

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1422	Case Officer:	Katherine Williams
Application Type:	Householder Application		
Proposal:	Loft conversion and two-storey and single-storey rear extensions to the existing detached house with a garden room extension to the existing garage; associated landscape and drainage alterations to incorporate a new outdoor pool.		
Site:	Red House, Cuckfield Road, Staplefield, Haywards Heath, West Sussex, RH17 6ET, ,		
Validation Date	3 Jun 2025	Overall Expiry Date:	16 Oct 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	17 Oct 2025
Target Date:	29 Jul 2025	Recommending Officer Signature:	Katherine Williams

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	17 Oct 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1422

**Red House, Cuckfield Road, Staplefield, Haywards Heath, West Sussex, RH17 6ET,
Loft conversion and two-storey and single-storey rear extensions to the existing detached house
with a garden room extension to the existing garage; associated landscape and drainage
alterations to incorporate a new outdoor pool.
Mr And Mrs Drake**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

Conservation Officer - no objection following amendments, recommends conditions

Ecological Consultant - no objection, recommend conditions

Nature Space - recommend informative

Southern Water - more information requested

PARISH COUNCIL OBSERVATIONS

No comments received

INTRODUCTION

The application seeks planning permission for a loft conversion and two-storey and single-storey rear extensions to the existing detached house with a garden room extension to the existing garage; associated landscape and drainage alterations to incorporate a new outdoor pool.

RELEVANT PLANNING HISTORY

CD/032/86 - Erection of a detached garage in rear garden. Granted

CD/069/89 - Two storey extension to the rear and alterations to existing roof. Granted

SITE AND SURROUNDINGS

The property is located on the northern side of Cuckfield Road, which is located on the edge of the built form of Staplefield along this highway within the countryside and High Weald AONB National Landscape.

The property consists of a detached two storey dwelling set back from the highway at an elevated position above the highway. The dwelling has a symmetrical appearance with a pitched hipped roof, side chimneys and central front porch. The dwelling is constructed white painted brick, hanging tiles, plain roof tiles and white fenestration. The vehicular access to the property runs along the western side of the dwelling to a detached double garage located to the rear of the dwellinghouse.

The property is bordered by mature hedging which largely obscures the ground floor of the dwelling from view along the highway. However, given the elevated position of the dwelling it is considered to make a prominent and positive contribution to the locality, and in particular views along Cuckfield Road from the east.

The property is considered to be within the setting of the Staplefield Conservation Area with one of the boundaries adjacent to the western side boundary of the site and views from the Conservation Area on Rose Cottage Lane across the open field in between.

APPLICATION DETAILS

The proposed two storey extension would extend from the rear elevation of the dwelling by some 4.4 metres with a width of some 6.8 metres. This extension would have a hipped roof with an overall height

of approximately 8.6 metres and an eaves height to match the existing dwelling. This extension would be constructed in vertical timber cladding, plain roof tiles and white fenestration.

The proposed single storey extension would wrap around the eastern and rear elevations of the proposed two storey extension. This extension would have an overall depth and width of some 6.9 metres and 9.1 metres, which includes extending beyond the side elevation of the original dwelling by approximately 1.3 metres. The extension would have a lean to roof with an overall height and eaves height of some 3.3 metres and 2.5 metres. This extension would be constructed in vertical timber cladding, standing seam zinc roofing white windows and aluminium sliding doors.

The proposed loft conversion would utilise the loft space of the original dwelling along with the roof form of the proposed two storey extension. This would also include a dormer window to the front roofslope of the dwelling. This dormer would be centrally positioned with a pitched roof form with a width and height of some 1.2 metres and 2 metres. The dormer would be constructed in plain roof tiles and hanging tiles.

The proposal also includes additional alterations to the dwelling including white render to the existing painted brickwork, changes to the fenestration and a creation of a side open porch canopy.

An extension is also proposed to the existing detached garage, this extension would be located to the eastern side of the building and would have a width and depth of some 6.6 metres and 4.5 metres. This extension would have a pitched roof with a rear catslide roof and solar tiles to the southern roofslope. This would have an overall height of some 4.9 metres. This extension would be constructed in plain roof tiles and vertical timber cladding.

The proposal also includes a 8 metres 4 metre pool to the south of the garage extension which would include associated landscaping.

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 DPD and Ansty and Staplefield 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
DP35 - Conservation Area
DP38 - Biodiversity

Site Allocations DPD

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

There are no relevant policies.

