

Elizabeth Adams
Myrtle Cottage
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CONTACT: Caroline Grist
PHONE: 01444 477333
E-MAIL: caroline.grist@midsussex.gov.uk
REF: DM/25/0596
DATE: 6th May 2025

Dear Sir/Madam

**The Old Dairy Great Thorndean Farm Slough Green Lane Warninglid
Vary condition 1 (Approved Plans) and removal of condition 11 (bin store) of planning
permission DM/23/0971 to allow for proposed changes to car part (to be predominantly
wood clad and storage to run the length of car port).**

I advise that your application DM/25/0596 was **Granted Permission** on **6th May 2025**.

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

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

Yours faithfully



Ann Biggs
Assistant Director Planning and Sustainable Economy

Elizabeth Adams
Myrtle Cottage
Brighton Road
Handcross
RH17 6BU

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

PERMISSION

REFERENCE: DM/25/0596

DESCRIPTION: VARY CONDITION 1 (APPROVED PLANS) AND REMOVAL OF CONDITION 11 (BIN STORE) OF PLANNING PERMISSION DM/23/0971 TO ALLOW FOR PROPOSED CHANGES TO CAR PART (TO BE PREDOMINANTLY WOOD CLAD AND STORAGE TO RUN THE LENGTH OF CAR PORT).

LOCATION: THE OLD DAIRY, GREAT THORNDEN FARM, SLOUGH GREEN LANE, WARNINGLID

DECISION DATE: 6 MAY 2025

CASE OFFICER: CAROLINE GRIST - CAROLINE.GRIST@MIDSUSSEX.GOV.UK

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

Conditions

1. Approved Plans

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

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

2. The development hereby permitted shall be carried out in accordance with drainage details hereby approved.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements and Policy DP41 of the Mid Sussex District Plan 2014 - 2031.

3. The development hereby permitted shall be carried out in accordance with the materials schedule submitted on the 18.07.2022, approved under planning application DM/22/2243.

Reason: To preserve the special interest of the curtilage listed building and setting of the listed barn and to accord with policy DP34 of the Mid Sussex District Plan 2014 - 2031.

4. The development hereby permitted shall be carried out in accordance with the window and doors details approved under planning reference DM/17/5102 where applicable. The bi-fold doors hereby permitted shall be of timber frame construction. The front door to the south east elevation shall accord with details submitted on the 21.07.2022, approved under planning application DM/22/2243.

Reason: To preserve the special interest of the curtilage listed building and setting of the listed barn and to accord with policy DP34 of the Mid Sussex District Plan 2014 - 2031.

5. The development hereby permitted shall be carried out in accordance with hard and soft landscaping details as shown on the amended landscaping plan submitted on the 28.09.2022 and gravel finish details submitted on the 22.09.2022, approved under planning reference DM/22/2018. A continuous and uniform area of hardstanding shall be applied across the inner courtyard between Great Thorndean Barn and The Old Dairy, as shown coloured grey on the landscaping plan approved under planning reference DM/22/2018. The landscaping works shall be carried out in full by 30th April 2024. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and of the environment of the development and to protect the special character of the Listed Buildings and their settings and to accord with Policies DP26 and DP34 of the Mid Sussex District Plan 2014 - 2031.

6. The development hereby permitted shall be carried out in accordance with the Geotechnical Reports approved under planning reference DM/17/5102.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to accord with policy DP26 of the Mid Sussex District Plan 2014 - 2031.

7. The recommendations set out in the bat survey report by Arbeco, submitted under application DM/17/1837, shall be implemented in full unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the proposals avoid adverse impacts on protected and priority species and contribute to a net gain in biodiversity, in accordance with policy

DP38 of the Mid Sussex District Plan 2014 - 2031 and relevant paragraphs of the NPPF.

8. The development hereby permitted shall be carried out in accordance with the Schedule of Works approved under planning reference DM/17/5102 where applicable.

Reason: To preserve the special interest of the curtilage listed building and setting of the listed barn and to accord with policy DP34 of the Mid Sussex District Plan 2014 - 2031.

