

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2822	Case Officer:	Katherine Williams
Application Type:	Full Application		
Proposal:	Replacement of the existing oil tank fired boilers with a new Air and Water Source Heat Pump system and associated works.		
Site:	Wakehurst Place, Selsfield Road, Ardingly, Haywards Heath, West Sussex, RH17 6TN, ,		
Validation Date	22 Nov 2024	Overall Expiry Date:	10 Jan 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	15 Jan 2025
Target Date:	17 Jan 2025	Recommending Officer Signature:	Katherine Williams

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	15 Jan 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2822

**Wakehurst Place, Selsfield Road, Ardingly, Haywards Heath, West Sussex, RH17 6TN,
Replacement of the existing oil tank fired boilers with a new Air and Water Source Heat Pump
system and associated works.**

C/o Agent

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

MSDC Conservation Officer - no objection

Historic England - defer to the Council's Conservation Officer

Environmental Health - No objection, recommend conditions

Historic Environment Consultant - no recommendations to make concerning this application

PARISH COUNCIL OBSERVATIONS

No objection

INTRODUCTION

The application seeks planning permission for the replacement of the existing oil tank fired boilers with a new Air and Water Source Heat Pump system and associated works.

RELEVANT PLANNING HISTORY

AP/039/88 - New stair between 1st and 2nd floor with removal of present fire screen on 1st floor landing and construction of new fire screens in 1st floor corridor. Granted

AR/021/89 - Removal of bathroom, cupboard and related partitions from parts of second floor attic area. Granted

04/01769/LBC - Change of use of storage room and 2 no. education rooms to kitchen facility involving two new openings in one wall and new floor, wall and ceiling finishes. Change of use of 3 no. storerooms to an education room involving the part demolition of 3 no. walls. Granted

DM/19/5123 - Rebuild Memorial Garden Wall. Granted

DM/19/5126 - Rebuild Memorial Garden Wall. Granted

DM/20/0041 - Rationalise, upgrade and relocate the main electrical services from within the basement plant room W-1001-B1-005 to the first floor unused HR Room, involving some removal and later re-instatement of sections of timber wall panelling to access existing risers enroute to the new location. Granted

DM/22/0197 - Proposed re-roofing of the existing Sussex/Wealden sandstone and Horsham stone slate roof of Wakehurst Place. The proposed works also include external fabric repairs, repairs to rainwater goods, masonry repairs, glazing repairs, temporary works, structural repairs, fire compartmentalisation, fire alarm installation, and co-ordinated maintenance access. Granted

DM/22/0198 - Proposed re-roofing of the existing Sussex/Wealden sandstone and Horsham stone slate roof of Wakehurst Place. The proposed works also include external fabric repairs, repairs to rainwater goods, masonry repairs, glazing repairs, temporary works, structural repairs, fire compartmentalisation, fire alarm installation, and co-ordinated maintenance access. Granted

DM/22/0917 - Erection of two temporary portacabin structures within the existing staff car park to provide educational and welfare facilities in connection with Wakehurst. Under Consideration

DM/24/2780 - Replacement of the existing oil tank fired boilers with a new Air and Water Source Heat Pump system and associated. Under Consideration

SITE AND SURROUNDINGS

The application building consists of a Grade I listed building which is run by the National Trust. The building is a large E-shaped three storey sandstone ashlar house dating from 1590 with 19th century additions. The building has a number of roof forms and valleys which contribute to the character of the building. The building is roofed in with cement bedded Horsham stone slate with cement fillets which is estimated to date back to the 1970s and is in need of repair with some of the beds lost resulting in slipped and broken slates. To the north of the building is the original stable building for the property which is Grade II* listed and has been subsequently converted to form a restaurant. Beyond this building are the associated buildings, structures and infrastructure used in association with the use and management of the property. Further to the north is the Millennium Seed Bank. These buildings are accessed by a private access road which extends to the western side of Selsfield Road.

Wakehurst Place is also located within the Grade II* Registered Park and Gardens of Wakehurst, the High Weald Area of Outstanding Natural Beauty and the countryside.

APPLICATION DETAILS

The proposal includes the removal of the existing 3 No. oil tanks and sections of the surrounding walls to the northwestern side of the Stable Restaurant. This would be replaced by 3 No. Air Source Heat Pumps and 2 No. thermal stores. The ASHPs would be positioned within an attenuator which would have a height of some 3 metres. The thermal store would include an increase in the roof by some 0.4 metres with a mono pitched roof. The boilers within the existing boiler room would also be replaced by 2 No. Water Source Heat Pumps.

The existing northern wall would be replaced by timber fencing.

LEGAL FRAMEWORK AND LIST OF POLICIES

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

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

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

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

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

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

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

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

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

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

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

DP12 - Protection and Enhancement of Countryside
DP16 - High Weald Area of Outstanding Natural Beauty
DP26 - Character and Design
DP34 - Listed Buildings and Other Heritage Assets
DP36 - Historic Parks and Gardens
DP40 - Renewable Energy Schemes

Site Allocations DPD

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

Relevant policies.

