

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2579	Case Officer:	Stefan Galyas
Application Type:	Full Application		
Proposal:	Re-use, alteration and extension of existing store to create a 5 bay stable block		
Site:	Land At Southgate Stud, Cuckfield Lane, Warninglid, Haywards Heath, West Sussex, RH17 5SN, ,		
Validation Date	10 Nov 2025	Overall Expiry Date:	30 Dec 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	22 Dec 2025
Target Date:	5 Jan 2026	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	23 Dec 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2579

**Land At Southgate Stud, Cuckfield Lane, Warninglid, Haywards Heath, West Sussex, RH17 5SN,
Re-use, alteration and extension of existing store to create a 5 bay stable block
Ms Kirsty Allen**

SUMMARY OF REPRESENTATIONS

There was one letter of representation received in response to the proposed development. The letter sought to object to the proposal for the following reasons:

- Increased traffic movements down the lane causing safety concerns for pedestrians using the public footpath.
- The existing lane being in a poor condition and not being suitable for further heavy traffic.
- Access to and from the lane onto the main road being unsafe for large vehicles.
- The increase in stables resulting in further noise and waste being generated.
- There being no details on how foul sewage or manure will be managed.
- The application being incorrect as it states that the site cannot be seen from public land although it can be viewed from the adjacent public footpath.

SUMMARY OF CONSULTEES

West Sussex County Council Highways:

'The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.'

Environmental Health:

No objection.

West Sussex County Council Public Rights of Way:

No objection.

Southern Water:

No objection.

PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

The application seeks planning permission for the extension of an existing store to create a 5 bay horse stable block.

RELEVANT PLANNING HISTORY

DM/17/2719 - Open sided barn. Prior approval is not required 10.08.2017.

SITE AND SURROUNDINGS

The application relates to Southgate Stud Farm which comprises a stable building, a storage building and a sandschool. There is an existing gravelled parking area to the north of the site which is accessed through a wooden gateway and a stile to the east. The site is set to the southern side of Cuckfield Lane and is provided further access from a lane which also acts as a public right of way. In terms of materials, the existing barn is composed of timber exterior walls, steel supporting pillars and a corrugated metal roof.

With regard to policy constraints, the site is not set within any defined built up area boundary and is positioned within the High Weald Area of Outstanding Natural Beauty (National Landscapes). There is a grade II listed building at Portways House set to the east of the site.

APPLICATION DETAILS

The proposal would extend the existing store and convert the building into stables. The proposed extension would measure at approximately 4.2m in depth, 3.7m wide and have a maximum height of 2.85m. The north-western, south-eastern and south-western elevations would all be infilled with stained timber weatherboarding and would utilise timber doors.

LEGAL FRAMEWORK AND LIST OF POLICIES

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

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

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

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

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

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

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

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

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocations Development Plan Document (DPD) and the Slaugham 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:

DP16: High Weald Area of Outstanding Natural Beauty

DP21: Transport

DP26: Character and Design

DP29: Noise, Air and Light Pollution

DP34: Listed Buildings and Other Heritage Assets

Site Allocations DPD

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

Relevant policies.

Neighbourhood Plan

Slaugham Neighbourhood Plan 2014-2031 (Made September 2019)

Relevant Policies:

Aim 8: Parking

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:

DPS1 - Climate Change

DPS2: Sustainable Design and Construction

DPN6 - Pollution

DPN7 - Noise Impacts

DPC4 - High Weald Area of Outstanding Natural Beauty

DPB1 - Character and Design

DPB2 - Listed Buildings and Other Heritage Assets

DPT4 - Parking and Electric Vehicle Charging Infrastructure

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) 2024 is a material consideration. Paragraphs 2, 8, 11, 12, 39, 48, 85, 98, 115-117, 131, 134, 135, 139 & 189.

The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective.

Paragraph 12 of the NPPF states '*The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.*'

Paragraph 39 of the NPPF states '*Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.*'

With specific reference to decision-taking paragraph 48 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Guidance

High Weald AONB Management Plan 2024-2029

National Design Guide

Published in 2021, the National Design Guide illustrates how the government consider well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice.

Paragraph 134 of the NPPF sets out that this national document, along with the National Model Design Code, should be used to guide decisions on application in the absence of locally design guides or design codes.

