

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1753	Case Officer:	Catherine Cardin
Application Type:	Householder Application		
Proposal:	Removal of above ground oil tank and replacement with below ground LPG tank, replacement of cess pit with new below ground water treatment plant, replacement retaining wall and steps.		
Site:	Tanyard Manor, Horsted Lane, Sharpthorne, East Grinstead, West Sussex, RH19 4HY, ,		
Validation Date	10 Jul 2025	Overall Expiry Date:	15 Aug 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	22 Oct 2025
Target Date:	4 Sep 2025	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	22 Oct 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1753

**Tanyard Manor, Horsted Lane, Sharpthorne, East Grinstead, West Sussex, RH19 4HY,
Removal of above ground oil tank and replacement with below ground LPG tank, replacement of
cess pit with new below ground water treatment plant, replacement retaining wall and steps.
Mr And Mrs R Hagan**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Environment Agency

No objection, subject to conditions.

MSDC Conservation Officer

Tanyard Manor is a Grade II listed originally 15th century building, with later extensions dating from the 17th and 20th centuries, located in a rural position outside Sharpthorne. The building is the former farmhouse to Tanyard Farm, a historic farmstead, of which some historic farm buildings survive to the north-west of the house. These buildings may be regarded as curtilage listed, or if not are likely to be considered non-designated heritage assets (NDHAs).

Tanyard Manor is likely to be considered to possess architectural value based on its construction and craftsmanship, historical illustrative value as a good example of a Sussex farmhouse of its period, altered and extended in response to changing socio-economic circumstances and the changing needs and aspirations of successive owners, and aesthetic value based in part on the use of vernacular materials viewed within the landscape from which they were drawn. It also possesses group value with the former farm buildings.

The farm building themselves will possess similar values as former agricultural buildings of their type and period.

As such, the surviving verdant and rural setting of the historic farmstead will be considered to make a strong positive contribution to the special interests of the buildings within it and the manner within which these are appreciated, in particular those parts of those interests which are drawn from historical illustrative and aesthetic values.

The current proposal is for works within the extensive grounds around Tanyard Manor comprising removal of an existing above ground oil tank and installation of a replacement below ground LPG tank, replacement of the existing cess pit with a below ground water treatment plant, and replacement of the existing retaining wall and steps between the west side of the house and the adjacent raised lawn area.

The removal of the existing oil tank is not considered contentious and will result in a minor enhancement of the setting of the farmstead. The proposed new LPG tank is to be sited beneath a lawned area to the west of the house and driveway. The only visible element of the structure will be the inspection hatch. The water treatment plant is located within the same area of lawn, and the only visible features will be the inspection hatch and a small control box. These works are considered to have a minimal and acceptable impact on the character of the setting of the farmstead.

The existing raked stone retaining wall to the west of the house and adjacent steps to the raised lawn area are not considered to be of any particular historical or architectural merit and their removal is not

considered contentious in principle. The proposed replacement vertical stone wall and wider brick and stone steps are considered sympathetic to the context, and are not considered contentious, subject to detail.

In summary, the proposal is considered to preserve the character of the setting of the listed house and former farmstead, meeting the requirements of District Plan Policy DP34 and the relevant paragraphs of the NPPF.

I would recommend the following conditions:

- Details of the materials to the new retaining wall and steps
- On completion of works all ground surfaces (hard and soft landscaping) to be made good to match existing

MSDC Contaminated Land

The proposed development involves the replacement of an above-ground oil tank with a below-ground LPG storage tank, alongside the renewal of foul and surface water drainage and installation of a new water treatment plant.

The site is identified as potentially contaminated land due to its historical use as a tan yard from approximately 1957 to 2001, which may have involved the use of hazardous substances such as solvents, oils, and heavy metals. Additionally, the site lies adjacent to a historic gravel pit (c.1896-1947), which may have been infilled with unknown materials.

While the proposed use remains the same, the associated groundworks for tank installation and drainage renewal introduce potential pathways for contaminant mobilisation. Therefore, I recommend that the applicant submit a Phase 1 Preliminary Risk Assessment in accordance with the Land Contamination Risk Management (LCRM) guidance. Should the Phase 1 identify any credible pollutant linkages, the proposed condition will then require a Phase 2 intrusive investigation to determine the presence, nature, and extent of any contamination. Based on the findings, it may be necessary for remediation plan and validation statement to also be required.

Additionally, a discovery strategy should also be attached, so that in the event that contamination not already identified through the desktop study is found, works stop until such time that a further assessment has been made, and further remediation methods are put in place if needed.

