

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2735	Case Officer:	Anna Tidey
Application Type:	Householder Application		
Proposal:	Demolition of existing outbuilding and conservatory. New extension and glass link, internal alterations, new laid patio and paths. New protecting timber box frame window and door in existing historic openings. Existing oil tank to be replaced with a new tank on a concrete base in a different position and to be screened by a fence and the existing cesspit is to be replaced with a new treatment plant.		
Site:	North Hall Cottage, Mallions Lane, Staplefield, Haywards Heath, West Sussex, RH17 6AT, ,		
Validation Date	5 Dec 2024	Overall Expiry Date:	27 Feb 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	23 Apr 2025
Target Date:	30 Jan 2025	Recommending Officer Signature:	Anna Tidey

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	24 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2735

North Hall Cottage, Mallions Lane, Staplefield, Haywards Heath, West Sussex, RH17 6AT, Demolition of existing outbuilding and conservatory. New extension and glass link, internal alterations, new laid patio and paths. New protecting timber box frame window and door in existing historic openings. Existing oil tank to be replaced with a new tank on a concrete base in a different position and to be screened by a fence and the existing cesspit is to be replaced with a new treatment plant.

Mr And Mrs Mellish

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Conservation Officer:

The site, North Hall Cottage, is a Grade II listed cottage located in a rural position outside Staplefield. The list description suggests that the building was constructed in the C18th or earlier; the submitted heritage statement suggests that the building in fact dates originally from the mid-late C16th, starting life as a three bay cottage with a smoke bay. A brick chimney stack was inserted within the smoke bay during the C17th, and a two storey rear wing was added during the late C18th or early C19th. Further alterations were carried out during the C20th, including the addition of a conservatory to the rear. There is also a substantial modern annexe building within the gardens to the north east of the house, which dates from the 1990s.

The current proposal is for external and internal works. Externally, the works include demolition of the modern annexe building and construction of a single storey linked extension to the rear of the house, attached to the rear of the two storey late C18th/early C19th extension by a glazed link; demolition of the existing conservatory extension to the rear of the house (and construction of a replacement glazed canopy); addition of double or vacuum glazed timber framed panels externally to a pair of original C16th mullioned windows which would be exposed by the removal of the conservatory; and installation of a pair of French windows to the southern elevation of the rear wing. Internally, the proposed works include removal of a modern spiral staircase at ground floor, removal of a modern partition at ground floor, lifting and relaying of flooring, and removal of bathroom fittings.

Within the gardens to the house, further works are proposed comprising introduction of a patio to the rear of the house where the conservatory is to be removed, relaying of the brick path to the front garden area, further new pathways from a parking area to the north of the house (consented under a separate recent application), and a replacement oil tank.

The existing modern annexe building - not of any particular age or architectural interest and has at best a neutral impact on the setting and significance of the Cottage. The proposed extension is substantial, and might in other circumstances be considered excessive in scale in the context of a building of such originally modest proportions. However, the removal of the existing annexe building which is set in close proximity to the house, and its replacement with a structure of a more sympathetic design and in a less visually prominent position will have a positive impact on the setting of the cottage which must be weighed against this.

The lightweight glazed link, which sets the extension off the existing rear elevation of the house, also aids in mitigating the impact of its bulk. On balance, this aspect of the proposal is considered generally acceptable. Further information in respect of some aspects of the design is requested:

