

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/3236	Case Officer:	Andrew Horrell
Application Type:	Full Application		
Proposal:	Proposed enclosed outdoor Octagonal classroom to be situated at the rear of the school		
Site:	Balcombe Primary School, London Road, Balcombe, Haywards Heath, West Sussex, RH17 6HS, ,		
Validation Date	20 Jan 2026	Overall Expiry Date:	20 Feb 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	4 Mar 2026
Target Date:	17 Mar 2026	Recommending Officer Signature:	Andrew Horrell

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

Signed and Agreed By:	Stephen Ashdown	Date:	5 Mar 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/3236

**Balcombe Primary School, London Road, Balcombe, Haywards Heath, West Sussex, RH17 6HS,
Proposed enclosed outdoor Octagonal classroom to be situated at the rear of the school
Mrs Lara Power**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

MSDC Conservation Officer: Balcombe Primary is an unlisted 19th century school building located in a prominent position adjacent to the northern entrance into the Conservation Area. Although heavily extended, it is an attractive building retaining some period character which has group value with the contemporaneous former school master's house to the north. It makes a positive contribution to the Balcombe Conservation Area, partly due to its communal value as a long standing, and still operating village school, at the heart of the local community.

The current proposal relates to the grounds to the southwest of the school and is for the construction of an enclosed octagonal outdoor classroom. The building would be constructed of timber, with timber clad walls and felt shingles to the roof. It appears that the external door and window frames would also be of timber, but this would require confirmation.

The building while not of a particularly traditional appearance is relatively modest in scale and is of materials sympathetic to the context (subject to points above and below). It is also located in an area to the rear of the school building where it is unlikely to be prominent in public views of the site. The area is already characterised by a variety of small outbuildings, play equipment and other school paraphernalia. In this context, in my opinion, the proposal is not in principle likely to result in harm to the character and appearance of the Conservation Area.

However, I would like some clarification/amendments in relation to the following aspects of the materials to the building:

- External doors and frames, and window frames, are to be of timber.
- The felt shingles to the roof are shown as a rather bright green. Can this be amended to a colour more appropriate to the context, e.g. grey. Alternatively, timber shingles could be used.
- Rainwater goods should be of painted metal.

These points could be secured by condition if preferred.

Subject to the above points the proposal is considered to meet the requirements of District Plan Policy DP35 and the relevant paragraphs of the NPPF.

PARISH COUNCIL OBSERVATIONS

No objections

INTRODUCTION

Permission is sought for the erection of an enclosed outdoor Octagonal classroom to be situated at the rear of the school

RELEVANT PLANNING HISTORY

None relevant

SITE AND SURROUNDINGS

The school is a detached pitched plain tiled roofed building. The building is characterised by face stonework and brickwork, upvc doors and windows with various enlargements.

The proposed classroom building is to be located on land which is hardstanding to the rear of building and adjacent to basketball court.

To the west is close boarded fencing and hedging to highway beyond, to the east of the site is mesh fencing to school building beyond, to the south of the site is mesh fencing to car park and to the north of the site is close boarded fencing to set lower basketball court.

The site lies within the built-up area of Balcombe, the adjacent to the Balcombe Conservation Area and the High Weald Area of Outstanding Natural Beauty.

APPLICATION DETAILS

The proposed timber classroom building with a dark green shingle tile roof approximately measures 5.794 in maximum width and 5.794m in maximum depth, with each octagonal side measuring 2.4m with an approximate height to eaves of 2.25m and an overall height of 4.35m.

LEGAL FRAMEWORK AND LIST OF POLICIES

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

Specifically Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to application,*
- b) Any local finance considerations, so far as material to the application, and*
- c) Any other material considerations.'*

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy, but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocations Development Plan Document (DPD) and Balcombe 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: High Weald Area of Outstanding Natural Beauty
DP25: Community Facilities and Local Services
DP26: Character and Design
DP35: Conservation Areas

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

Relevant policies.

None.

Neighbourhood Plan

Balcombe Neighbourhood Plan was made on 22 September 2016.

Relevant policies:

Policy 1: Built Up Area Boundary
Policy 3: Design
Policy 6: Balcombe CE Primary School

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:

DPI6: Community and Cultural Facilities and Local Services
DPC4: High Weald of Outstanding Natural Beauty
DPB1: Character and Design
DPB3: Conservation Areas

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.

Planning (Listed Building and Conservation Areas) Act 1990

Section 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.'

The Weald Area of Outstanding Natural Beauty 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 objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective.

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.

ASSESSMENT

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

Principle

DP25 states in part that:

'The provision or improvement of community facilities and local services that contribute to creating sustainable communities will be supported.'