With regard to the proposed below-ground LPG tank, this can present a higher risk than above ground tanks due to the difficulty in detecting leaks, the increased risk to groundwater, and the challenges of maintenance and inspection. Given the site's proximity to a River Ouse tributary, I recommend that the Local Planning Authority consult the Environment Agency regarding the proposed below-ground fuel storage. The EA's guidance advises consultation where underground tanks are proposed near surface water features or in environmentally sensitive locations, due to the risk of pollution from undetected leaks.

The applicant should also ensure that the proposed water treatment system complies with the Environment Agency's General Binding Rules for small sewage discharges.

Recommendation: Approval with conditions.

PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

Planning permission is sought for the removal of above ground oil tank and replacement with below ground LPG tank, the replacement of cess pit with new below ground water treatment plant, and the replacement of the retaining wall and steps.

RELEVANT PLANNING HISTORY

03/01209/LBC- Reconstruction following fire damage of converted barn building with additional height on external walls with original roof pitch to form house keeper living accommodation. Permission.

03/01209/FUL- Reconstruction following fire damage of converted barn building with additional height on external walls with original roof pitch to form house keeper living accommodation. Permission.

11/00672/FUL- New crossover entrance and driveway, and closure of existing entrance driveway. Withdrawn.

11/02312/FUL- New crossover entrance and closure of existing entrance. Permission.

DM/20/1068- Conversion of agricultural buildings to form three bedroom dwelling. Permission.

DM/20/1518- Conversion of Agricultural Buildings to form Single Dwelling. Permission.

DM/25/0915- Internal alterations to include structural alterations to kitchen, new doors and rooflights, new partitions and alterations to the layout at ground and second floors, and external landscaping. Permission.

SITE AND SURROUNDINGS

Tanyard Manor is a three-storey grade II Listed detached property of timber frame construction. The property benefits from extensive gardens, a gravelled parking area to the front of the property, and a tennis court to the south of the site. To the northwest of the site are a number of outbuildings, including a coach house.

The property lies outside the built-up area boundary of Horsted Keynes. A tributary of the River Ouse lies to the east of the application site. Neighbouring properties are located to the north and south, whilst open countryside lies to the east. Highway is located to the west.

APPLICATION DETAILS

The application seeks to remove an existing above ground oil tank and replace this with a below ground LPG tank. It is also proposed to replace the existing cess pit with a new below ground water treatment plant. The application also seeks to replace the existing retaining wall and steps.

Firstly, it is proposed to remove the existing above ground oil tank sited behind the coach house to the north of the application site and install a new below ground LPG tank with inspection and new trench underneath a lawned area to the west of the main property and driveway.

Secondly, it is proposed to install a new below ground water treatment plant with inspection cover and control box underneath a lawned area to the west of the main property and driveway.

Finally, it is proposed to replace an existing retaining wall and steps to the west of the main property and install a new vertical stone wall, a sandstone path and wider steps. The wall would replace an existing retaining wall and would measure some 14.3 metres in length, with a maximum height of some 1.4 metres. The wall would be finished in random course rubble sandstone to match the existing walls. The path would be finished with sandstone to match the existing with the planting bed to the perimeter of the lawned area. The step risers would be some 3.4 metres wide and would be finished with sandstone treads, with red brick risers to match the existing steps.

An application for Listed Building Consent is being considered under application DM/25/1754.

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 Horsted Keynes 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
- DP26 - Character and Design
- DP34 - Listed Buildings and Other Heritage Assets
- 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.

Neighbourhood Plan

Horsted Keynes Neighbourhood Plan made in 2016.

Relevant policies:

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:

- DPC1 - Protection and Enhancement of the Countryside
- DPC4 - High Weald Area of Outstanding Natural Beauty
- DPS2 - Sustainable Design and Construction
- 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.

National Planning Policy Framework (NPPF) (December 2024)

ASSESSMENT

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

- Design, character and impact on the character of the surrounding area
- Impact on the Listed Buildings and their setting
- Impact on the High Weald AONB
- Neighbouring amenities
- Other matters
- Biodiversity Net Gain

Design, character and impact on the character of the surrounding area

The application site is located within the countryside, as defined by the Mid Sussex District Plan. Policy DP12 establishes 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'.*

Policy DP26 of the Mid Sussex District Plan relates to Character and Design and 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:

- o is of high quality design and layout and includes appropriate landscaping and greenspace;*
- o 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;*
- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- o protects open spaces, trees and gardens that contribute to the character of the area;*
- o protects valued townscapes and the separate identity and character of towns and villages;*
- o 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);*
- o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed; o positively addresses sustainability considerations in the layout and the building design;*
- o 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;*
- o optimises the potential of the site to accommodate development'.*

Policy DP12 in the District Plan seeks to protect the character of the countryside and states that development will be permitted where it maintains or where possible enhances the quality of the rural and landscape character of the District and is supported by a specific policy reference in the District Plan, Neighbourhood Plan or Development Plan Document. In this case policy DP26 is the relevant policy that supports high quality development.