- solar PV installation to the southern roof slope of the extension.
- proposed sections (annotated to show materials) to show the form of the proposed glazed link.
- The existing conservatory addition is unattractive and detracts from the appearance of the rear of the house. Its removal is welcomed in principle.
- Questions need for glazed canopy, shown on original to protect the C16th mullioned windows. The canopy is not a sympathetic feature, will add visual clutter to the elevation and reduce the benefit to be accrued by the removal of the conservatory. In my opinion, this aspect of the proposal requires reconsideration and/or further justification.
- The C16th timber mullioned windows are an unusual survival and one of the most significant features contributing to the special interest of the cottage. Their protection, following the removal of the conservatory, must be a priority. The addition of appropriately designed glazed external frames to protect the original fabric may be an appropriate solution, however I would like to see more detail at this stage of the design of the frames and how they will be attached to the elevation in order to avoid or minimise damage to the surrounding fabric, whilst providing adequate weathering, rather than requiring it by condition, due to the importance of this aspect of the proposal to preserving the special interest of the building.
- It would be useful if this detail could be seen and commented on by Joe Thompson, given his knowledge of the building and expertise in this field. This could take the form of a brief addendum to the submitted heritage statement.
- In terms of glazing to the frames I would suggest slimline double rather than vacuum units.
- The proposed French windows to the southern elevation of the rear wing replace existing double doors in the same position. This aspect of the proposal is therefore not considered contentious in principle, but I would suggest that the material and detailed design of the French windows are timber, multi-pane casements.
- The proposed internal works affect only modern fabric and plan form and are not considered to affect the special interest of the building.
- works to relocate the oil tank and replace an existing septic tank with a treatment plant. are not considered contentious, subject to detail.
- Proposed works to create a patio and relay, or introduce new pathways, are also not considered contentious, subject to details of materials.

Tree Officer:

I have reviewed the Arboricultural Impact Assessment, Arboricultural Method Statement (AMS), Tree Survey and Tree Report for this application.

Whilst the loss of this significant ash is regrettable, the report confirms the potential danger this tree poses if left. I have no objection to this application but, please do condition the AMS, particularly relating to tree protection.

Naturespace Newt Officer:

It is considered that the proposed development would present a low risk to Great Crested Newts and/or their habitats. However, as the development is within the red Impact Risk Zone, as modelled by district licence mapping, I recommend an informative should be attached to planning consent.

Ecologist:

We have reviewed the Bat Survey and Assessment (Babec Ecological Consultants, October 2024) and Preliminary Ecological Appraisal (The Ecology Co-op, July 2023), relating to the likely impacts of development on designated sites, protected & Priority species and habitats, identification of proportionate mitigation measures and mandatory Biodiversity Net Gain.

We have also reviewed the information submitted to meet the requirements of mandatory biodiversity net gains. This includes the Application Form.

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

Recommend approval, subject to conditions to require the development to accord with the mitigation and enhancement measures in the submitted Bat Survey and Assessment and Preliminary Ecological Appraisal, that any works that will impact upon the breeding/resting place of bats will require the submission of a licence from Natural England/Bat Mitigation Class Licence, and to require the submission of a Biodiversity Enhancement Layout.

Drainage Engineer:

The submitted information is considered insufficient as it relates to a previous application at the site. The application site is located within Flood Zone 1 and in an area at high risk from surface water flooding. A Flood Risk Assessment and Surface Water Drainage Strategy will be required to be submitted at the application stage.

Further comments: We have reviewed the additional information submitted on 14/04/2025:

- o Flood Risk Assessment Report. Issue A. Date 04 Apr 2025 by Monson
- o Surface Water Drainage Strategy Report. Issue B. Date 09 Apr 2025 by Monson

We have no objection to the proposed development on flood risk grounds.

Due to the nature of the development (minor residential extension) drainage should be managed via Building Regulations/Control.

We would advise the applicant that non-main foul drainage should meet with the Environment Agency's General Binding Rules. Where these rules cannot be met then an Environmental Permit will be required.

Southern Water:

The Environment Agency should be consulted directly by the applicant regarding the use of a private wastewater treatment works which disposes of effluent to sub-soil irrigation.

TOWN/PARISH COUNCIL OBSERVATIONS

Ansty and Staplefield Parish Council: No objections.

INTRODUCTION

This application seeks planning permission for the demolition of an existing detached outbuilding and a rear attached conservatory, and the construction of a new extension and glass link to enlarge the living space at the cottage. Associated works include: internal alterations, new laid patio and paths, new protecting timber box frame window and door in existing historic openings. Within the garden the existing oil tank is proposed to be relocated and replaced with a new tank on a concrete base, screened by a new trellis fence and the existing cesspit is to be replaced with a new treatment plant.

