

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1023	Case Officer:	Joanne Fisher
Application Type:	Full Application		
Proposal:	The demolition of the existing site office and construction of a single dwelling and associated works.		
Site:	Crabbet Park Equestrian Centre, Turners Hill Road, Turners Hill, Crawley, West Sussex, RH10 4ST, ,		
Validation Date	1 Jul 2025	Overall Expiry Date:	30 Sep 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	7 Nov 2025
Target Date:	26 Aug 2025	Recommending Officer Signature:	Joanne Fisher

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

MID SUSSEX DISTRICT COUNCIL

DM/25/1023

Crabbet Park Equestrian Centre, Turners Hill Road, Turners Hill, Crawley, West Sussex, RH10 4ST,

The demolition of the existing site office and construction of a single dwelling and associated works.

C/O Agent

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

MSDC Conservation Officer

The principle of the new residential use, loss of the granary building, and the design of the development are considered to result in a low level of less than substantial harm, through impact on setting, to the special interest of the listed buildings at Crabbet Park. The proposal also results in a complete loss of significance of the existing NDHA on the site, which is regarded as having a mid-level of interest in the local context. These harms are not currently justified by the information contained within the supporting documents.

MSDC Ecology Consultant

No objection subject to conditions.

MSDC Tree Officer

No objection. Conditions.

MSDC Drainage

No objection subject to condition.

MSDC Street Name and Numbering

Informative.

Nature Space

The proposed development is not considered to be relevant to the District Licensing Scheme in this case, and we consider there would be no likely impact on great crested newts or their habitats. I therefore have no comments.

PARISH COUNCIL OBSERVATIONS

Defer to Officer.

INTRODUCTION

Permission is sought for the demolition of the existing site office and the construction of a single dwelling and associated works.

RELEVANT PLANNING HISTORY

There is no relevant planning history in relation to the building subject of the application. However, there is a detailed history concerning the wider site. The most relevant and recent are:

Stable Cottage

DM/23/3221 - Replacement dwelling. Approved.

DM/24/0657 - Variation of condition 3 in relation to DM/23/3221 - To allow demolition to commence prior to discharge. Approved.

Pre-commencement conditions have been discharged in respect of this dwelling, and this property is completing construction.

Crabbet Park

01/00051/FUL - Demolition of existing stable buildings. Erection of 1 no 4 bed detached house, 2 no terraces of 4 no 3 bed houses, 1 no terraces of 4 no 2 bed houses and 1 no terrace of 6 no 2 bed houses. Total 19 dwellings. Refused and subsequent appeal dismissed.

01/00052/FUL - Demolition of 2 no houses and vacant barn building, erection of 2 no 4 bedroom detached houses and 6 no 3-bedroom terraced houses, for associated hotel accommodation. Refused and subsequent appeal dismissed.

SITE AND SURROUNDINGS

The site is set down a private road off Turners Hill Road which serves a hotel (Holiday Inn), Nuffield Health Fitness Centre as well as stables, a stable yard and a number of properties and a boutique hotel (Windfalls) set further to the north. The application site is set within the grounds of an equestrian centre. Many of the stables are in disrepair and are currently not in use, however, there are stables still in use further to the west of the site. The existing building is to the east of the central courtyard adjacent to an access track which leads to further stables. The building is constructed of a timber frame structure, timber weatherboarding and casement windows, clay tile roof, and is elevated on brick piers and saddle stones. It is vacant and is disrepair with some roof tiles and timber weatherboarding missing. Its former use was as a site office associated with the wider equestrian use.

The property is situated on grounds historically associated with the Crabbet Park Equestrian Estate. However, the dwelling, stables and yard no longer form part of the curtilage of the Grade II* listed building of Crabbet Park House.

To the north is the existing access road which serves the site and stables, with a grassed area opposite. To the west is the former stable yard now used for parking of vehicles associated with the Nuffield Sports Centre with the replacement dwelling opposite. To the south is the 'Coronation Stables,' and the building of the Nuffield Health Centre and parking associated with the health centre. To the east are further timber stables.

The site is designated within the Mid Sussex District Plan and Copthorne Neighbourhood Plan as being within the countryside.

APPLICATION DETAILS

Permission is sought for the demolition of the existing site office and the construction of a single dwelling and associated works.

