

**Holmsted Farm
Cuckfield
RH17 5JF**

**Commercial redevelopment
Planning Statement
0468**

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1. Introduction

- 1.1 This application is for permission to erect a commercial building (*'the Proposal'*) at Holmsted Farm, Staplefield Road, Cuckfield, Haywards Heath, West Sussex, RH17 5JF (*'the Site'*). The applicant is Suchnoon Limited (*'the Applicant'*). Mid Sussex District Council (*'the Council'*) is the local planning authority. The Site is located off the western side of Staplefield Road and north of Sloughgreen Lane, within the countryside and the High Weald Area of Outstanding Natural Beauty (*'the National Landscape'*).
- 1.2 The application Site (*'the Site'*) is in a mixed-use commercial and farm estate. The estate is a composite of building types characterised by diversification into a mixed-use estate providing Class E, B8, Sui Generis, and Sports and Recreational spaces. The farm is accessed via an extended driveway onto Staplefield Road. The estate sits below the existing topography of the land to the south, as though cut into the hill slightly. The application Site is located in the southeast corner of previously developed land.
- 1.3 Interspersed with the built form are a mix of open storage uses within an old clamp built from sleepers. The Proposal is to remove the clamp and provide one commercial building measuring 24m long, 12m deep and 7.5m tall at the ridge. The building will be clad in profile metal sheeting. The intention is to internalise the storage uses that are taking place outside. For the future Site's adaptability, a composite of uses is proposed. The Proposal is for the erection of a building to provide for a flexible commercial use of Class E – Commercial, Business and Services to E(g) Uses which can be carried out in a residential area without detriment to its amenity: E(g) (i) Offices to carry out any operational or administrative functions, E(g) (ii) Research and development of products or processes, E(g)(iii) Industrial processes, and B8 Storage or distribution (*'the Proposal'*).
- 1.4 The planning considerations are whether the Proposal should be considered acceptable in the context of adaptive reuse of previously developed land in the countryside and whether it should be considered acceptable regarding its impact on the landscape and the National Landscape. The Applicant's position is that the Proposal should be deemed to comply with policy on development in the countryside, as further explained below, and that its impact on the National Landscape is acceptable due to the careful design of the building. Other technical planning matters are handled appropriately in the sections below and the accompanying reports.

These extend to impact on ecology, Biodiversity Net Gain ('BNG'), highway capacity and safety compatibility.

2. Planning History

- 2.1 Below are relevant recent planning applications, starting with the most recent decisions. These decisions were reviewed and informed this application.
- 2.2 Planning permission ref. DM/23/3175 sought permission to change agricultural land for the exercise of dogs. Permission was given by notice dated 23 October 2023. This is on land outside the main farm complex on former agricultural land.
- 2.3 Application ref. DM/22/2808 sought permission to change the use of an existing building from B8 to research and development of products or processes. The proposed use is related to renewable energy provision and deals with matters similar to this application. Permission was given by notice dated 03 April 2023. The decision was made against the Mid Sussex District Plan 2014-2031, which remains relevant to this new application. The Applicant notes the emerging 2021-2039 Mid Sussex District Plan submitted on Monday, 08 July 2024, and is subject to its ongoing examination in public. Emerging policies remain compatible with the current Local Plan.
- 2.4 The committee Report ('the CR') found the location acceptable when assessing the low-key use against the overall scale of activity carrying on. Although within an existing building, the situation is comparable to this submission, where outdoor storage uses are neutralised, and new indoor storage would take place inside
- "The use in this building is considered to be a low-key suitable use given the location and surrounding uses. As such, and given that it would already be surrounded by other existing commercial uses which cumulatively are of a larger scale, the scale of this use is considered to be acceptable and relatively small."*
- 2.5 Regarding compatibility with the National Landscape, the officer commented that the Proposal did not require open storage, and because of limited views, the impact was compatible. The officer went on to state:

"It should also be noted that there are no public rights of way that intersect the site and the implementation of this project will have little to no visual impact on the

immediate vicinity or the characteristics and visual qualities of the AONB.”