ASSESSMENT

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

- Impact on Character and Design
- High Weald AONB
- Impact on Neighbouring Amenities
- Transport
- Biodiversity Net Gain

Impact on Character and Design

DP26 of the District Plan states:

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

- 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 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'*

The proposed extension would increase the overall footprint of the existing building but would not exceed the existing height and would utilise a matching mono-pitched roof to the existing. This would likely help the proposal embed with the existing. Furthermore, the proposed infilling of the walls and use of stained timber weatherboarding would likely give rise to a soft appearance to the overall building. It is not considered that this material would appear overly incongruous within the relatively rural character of the surrounding area.

The proposed development would not make any exterior alterations to the building. Accordingly, it is considered that the proposal would comply with the provisions of DP26 of the District Plan.

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.

Policy DP16 of the District Plan requires proposals in the AONB to conserve or enhance natural beauty.

Paragraph 189 of the NPPF is also relevant as it states:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.'

In this instance, the proposal is considered to conserve the landscape quality of the AONB due to the proposal not constituting a new isolated development. As such, the proposal would comply with the requirements of Policy DP16 of the District Plan, all the requirements of the High Weald Management Plan and the NPPF.

Impact on Neighbouring Amenities

In terms of impact upon 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 DP29);'*

DP29 then relates to noise, air and light pollution:

The environment, including nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife habitats, and the quality of people's life will be protected from unacceptable levels of noise, light and air pollution by only permitting development where:

Noise pollution:

o It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area;
o If it is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures;
Noise sensitive development, such as residential, will not be permitted in close proximity to existing or proposed development generating high levels of noise unless adequate sound insulation measures, as supported by a noise assessment are incorporated within the development.

In appropriate circumstances, the applicant will be required to provide:

o an assessment of the impact of noise generated by a proposed development; or
o an assessment of the effect of noise by an existing noise source upon a proposed development;

Light pollution:

o The impact on local amenity, intrinsically dark landscapes and nature conservation areas of artificial lighting proposals (including floodlighting) is minimised, in terms of intensity and number of fittings;
o The applicant can demonstrate good design including fittings to restrict emissions from proposed lighting schemes;

Air Pollution:

o It does not cause unacceptable levels of air pollution;
o Development on land adjacent to an existing use which generates air pollution or odour would not cause any adverse effects on the proposed development or can be mitigated to reduce exposure to poor air quality to recognised and acceptable levels;
o Development proposals (where appropriate) are consistent with Air Quality Management Plans.
The degree of the impact of noise and light pollution from new development or change of use is likely to be greater in rural locations, especially where it is in or close to specially designated areas and sites.

The Council's Environmental Health Officer has been consulted and has raised no objection towards the application. They noted that the site already likely has a manure heap and the Environmental Health department has not received any complaints regarding odour or fly nuisance in this location. The management of the manure pile resulting from the stables would be subject to compliance with DEFRA and the Environment Agency. The proposal was therefore not considered to cause a material change in odour or fly impact.

Accordingly, the proposal is considered to comply with the provisions of DP26 and DP29 of the Mid Sussex District Plan in terms of neighbouring amenities.

Transport

Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or residual cumulative impacts on the road network would be severe. Additionally, Policy DP21 of the District Plan requires development proposals to protect the safety of road users and pedestrians.

Aim 8 of the Slaugham Neighbourhood Plan states that proposals will be supported where parking is in line with West Sussex County Council Parking Standards.

Whilst the overall footprint of the existing building would be increased, the existing parking area to the north of the stables would be retained through the proposal. The Highways Engineer consultee in response to the proposal noted that a 'worse case' scenario would see approximately 10 additional two-way vehicle movements per day and it was not considered that the proposal would generate a material intensification of the sites access. No personal injury accidents have been identified at the access within the past 10 years. Moreover, the 7-8 parking spaces on site were considered to be sufficient to meet the needs of the site.

Accordingly, the proposal is considered to comply with the provisions of DP21 of the District Plan.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain this application comprises development below the de-minimis threshold meaning that this development is exempt from providing biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the Development Plan and then to take account of other material planning considerations including the NPPF. The Development Plan in this instance consists of the Mid Sussex District Plan, the Site Allocations Development Plan Document and the Slaugham Neighbourhood Plan.

Courts have confirmed that the Development Plan must be considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy within the Development Plan.

The proposed alterations are considered acceptable in terms of exterior design within the surrounding context and AONB, the amenities of the neighbouring occupiers and its transport impact. The proposal therefore accords with Policies DP16, DP21, DP26, DP29 and DP34 of the Mid Sussex District Plan, Policy 8 of the Slaugham Neighbourhood Plan and the relevant paragraphs of the NPPF.

Decision: Permission

Case Officer: Stefan Galyas