

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0795	Case Officer:	Stefan Galyas
Application Type:	Householder Application		
Proposal:	Internal and External Alterations Including Replacement of Windows and Widened Parking Area		
Site:	Whitehouse Farm Cottage, Staplefield Lane, Staplefield, Haywards Heath, West Sussex, RH17 6AU, ,		
Validation Date	28 Mar 2025	Overall Expiry Date:	29 May 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	27 Jun 2025
Target Date:	23 May 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	30 Jun 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0795

**Whitehouse Farm Cottage, Staplefield Lane, Staplefield, Haywards Heath, West Sussex, RH17 6AU,
Internal and External Alterations Including Replacement of Windows and Widened Parking Area
Mr Julian Date**

SUMMARY OF REPRESENTATIONS

There were no letters of representation received in response to the proposed development.

SUMMARY OF CONSULTEES

Conservation Officer: *'In summary, the proposal is considered to preserve the special interest of the listed building, meeting the requirements of District Plan Policy DP34 and the relevant paragraphs of the NPPF'*

Drainage: No objection.

Ecology: *We have reviewed the Bat Emergence and Re-entry Surveys (Arbtech Consulting Ltd., August 2024) and Preliminary Roost Assessment (May 2024), relating to the likely impacts of development on designated sites, protected and Priority species & habitats with identification of appropriate mitigation measures.*

PARISH COUNCIL OBSERVATIONS

No comment received.

INTRODUCTION

The application seeks planning permission for the replacement of the existing properties windows, two rear dormers, the erection of a brick retaining wall and to extend the parking area.

RELEVANT PLANNING HISTORY

DM/25/0796 - Internal and external alterations including replacement of windows and widened parking area. Pending consideration.

SITE AND SURROUNDINGS

The application relates to Whitehouse Farm Cottage, a grade II listed building set to the eastern side of the highway. The cottage appears to have been constructed during the 18th century as a single dwelling but later subdivided into separate dwellings. There are two ranges to the property, including a front brick-built range with a tiled roof and a rear stone ashlar range. The existing property is listed under the following description:

'C 18. Two storeys. Three windows. Red brick and grey headers. Horsham slab roof. Casement windows.'

The site is not set within any designated settlement boundary and there are other grade II listed buildings nearby such as Whitehouse Cottage to the northeast which formed a loose grouping with the application site and Whitehouse Farm to the south. The site is also set within the High Weald Area of Outstanding Natural Beauty (AONB).

APPLICATION DETAILS

The proposal would develop two rear dormers within the existing cat slide style roof slope which would utilise a hipped design. The dormers would measure at approximately 2m in length, 1.6m wide and 1.6m in maximum height. The proposed dormers would be constructed of tile hanging to the cheeks, traditional handmade clay roof tiles and mortar bedded bonnet hip tiles and flush casement windows.

Throughout the existing dwelling, the existing windows would be replaced with painted casement units. New lead flashing would be added as well as the recladding of the existing clay tiles with lichen and moss to be removed. There would be new cast iron gutter and downpipes added. The existing driveway area would be extended in footprint out to the side of the dwelling. A new rear brick retaining wall would also be constructed as part of the development proposal.

LEGAL FRAMEWORK AND LIST OF POLICIES

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

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

DP16: High Weald Area of Outstanding Natural Beauty

DP26: Character and Design

DP34: Listed Buildings and Other Heritage Assets

DP38: Ecology

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.

Neighbourhood Plan

Ansty, Staplefield and Brook Street Neighbourhood Plan 2015-2031 (Made February 2017)

Relevant Policies:

Policy AS3: High Weald Area of Outstanding Natural Beauty

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66(1) - Special regard to be had to the preservation of a listed building or its setting.

The High Weald National Landscape AONB Management Plan 2024-2029

Other Material Considerations

Mid Sussex District Plan 2021-2039 Consultation Draft

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 12th January 2024 for six weeks and as a result of this consultation there are unresolved objections to some of the 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:

- DPS1 - Climate Change
- DPS2 - Sustainable Design and Construction
- DPB1 - Character and Design
- DPB2 - Listed Buildings and Other Heritage Assets
- DPC1 - Protection and Enhancement of the Countryside
- DPC4 - High Weald Area of Outstanding Natural Beauty

Mid Sussex Design Guide Supplementary Planning Document (SPD)

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 2, 8, 11, 39, 48, 131, 135, 139, 207, 208, 209, 212-215, 219 & 220.