Ardingly Neighbourhood Plan (made March 2015)

Relevant policies:

ARD 9 - Heritage Assets
ARD 20 - Wakehurst Place and Millennium Seed Bank

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 stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to the majority of 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
DPS3 - Renewable and Low Carbon Energy Schemes
DPN5 - Historic Parks and Gardens
DPC1 - Protection and Enhancement of the Countryside
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 (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.

High Weald AONB Management Plan 2024-2029

National Planning Policy Framework (NPPF) (December 2024)

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

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

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

National Planning Policy Guidance

National Design Guide

Ministerial Statement and Design Guide

On 1 October 2019 the Secretary of State for the Ministry of Housing, Communities and Local Government made a statement relating to design. The thrust of the statement was that the Government was seeking to improve the quality of design and drive up the quality of new homes. The Government also published a National Design Guide, which is a material planning consideration.

The National Design Guide provides guidance on what the Government considers to be good design and provides examples of good practice. It notes that social, economic and environmental change will influence the planning, design and construction of new homes and places.

ASSESSMENT

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

- Principle of Development
- Design and Impact on the Registered Park and Garden, and setting of a Listed Building
- Impact on the High Weald AONB
- Impact on neighbouring properties
- Biodiversity Net Gain

Principle of Development

Policy DP12 of the Mid Sussex District Plan states in part:

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

- *it is necessary for the purposes of agriculture; or*
- *it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.'*

Policy DP40 of the Mid Sussex District Plan relates to renewable energy and states:

'Proposals for new renewable and low carbon energy projects (other than wind energy development - see below), including community-led schemes, will be permitted provided that any adverse local impacts can be made acceptable, with particular regard to:

- Landscape and visual impacts, including cumulative impacts, such as on the setting of the South Downs National Park and High Weald Area of Outstanding Natural Beauty, and the appearance of existing buildings;*
- Ecology and biodiversity, including protected species, and designated and non-designated wildlife sites;*
- Residential amenity including visual intrusion, air, dust, noise, odour, traffic generation, recreation and access.*

Assessment of impacts will need to be based on the best available evidence, including landscape capacity studies. Proposals for wind energy development involving one or more wind turbines will only be granted if:

- the development site is in an area identified as suitable for wind energy development in a Neighbourhood Plan; and*
- following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.'*

The proposal would result in the replacement of the existing boiler system for an air and water source system which would generate a renewable energy source for the property. The proposal would be positioned within the same area as the existing boiler and oil tanks, located around the northern side of Wakehurst Place, which would not be highly visible from the wider area or public views. Due to this position the proposal is not considered to have an impact on the surrounding landscape. It is therefore considered that the proposal would meet the requirements of policies DP12 and DP40 of the Mid Sussex District Plan and is acceptable in principle.

Design and Impact on the Registered Park and Garden and Listed Building

S.66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 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 is relevant and states:

'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.'*

Policy ARD9 of the Ardingly Neighbourhood Plan echoes the ethos of this policy. Policy AR20 specifically relates to Wakehurst Place and states:

'The Neighbourhood Plan will support development proposals which will enable Wakehurst Place and the Millennium Seed Bank to expand to meet new and changing needs as both a tourist destination and centre of research of international importance, provided that the design is sympathetic to the heritage assets and the important landscape setting.'

Mid Sussex District Plan policy DP36 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.'

Paras 205, 212-215 of the NPPF state:

'205. 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.

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.'

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 DP27);
- 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.'

Principle DG11 of the Mid Sussex Design Guide states: *'Heritage assets and historic landscapes should be celebrated, enhanced and preserved where appropriate, for the enjoyment of existing and future residents. Where appropriate and providing it does not cause harm to the heritage assets or their setting, they should be carefully integrated into development proposals as they help to reinforce a sense of place and local identity.'*

Elsewhere new development should generally reflect the scale of adjacent areas and the settlement context within which it is located to deliver a coherent and consistent urban fabric. There may be potential to introduce a new character / development form and massing:

- *On larger urban extensions; this will typically be within the middle of the site and associated with a new neighbourhood centre, spine road or the main open space.*
- *In town centre locations defined as coarse grain areas and nearby sites identified on the brownfield sites register.'*

Historic England has been consulted on the application and state that they do not wish to provide comments on the application.

The Council's Conservation Officer has provided the following comments on the application:

'Wakehurst Place contains a grouping of heritage assets- a Grade I listed 16th century mansion, and associated Grade II listed 18th century former stables building with associated ancillary buildings set within a II* registered park and garden. The wider site, which is now owned by the National Trust and managed by Kew Gardens, is open to the public, and the former stables building has been converted to provide facilities including a visitor restaurant.*

The current proposal relates to a service area to the rear (north west) of the stables, which houses the electrical plant room, oil fired boilers and oil tanks, and is for the replacement of the boilers and tanks with an air and water source heat pump system, as part of the estate's decarbonisation programme.