9. The development hereby permitted shall not be occupied unless and until maximum visibility splays have been provided at the site access onto Slough Green Lane in accordance with details approved under planning reference DM/17/5102. These splays shall thereafter be kept clear of all obstructions to visibility above a height of one metre above the adjoining road level.

Reason: In the interests of road safety and to accord with policy DP21 of the Mid Sussex District Plan 2014-2031.

10. No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan, with the exception that the double open car port shall not be erected prior to the occupation of Great Thorndean Barn or at any future point. The parking and turning spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development and to accord with policy DP21 of the Mid Sussex District Plan 2014 - 2031.

11. The dwellings hereby permitted shall not be occupied unless and until all buildings shown to be removed on drawing no. 16/148/D/08c have been demolished and removed from the site in their entirety.

Reason: In the interests of visual amenity and of the environment of the development and to protect the special character of the Listed Buildings and their settings and to accord with policies DP26 and DP34 of the Mid Sussex District Plan 2014 - 2031.

12. The rooflights hereby permitted shall be flush fitting metal framed conservation style rooflights.

Reason: To preserve the special interest of the curtilage listed building and setting of the listed barn and to accord with policy DP34 of the Mid Sussex District Plan 2014 - 2031.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or as amended in the future, no enlargement, improvement or other alteration of the dwelling house, whether or not consisting of an addition or alteration to its roof, nor any other alteration to its roof, shall be carried out, (nor shall any building or enclosure, swimming or other pool be provided within the curtilage of the dwelling house) without the specific grant of planning permission from the Local Planning Authority.

Reason: To preserve the appearance and character of the locality and buildings and to accord with policies DP16 and DP34 of the Mid Sussex District Plan 2014 - 2031.

14. The car port and associated bin/logs/storage area associated with the dwelling at The Old Dairy, shall be carried out in accordance with the submitted Materials Schedule (received 30.04.2025) and email from Elizabeth Adams (received 01.05.2025).

Reason: In the interests of visual amenity and of the environment of the development and to protect the special character of the Listed Buildings and their settings and to accord with policies DP26 and DP34 of the Mid Sussex District Plan 2014 - 2031.

Biodiversity Net Gain

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

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

Informatives

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance.

Accordingly, you are requested that:

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

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

Human Rights Implications

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

Plans Referred to in Consideration of this Application

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

Plan Type	Reference	Version	Submitted Date
Landscaping Details			28.09.2022
Location Plan	16/148/SKLP	A	18.05.2017
Proposed Site Plan	16/148/D/08	c	24.07.2017
Block Plan	16/148/SKBP	C	24.07.2017
Existing Floor Plans	16/148/D/01	-	27.04.2017
Existing Elevations	16/148/D/02	-	27.04.2017
Survey	1	-	27.04.2017
Existing Floor Plans	2	-	27.04.2017
Existing Elevations	3	-	27.04.2017
Existing Sections	4	-	27.04.2017
Existing Floor Plans	5	-	27.04.2017
Proposed Floor Plans	CDMS-21002.07	A	09.08.2021
Proposed Floor Plans	CDMS-21002.08	A	09.08.2021
Proposed Elevations	CDMS-21002.09	A	09.08.2021
Proposed Elevations	CDMS-21002.10	A	09.08.2021
Photographs	gravel finish		22.09.2022
Proposed Floor and Elevations Plan			10.03.2025



Ann Biggs
Assistant Director Planning and Sustainable Economy

PECNDZ

APPEALS TO THE SECRETARY OF STATE

Notes for Applicants

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

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

However, if

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

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

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

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

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

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

Biodiversity Net Gain

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

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

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

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

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

The planning permission was granted on an application made under Section 73 of the Town and Country Planning Act 1990 and

- (i) The original planning permission to which the Section 73 planning permission relates* was granted before 12th February 2024, or
- (ii) The application for the original planning permission* to which the Section 73 planning permission relates was made before 12th February 2024.

* "original planning permission means the permission to which the Section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are Section 73 planning permissions.

Irreplaceable habitat

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

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

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

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

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

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

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and

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

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

If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

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

Purchase Notices

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

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