Ansty and Staplefield Neighbourhood Plan (made February 2017)

AS3 - High Weald Area of Outstanding Natural Beauty

Other Material Considerations

Mid Sussex District Plan 2021-2039 Consultation Draft

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 stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to some of the Policies in the draft District Plan and as such, only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant policies:

DPS1 - Climate Change
DPS2 - Sustainable Design and Construction
DPC1 - Protection and Enhancement of the Countryside
DPC4 - High Weald Area of Outstanding Natural Beauty
DPB1 - Character and Design
DPB3 - Conservation Area

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)

National Planning Policy Guidance

Cuckfield Conservation Area Appraisal

ASSESSMENT

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

- Design and Impact on the Setting of the Conservation Area
- Impact on the High Weald AONB
- Impact on neighbouring properties
- Ecology
- Biodiversity Net Gain
- Other Matters

Design and Impact on the Conservation Area

Paras 205, 212-215 of the NPPF state:

'205. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

c) the desirability of new development making a positive contribution to local character and distinctiveness.

212. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

213. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

214. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

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

Mid Sussex District Plan policy DP35 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:

- 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;*
- 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;*
- 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;*
- 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;*
- Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;*
- 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.'

Policy AS10 of the Ansty and Staplefield Neighbourhood Plan reflects the ethos of this policy.

Policy DP26 of the Mid Sussex District Plan states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

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

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

Elsewhere new development should generally reflect the scale of adjacent areas and the settlement context within which it is located to deliver a coherent and consistent urban fabric. There may be potential to introduce a new character / development form and massing:

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

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

Principle DG50 relates to side extensions and states: *'Side extensions should normally be subservient to the original dwelling and typically be set-back from the front of the house to help define the original building. The gaps between dwellings can sometimes positively contribute to articulating (for example, through the consistent rhythm of repeated houses) and adding interest in a street frontage or by providing views / visible connections to the surrounding countryside. Side extensions will therefore need to appropriately respond to the character of the street form and will not normally be accepted where they close an important gap and view.'*

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

Principle DG52 relates to dormer windows and roof enlargements and states: 'Roof accommodation is normally reliant on dormer windows and rooflights to provide light and ventilation. However, if they are out of scale or out of character with the roofscape and proportions of a dwelling they can have an adverse impact on the character of both the dwelling and the streetscape. The roof pitch and form are intrinsic to a building's character and roof extensions should be sensitive to this. Roof extensions and dormer windows that alter the existing ridge of the roof or significantly alter the roof profile of a building will not normally be acceptable, particularly on the front roof slope, and where there is a strong established roofline. Where a clear rhythm of fenestration is established, the position and proportion of dormer windows should respond to existing windows and / or doors.'

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

'Firstly I note that we do not have an existing site plan with the application drawings. The comments below with respect to the impact of the landscaping works proposed are based on observations on site and on the aerial photograph included with the ecological report, however a scaled site plan should be provided, and these comments may be subject to revision on receipt of this.'

Red House is an unlisted building located in a semi-rural position on the southern edge of Staplefield Village. It is not within the Conservation Area, but part of the boundary runs along the western edge of the site, and the Area also includes properties on Rose Cottage Lane which are a short distance to the north east, separated from the site by an open field. Red House is therefore considered to be within the settings of these two distinct parts of the Conservation Area, and is also relatively prominent in views from Cuckfield Road at this key entry into the village and the Conservation Area from the south east.

The house appears to date from the early 20th century, and is of a broadly traditional design with a hipped tiled roof, and render and hung tile elevations, with sash windows. There is an existing garage building to the rear of the house, which is similar in its aesthetic. The house and garage are not of any particular architectural quality, but are sympathetic to their context, and make a neutral contribution to the setting of the Conservation Area. The gardens within which the buildings are located contribute positively to the verdant setting of the Area.

The current proposal, which follows on from pre-application advice, is for alterations and extensions to both the house and garage including:

- *A part two and part one storey rear extension to the house;*
- *Loft conversion works including a dormer to the front roofslope and a cabrio rooflight to the side;*
- *Removal of the existing front porch;*
- *A single storey extension to the eastern side of the garage; and*
- *Associated hard and soft landscaping including a new swimming pool and patio, and alterations to the driveway and parking arrangements.*

To consider these works in turn:

- *Whilst I would not consider the principle of a rear extension to the property to be contentious, and I also note that the size of the proposed addition has been reduced somewhat in comparison with the pre-application scheme, in my opinion the extension as shown remains overscaled and overbearing in its relationship with the host dwelling. This is particularly the case with respect to the addition at first floor level, which will be relatively prominent in views of the house from Cuckfield Road to the south east, and also looking across the field to the east of the house from Rose Cottage Lane, from within this part of the Conservation Area and its immediate setting. The footprint of the extension at ground floor is also arguably excessive, and wraps around the north east corner of the building in a manner which would not be supported by the adopted Design Guide (Design Principle SG49), however given the level of screening of the ground floor of the house by the surrounding hedgerows this is not considered as harmful as the bulk of the extension at first floor. This aspect of the proposal requires reconsideration with a significant reduction in scale of the proposed addition, particularly at first floor. The detailed design of the extension, including the projecting bay window with Juliet balcony, and the form and proportions of the fenestration, should also be revisited so that it relates better to the host building.*
- *The conversion of the loft is not considered contentious in principle, but the scale of the dormer to the front roof slope as shown is excessive. This will be contrary to the requirements of Design Principle DG52 of the Design Guide, as well as 6.3.5 - 6.3.7 of that document. Furthermore, the scale of the*

rooflight to the side roofslope is excessive, and the cabrio 'balcony rooflight' design is inappropriate for a building of a traditional style in this location. Both these aspects of the scheme require reconsideration.

- Whilst I appreciate that in functional terms the eastern side of the building is now the main entrance front, the existing porch and original entrance door to the southern elevation reflect the historical relationship of the building with the adjacent road, and are key features at the centre of this principal public façade of the building. The removal of both in favour of a window in my opinion detracts from the appearance of this elevation of the house and how its historical relationship with Cuckfield Road is read. If it can be demonstrated that the porch is not original, its removal may be acceptable, but the door (or an appropriate replacement door) should at the least be retained.

- The extension to the garage is substantial. However, it is of a single storey and the building is set to the rear of the site. On balance, this aspect of the proposal is considered acceptable subject to detail, including of the solar installation to the front roof slope which is described as tiles but in side view appears more similar to PV panels, and of the rear rooflights, which appear unduly boxy in side elevation- we would expect flush-fitting, metal framed conservation style rooflights.

- The proposed landscaping works including the patio to the rear of the house, the pool and surrounding hard landscaping, and the extended parking area proposed to the western side of the house, viewed in combination with the proposed extensions to the rear of the house and to the garage, will result in the loss of a significant proportion of the existing soft landscaped garden space around the building. This will have some negative impact on the verdant character of the setting of the adjacent Conservation Area, and I would recommend that this aspect of the proposal is rethought in order to retain more planting and to reduce the area of hard surfacing.

In summary, whilst the principle of the works is not necessarily contentious, aspects of the scale, form and detailed design of the proposals require reconsideration. As it stands I would consider that the rear extension, front dormer and side rooflight, works to the façade of the building, and the associated landscaping will result in a degree of less than substantial harm through impact on setting to the character and appearance of the Staplefield Conservation Area. This would include not only views from within the Area (the two parts identified above) but also views and vistas looking towards or including the Area from its immediate setting on Rose Cottage Lane and Cuckfield Road, including the key approach to the Area along Cuckfield Road from the south east.

The proposal is therefore contrary to the requirements of District Plan Policy DP35, as well as the Council's adopted Design Guide. In terms of the NPPF, I would place the harm caused as less than substantial at the lower end of that scale, such that paragraph 215 will apply.'

Following these comments, the proposal was amended and the following comments were made by the Conservation Officer:

'Further comments on the above planning application following the receipt of revised plans.

- The first floor level rear extension has been reduced in size. Although the ground and first floor additions to the rear of the building remain substantial, in my opinion the relationship of scale between the existing house and the additions to it is now such that an objection on these grounds may be difficult to sustain, given the context and the lack of public views of the rear ground floor. The fenestration to the extension has also been amended, and now relates better to the host dwelling, subject to detail which could be reserved by condition.

- The scale of the proposed front dormer, and the form of the rooflight to the side of the main roof, have both been amended and are now considered appropriate to the context.

- The porch to the road facing elevation of the house is now retained.

- The scale of the garage extension has been reduced, and clarification provided that the rooflights to the rear roof slope will be flush fitting. The solar array to the front roof slope is shown as solar tiles. These aspects of the proposal are now considered acceptable, subject to detail.

- Together with a reduction in the footprint of the garage extension, the proposed landscaping has been revised to show the pool and house patios reduced, and the parking retained in the existing parking. These revisions successfully address previous concerns regarding adverse impact on the verdant character of the gardens.

