

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2850	Case Officer:	Steven King
Application Type:	Removal/Variation of Condition		
Proposal:	Variation of condition no. 3 of reserved matters consent DM/20/3788 to allow for design changes to plots 5 and 6		
Site:	Twineham Grange Farm, Bob Lane, Twineham, West Sussex, RH17 5NH, , ,		
Validation Date	3 Dec 2024	Overall Expiry Date:	24 Dec 2024
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	9 Jan 2025
Target Date:	28 Jan 2025	Recommending Officer Signature:	Steven King

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	10 Jan 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2850

**Twineham Grange Farm, Bob Lane, Twineham, West Sussex, RH17 5NH, ,
Variation of condition no. 3 of reserved matters consent DM/20/3788 to allow for design changes
to plots 5 and 6
Mr Paolo Packham**

SUMMARY OF REPRESENTATIONS

None received.

PARISH COUNCIL OBSERVATIONS

Twineham Parish Council confirms it has no objections to the application

INTRODUCTION

This application seeks consent to vary condition 3 of reserved matters consent reference DM/20/3788 to allow for design changes to plots 5 and 6.

RELEVANT PLANNING HISTORY

There is a long and extensive planning history on the site. The site was formally occupied by a cheese processing factory. The extensive buildings that used to occupy the site have been removed, with the exception of a flint building in the southern end of the site that has planning permission to be used as holiday lets.

Of most relevance is the fact that outline planning permission was granted on 13th December 2017 under reference DM/17/1374 for the erection of 6 detached dwellings at the site. The means of access and layout were approved at the outline stage. A subsequent reserved matters consent was granted under reference DM/20/3788.

An application for a Non Material Amendment to application DM/20/3788 to add a condition to list the approved plans was subsequently approved under reference number DM/23/2267.

An application to vary condition 3 of reserved matters consent DM/20/3788 was approved on 16th January 2024 (reference DM/23/3173). This approved minor design changes to the original scheme.

SITE AND SURROUNDINGS

The site of the application is to the south of Bob Lane in the parish of Twineham. The site is accessed via a single width access road. There is a fall in levels through the site from north to south. The northern part of the site used to comprise a complex of modern style farm buildings.

Works are nearing completion to implement the reserved matters consent reference DM/20/3788. Plot 3 has been completed and is the show home.

To the north are the rear gardens of new houses and then there is a rise in levels to the older cottages that front onto Bob Lane. To the west of the site there are open fields. To the southeast there is a flint building that is used for holiday lets, with a car parking area to the west of the building. To the east are the rear gardens of the new houses and then landscaping.

The site is rural in character. Bob Lane is single width in places. There is a public right of way to the south of the site that runs from east to west. In terms of planning policy, the site is within the countryside as defined in the District Plan.

APPLICATION DETAILS

This application seeks to make amendments to the previously approved elevations of the dwellings on plots 5 and 6 by varying the condition that lists the approved plans on the reserved matters consent.

On both plots 5 and 6, the plans propose the removal of the timber fin panels of first floor level.

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 (DP), Site Allocations Development Plan Document (DPD) and the Twineham Neighbourhood Plan (TNP).

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

DP26 Character and Design

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

The Twineham Neighbourhood Plan was made on 24th March 2016.

Relevant policies:

Policy TNP1 Delivery of Housing

Policy TNP2 Design

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 the majority of 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.

DPC1: Protection and Enhancement of the Countryside
DPB1: Character and Design

Mid Sussex Design Guide Supplementary Planning Document (SPD)

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

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework (NPPF) 2023 is also a material consideration and paragraphs 8, 11, 131 and 135 are considered to be relevant to this application.

National Planning Policy Guidance

ASSESSMENT

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

Principle of Development

Planning permission has been granted for the redevelopment of this site for six dwellings and as such, the principle of the development is established.

This application is made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. The Act states that *'On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and-*

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.'

The purpose of this application is to make changes to the external appearance of the dwellings on plots 5 and 6. As such, the design of the proposed dwellings is the main issue to consider in this application, having regard to the previously approved scheme.

Design and Character

Policy TNP1 in the TNP states in part that *'New housing development will be supported where it respects or enhances the local character of the built, natural, and historic environment of the parish.'* Whilst this policy is concerned with the principle of housing in the Parish, which has been approved in this case by the outline consent, this element of the policy is still relevant to this section 73 application.

Policy TNP2 in the TNP states:

'All development should be of good design consisting of the best practice standards for well-designed new homes and neighbourhoods in force at the time, contemporary and innovative design is encouraged where appropriate. This means development should:

-Include energy and water efficiency measures

-Use quality materials, these should be sustainably and locally sourced where feasible.

- Apply space standards taking into account the user, circulation space and the need for storage
- Contribute positively to the local character and rural setting
- Recognise that architectural integrity is of paramount importance and respond in a coherent way
- Not be dominated by parking and hard surfacing
- Utilise appropriate landscaping'

Policy DP26 in the District Plan seeks a high standard of design in new development. It 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 DP29);*
- 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.'*

The NPPF makes it clear that good design is a key aspect of sustainable development. Paragraph 131 states in part *'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve'*

The principle of a modern contemporary design on the site has been approved by the previous consent on the site. The proposed changes to the external appearance of the approved dwellings are modest and do not alter the overall character of the development. The scheme is considered to still be the high quality design that is sought by policy TNP2 in the TNP and policy DP26 in the DP. The design approach is considered to retain the architectural integrity that is sought by principle DG38 in the Design Guide SPD.

The impact on the wider character of the countryside from the proposed changes will be no different to the previously approved scheme.

Overall, it is felt that the proposal will enhance the character of the area by providing a bespoke development of contemporary houses using good quality materials. It is therefore felt the scheme complies with policies TNP1 and TNP2 in the TNP and policies DP12 and DP26 in the DP and the aims of the NPPF in respect of securing good quality design.

Neighbour amenity

Policy DP26 aims to avoid significant harm to the amenities of neighbouring properties. The proposed changes to plots 5 and 6 will cause no loss of amenity to the existing occupiers of the properties to the north or to the future occupiers of the new development.

CONCLUSION

To summarise, it is considered that the proposed changes to the external elevations are acceptable. The proposal will still result in a high quality contemporary development, in accordance with policies TNP1 and TNP2 in the TNP and policies DP12 and DP26 in the DP and the application can be approved.

Decision: Permission

Case Officer: Steven King