ASSESSMENT

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

- Protection and Enhancement of the Countryside
- Impact on Heritage Assets and Character and Design
- High Weald Area of Outstanding Natural Beauty
- Impact on Neighbouring Amenities
- Ecology
- Biodiversity Net Gain

Protection and Enhancement of the Countryside

DP12 of the Mid Sussex District Plan states:

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

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

Given the domestic nature of the proposal within the existing dwellings established residential curtilage, the proposed development is considered to protect the intrinsic character and beauty of the countryside.

Due to the above, the proposal complies with DP12 of the Mid Sussex District Plan.

Impact on Heritage Assets and Character and Design

With regard to the setting of the listed building, DP34 requires:

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

o 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;

o 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;

o Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;

o 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;

o Special regard is given to protecting the setting of a listed building;

o 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.'

Paragraph 207 of the NPPF requires the applicant to describe the significance of any heritage asset affected. Significance is defined in Annex 2 of the NPPF as *"The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting."* The applicant has provided a Heritage Statement in support of the application which assesses the proposals impact on the relevant heritage assets. Therefore, this requirement of the NPPF is considered to have been met.

Paragraph 208 of the NPPF requires the Local Planning Authority to identify and assess the particular significance of any heritage asset that may be affected and take this into account when considering the impact of a proposal.

The listed building is considered to be significant in heritage terms by virtue of its designation and this significance is likely to arise from its architectural value, historic value and group value.

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.

Paragraphs 212 - 215 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.

DP26 of the 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:

- o is of high quality design and layout and includes appropriate landscaping and greenspace;*
- o 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;*
- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- o protects open spaces, trees and gardens that contribute to the character of the area;*
- o 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'*

Principle DG49 of the Mid Sussex Design Guide states:

'Extensions should typically use simple, uncomplicated building forms to compliment and coordinate with the scale, form and massing of the original dwelling. The design approach may benefit from coordinating with the existing pattern of window and door openings as well as employing facing materials to match those of the existing dwelling. Otherwise, it should demonstrate the appropriateness of the alternative approach.'

With regard to loft conversions and roof extensions, Principle DG52 notes that:

'A loft conversion is a space efficient means of extending the amount of living accommodation in a dwelling. Roof accommodation is normally reliant on dormer windows and rooflights to provide light and ventilation. However, if they are out of scale or out of character with the roofscape and proportions of a dwelling they can have an adverse impact on the character of both the dwelling and the streetscape.

The roof pitch and form are intrinsic to a building's character and roof extensions should be sensitive to this. Roof extensions and dormer windows that alter the existing ridge of the roof or significantly alter the roof profile of a building will not normally be acceptable, particularly on the front roof slope, and where there is a strong established roofline.

Where a clear rhythm of fenestration is established, the position and proportion of dormer windows should respond to existing windows and / or doors.'

The below assessment is made whilst being mindful of this guidance and having regard to the statutory duty of the Council, as the Local Planning Authority, to have special regard to the desirability of

preserving the listed building or its setting in accordance with the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

It is considered that the existing building subject to the application is positioned within a rural setting with sporadically placed dwellings positioned along Staplefield Lane. The application site is set slightly back from the highway edge by both a private driveway and pedestrian stepped access. The dwelling is considered to be afforded modest yet verdant grounds to both the front and rear.

The proposal would extend the existing dwelling at first floor level through the addition of two rear elevation hipped dormers. These would sit within the existing rear catslide roof with the existing brick built chimney stack in between. Following a consultation with the Conservation Officer, it was noted that the addition of dormers within a catslide roof had the potential to be viewed as contentious. However, in this instance, there is a steepening in the roof slope between the original dwelling and the later rear outshot extension. As such, it was considered that the modest appearance of the dormers would not cause significant harm towards the appearance and special interest of the building.