The works are proposed at North Hall Cottage, off Mallions Lane to the south of Staplefield.

RELEVANT PLANNING HISTORY

DM/24/2887. Demolition of existing outbuilding and conservatory, new extension and glass link, internal alterations, new laid patio and paths. New protecting timber box frame window and door in existing historic openings. Moving oil tank with additional screening and replacing cesspit / septic tank with treatment plant. Yet to be determined.

DM/24/0417. Discharge of planning condition nos 4 and 7 of planning application DM/23/2212. Approved April 2024.

DM/23/2212. Construction of new vehicular bridge and new parking with turning area. Flood Risk Assessment received 14.12.2023. Approved January 2024.

DM/17/0200. Improvements to existing annexe to create disabled-friendly space and replace existing asbestos roof with tiles to match main dwelling. Approved March 2017.

SITE AND ITS SURROUNDINGS

North Hall Cottage, is a Grade II Listed building, sited on the eastern side of Mallions Lane to the south of Staplefield. The cottage is sited within a partly wooded garden which is accessed by a pedestrian bridge over a roadside stream, which also extends around the northern side of the garden.

There is a new vehicular access and bridge which provides access to a new parking area sited within the garden, and located to the north of the cottage. A roadside parking bay also serves the cottage on the western side of the lane. This also forms an access point to a field gateway. This area of land is not in the ownership of the applicant.

The cottage has been extended in the past and benefits from a detached outbuilding, which is in associated residential use. There are other smaller garden sheds and structures located within the garden area.

The property is located in a secluded countryside setting and within the High Weald AONB. To the north of the site is a separate property, known as North Hall. To the south east is another detached property, known as Hill Field Cottage. Both are located some distance from the site.

The site lies within a Red Impact Risk Zone for Great Crested Newts and within the 1 in 30 year Surface Water flooding area.

APPLICATION DETAILS

This application seeks planning permission for works to extend the cottage, following the demolition of the existing detached outbuilding and conservatory addition, for repair and preservation works to the listed fabric, including windows located at the rear of the cottage and for other internal works to include the removal of a modern spiral staircase and a modern partition at ground floor, lifting/relaying flooring, new doors and the removal of bathroom fittings.

The existing outbuilding measures approx. 8m deep by 4.2m in width, and has a low profiled roof a maximum of 3.4m in height. The proposed extension has a similar overall footprint, measuring 7.5m deep by 5m wide with a steeper roofline to take a clay tile, a maximum of 4.3m in height. The roof ridge height on the extension would be set approx. 1.1m lower than the main ridge height on the cottage. A 2m wide glazed flat roofed link forms a corridor to attach the extension to the rear doorway into the kitchen, at the rear of the cottage.

Within the garden it is proposed to lay a patio and to create new pathways, the existing oil tank is to be relocated and replaced on a concrete base in with fence screening and the existing cesspit is to be replaced with a new treatment plant.

The application was submitted with a detailed Design and Access Statement, an Arboricultural Method Statement and a Flood Risk Assessment.

During the course of determining the application additional supporting information and documents have been submitted, including a Heritage Statement, further Flood Risk and Drainage information, and a SuDS report.

Amended plans were received on 14.03.2025 to show details of the position and layout of the proposed flush PVs in the extension roof. They also indicate the rear glazed canopy (proposed to protect the rear elevation) is removed from the proposal.

LEGAL FRAMEWORK AND LIST OF POLICIES

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

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocation Development Plan Document (DPD) and the Ansty, Staplefield and Brook Street Neighbourhood Plan and Site Allocations DPD.

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 AONB
DP26 Character and design
DP34 Listed Buildings and Other Heritage Assets
DP37 Trees, Woodland and Hedgerows
DP38 Biodiversity
DP41 Flood risk and Drainage

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.