In summary, the proposal is now considered to preserve the setting and character and appearance of the Staplefield Conservation Area. This meets the requirements of District Plan Policy DP35 and the relevant paragraphs of the NPPF.

If approval is recommended I would suggest the following conditions:

- *Details of roofing and facing materials*
- *Detailed drawings, at an appropriate large scale, including sections, and annotated to show materials and finishes of the following:*
 - *typical examples of new windows. Your drawings should show depth of reveal, and glazing bar detail as appropriate*
 - *typical examples of new external doors*
 - *typical eaves details*
- *New rainwater goods and other external pipework shall be of painted metal*
- *Rooflights to be flush-fitting, metal framed conservation style rooflights*
- *Detailed hard and soft landscaping scheme including details of materials and of any new or altered walls, fences or gates*
- *Details including a manufacturer's specification and typical sectional drawings of the solar roof tiles'*

The proposal would be of a design, scale and materials which would be in proportion and appropriate to the character of the dwellinghouse and existing garage building. The extensions would be located largely to the rear of the dwelling, however given the prominence and elevated position of the property, the first floor of the extension to the dwelling, and garage extension would be visible from the streetscene, and would visible within the setting of the Conservation Area. The amended proportions of the extensions would ensure that the original dwelling would remain the dominant element of the property and would protect the setting of the Conservation Area.

It is therefore considered that the proposal would comply with policies DP26 and DP35 of the Mid Sussex District Plan and policy AS10 of the Ansty and Staplefield Neighbourhood Plan.

Impact on the 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.

Mid Sussex District Plan policy DP16 states:

'Development within the High Weald Area of Outstanding Natural Beauty (AONB), as shown on the Policies Maps, will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan, in particular;

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

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

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

The ethos of this policies is echoed in policy AS3 of the Ansty and Staplefield Neighbourhood Plan.

Paragraphs 189 of the NPPF states that

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas'

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

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

Impact on neighbouring properties

Policy DP26 of the Mid Sussex District Plan 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);'*

The closest neighbouring property is Fairways, which is located to the west of the application site and is some 19 metres from the dwellinghouse with mature hedging in between. Given the existing relationship with this neighbour, it is considered that the proposal would not cause harm to the amenities of this neighbour.

Ecology

Policy DP38 of the Mid Sussex District Plan states:

'Biodiversity will be protected and enhanced by ensuring development:

- *Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and*
- *Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances); and*
- *Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and*
- *Promotes the restoration, management and expansion of priority habitats in the District; and*
- *Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.*
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Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks.

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

Paragraph 193 of the NPPF states:

'When determining planning applications, local planning authorities should apply the following principles:

- a) *if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) *development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- c) *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons 67 and a suitable compensation strategy exists; and*
- d) *development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.'*

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

'We have reviewed the Preliminary Ecological Appraisal (Ecology Partnership, August 2024) and the Bat Emergence Report (August 2024) relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures and mandatory Biodiversity Net Gain.

We are satisfied that there is sufficient ecological information available to support determination of this application.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Preliminary Ecological Appraisal (Ecology Partnership, August 2024) and the Bat Emergence Report (August 2024) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality.

As the Bat Emergence Report (August 2024) confirms the evidence of a single roosting bat, it is indicated that works will need a European Protected Species Mitigation Licence or will needed to be registered by an individual will a Bat Mitigation Class Licence or Earned Recognition Class Licence. A copy of the licence or evidence that the site has been registered should be supplied to Council prior to commencement.

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

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Strategy and should be secured by a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended) and delivery of mandatory Biodiversity Net Gain.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013.'

Nature Space Partnership have been consulted on the application and raise no objection and request an informative.

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

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. This is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. As a householder application this development is exempt from the requirement to provide biodiversity net gain.

Other Matters

Comments have been received from Southern Water who request further information regarding foul and surface water drainage. Flood risk and drainage will be a matter for Building Regulations given the scale of the proposal and that the property is within a flood zone 1 area at a low flood risk.

CONCLUSION

In conclusion, the proposal is considered to be appropriate in terms of design, size and scale to the dwellinghouse, AONB and setting of the Conservation Area, would not cause harm to the amenities of neighbouring properties and acceptable in terms of ecology. Therefore, the proposal complies with Mid Sussex District Plan policies DP12, DP16, DP26, DP35 and DP38, policies AS3 and AS10 of the Ansty and Staplefield Neighbourhood Plan and with the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Katherine Williams