

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2064	Case Officer:	Andrew Watt
Application Type:	Removal/Variation of Condition		
Proposal:	Variation of condition 2 of planning application DM/23/3210 - to allow amendments to the plant room (Amended plan received 17 October 2025)		
Site:	Stable Block, Borde Hill Garden, Borde Hill Lane, Haywards Heath, West Sussex, RH16 1XP, ,		
Validation Date	21 Aug 2025	Overall Expiry Date:	24 Nov 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	28 Nov 2025
Target Date:	16 Oct 2025	Recommending Officer Signature:	Andrew Watt

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	28 Nov 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2064

**Stable Block, Borde Hill Garden, Borde Hill Lane, Haywards Heath, West Sussex, RH16 1XP,
Variation of condition 2 of planning application DM/23/3210 - to allow amendments to the plant
room (Amended plan received 17 October 2025)
Mrs Jay Goddard**

SUMMARY OF REPRESENTATIONS

None.

SUMMARY OF CONSULTEES

MSDC Conservation Officer

This looks like an improvement in design terms to me, notwithstanding the increased height. I would suggest the usual condition relating to details of facing and roofing materials.

TOWN / PARISH COUNCIL OBSERVATIONS

No comments received.

INTRODUCTION

Permission is sought under Section 73 of the Town and Country Planning Act 1990 to vary a condition of a planning permission for an extension and alterations to the existing Stables building to improve and expand the existing restaurant and café/tea house; partial change of use of Stables from gym to new farm shop/delicatessen with storage above; change of use first floor from offices to 4 No. hotel rooms for visitor accommodation; and associated parking and landscaping works. The effect of this change will be to substitute new plans showing amendments to the approved plant room.

RELEVANT PLANNING HISTORY

Planning permission was granted in November 2023 for extension and alterations to the existing Stables building to improve and expand the existing restaurant and café/tea house. Partial change of use of Stables from gym to new farm shop/ delicatessen with storage above. Change of use first floor from offices to 4 No. hotel rooms for visitor accommodation and associated parking and landscaping works (DM/23/0421).

Subsequently in May 2024, permission was granted for a variation of condition no. 2 relating to planning application DM/23/0421 - to amend the approved plans to include revisions to the design of the extension, increased soft landscaping and reduction in hard landscaping, and modest increase in size of the external plant room (DM/23/3210). Implementation of this permission is well underway.

SITE AND SURROUNDINGS

Borde Hill Stables is a former stable block located to the south-east of Borde Hill House, which is a Grade II listed building. The house is at the centre of an estate which includes the gardens and parkland around Borde Hill, which is a registered park and garden of special interest (Grade II*). The Stables, and the walled garden immediately to the south, also fall within this designation. Building works are well underway to implement the permission above. The siting of the plant room is immediately to the north of the north wing of the Stable building.

The site is located within the countryside and within the High Weald Area of Outstanding Natural Beauty. It is also located within an Archaeological Notification Area and a Geological Safeguarding Area. Bridleway WSx/56CR/1 runs west-east to the immediate north. The courtyard of this building is identified as having a 1000 year risk of flooding from surface water. The site is located within a Great Crested Newt - Impact Risk Zone (Red and Amber).

APPLICATION DETAILS

Permission is sought under Section 73 of the Town and Country Planning Act 1990 to vary a condition of a planning permission for an extension and alterations to the existing Stables building to improve and expand the existing restaurant and café/tea house; partial change of use of Stables from gym to new farm shop/delicatessen with storage above; change of use first floor from offices to 4 No. hotel rooms for visitor accommodation; and associated parking and landscaping works. The effect of this change will be to substitute new plans showing amendments to the approved plant room.

In detail, Condition 2 of planning permission DM/23/03210 states:

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

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

The application has been submitted to allow for revised plans, as set out in the Planning Amendment Supporting Statement, to amend the external plant room to the north of the stables to accommodate a UKPN substation in lieu of the biomass boiler and battery storage. This will enable the required power supply to be provided for the approved use as a restaurant with a commercial kitchen. UKPN has confirmed that the existing electricity supply is inadequate and needs upgrading.

The approved biomass boiler enclosure was increased in length by 3.2m compared to the original plan, and the proposed plan will reduce it back to similar dimensions as originally permitted (i.e. 4.9m in width by 4.2m in depth and to a maximum height of 5.4m (with a dual pitched roof). Light grey painted louvred steel doors will open out on the southern elevation. Materials will be vertical larch cladding and light grey profiled roof with light grey roof verge, all atop a concrete structure.

All other aspects of the approved scheme will remain the same.

As this is a Section 73 application, government advice is that the Local Planning Authority should focus attention on any material changes since the previous permission.

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 Mid Sussex District Plan, Site Allocations Development Plan Document (DPD) and the Ansty, Staplefield and Brook Street Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Practice Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan (Mar 2018)

The Mid Sussex District Plan 2014-2031 was adopted at Full Council on 28 March 2018.

Relevant policies:

Policy DP16: High Weald Area of Outstanding Natural Beauty

Policy DP26: Character and Design
Policy DP34: Listed Buildings and Other Heritage Assets
Policy DP36: Historic Parks and Gardens
Policy DP38: Biodiversity

Site Allocations DPD

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

There are no relevant policies.

Ansty, Staplefield and Brook Street Neighbourhood Plan (Feb 2017)

Mid Sussex District Council formally 'made' the Ansty, Staplefield and Brook Street Neighbourhood Plan part of the Local Development Plan for the majority of the Parish of Ansty and Staplefield as of 2 February 2017. The policies contained therein carry full weight as part of the Development Plan for planning decisions within the relevant parts of Ansty, Staplefield and Brook Street.