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 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:

DPS4 Flood risk and Sustainable Drainage
DPN1 Biodiversity, Geodiversity and Nature Recovery
DPN4 Trees, Woodland and Hedgerows
DPC1 Protection and Enhancement of the Countryside
DPB1 Character and Design
DPB2 Listed Buildings and Other Heritage Assets

Neighbourhood Plan

Neighbourhood Plan - Ansty, Staplefield and Brook Street Neighbourhood Plan (Made February 2017)

Policy AS3 High Weald Area of Outstanding Natural Beauty

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.

The High Weald AONB Management Plan 2024-2029

High Weald Dark Skies Planning Advice Note

The High Weald Housing Design Guide 2020

National Planning Policy Framework (NPPF) (December 2024)

ASSESSMENT

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

- Design
- Impact upon the rural setting and the High Weald AONB
- Impact on residential amenities
- Impact upon Listed Building
- Impact upon trees
- Flood Risk/Drainage
- Ecology
- Biodiversity Net Gain

Design

Policy DP26 of the District Plan seeks to promote well located and designed development, to protect valued characteristics of the built environment for their historical and visual qualities and support sustainable communities and create accessible environments. The wording of Policy DP26 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.'*

Also relevant in the determination of the application is the design guidance contained in the Mid Sussex Design Guide, which seeks good design in house alterations and extensions.

Design Guide Principle DG49 states:

'Extensions should respond to the design of the original dwelling and applicant will be expected to demonstrate how local character has informed the design proposal. Extensions should also normally be designed to be well integrated with the existing scale, form and massing allow the original building to remain the dominant element of the property whether it has one or several additions.'

Extensions should typically use simple, uncomplicated building forms to complement 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.

Extensions should not result in a significant loss to the private amenity area of the dwelling.

There are two general approaches to extending a property:

*-designing in the style of the existing building by closely matching its facing materials, architectural features, window sizes and proportions; and
-designing in a contemporary style that takes its cues from key aspects of the existing building that might include its underlying form and proportions, facing materials, window design and other specific architectural features. The success of this approach is particularly reliant on high quality facing materials and finishes, and this will normally need to be demonstrated through detailed elevations and section drawings.*

Both approaches can create successful, well designed extensions that can be mutually beneficial to both the house and the wider area. All extensions and alterations should consider their impact on neighbouring properties (refer to Chapter 8 on residential amenity).'

Design Guide Principle DG51 refers to rear extensions and states:

'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.'

The proposed rear extension will replace the separate outbuilding. The detached building to the north east of the cottage provides ancillary accommodation to the cottage. It is sited to be visible from Mallions Lane. The proposed extension will be sited to the rear of the cottage and would be attached with a light glazed link. The proposed extension has a subordinate form and reflects the modest scale and form of the original cottage.

The low tiled catslide roof form on the extension matches that on the northern side elevation of the cottage, with a plain clay tile finish. The proposed external wall cladding (green oak feather edged boarding above a black painted brickwork plinth), will give the extension a subordinate barn like appearance, appropriate to the rural setting at the rear of the cottage.

The overall design of the proposed extension and the proposed construction materials are inkeeping with the host building, to accord with the design aims in the relevant District and Neighbourhood Plan Policies.

Consequently the design and appearance of the proposed extension is considered to accord with the aims of Policy DP26 and with the relevant Design Guide principles.

Impact upon the rural setting and the High Weald AONB

North Hall Cottage is a detached property which lies in open countryside within the High Weald AONB.

The legal framework for AONBs, (also known as National Landscapes) in England and Wales is provided by the Countryside and Rights of Way Act (CRoW) 2000 which at Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty. Section 84 of the CRoW requires Local Planning Authorities to *'take all such action as appears to them expedient for accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB'*. The Levelling-up and Regeneration Act (2023) amended section 85 of the CRoW Act, to create a new duty on relevant authorities to *'seek to further the purpose of conserving and enhancing the natural beauty of the area when discharging their functions in AONBs'*. A similar ethos is found within The High Weald Area of Outstanding Natural Beauty Management Plan which is a material consideration in the determination of planning applications in the AONB.

Paragraph 189 of the NPPF states:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks.'