Policy 6 of the Balcombe Neighbourhood Plan states:

'Development proposals to extend Balcombe CE Primary School to provide additional education facilities, as shown on the Policies Map, will be supported, provided:

- i. the design of the scheme will avoid any significant detrimental effect on the landscape and natural beauty of the High Weald Area of Outstanding Natural Beauty; and*
- ii. the scheme will deliver any necessary infrastructure that arises directly from its development'*

The proposed building is small scale and seeks to support an existing community facility which is in accordance with relevant policies. Therefore, the principle of a new classroom is deemed to comply with DP25 of the Mid Sussex District Plan and policy 6 of Balcombe Neighbourhood Plan.

Design and on the setting of the Conservation Area

DP26 of the 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;*
- 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'*

Balcombe Neighbourhood Plan policy 3 states:

' The scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, will be required to reflect the architectural and historic character and scale of the surrounding buildings and to avoid any significant detrimental effect on the landscape and natural beauty of the High Weald AONB and the significance and character or appearance of the Balcombe Conservation Area, where a building will command a view.

Unless otherwise proposed in Policy 2, development proposals will be expected to demonstrate they accord with the provisions of the Balcombe Village Design Guide and with the following principles:

- i. approximately 75% of the total number of dwellings of the scheme, and especially the affordable homes, are no larger than 3 bedroom dwellings with a proportion suited to occupation by households of retirement age;*
- ii. approximately 25% of the total number of dwellings of the scheme to comprise dwellings of no more than 4 bedrooms;*
- iii. they comply with affordable housing requirements of the Mid Sussex development plan;*
- iv. new and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community; and*
- v. new residential and commercial development will be permitted where there is sufficient infrastructure capacity currently available or where the necessary capacity can be provided to an agreed timetable.*

Proposals that involve the change of use of listed buildings within the settlement boundary for housing as 1, 2 or 3 bedroom units, including buildings judged to make a positive contribution to the special historic or architectural interest or character and appearance of the conservation area, will be supported provided it can be demonstrated they will sustain the significance of these heritage assets.'

The proposed building will be seen in the context of the existing school building and similar outbuildings within the grounds of the school. The use of timber cladding and dark green shingle felt materials are in character with the area.

The existing School building is located within the Balcombe Conservation Area, the proposed building is to be located adjacent to the Conservation Area.

A Conservation Area is defined as an area of "special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance".

Policy DP35 of the District Plan states:

'Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:

- o New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials;*
- o Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character;*
- o Traditional shop fronts that are a key feature of the conservation area are protected. Any alterations to shopfronts in a conservation area will only be permitted where they do not result in the loss of a traditional shopfront and the new design is sympathetic to the character of the existing building and street scene in which it is located;*
- o Existing buildings that contribute to the character of the conservation area are protected. Where demolition is permitted, the replacement buildings are of a design that reflects the special characteristics of the area;*
- o Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;*
- o New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area.*

Development will also protect the setting of the conservation area and in particular views into and out of the area.

New buildings of outstanding or innovative design may be acceptable in conservation areas provided that their impact would not cause material harm to the area.'

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:

- 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.'*

Paragraphs 205, 212 - 215 of the NPPF is most relevant states:

' 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;*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

The applicant, in view of the Conservation Officer comments, has confirmed that the doors and windows are to be timber, the roof felt shingles are dark green which will be weathered over time so will be more neutral. It is also confirmed that the existing rainwater goods at the school are a mix of painted metal and uPVC and therefore it is not deemed necessary under paragraph 57 of the NPPF to condition the rainwater goods on the proposed building.

The Conservation Officer has been consulted and considered that the proposal meets the requirements of District Plan Policy DP35 and the relevant paragraphs of the NPPF. The officer has no reason to disagree with this and therefore the proposal therefore complies with policies DP26 and DP35 of the Mid Sussex District Plan, policy 3 of the Balcombe Neighbourhood Plan and the relevant paragraphs of the NPPF.

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.

Paragraph 189 of the NPPF states:

'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.'

Policy DP16 of the Mid Sussex District Plan relates to the AONB and states that:

'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:

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

This is also reflected in policy 3 of the Balcombe Neighbourhood Plan.

Given the building will be viewed in the context of the existing school building and surrounding outbuildings and paraphernalia, the proposal it is deemed to conserve the nature of the High Weald Area of Outstanding Natural Beauty. It therefore complies with DP16 of the Mid Sussex District Plan, policy 3 of the Balcombe Neighbourhood Plan and paragraph 189 of the NPPF.

Residential Amenity

DP26 requires in part that development;

'does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29)'

Given the location of the proposal and distance to neighbouring properties, the proposal is not deemed to cause harm to neighbouring amenities.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. As the impact on habitat is less than 25sqm this development is exempt from the requirement to provide biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

The application is deemed to be acceptable as an enhancement to community facilities of an appropriate scale and design in relation to character of the site, it will not harm the adjacent conservation area and the High Weald AONB, and would not cause significant detriment to surrounding residents.

Accordingly, it is considered that the proposed development would comply with Policies DP16, DP25, DP26 and DP35 of the Mid Sussex District Plan, Policies 1, 3 and 6 of the Balcombe Neighbourhood Plan and the NPPF and is therefore considered acceptable.

Decision: Permission

Case Officer: Andrew Horrell