- 2.6 Then, on highway safety, the conclusion was that the Proposal would be acceptable with the CR stating that:

“The LHA considers that the proposal would not have an unacceptable impact on highway safety or result in severe cumulative impacts on the operation of the highway network. The LHA has confirmed that the proposal is compliant with the NPPF and in their view there are no grounds to refuse permission. Your Planning Officer has no reason to disagree with this assessment.”

- 2.7 Earlier applications mainly sought diversification into leisure. Planning application ref. DM/22/1952 for erecting an oak-framed lodge building to be used as a holiday let secured permission by notice dated 18 August 2022.

- 2.8 Then, planning application ref. DM/22/0201 for the siting of ten bell tents, one stretch tent, and associated car parking was permitted by notice dated 31 March 2022. Application ref. DM/21/1306 for the change of use of part of an agricultural building to a flexible commercial use (Cross Fit gym) secured permission by notice dated 11 December 2020.

- 2.9 There is additional planning history relating to the Site. Whether in the previously developed land area or on adjoining agricultural land, the various proposals were oftentimes supported by the Council.

3. Legal Framework

- 3.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires the decision maker to take account of (a) the provisions of the development plan, (b) local finance considerations, and (c) any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act requires the determination of applications to be per the plan unless material considerations indicate otherwise.
- 3.2 Existing planning policies are set out within the Mid Sussex District Plan (*‘the LP’*) and the Ansty, Staplefield & Brook Street Neighbourhood Plan 2015 – 2031 (*‘the Neighbourhood Plan’*). Other key policy documents include the High Weald National Landscape Management Plan 2024 – 2029 and the Mid Sussex Design Guide

(November 2020).

- 3.3 The LP is subject to review, and new emerging policies are progressing to adoption as set out in the Mid Sussex District Plan 2021 – 2039. This was submitted to the Planning Inspectorate on Monday, July 8th, 2024. If found acceptable by government Inspectors, the Emerging Local Plan will fully replace the existing policies. There appears to be no conflict between current and emergent LP policies.
- 3.4 National policy, which is contained in the National Planning Policy Framework updated in December 2024 ('*Framework*'). Case law has established that since development plans frequently contain several policies which pull in different directions, what must be considered is whether a Proposal complies with the development plan as a whole. In *Islington LBC v Secretary of State for Communities and Local Government* [2012] EWHC 1716 (Admin), the court stated:

"These policies need to be seen as a whole rather than individually since the statutory question in s.38(6) requires a judgment as to whether proposed development accords with the Development Plan, not whether it accords with individual policies, a number of which may pull in a variety of different directions when applied to a particular proposal."

- 3.5 In other words, policies should not be applied in an overly rigidly technical or overly formulaic manner. Instead, applications should be looked at holistically, with the positive merits of any Proposal balanced against any restrictions or limitations that may apply.

Principle of development

- 3.6 Chapter 6 of the Framework explains the government's approach to a strong and competitive economy. Paragraphs 88 and 89 deal specifically with the rural local economy. There is a clear emphasis that although development should be sensitive to its surroundings, Councils must recognise and deliver opportunities outside of urban areas:

"88. Planning policies and decisions should enable:

a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings;

b) the development and diversification of agricultural and other land-based rural businesses;

c) sustainable rural tourism and leisure developments which respect the character of the countryside; and

d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

89. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.” [Emphasis added]

- 3.7 The implication is that new buildings on previously developed land in rural locations are acceptable if development is sensitive to and compatible with its surroundings. Compatibility, in this case, extends to visual impact on the National Landscape and highways.
- 3.8 Policy DP1 Sustainable Economic Development is a job-driven policy compartmentalised into various limbs. Under effective use of employment land and premises, the policy approach protects existing sites and allows for the intensification and redevelopment of existing Sites. The policy explains that:

“Effective use of employment land and premises will be made by:

Protecting allocated and existing employment land and premises (including tourism) unless it can be demonstrated that there is no reasonable prospect of its use or continued use for employment or it can be demonstrated that the loss of employment provision is outweighed by the benefits or relative need for the proposed alternative use;

- Permitting appropriate intensification, conversion, redevelopment and/ or exten-

sion for employment uses providing it is in accordance with other policies in the Plan;

- Giving priority to the re-use or adaptation of rural buildings for business or tourism use and the diversification of activities on existing farm units (in accordance with Development in the Countryside policies).” [Emphasis added]

- 3.9 As with Framework paragraphs 88 and 89, LP DP1 presents no limitation to a new building within the previously developed curtilage subject to conforming with other LP policies already summarised as compatibility with visual impact on the National Landscape and highways. Amenity is of limited consideration given that it is an ongoing outdoor storage use. The current noise environment accounts for some activity; there are no nearby residential receptors and construction details to ensure an acoustically appropriate fabric can be conditioned.