District Plan Policy DP12 seeks to maintain and enhance the quality and character of the rural area. Policy DP12 states:

'DP12: Protection and Enhancement of Countryside

The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

o it is necessary for the purposes of agriculture; or

o it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.

Agricultural land of Grade 3a and above will be protected from non-agricultural development proposals. Where significant development of agricultural land is demonstrated to be necessary, detailed field surveys should be undertaken and proposals should seek to use areas of poorer quality land in preference to that of higher quality.

The Mid Sussex Landscape Character Assessment, the West Sussex County Council Strategy for the West Sussex Landscape, the Capacity of Mid Sussex District to Accommodate Development Study and other available landscape evidence (including that gathered to support Neighbourhood Plans) will be used to assess the impact of development proposals on the quality of rural and landscape character.

Built-up area boundaries are subject to review by Neighbourhood Plans or through a Site Allocations Development Plan Document, produced by the District Council. Economically viable mineral reserves within the district will be safeguarded.'

Policy DP16 also seeks to maintain and enhance the quality and character of the AONB, and 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;

o the identified landscape features or components of natural beauty and to their setting;

o the traditional interaction of people with nature, and appropriate land management;

o character and local distinctiveness, settlement pattern, sense of place and setting of the AONB; and

o the conservation of wildlife and cultural heritage.

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 should not adversely affect the views into and out of the AONB by virtue of its location or design.'

Neighbourhood Plan Policy AS3 is also relevant. This states:

'Policy AS3: High Weald Area of Outstanding Natural Beauty

Development proposals within the High Weald Area of Outstanding Natural Beauty in the neighbourhood plan area (as shown on the Proposals Map) must demonstrate how they address the requirements of the NPPF, policies of the Mid Sussex Local Plan 2004 or the District Plan once it is adopted;

*o conserve and enhance the natural beauty of the AONB area; and
o demonstrate how they meet the objectives of the High Weald AONB Management Plan; and
o for major development, proposals must include an assessment of:*

*a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
b) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.'*

A similar ethos is found within The High Weald Area of Outstanding Natural Beauty Management Plan and the High Weald Housing Design Guide 2020.

Given the scale, form and rear position of the proposed extension it is considered that the proposal would not have an adverse impact on the wider appearance of North Hall Cottage, its garden and its rural setting in the AONB.

The associated works within the garden to create a new rear patio area, new paths laid in Freshfield Lane bricks, the relocated oil tank and new sewage treatment plant, in place of the existing cesspit, will all serve to enhance and improve the appearance of the garden space around the cottage and will not have an adverse impact upon the wider AONB. As such the proposal will accord with Policies DP12 and DP16 of the District Plan, Policy AS3 of the Neighbourhood Plan and relevant NPPF guidance and the AONB Management Plan and Design Guide.

Impact on residential amenities

District Plan Policy DP26 requires 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.'*

In addition Principle DG45 in the Design Guide refers to the need to consider privacy of existing and future residents and it is noted that privacy may be affected by the relationship of buildings to each other.

The nearest residential property is North Hall, which is sited some 170m to the north of North Hall Cottage, with intervening fields, trees and boundary hedging. The residents of Hill Field Cottage are sited some 130m away to the south east of the cottage, with intervening woodland.

In assessing the potential impact of the proposed development upon the neighbouring amenities consideration needs to be given to the wording and content of District Plan Policy DP26. Policy DP26 requires that *'All applicants will be required to demonstrate that development does not cause significant harm to the amenities of existing nearby residents and future occupants of the new dwellings.'*

It is considered that the proposed extension, associated external changes, and the proposed works within the garden will not have a significant impact upon the enjoyment or amenities of the neighbouring residents. Consequently it is considered that the proposed development is acceptable and will accord with the requirements of Policy DP26 of the District Plan and the Design Guide principles in respect of neighbouring amenities.