The proposal is to comprise of a two-storey dwelling with a link to a single storey element. The dwelling would be timber clad with a tiled pitched roof and aluminium windows. The dwelling would be constructed on a brick plinth with the single storey element constructed on the existing saddle stones

which are on the site for part of the existing building. To the front (northern) elevation would be a pitched canopy porch.

The property would have a maximum width of some 4.7 metres, some 15.25 metres in length with an eaves height of some 5.2 metres and an overall ridge height of some 7.4 metres.

The dwelling would comprise of a lounge, toilet, and kitchen/dining room at ground floor with two bedrooms and a bathroom at first floor.

There would be two parking spaces within the existing area of hardstanding to the west of the building with a garden to the south of the proposed property enclosed by post and rail fencing and a close boarded fence. Cycle and bin storage would be within the garden area. To the front of the dwelling adjacent to the access track would be a native hedgerow.

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, and*
- b) Any 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 Copthorne Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework (NPPF) 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:

DP4 - Housing

DP6 - Settlement Hierarchy

DP12 - Protection and Enhancement of Countryside

DP15 - New Homes in the Countryside

DP21 - Transport
DP26 - Character and Design
DP27 - Dwelling space standards
DP29 - Noise, Air and Light Pollution
DP34 - Listed Buildings and Other Heritage Assets
DP37 - Trees, Woodland, and Hedgerows
DP38 - Biodiversity
DP39 - Sustainable Design and Construction
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.

Copthorne Neighbourhood Plan

The Neighbourhood Plan for Copthorne was 'made' in September 2021. It forms part of the development plan with full weight.

Relevant policies:

CNP1 - General Development Requirements
CNP9.1 - Agricultural Belt
CNP15 - Car Parking

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

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
DPS4 - Flood Risk and Drainage
DPN1 - Biodiversity Net Gain
DPN4 - Trees, Woodland, and Hedgerows
DPN6 - Pollution
DPN7 - Noise Impacts
DPN10 - Land Stability and Contaminated Land
DPC1 - Protection and Enhancement of the Countryside
DPC3 - New Homes in the Countryside
DPB1 - Character and Design
DPB2 - Listed Buildings and Other Heritage Assets
DPT1 - Placemaking and Connectivity

DPT3 - Active and Sustainable Travel
DPT4 - Parking and Electric Vehicle Charging Infrastructure
DPH1 - Housing
DPH11 - Dwelling Space Standards

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.

West Sussex County Council Guidance on Parking at New Developments - September 2020

National Planning Policy Framework (NPPF) (December 2024)

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 overarching objectives to sustainable development, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). The three objectives are economic, social, and environmental.

Paragraph 9 of the NPPF states *'these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.'*

Paragraph 11 of the NPPF sets out that for both plan-making and decision-taking, the presumption in favour of sustainable development should apply.

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 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.

Technical Housing Standards

ASSESSMENT

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

- Principle
- Design and Impact on the character and appearance of the area
- Impact on setting of listed buildings and Non-Designated Heritage Asset
- Highways
- Impact on Residential Amenity
- Housing Standards
- Flood Risk and Drainage
- Trees
- Ecology and Biodiversity Net Gain
- Sustainability
- Ashdown Forest
- Planning Balance and Conclusion

Principle

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

In terms of policy designations, the starting point for this assessment is that the application site falls outside of the built-up area of Copthorne as defined by the District Plan. As such the site is located within the defined Countryside.

Policy DP12 of the District Plan refers to the protection of the Countryside and states, in part, that development will be permitted in the countryside provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and is necessary for the purposes of agriculture or is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.

Policy DP6 of the District Plan states in part that:

'Outside defined built-up area boundaries, the expansion of settlements will be supported where:

- 1. The site is allocated in the District Plan, a Neighbourhood Plan or subsequent Development Plan Document or where the proposed development is for fewer than 10 dwellings; and*
- 2. The site is contiguous with an existing built-up area of the settlement; and*
- 3. The development is demonstrated to be sustainable, including by reference to the settlement hierarchy.'*

The proposed residential development is for one dwelling; however, it does not meet criteria 2 and 3 of the above policy.

Policy DP15 of the District Plan refers to new homes in the countryside and sets out the special justifications where new homes would be permitted. Special justification would include;

- Essential agricultural or forestry workers accommodation
- Exceptional design quality for isolated new homes
- Rural exception sites
- DP6 requirements being met

The proposed residential development does not meet any of these special justifications.