Relevant policies:

Policy AS3: High Weald Area of Outstanding Natural Beauty

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) was published for public consultation on 12 January 2024 for six weeks and as a result of this consultation there are unresolved objections to the majority of Policies in the draft District Plan. 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:

DPN1: Biodiversity, Geodiversity and Nature Recovery
DPN5: Historic Parks and Gardens
DPC4: High Weald Area of Outstanding Natural Beauty
DPB1: Character and Design
DPB2: Listed Buildings and Other Heritage Assets

Mid Sussex Design Guide Supplementary Planning Document (Nov 2020)

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 4 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.

Relevant design principles include:

Principle DG6: Design to enhance biodiversity
Principle DG11: Respond to the existing townscape, heritage assets and historic landscape
Principle DG37: Deliver high quality buildings that minimise their environmental impact
Principle DG38: Design buildings with architectural integrity and a sense of place
Principle DG44: Design of commercial buildings

The National Planning Policy Framework (NPPF) 2023 is also a material consideration and paragraphs 8 (overarching objectives), 11 (presumption in favour of sustainable development), 12 (status of development plan), 131 and 135 (design), 139 (design guidance), 180 (conserving and enhancing the natural environment), 182 (Areas of Outstanding Natural Beauty), 186 (biodiversity and ancient woodland) and 195-214 (heritage assets) are considered to be relevant to this application.

ASSESSMENT

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

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

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

Accordingly it is not necessary to reassess all of the issues from the original planning application; it is only necessary to assess the issues that are relevant in relation to the condition/s that are proposed to be amended.

The main issues for considerations are therefore the impact of the changes on heritage assets, registered park and garden of special historic interest and AONB.

Design and visual impact on heritage assets

Policy DP26 of the Mid Sussex District Plan states:

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

- *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.'*

Borde Hill House, a short distance to the north-west, is a Grade II listed building.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

'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 Mid Sussex District Plan states (in part):

'Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*
- Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;*
- Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;*
- Special regard is given to protecting the setting of a listed building;*
- Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.*

Other Heritage Assets

Development that retains buildings which are not listed but are of architectural or historic merit, or which make a significant and positive contribution to the street scene will be permitted in preference to their demolition and redevelopment.

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.

Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.'

Design Principle 11 of the Mid Sussex Design Guide SPD seeks to ensure that heritage assets are enhanced and preserved where appropriate.

Paragraphs 207, 208, 210, 212 and 215 of the NPPF are relevant, as follows:

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.

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.*

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.

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.

Amended plans were received in response to the original comments from the Council's Conservation Officer, in relation to the roof form, and therefore the concrete cap has been covered with a pitched roof. The updated comments are as follows:

'This looks like an improvement in design terms to me, notwithstanding the increased height. I would suggest the usual condition relating to details of facing and roofing materials.'

These comments are agreed with, and therefore it is considered that the proposals would comply with Policies DP26 and DP34 of the Mid Sussex District Plan, the Mid Sussex Design Guide SPD and the NPPF, paragraph 210 in particular.

Impact on the Grade II* Registered Park and Garden of Special Historic Interest

Policy DP36 of the Mid Sussex District Plan states:

'The character, appearance and setting of a registered park, or park or garden of special local historic interest will be protected. This will be achieved by ensuring that any development within or adjacent to a registered park, or park or garden of local historic interest will only be permitted where it protects and enhances its special features, setting and views into and out of the park or garden.'

For the reasons set out in the heritage section above, it is considered that the proposal will protect the character and appearance of the registered park, thereby complying with the above policy.

Impact on the High Weald AONB

The site is located within the High Weald Area of Outstanding Natural Beauty.

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

Policy DP16 of the Mid Sussex District Plan 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:

- the identified landscape features or components of natural beauty and to their setting;*
 - the traditional interaction of people with nature, and appropriate land management;*
 - character and local distinctiveness, settlement pattern, sense of place and setting of the AONB;*
- and*
- 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.'

Policy AS3 of the Ansty, Staplefield and Brook Street Neighbourhood Plan states:

'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;

conserve and enhance the natural beauty of the AONB area; and demonstrate how they meet the objectives of the High Weald AONB Management Plan; and 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.'*

Paragraph 189 of the NPPF states that:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. 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 and the Broads. The scale and extent of development within these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimize adverse impacts on the designated areas.'

Given that the site is located within a group of buildings, and is therefore viewed in context with existing built forms, it is not considered that the proposal would detract from the visual quality of the Area of Outstanding Natural Beauty and therefore the above policies and guidance would be met.

Other matters

The site is located within a designated Great Crested Newt - Impact Risk Zone (Red and Amber). The West Sussex Newt Officer was previously consulted but did not have any comments to make. Accordingly there would be no conflict with biodiversity legislation, policy and guidance.

CONCLUSION

The proposal as amended will occupy a reduced footprint to the permitted scheme and is of a more appropriate design to its historic context. Accordingly it will be sympathetic to the setting of the heritage assets, including to the Registered Park and Garden itself and to the High Weald AONB.

There would be no harm to biodiversity. Accordingly it is considered that the proposed development would comply with Policies DP16, DP26, DP34, DP36 and DP38 of the Mid Sussex District Plan, Policy AS3 of the Ansty, Staplefield and Brook Street Neighbourhood Plan, the Mid Sussex Design Guide SPD and the NPPF and is therefore considered acceptable.

Decision: Permission

Case Officer: Andrew Watt