Impact upon Listed Building

North Hall Cottage is a Grade II Listed building. Taken together Grade I and Grade II* Listed buildings account for just 8% of all listed buildings, with Grade II Listed Buildings accounting for 92% of all listed buildings.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is relevant in the determination of this application, as it states:

'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

In addition, in enacting section 66(1) of the Listed Buildings Act, the desirability of preserving the settings of listed buildings should be given 'considerable importance and weight' when the decision taker carries out the balancing exercise, thus properly reflecting the statutory presumption that preservation is desirable.

District Plan Policy DP34 is relevant in the determination of this application. This requires development to protect listed buildings and their settings, and states:

'The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic.'

Paragraphs 207- 210 of the NPPF provide guidance on proposals affecting heritage assets, and state:

'207. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.'

208. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.'

209. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.'

210. 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.'*

A detailed Heritage Statement and a Design and Access Statement have been submitted with the application. These documents have been reviewed by the Conservation Officer and the Planning Officer in the consideration of this proposal. It is also relevant that detailed preapplication advice was sought ahead of the application and significant design changes were made to the original design submissions ahead of the submission of the current proposals. The scheme, as submitted, has moved some way forward from the original design options. Since the submission the original proposal, which included a new glass canopy in place of the conservatory, has been amended and that element is now removed from the scheme.

Overall the various proposed external and internal changes, both to the cottage and within its garden setting, are supported. The Conservation Officer has made detailed comments on the various proposed works and has suggested certain additional details may be the subject of appropriately worded planning conditions. It is considered that such details in respect of the solar PV installation, sectional drawings for the extension link, mullion window glazing details, the French doors and patio/pathway construction are necessary and should be required to preserve the unique character and valuable historic fabric of the Listed Building. Given that the rear glass canopy has been removed from the proposal, this element if pursued, would require separate Listed Building Consent.

Subject to the receipt and approval of these additional details the proposal is found to accord with the requirements of District Plan Policy DP34 and the relevant paragraphs of the NPPF, and is acceptable in respect of the adaptation and extension of the Listed cottage.

Impact upon Trees

District Plan Policy DP37 is relevant in the determination of the proposed impact of the development upon the trees growing on and surrounding the site. This states:

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- o incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- o prevents damage to root systems and takes account of expected future growth; and*
- o where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
- o has appropriate protection measures throughout the development process; and*
- o takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*
- o does not sever ecological corridors created by these assets.*

Proposals for works to trees will be considered taking into account:

- o the condition and health of the trees; and*
- o the contribution of the trees to the character and visual amenity of the local area; and*
- o the amenity and nature conservation value of the trees; and*
- o the extent and impact of the works; and*
- o any replanting proposals.*

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary.'

The advice of the Tree Officer has been sought on the submitted Arboricultural Method Statement (AMS) for this application. One Ash tree is identified for felling, as a result of its current condition, and the potential future risk it poses to health and safety.

The Tree Officer supports the proposal subject to a planning condition to require the development is carried as detailed in the submitted Arboricultural Method Statement.

The application is therefore recommended for approval, subject to the imposition of a planning condition to require the development to accord with the recommended tree protection measures. With this condition in place the trees that are important to the appearance of the site will be adequately protected and the proposed development works will accord with the aims of District Plan Policy DP37.

Flood Risk/Drainage

The site lies within an identified area of 1 in 30 year surface water flooding. The application has been supported by a detailed Flood Risk Assessment at the request of the MSDC Drainage Engineers. The application has also been considered by Southern Water. Their comments are reported above.

The relevant District Plan Policy in respect of Drainage and Flood Risk is DP41, which states:

'Proposals for development will need to follow a sequential risk-based approach, ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. The District Council's Strategic Flood Risk Assessment (SFRA) should be used to identify areas at present and future flood risk from a range of sources including fluvial (rivers and streams), surface water (pluvial), groundwater, infrastructure and reservoirs.

Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates.

Sustainable Drainage Systems (SuDS) should be implemented in all new developments of 10 dwellings or more, or equivalent non-residential or mixed development²² unless demonstrated to be inappropriate, to avoid any increase in flood risk and protect surface and ground water quality. Arrangements for the long term maintenance and management of SuDS should also be identified.

