.

The group of farm buildings at Duckyls Farm Centre are identified as forming a historic farmstead under the West Sussex Historic Environment Record. Objective S1 of the High Weald AONB Management Plan is therefore relevant; this seeks 'to protect the distinctive character and landscape settings of towns, villages, hamlets and farmsteads, remove despoiling influences and maintain the hinterlands and other relationships (including separation and green infrastructure) between settlements that contribute to local identity.'

In view of the historic farmstead status, it is considered that the group of farm buildings could be considered a non-designated heritage asset (NDHA) such that paragraph 216 of the NPPF is applicable. This states that:

'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

This stance is reflected under policy DP34 of the District Plan which states in part that *'proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.'*

The proposed building is of a modest size and scale, measuring a maximum of 2.5 metres high. The building should be relatively well screened by established trees and vegetation located to the south and east of the application site, such that the building should not appear visually obtrusive within wider landscape views of the farmstead. Whilst the building is sited on the opposite side of the access drive and PROW to the existing group of farm buildings, it will sit in relative proximity to existing buildings and should not appear isolated from the group. In view of its height and scale, the proposal should not appear significantly overbearing from the adjoining access drive and PROW. Whilst the building is considered to have a more contemporary design and form than the existing group of buildings, it is not considered that the proposal would detract from the setting of the historic farmstead. The external walls of the building will be finished with vertical Spruce timber cladding which should weather overtime, producing a natural greyish patina.

Whilst neighbouring concerns are noted, the proposed building, by reason of its siting, scale, design and proposed materials, is considered to protect the character and setting of the historic farmstead and should maintain the rural and landscape character of the area. The wider landscape and scenic beauty of the High Weald AONB should also be conserved.

The proposal therefore accords with policies DP12, DP16, DP26 and DP34 of the Mid Sussex District Plan and objective S1 of the High Weald AONB Management Plan.

Impact on neighbouring amenities

Policy DP26 of the District Plan states in part that proposals should *'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 DP29 relates to noise and light pollution stating in part that *'the environment, including nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife habitats, and the quality of people's life will be protected from unacceptable levels of noise, light and air pollution...'*

Due to the position of the proposed outbuilding in relation to neighbouring properties and given its scale, it is not considered that the proposal would cause significant harm to neighbouring amenities in terms of impacting light levels, outlook or privacy or generating additional noise and light pollution.

The proposal is therefore considered to accord with aforementioned policies.

Impact on trees

Policy DP37 of the District Plan relates to trees, woodland and hedgerows and states in part that *'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.'*

Whilst established trees and vegetation adjoin the site to the south and east, as the proposed building would be sited on an existing concrete base, it is not considered that the proposal would have a harmful impact upon existing trees and vegetation, thereby according with policy DP37.

Sustainability

Policy DP39 of the Mid Sussex District Plan relates to sustainable design and construction. It requires all developments to improve the sustainability of development.

Design principle DG37 of the Mid Sussex Design Guide also emphasises the fundamental need for a sustainable approach to be taken at the design stage of a proposal.

A Sustainability Statement has been submitted with the application, advising that the proposed cabin will be constructed from sustainably sourced pressure treated Spruce cladding and will be insulated with backed plasterboard lining with an insulated floor and roof to assist with thermal efficiency. Upvc windows and doors are proposed and all lighting will be provided by LED low energy fixtures.

The proposed development is therefore considered acceptable in terms of sustainability.

Impact on 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.

An overall Habitats Regulations Assessment has been undertaken for the planning application which includes the type of development proposed.

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.

It is considered that the proposed development will not lead to a significant increase in traffic across Ashdown Forest. 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 types of development identified which includes this 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

The proposed building would provide improve facilities for the farm centre and is deemed acceptable in terms of siting, design, form and scale such that it should not detract from the character and setting of the historic farmstead. The proposal is considered to maintain the rural and landscape character of the District and should conserve the wider landscape and scenic beauty of the High Weald AONB. The proposal should not cause significant harm to neighbouring amenities or harm adjoining trees. The proposal therefore accords with policies DP12, DP16, DP17, DP25, DP26, DP29, DP34, DP37 and DP39 of the Mid Sussex District Plan and objective S1 of the High Weald Management Plan as well as relevant paragraphs of the NPPF.

Decision: Permission

Case Officer: Deborah Lynn