The existing steel casement windows throughout the dwelling would be replaced with single glazed timber casement windows. The existing windows date from the 20th century and were noted by the Conservation Officer as possessing little historic interest. As such, these alterations are deemed to be acceptable in this instance.

To the side (north-west) of the existing property, the existing driveway would be extended in footprint which would remove some of the existing rear garden amenity space and erect a new brick retaining wall to act as the boundary between these spaces. Such alterations were not considered to detract from the relation between the application site and the grade II listed Whitehouse Cottage to the north-east. Furthermore, it is considered that the driveway extension and the introduction of a low level retaining wall would not have a significantly adverse impact towards the character of the listed cottage.

In light of the above, the proposal is considered to preserve the special interest of the listed building and is considered to result in an overall neutral impact. The proposal would not significantly remove nor alter the existing historic fabric and as such would comply with the provisions of Policies DP26 and DP34 of the District Plan and the statutory duties as set out within the Listed Buildings and Conservation Areas Act.

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.

Policy DP16 of the District Plan requires proposals in the AONB to conserve or enhance natural beauty.

Policy A3 of the Ansty and Staplefield 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; [...]*

Paragraph 182 of the NPPF is also relevant as it states:

'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 application seeks to develop dormers, extend the existing driveway and make other alterations associated with the existing dwellings façades and therefore would not constitute an isolated development within the wider landscape of the AONB. It is considered that the proposal would not incur a significantly adverse impact on the landscape quality of the AONB due to it being viewed within the existing established residential curtilage.

As such, the proposal would comply with the requirements of Policy DP16 of the District Plan, Policy AS3 of the Ansty and Staplefield Neighbourhood Plan, the requirements of the High Weald Management Plan and Paragraph 182 of the NPPF.

Impact on Neighbouring Amenities

In terms of impact upon neighbouring amenities, Policy DP26 in part seeks to ensure that development:

'does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see DP29);'

The proposed rear dormers would partly face out towards the dwelling at Whitehouse Cottage. However, a distance in excess of 30m would remain between the two properties and therefore it is not considered that these new window additions would give rise to a significant overlooking impact.

Whilst the existing driveway would be increased in footprint with the rear garden amenity space reduced, the remaining garden space is considered to be sufficient in meeting the needs of the current and future occupiers of the site. The garden space would not be reduced by 50% or more from existing curtilage arrangement.

Accordingly, the proposal is considered to comply with the provisions of policy DP26 of the Mid Sussex District Plan in terms of neighbouring amenities.

Ecology

DP38 of the District Plan seeks to protect and enhance biodiversity through the following measures:

o Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and

o Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances); and

o Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and

o Promotes the restoration, management and expansion of priority habitats in the District; and

o Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.

In response to the proposed development, the Ecological Consultant recommended that the application be approved subject to a number of conditions. It was noted that the mitigation measures identified in the Preliminary Roost Assessment should be secured and implemented in order to conserve and enhance priority species, including bats. Furthermore, it is suggested that a wildlife friendly lighting strategy is implemented as set out within the submitted Bat Emergence and Re-entry Survey and this can be secured by way of a condition. These conditions requiring accordance with the Ecological Appraisals and to implement a sensitive lighting scheme are considered to be necessary and relevant in the case that permission is granted.

A further condition was recommended within the consultation response which suggested that a biodiversity enhancement layout is submitted prior to works above slab level. Provided that the application site would not be extended in built footprint and works are contained to the existing dwelling, such a condition is considered to be overly onerous and is not considered to be necessary.

Biodiversity Net Gain

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

PLANNING BALANCE AND CONCLUSION

To summarise, it is considered that the proposals will have an acceptable impact on the listed building, the character and appearance of the area and neighbouring amenities. As such, the application complies with Policies DP12, DP16, DP26, DP34 and DP38 of the Mid Sussex District Plan, Policy AS3 of the Ansty and Staplefield Neighbourhood Plan, the Mid Sussex Design Guide, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) act and the National Planning Policy Framework.

Decision: Permission

Case Officer: Stefan Galyas