For the redevelopment of brownfield sites, any surface water draining to the foul sewer must be disconnected and managed through SuDS following the remediation of any previously contaminated land.

SuDS should be sensitively designed and located to promote improved biodiversity, an enhanced landscape and good quality spaces that improve public amenities in the area, where possible.

The preferred hierarchy of managing surface water drainage from any development is:

- 1. Infiltration Measures*
- 2. Attenuation and discharge to watercourses; and if these cannot be met,*
- 3. Discharge to surface water only sewers. Land that is considered to be required for current and future flood management will be safeguarded from development and proposals will have regard to relevant flood risk plans and strategies.'*

Further to the submission of the requested detailed drainage information MSDC Drainage Engineers have raised no objection to the proposed development on flood risk grounds, and advise that as the

development is a minor residential extension drainage matters will be managed via Building Regulations. They advise that non-main foul drainage should meet with the Environment Agency's General Binding Rules.

It is therefore considered that the proposal will accord with the aims of District Plan Policy DP41.

Ecology

The site falls within a Red Impact Risk Zone for Great Crested Newts. The Ecologist and the Newt Officer have been consulted on this application and their comments are reported above.

The relevant District Plan Policy with regards to biodiversity and its protection is DP38. This states:

'Biodiversity will be protected and enhanced by ensuring development:

o 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
o 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
o Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and
o Promotes the restoration, management and expansion of priority habitats in the District; and
o 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.

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.

Geodiversity will be protected by ensuring development prevents harm to geological conservation interests, and where possible, enhances such interests. Geological conservation interests include Regionally Important Geological and Geomorphological Sites.'

The Newt Officer has been consulted on this application and considers the development would pose a low risk for Great Crested Newts or their habitats. With the recommended Informative to draw the applicant's attention to the relevant legislation for the protection of wildlife (the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended)) the proposal is therefore considered to accord with the aims of District Plan Policy DP38.

The Ecologist has also reviewed the originally submitted Preliminary Ecological Appraisal, and a subsequently submitted later Appraisal report, following her earlier concerns regarding the impact of the development upon Bats and Hazel Dormice.

The proposed development on the site is acceptable providing the works are undertaken in accordance with the recommendations of the Bat Survey and Assessment (Babec Ecological Consultants, October 2024) and Preliminary Ecological Appraisal (The Ecology Co-op, July 2023), as recommended by the Council's Ecological Adviser. Subject to the requested planning conditions to require the appointment of an appropriately competent person, i.e an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction, it is considered that the proposal would not harmfully impact upon

biodiversity on the land and will conserve local protected and priority species, to accord with the aims of District Plan Policy DP38.

Biodiversity Net Gain

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

PLANNING BALANCE AND CONCLUSION

The scale and design of the proposed rear extension, the proposed construction materials and other external works are inkeeping in design terms with the Listed building at North Hall Cottage, and its rural setting, which accord with the design aims in Policies DP12 and DP16 of the Mid Sussex District Plan, Neighbourhood Plan Policy AS3 and National Planning Policy Guidance.

Subject to appropriate planning conditions specific details can be required to ensure that the works preserve the unique character and valuable historic fabric of the Listed Building to accord with the requirements of District Plan Policy DP34 and the relevant paragraphs of the NPPF.

The scale and position of the proposed extension and related works will not cause significant harm to the neighbouring amenities. In this respect the proposal accords with the aims of District Plan Policy DP26, and the relevant principles of the Design Guide.

The application has been accompanied with a supporting Flood Risk Assessment to assess the impact of the proposed extension on the existing local flooding conditions. The Council's Drainage Engineers raise no objection to the proposal on flood risk grounds, and the works will accord with the aims of District Plan Policy DP41.

Sufficient supporting information has been provided to address the impact of the various development elements upon the wildlife living on the site and their habitats. The recommended planning conditions will ensure that the development will conserve local protected and priority species, to accord with the aims of District Plan Policy DP38. An Informative is recommended to protect Great Crested Newts.

Consequently this application is recommended for approval.

Decision: Permission

Case Officer: Anna Tidey