It is considered that the proposed works are sympathetic to the existing buildings and the rural setting of Tanyard Manor. As the retaining wall and path would be replaced with materials to match the existing it is considered that the proposal would respect the historic form, scale, setting, significance and fabric of the listed building. Regarding the below ground LPG tank and the below ground water treatment plant, as only the inspection cover would be visible, it is not considered that there would be a harmful impact to the character of the dwelling or the area.

It is therefore considered that the proposal complies with policies DP12 and DP26 of the MSDC District Plan.

Impact on the Listed Buildings and their setting

S. 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that *In considering whether to grant planning permission [F1or permission in principle] 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.'*

MSDC District Plan policy DP34 states:

'Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- o 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;*
- o 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;*
- o Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- o 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;*
- o Special regard is given to protecting the setting of a listed building;*
- o 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.'

Paragraphs 212 - 216 of the NPPF states:

'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.

216. 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.'

The MSDC Conservation Officer was consulted on the application and has not raised any objections, subject to further details. This was because the works are considered to be minor and would have a limited impact on the historic fabric of the building, with the removal of the oil tank being considered beneficial. The Conservation Officer considers that the proposed replacement vertical stone wall and wider brick and stone steps would not be contentious, subject to further detail. The Conservation Officer's comments are accepted and agreed with from a planning perspective and in policy terms. During the course of the application, the applicant has submitted a schedule of materials, and these can be secured by a suitably worded condition.

As such, it is considered that the proposed development meets the criteria of policy DP34 of the MSDC District Plan, as well as the provisions contained within the NPPF.

Impact on the High Weald AONB

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, and policy THP8 of the Turners Hill Neighbourhood Plan.

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'.*

The application relates to an existing building outside the built-up area of Sharpthorne. As the proposal seeks to undertake works to this building, the proposal would not form an isolated development within the wider landscape. The proposal would not have any adverse impact on the landscape quality of the AONB due to it being viewed in context with existing built form.

Neighbouring amenities

Policy DP26 in part seeks to ensure 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);"

Violet Cottage, to the north of the application site, would be over 100 metres from the proposed development. Given the separation distance from the development, it is not considered that the proposal would be harmful to the amenities of this neighbour.

3 Ravenswood Cottages, to the south of the application site, would be over 100 metres from the proposed development. Given the separation distance from the development, it is not considered that the proposal would be harmful to the amenities of this neighbour.

Due to the domestic nature of the proposed development, it is considered that there would not be a harmful impact in terms of noise, air and light pollution.

It is therefore considered that the proposal would not cause harm to the amenities of neighbouring properties. The proposal is therefore deemed to accord with the above-mentioned part of policy DP26 of the District Plan.

Other matters

Due to the nature of the proposal, MSDC Contaminated Land and the Environment Agency were consulted on the application. MSDC Contaminated Land have not raised an objection, subject to condition. MSDC Contaminated Land originally requested that a full phased contaminated land condition was attached to any permission. On further information provided by the applicant, MSDC Contaminated Land advised that there would be a relatively low level of widespread contamination and that a discovery condition alone would prevent such contamination. The Environment Agency have also provided a response and have not objected, subject to conditions. They have recommended that further information is provided regarding the underground storage tank. This can be secured by a suitably worded condition. Having regard to our Contaminated Land Officer's response, the conditions recommended by the Environment Agency in relation to a remediation strategy of previously developed and a verification strategy are not considered necessary.

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.

PLANNING BALANCE AND CONCLUSION

The proposal is considered to be appropriate in terms of design, size and scale to the building and locality, and would not cause harm to the Listed Building or to the High Weald AONB.

In conclusion, the proposal would accord with the requirements of policies DP12, DP16, DP26, DP34 and DP39 of the Mid Sussex District Plan, and the relevant provisions of the NPPF. The application is therefore recommended for approval.

Decision: Permission

Case Officer: Catherine Cardin