There are no other relevant policies in the District Plan, any other development plan documents such as the Site Allocations document, or the Neighbourhood Plan that would explicitly support the residential development of this site. Whilst there is some compliance with Policy DP12, insofar as the development is deemed to maintain or enhance the quality of the rural and landscape character, as demonstrated in the design/visual amenity sub-section, the principle of the application does conflict with the development plan, in terms of what type of development is allowable under Policies DP6, DP12 and DP15.

As per planning legislation, a decision must be made in accordance with the development plan unless there are any material planning considerations which indicate otherwise.

The policies contained within the NPPF are material considerations which should be taken into account in the determination of this application. This is confirmed within paragraph 231 of the NPPF.

Paragraph 232 clarifies that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

Paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development, and states;

'For decision-taking this means;

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development policies, or the policies which are most important for the determining the application are out-of-date, granting planning permission unless;

i. The application of policies within this Framework that protect areas or assets of particular importance provides a strong reason for refusing development proposed; or

ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.'

Footnote 7 of paragraph 11(i) clarifies that the policies referred to are those in this Framework (rather than those in development plans) and relate to habitats sites (and those and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets and other heritage assets of archaeological interest; and areas at risk of flooding or coastal change.

Footnote 8 of paragraph 11 clarifies that for applications involving the provision of housing, in situations where the local planning authority cannot demonstrate a five year land supply of delivery housing sites (with an appropriate buffer) or where the Housing Delivery Test indicates that delivery of housing has been substantially below (less than 75%) of the housing requirement for the last three years, then relevant policies for the supply of housing should be considered out-of-date.

Having regard to the above, while the Council has performed excellently in respect of the Housing Delivery Test, a new standard method formula was published alongside the NPPF which gives Mid Sussex a significantly higher housing requirement than the current District Plan. As a result and having regard for the need for an appropriate buffer, the Council is unable to demonstrate a five-year supply of deliverable housing sites as per the requirements of paragraph 78 of the NPPF.

In light of the above, this development needs to be considered in the context of the presumption in favour of sustainable development. If a development is found to be sustainable, that would weigh heavily in favour of granting permission in the paragraph 11(d) balance. If however the development is not found to be sustainable, that is not the end of the matter; the Local Planning Authority still need to go through the weighing up process between the positive benefits of the scheme against any harm that may be caused, having particular regard for the key policies indicated in paragraph 11(d)(ii).

As part of this process, the weight to be given to development plan policies will need to be assessed against the degree of conformity with the NPPF.

Policies DP4 (Housing) and DP6 (Settlement Hierarchy) are relevant to this application. These policies are considered to be policies relating to the supply of housing and as such can be considered to be out-of-date, having regard to the NPPF tests. As such, these policies can be given limited weight in the determination of the application.

Policy DP12 (Protection and Enhancement of the Countryside) seeks to protect the intrinsic character and beauty of the countryside. While it does seek to restrict certain forms of development, it is not considered to be a policy directly related to the supply of housing, however it is recognised that given the Council's is unable to demonstrate a five year land supply and given the aim of the NPPF to boost significantly the supply of housing, the weight that can be afforded to this policy is moderate.

Policy DP15 (New Homes in the Countryside) identifies the types of new homes that will be permitted in the countryside, where special justification exists. While this policy relates to the provision of housing, the aims are consistent with paragraphs 82 - 84 of the NPPF and as such this policy can be given full weight.

Therefore the key test that must be undertaken when assessing this application is as set out within para 11(d) of the NPPF.

The following sections of the report will consider the relevant matters associated with the proposed development in the context of the development plan and other material considerations, including the NPPF in order to undertake the necessary tilted balance assessment outlined above.

Assessment

Design and Impact on the character and appearance of the area

One of the objectives of achieving sustainable development is to ensure that proposals '*contribute to protecting and enhancing our natural, built and historic environment*' (para 8, NPPF).

As the site falls outside of the built-up area (within the countryside) it is therefore necessary to consider the impact of the proposal in the local landscape in terms of the visual impact on the area. Policy DP12 of the District Plan in part requires proposals to '*maintains or where possible enhances the quality of the rural and landscape character of the District*'.

Para 180 of the NPPF requires proposals to contribute to and enhance the natural and local environment by '*recognising the intrinsic character and beauty of the countryside*'.