Compatibility with the National Landscape

- 3.10 In Chapter 15 of the Framework, which deals with the conservation of the natural environment, paragraph 189 explains the weight to be applied to preserving National Landscapes, which have the highest protection status. Paragraph 190 goes on to detail the approach the Council must take to the determination of this application for planning permission, stating:

“190. When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should 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 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.”

- 3.11 LP policy DP16: High Weald Area of Outstanding Natural Beauty provides support in the second paragraph and at paragraph three, conditions that support on Proposals

that do not detract from the visual qualities and essential characteristics of the designation:

“[...]

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.” [Emphasis added]

- 3.12 The Proposal is small, on PDL and supports rural economic development, streamlining the design matrix to scope out all but visual impact. In this instance, the existing topography of the land plays a defining point when considering whether or not the Proposal is visible and, therefore, may harm the view into and out of the National Landscape. To the east and south, the Site is cut into the original contours and at the base of a hill. Visibility is, therefore, minimal. Multiple buildings of varying heights and built forms are to the west and north. The contours of the land, combined with screening afforded by buildings, mainly prevent views of the Proposal. Materials can be conditioned to ensure a high-quality appearance. Certainly, the Proposal is no more impactful than the pre-existing baseline. This assessment is done without recourse to a Landscape Visual Impact Assessment because it is clear on-site that the Proposal creates less harm than the baseline position.

Impact on Highways

- 3.13 The Framework requires, in paragraph 116, a positive approach where:

“116. 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, following mitigation, would be severe, taking into account all reasonable future scenarios.”

- 3.14 Paragraph 118 then details the information requirements for different scales of development and, in the context of this small Proposal, scopes out a full transport assessment:

“118. All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a vision-led transport statement or transport assessment so that the likely impacts of the proposal can be assessed and monitored.”

- 3.15 LP policy DP21: Transport is multi-faceted, dealing with the need for sustainable locations and protection of other road users and capacity, especially in the National Landscape. The policy explains:

“[...]

decisions on development proposals will take account of whether:

-The scheme is sustainably located to minimise the need for travel noting there might be circumstances where development needs to be located in the countryside, such as rural economic uses (see policy DP14: Sustainable Rural Development and the Rural Economy);

[...]

-The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;

[...]

- The scheme does not harm the special qualities of the South Downs National Park or the High Weald Area of Outstanding Natural Beauty through its transport impacts.”

- 3.16 A high-level TRICs-based transport statement supports the application. The conclusion is that the Proposal would result in minimal changes to transport movements, with the existing access arrangements retained under the proposals. Vehicle parking, sufficient to the scale of the Proposal, is shown on the accompanying plans at four spaces with one sized to meet the standards for disabled parking.

Other matters

- 3.17 A Preliminary Ecological Assessment and Biodiversity Net Gain Assessment support the application. The Proposal does not pose a risk to protected species and can accommodate the 10% uplift in biodiversity.
- 3.18 The impact on amenities is a matter for the Council to judge. The Applicant's position is that the Proposal is located where it cannot cause material harm to neighbours or the Public Right of Way Network. If the Council disagrees, the Applicant will discuss this point further.
4. The planning balance
- 4.1 The Proposal was developed following careful consideration of the Council's previous positive decisions explained within earlier permissions. This assessment explains that external storage has an impact. However, the Proposal's impact would be no more significant given that it internalises activities within the existing yard space. Here, the perceived visual and spatial effects would cause no harm. The Proposal is a high-quality and optimum adaptive re-use of this previously developed Site. The applicant's primary position is that the Framework and LP policies support the Proposal. Subject to planning conditions, the Proposal would not harm the National Landscape. When all factors are considered holistically, the Proposal is policy-compliant, and the Council should support the grant of planning permission.