As existing, the structures in the area are largely modern and unattractive- the proposed works will replace the existing oil tanks with air source heat pumps and attenuation, which will be somewhat higher than the existing structures, but will be partly concealed by a louvred timber frame to one side, and by an existing stone wall to another- to the remaining two sides the area is enclosed by existing buildings. Associated works include alterations to the stone wall to remove a modern blockwork extension to it, and to the existing adjacent thermal store comprising re-roofing, re-rendering and a new door. Water source heat pumps will be installed in the existing boiler room.

Given the existing nature of the site, and its position to the rear of the stables building, the proposed works are not considered contentious in principle. Although the ASHP enclosure will be somewhat taller and more visually prominent than the existing oil tanks, it will be partially screened, and otherwise at

least tidier in appearance than the existing tanks and associated plant. The other associated works to the thermal store and boiler room are relatively minor and affect historic fabric only in the attachment of the new thermal store roof to the stables' wall. On this basis the proposal is not considered to harm the special interests of the affected heritage assets.

I am also mindful of the requirements of paragraph 167 of the NPPF that: 'Local planning authorities should also give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights).'

The proposal is therefore considered to preserve the special interest of the Stables, the registered park and garden, and the setting of the mansion house. This meets the requirements of District Plan Policies DP34 and DP36, and the relevant paragraphs of the NPPF.'

The proposal would be seen within the context of the existing northern 'back of house' area of Wakehurst. As noted above by the Conservation Officer, the ASHP enclosure would be taller and more visually prominent than the existing oil tanks. However, given the scale of the proposal and its restricted views from the wider area, along with the creation of a renewable energy source, it is considered that the proposal would not have an impact on the special interest of the registered park and garden and the listed building.

Impact on the High Weald AONB

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

Mid Sussex District Plan policy DP16 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'

Paragraph 189 of the NPPF states that

'189. 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 all these designated areas should be limited,

while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

A similar ethos is found within The High Weald Area of Outstanding Natural Beauty Management Plan requiring proposals to conserve and enhance the AONB.

Given the design, form and scale of the proposal in relation to its locality and context, it is considered that the proposal would not have an impact on the AONB and would conserve it.

Impact on the amenities of neighbouring properties

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 DP29 of the Mid Sussex District Plan states:

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

Noise pollution:

- *It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area;*
- *If it is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures;*

Noise sensitive development, such as residential, will not be permitted in close proximity to existing or proposed development generating high levels of noise unless adequate sound insulation measures, as supported by a noise assessment are incorporated within the development.

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

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

...

The degree of the impact of noise and light pollution from new development or change of use is likely to be greater in rural locations, especially where it is in or close to specially designated areas and sites.'

The closest neighbouring residential properties to the proposal includes Wakehurst Farmhouse some 94 metres to the west, Garden Cottage approximately 33 metres to the north-west, and two flats above the Stables Restaurant adjacent to the application site. The flats are currently used on an ad hoc basis by employees of Wakehurst, however there is no planning history for these properties and no restrictions on their use. These flats could therefore become someone's permanent residence and do not require a connection to Wakehurst. The Council must therefore consider the impact of the proposal on these properties as any other residential property.

The Council's Environmental Health Officer has been consulted on the application and made the following comments:

'The proximity of the site to residential premises has potential to affect residential amenity by way of noise disturbance from plant noise (refrigeration, heating etc). The acoustic assessment implies that these noise impacts can be mitigated by imposing conditions.

Noise control measures are recommended, to not only control plant noise egress to the nearest existing residential dwelling of the Farmhouse, but also to the staff accommodation in the nearby Stable block.

However, the report suggests different levels of protection for the Farmhouse (30dB at 1m from the façade) and the stables (40dB outside window). Given that the aim is to protect residential amenity and prevent sleep disturbance, it would seem to make more sense to apply the same level of protection to all residents and all residential premises.

I therefore recommend noise related conditions to control construction hours and noise from any plant & machinery.'

The position of the proposed works would not be highly visible from the neighbouring residential properties and is not considered to cause harm in terms of outlook or overbearing impact. However, the proposal has the potential to cause significant harm by the level of noise that would be generated. To overcome this, the Environmental Health officer has suggested a noise plant and machinery condition to ensure that the noise generated would be at an acceptable level to ensure that significant harm would not be caused to the amenities of the neighbouring properties. A condition has also been requested for construction hours, however due to the scale of the proposed and extent of works required on site it is considered that this condition is not reasonable or necessary. This can also be controlled under the Environmental Protection Act 1990.

Biodiversity Net Gain

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

CONCLUSION

In conclusion, the proposal is considered to be appropriate in terms of principle, the impact to the Historic Park and Garden and the listed building, conserve the landscape of the High Weald AONB, and would not cause significant harm to the amenities of neighbouring properties. Therefore the proposal complies with Mid Sussex District Plan policies DP12, DP16, DP26, DP34, DP36 and DP40, policies ARD 9 and ARD 20 of the Ardingly Neighbouring Plan, the relevant provisions of the NPPF, and the Listed Building and Conservation Area (LBCA) Act 1990. The application is therefore recommended for approval.

Decision: Permission

Case Officer: Katherine Williams