Policy CNP9.1 relates to the agricultural belt character area and requires:

'As appropriate to their scale and nature development proposals within the defined Character Area 2 - The Agricultural Belt (as shown on the Policies Map) should deliver high quality development which takes account of their immediate locality. In particular development proposals should sustain and where practicable reinforce the positive aspects of the character area and respond positively to the identified sensitivity to change matters included in sections 4.3, 4.4 and 4.5 of the Copthorne Heritage and Character Assessment (May 2019).'

Policy DP26 of the District Plan relates to character and design. In part it requires developments to be well designed, be of a high quality design and layout with appropriate landscaping and greenspace;

contribute positively to and clearly define public and private realms as well as creating a sense of place whilst addressing the character and scale of surrounding buildings and landscape. In addition, it requires development to incorporate well integrated parking that does not dominate the street environment.

The Council's adopted Design Guide is a material consideration in the determination of the application. This document seeks to inform and guide the quality of design for all development across Mid Sussex District. It sets out a number of design principles to deliver high quality, new development that responds appropriately to its context and is inclusive and sustainable. Within the Design Guide there is support for innovative and inventive designs that responds to the sustainability agenda within DG37. In addition, there is support for architectural integrity and a sense of place within DG38 where the facade and elevational treatment, roofscape fenestration and materials used in existing buildings within the locality should be a starting point for the consideration of architectural design of new buildings. In addition, design principle DG39 requires the scale of new buildings to relate to their context.

Para 131 of the NPPF seeks the creation of high quality, beautiful and sustainable buildings, and states that good design is a key aspect of sustainable development and creates better places in which to live and work. In addition, para 135b of the NPPF requires developments to be visually attractive as a result of good architecture, layout, and appropriate and effective landscaping.

The existing building is in a significant state of disrepair. The dwelling is to be constructed on a similar footprint to the building. Whilst slightly larger with a two-storey element, its design and scale is of a simple traditional character of weatherboarding and a clay tiled roof which is sensitive to the recently constructed replacement dwelling opposite the site and the timber clad stable buildings. There are a variety of buildings with a mixture in the design and scale within the wider locality, and the proposed dwelling which would be of a traditional design and appearance would not be at odds with this wider character. In addition, due to there being a variety of buildings and uses surrounding the site including houses, a hotel, and a gym, it is not considered that the dwelling would be isolated or cause detriment to the character of the area. As such in this instance, the addition of a dwelling replacing the existing building would result in an enhancement to the site and would maintain the countryside in this part of Mid Sussex.

It is considered that the proposal would maintain the character of the countryside in this part of the District and would be acceptable in terms of design and impact on the character and appearance of the area. The proposal thereby complies with policy CNP9.1 of the Copthorne Neighbourhood Plan, policies DP12 and DP26 of the Mid Sussex District Plan, the design principles of the Mid Sussex Design Guide and the requirements within the NPPF.

Impact on Listed Buildings and Other Heritage Assets

Crabbet Park has a number of listed buildings on the site. The Orangery, Crabbet Park House and Pear Tree Cottage are Grade II * listed buildings. These are set to the north of the application site separated by various buildings, walling and an access road.

Crabbet Park belonged to the Blunt family from the 18th century, and was rebuilt by Wilfrid Blunt, a poet, and his wife Lady Anne Blunt who was a granddaughter of Lord Byron and daughter of Ada Lovelace. The Blunts established and ran a pioneering and influential Arabian stud at Crabbet Park, which continued until the 1950s under their daughter Lady Wentworth, when the stud was relocated and the stables became a racing yard, and later an equestrian centre.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Listed Buildings Act) states:

'In considering whether to grant planning permission for development which affects a Listed Building or its setting, the local planning authority or, as the case may be, the Secretary of State 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.'

Policy DP34 of the District Plan relates to Listed Buildings and other heritage assets. It requires proposals to protect listed buildings and their settings. The policy sets out a list of ways on how this will

be achieved. In addition it relates to other heritage assets which are buildings that are not listed but are of architectural or historic merit, or which make a significant and positive contribution to the street scene. This seeks to retain such buildings in preference to their demolition and redevelopment.

The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Para's 212 - 216 of the NPPF states:

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

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

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

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

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

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

216. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

The Councils Conservation Officer has considered the proposal and has provided detailed comments which are available on the file. In this she advises that it is not considered that the application building or any of the others within the Equestrian Centre would be regarded as curtilage listed, as the ownership of the Crabbet Park House and the centre were separated prior to the date of listing. However, she considers that the older buildings within the centre, including in particular the former granary which is part of the current application site, and which pre-dates the reconstruction of the house in 1873, would be regarded as non-designated heritage assets (NDHA), of interest within the local context partly due to their association with Crabbet Park and the Arabian stud. These buildings also have group value with the listed buildings to the north and contribute positively to their settings and special interests.

The Conservation Officer goes on to consider that *'In terms of the principle of the partial change of use of equestrian centre to residential, given the long and significant association of Crabbet Park with equestrianism, including in particular the Crabbet Park Arabian Stud, the partial loss of the existing use is likely, in my opinion, to result in a degree of less than substantial harm, through impact on the character of the setting, to the special interests of the listed buildings at the heart of the estate. This level of harm would be compounded by any further application for redevelopment of the remainder of the centre.'* She also raises concerns *'in terms of the form and design of the proposed new development,*

which is for the reproduction of the granary structure, and the construction alongside it of linked two storey dwelling, with a cottage style appearance. The cottage has a domesticating impact on the site, which is at odds with its history of agricultural/equestrian use. The associated works within the yard to the south of the building including the bike and bin store, patio, and parking will exacerbate the domesticating effect of the new building. In my opinion, this detracts from the contribution made by the site to the settings and special interests of the listed buildings at Crabbet Park, resulting in a low level of less than substantial harm.'

Overall she concludes that the *'principle of the new residential use, loss of the granary building, and the design of the development are considered to result in a low level of less than substantial harm, through impact on setting, to the special interest of the listed buildings at Crabbet Park. The proposal also results in a complete loss of significance of the existing NDHA on the site, which is regarded as having a mid-level of interest in the local context.'*

Whilst the comments of the Conservation Officer are noted, it is your Officers opinion that due to the separation of the building from the listed buildings, the state of disrepair of the building subject of this application and other buildings including the Coronation stables, as well as the design and scale of commercial buildings in close proximity that the replacement dwelling would result in no harm to the setting of the listed buildings and Crabbet Park. Whilst the loss of the NDHA is regrettable, due to its state of disrepair it is considered that its replacement of a sensitively designed building with traditional materials and retaining the saddle stones of the former granary to part of the building is appropriate in this instance. Such a replacement would result in a positive contribution to the site rather than leaving the building to deteriorate further and through its design, materials proposed and retention of the saddle stones would in part retain some of the significance of this part of the site.

The proposal is thereby considered to comply with policy DP34 of the District Plan and the relevant provisions of the NPPF.

Highways

Policy CNP15.3 of the Neighbourhood Plan relates to car parking and sets parking standards for new development and requires 2-bed dwellings to provide 2no. parking spaces.

Policy DP21 of the District Plan seeks to ensure that schemes are sustainably located to minimise the need for travel, and protect the safety of road users and pedestrians, and seeks to provide adequate parking in relation to development proposals.

Paragraph 115 of the NPPF is relevant in respect of transport matters and requires amongst other criteria that when assessing sites that sustainable transport modes are prioritised and safe and suitable access to the site can be achieved for all users.

In addition para 116 states *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'*

It is proposed to use the existing vehicular access off Turners Hill Road with no alterations to this arrangement proposed. The proposal would provide 2no off road parking spaces to the side of the dwelling within part of the former yard, which is currently used for parking, with a bike store within the garden area.

Consequently the proposal is considered acceptable on highway safety and transport grounds and complies with policy CNP15.3 of the Neighbourhood Plan, policy DP21 of the District Plan, and para 115 of the NPPF.

Impact on Residential Amenity

Policy DP26 of the District Plan relates to character and design of proposals. Within this there is a requirement that proposals do *'...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'.

Policy CNP1.2 of the Neighbourhood Plan states '*Proposals for new development should not cause unacceptable harm to the amenity (including general activity, access, noise, privacy, daylight, and sunlight) of existing and future occupants, both on site and nearby.*'

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. As such, policy CNP1.2 of the Neighbourhood Plan is considered to take precedence and therefore the test in this instance is whether the development causes unacceptable harm to amenities of existing and future occupants as outlined above.

The dwelling is to be located next to an area of hardstanding used for parking as well as stables and an access lane to serve the stables. Whilst there may be disturbance from vehicle movements from the surrounding uses, it is considered that this would be limited due to the level of use and width of the access lane. Additional screening could be sought to the northern and western boundaries to mitigate this impact. No windows are proposed to the western (side) elevation to prevent impacts to future occupants from light spill from vehicle movements along the land and existing parking area.

It is acknowledged that a recently constructed replacement dwelling to the west of the site would have similar impacts and this was considered acceptable in amenity terms to future occupiers of the dwelling.

In terms of nearby residential properties, the proposed dwelling due to its distance from other properties would not result in an unacceptable harm to surrounding occupants.

In light of the above, it is considered that the proposal would not cause unacceptable harm to amenity existing and future occupants. The proposal thereby complies with policy CNP1.2 of the Neighbourhood Plan.

Housing Standards

The Government's Technical Housing Standards - Nationally Described Space

Standards document was published in March 2015 and replaced the Council's adopted Dwelling Space Standards Supplementary Planning Document on 1st October 2015. It sets out space standards for all new residential dwellings, including minimum floor areas and room widths for bedrooms and minimum floor areas for storage, to secure a satisfactory standard of accommodation for future residents.

The proposal is to provide a 2 bed, 3-person dwelling, which from Officer calculations indicate would exceed the floor space standards.

The proposal therefore complies with policy DP27 of the District Plan and the National Dwelling Space Standards.

Flood Risk and Drainage

Policy DP41 relates to flood risk and drainage and requires development to demonstrate it is safe across its lifetime and not increase the risk of flooding elsewhere.

The proposed development is within flood zone 1 and is at low fluvial flood risk (risk of flooding from Main Rivers). The Risk of Flooding from Surface Water mapping suggests the site is shown to be at very low to medium surface water flood risk (comparable to flood zones 1 - 3a) for the present day (2025) and to be at very low to high surface water flood risk (comparable to flood zone 1 - 3b) within the climate change range of 2040 - 2060. The area at high surface water flood risk (Flood Zone 3b) within the climate change range of 2040 - 2060 on the site is a part of a low spot and flow path to the south and southeast of the site which is associated with runoff towards a nearby lake.

During the course of the application, the layout has been revised to relocate the dwelling so that there is no built development within the areas at risk of surface water flooding.

The applicant has demonstrated that the proposed built footprint will not displace any floodwater and is at low risk with climate change.

In terms of surface water drainage, it is proposed that the development will utilise raised SuDs planters, filter strips and trenches which will discharge to an existing surface water drain on site. For foul water drainage, the development will utilise the existing connections serving the site.

The Council's Drainage Engineer raises no objection to the dwelling and recommends a condition in relation to the details of the proposed foul and surface water drainage and means of disposal.

The proposal is considered to comply with policy DP41 of the Mid Sussex District Plan.

Trees

Policy DP37 of the District Plan relates to trees, woodland and hedgerows and supports the protection and enhancement of trees, woodland, and hedgerows, and encourages new planting.

There are three trees within or on the edge of the site (T27 - English Elm, T28 - Hazel and T29 - Ash). The Ash tree (T29) is growing under the existing building and has caused damage to this building. The English Elm (T27) is set off the south-eastern corner of the site and has been identified as dead. In addition the Hazel (T28) is to be within the garden of the proposed dwelling.

The submitted Arboricultural Report identifies these three trees to be removed to allow for the construction of the dwelling and as one tree is dead. It identifies that T29 is a mature Ash tree that is growing from under the existing building. The existing building is supported on stone stilts that have allowed the tree to establish. However, it is of a size that it is damaging the building structure that this tree would need to be removed in the very near future, regardless of development. In relation to T28 due to its proximity to the proposed patio, that it would be unlikely that this tree could be successfully retained.

The Council's Tree Officer has considered the proposal. They consider that the removal of two Cat C trees, ash and hazel, is not a constraint, but would wish for mitigation planting in terms of native hedge planting and a small tree. This could be dealt with as part of a landscaping condition.

The proposal would thereby be acceptable in terms of policy DP37 of the Mid Sussex District Plan.

Ecology and Biodiversity Net Gain

Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) lists species of animal (other than birds) which are provided special protection under the Act. Under Section 13 of the Act, all wild plants are protected from being uprooted without the consent of the landowner. In addition to the protection afforded by the Act, certain species are also covered by European legislation. These species are listed in Schedule 2 of the Conservation (Natural Habitats, 7c.) Regulations 1994 (as amended).

Policy DP38 of the District Plan relates to Biodiversity and seeks proposals to protect and enhance biodiversity.

Para's 185 - 188 of the NPPF relate to habitats and biodiversity. Para 186 states '*development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists*'. In addition it considers that '*development whose primary objective is to conserve or enhance biodiversity should be supported*'.

The application is accompanied by a Preliminary Ecological Appraisal and Roost Assessment which identifies that the building has high habitat value for bats and recommends bat emergence/re-entry surveys to confirm the likely presence. The report identifies that the site has low potential for impacts to

great crested newts and is unsuitable for badgers and dormice. In addition, this report recommends that to compensate for habitat losses that native tree and shrub planting be incorporated into the proposed landscaping.

A Bat Emergence and Re-entry Survey has been submitted during the course of the application. This sets out that a day roost was found on the building and there is foraging and flight activity around the site. It sets that enhancements of two bat boxes to provide additional roosting habitats will be integrated within the new building.

The Council's Ecology Consultant has considered the proposal and raise no objection subject to conditions. They are satisfied that there is sufficient ecological information to support determination of the application. They advise that the mitigation measures identified in the Preliminary Ecological Appraisal and Roost Assessment (Arbtech, March 2025) should be secured by a condition of any consent and implemented in full. In addition, as the building supports a Common Pipistrelle Day Roost which will be destroyed when the building is demolished. Therefore, a bat licence should be secured as a condition of any consent.

Officers support the above comments from the Council's Ecology Consultant.

Biodiversity net gain (BNG) 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 is deemed to have been granted subject to the biodiversity net gain condition for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

The biodiversity net gain condition is set out in the Town and Country Planning Act 1990, Schedule 7A, Part 2, 13 (2). It states:

'The condition is that the development may not be begun unless—

- (a) a biodiversity gain plan has been submitted to the planning authority (see paragraph 14), and
- (b) the planning authority has approved the plan (see paragraph 15)'.

The submitted BNG Assessment confirms that the proposal would not meet the statutory 10% BNG requirements. The Planning Statement advises that this will be provided either elsewhere within the site or via an off-site habitat bank.

The Council's Ecology Consultant considers that there is sufficient information provided at this stage and that the application would be subject to the BNG condition.

The proposal subject to conditions thereby complies with policy DP38 of the District Plan and the requirements of the NPPF.

Sustainability

Policy DP21 of the District Plan relates to transport. In part it requires schemes to be *'sustainably located to minimise the need for travel'* and take *'opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking'*. In addition, it requires where *'practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles.'*

Policy DP39 of the Mid Sussex District Plan relates to sustainable design and construction. It requires all developments to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate a number of measures including minimise energy use and use renewable sources of energy.

Paragraph 161 of the NPPF states:

'The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.'

Paragraph 166 states:

'In determining planning applications, local planning authorities should expect new development to:
a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.'

The submitted Planning Statement sets out that the proposal provides an opportunity for a new dwelling which performs to a high environmental standard. It sets out that there would be a fabric first approach with high levels of insulation and air tightness. In addition, the proposal seeks to reduce water consumption. The statement sets out that PV panels are to be installed on the roof to increase the dwellings sustainability. A condition could be placed on the approval to ensure details of the PV panels are submitted prior to occupation.

It is acknowledged that the site is located within the countryside. However in this instance the site is not within an isolated location considering the surrounding uses including a gym and hotel where there are users arriving by car. As such, the impact of the addition of one dwelling would be limited in terms of sustainability. It is acknowledged that there are walking routes (albeit not lit) into nearby housing within Crawley which would allow access to bus services and facilities.

In light of the above, it is considered that the proposal complies with policies DP21 and DP39 of the Mid Sussex District Plan and the requirements of the NPPF.

Ashdown Forest

Under the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations'), the competent authority - in this case, Mid Sussex District Council - has a duty to ensure that any plans or projects that they regulate (including plan making and determining planning applications) will have no adverse effect on the integrity of a European site of nature conservation importance. The European site of focus is the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC).

The potential effects of development on Ashdown Forest were assessed during the Habitats Regulations Assessment (HRA) process for the Mid Sussex District Plan 2014-2031. This process identified likely significant effects on the Ashdown Forest SPA from recreational disturbance and on the Ashdown Forest SAC from atmospheric pollution.

A Habitats Regulations Assessment has been undertaken for the proposed development.

Recreational disturbance

Increased recreational activity arising from new residential development and related population growth is likely to disturb the protected near-ground and ground nesting birds on Ashdown Forest.

In accordance with advice from Natural England, the HRA for the Mid Sussex District Plan 2014-2031, and as detailed in District Plan Policy DP17, mitigation measures are necessary to counteract the effects of a potential increase in recreational pressure and are required for developments resulting in a net increase in dwellings within a 7km zone of influence around the Ashdown Forest SPA. A Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM)

mitigation approach has been developed. This mitigation approach has been agreed with Natural England.

The proposed development is outside the 7km zone of influence and as such, **mitigation is not required**.

Atmospheric pollution

Increased traffic emissions as a consequence of new development may result in atmospheric pollution on Ashdown Forest. The main pollutant effects of interest are acid deposition and eutrophication by nitrogen deposition. High levels of nitrogen may detrimentally affect the composition of an ecosystem and lead to loss of species.

The proposed development was modelled in the Mid Sussex Transport Study as a **windfall development** such that its potential effects are incorporated into the overall results of the transport model, which indicates there would not be an overall impact on Ashdown Forest. Additionally, based on analysis of Census 2011 data, the proposed development is not likely to generate travel to work journeys across Ashdown Forest. This means that there is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

Conclusion of the Habitats Regulations Assessment

The Habitats Regulations Assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development.

No mitigation is required in relation to the Ashdown Forest SPA or SAC.

A full HRA (that is, the appropriate assessment stage that ascertains the effect on integrity of the European site) of the proposed development is not required.

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 Copthorne Neighbourhood Plan.

For the reasons set out within the assessment section, it is considered that the application complies with Mid Sussex District Plan policies DP21, DP26, DP27, DP34, DP37, DP38, DP39 and DP41 and Neighbourhood Plan policies CNP1, CNP9 and CNP15.

Although the application must be assessed against the policies of the development plan taken as a whole, this assessment has identified conflict with the development plan. This being in respect of what types of development are allowable under policies DP4, DP6, and DP15 of the District Plan. There is partial conflict with policy DP12, but the proposal does maintain the quality of the landscape character.

As a result, it is considered that the application conflicts with the development plan when read as a whole. This is not the end point as planning law requires that 'where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.'

As the Council is currently unable to demonstrate a five year supply of deliverable housing sites, it follows that the relevant policies for the supply of housing from the development plan are out-of-date (footnote 8 of paragraph 11 NPPF). As such, reduced weight should be given to these policies.

In these circumstances paragraph 11 of the NPPF provides for a presumption in favour of sustainable development which means that planning permission should be granted unless any adverse effects of

doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole (having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination), or specific policies in the NPPF that protect areas or assets of particular importance provide a strong reason for refusing the development.

When undertaking the balancing exercise the following benefits, harm and neutral impacts are as follows:

In terms of the scheme's benefits, socially, the provision of the new dwelling will bring about positive impacts to the local community. The construction of the development will likely provide local jobs and employment opportunities which is also a positive economic impact and once occupied result in spending within the locality. From an environmental view, the proposed development is of a sustainable design and construction, seeking to minimise energy use and using renewable sources of energy. Whilst the proposal would result in the loss of an NDHA, the building is in a significant state of disrepair, and its replacement would result in a positive contribution to the site rather than leaving the building to deteriorate further. Through its design, materials proposed and retention of the saddle stones the proposal would in part retain some of the significance of this part of the site. This is all positive in the planning balance.

Whilst the proposal conflicts with some policies in the development plan, it is not considered that it would lead to any adverse effects that would outweigh the benefits of the presumption in favour of sustainable development. Notwithstanding that, while this is only one new dwelling, it would still contribute to the Council's much needed housing supply and make effective use of the land.

The neutral impacts relate to highways, impact to the setting of the setting of listed buildings, neighbouring amenities, impact on Ashdown Forest and drainage.

In weighing up these issues, when taken together, it is not considered that the adverse impacts of the development would significantly or demonstrably outweigh the benefits of the proposal.

In these circumstances the NPPF states that permission should be granted, and this is a material consideration of sufficient weight to overcome the proposal's conflict with the development plan.

There are no other material considerations that would alter the above planning balance.

Decision: Permission

Case Officer: Joanne Fisher