

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1748	Case Officer:	Anna Tidey
Application Type:	Change of Use Application		
Proposal:	Retrospective application for the change of use of building to plant room, comprising Biomass boiler, back-up boiler and hot water cylinders and the installation of a woodchip hopper, biomass chimney and back-up flue.		
Site:	The Naked Farm, Warninglid Lane, Warninglid, West Sussex, , , ,		
Validation Date	23 Jul 2026	Overall Expiry Date:	11 Sep 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	16 Sep 2026
Target Date:	17 Sep 2026	Recommending Officer Signature:	Anna Tidey

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
--	--	-------------------------------	---

Signed and Agreed By:	Stephen Ashdown	Date:	17 Sep 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1748

**The Naked Farm, Warninglid Lane, Warninglid, West Sussex, , ,
Retrospective application for the change of use of building to plant room, comprising Biomass boiler, back-up boiler and hot water cylinders and the installation of a woodchip hopper, biomass chimney and back-up flue.
DAAAG Farming LLP**

SUMMARY OF REPRESENTATIONS

None received.

CONSULTATIONS

Environmental Protection: Significant noise or air quality impacts affecting off-site residential amenity are considered unlikely given the distances involved. Whilst biomass boiler systems can occasionally generate visible smoke emissions during start-up, maintenance or due to faults, any such impacts in this instance would be expected to be limited primarily to buildings within the applicant's ownership. No adverse impacts to off-site residential amenity are anticipated and no objection is raised on environmental protection grounds.

Tree Officer: This is a retrospective application. The tree would not be worthy of TPO. There is no remedial work which may be carried out, and any damage is already done.

TOWN COUNCIL OBSERVATIONS

Slaugham Parish Council: No objection.

INTRODUCTION

This application seeks retrospective planning permission for the change of use of a building to a plant room, to house a biomass boiler, back up boiler and hot water cylinders. Associated external works include the installation of a woodchip hopper, biomass boiler chimney and a back up flue.

The plant room is located to the western side of the former Lydhurst farm yard complex.

RELEVANT PLANNING HISTORY

DM/26/0234. Agricultural Prior Notification - Proposed creamery. Prior Approval Is Not Required March 2026.

DM/25/2173. Agricultural Prior Notification - Proposed agricultural storage barn. Prior Approval Is Not Required September 2025.

DM/25/1446. Demolition of existing dwelling and erection of replacement dwelling with associated landscaping. Approved October 2025.

SITE AND SURROUNDINGS

The site is on land belonging to the property formerly known as Lydhurst Estate, Warninglid Lane, Warninglid, and now referred to as 'The Naked Farm'.

The Estate extends to some 118.5 hectares comprising farmland, woodland and gardens, grounds and parkland. A replacement dwelling house, recently permitted under DM/25/1446, is under construction on the site.

The estate buildings lie to the west of Warninglid village. The property is accessed through the main entrance off The Street to the main house and off Warninglid Lane to the estate buildings.

The site is located within the countryside and the High Weald Area Outstanding Natural Beauty/ High Weald National Landscape as defined in the Mid Sussex District Plan and the Slaugham Neighbourhood Plan. The site also lies within the Red Impact Risk Zone for Great Crested Newts.

APPLICATION DETAILS

The application seeks retrospective consent for works which have been undertaken, associated with the redevelopment of the former farm estate buildings, walled garden and the construction of the new house.

The wood chip powered boiler and back up boiler will provide heating and hot water to a number of nearby farm buildings, the estate office and residential farm workers dwellings on the estate. The main woodchip boiler is to be fuelled by woodchips sourced from the estate woodland.

The submitted plans show the installation of an external hopper for receiving the woodchips and an auger to the boiler. A concrete base has been constructed for the hopper close to an existing young oak tree, as indicated on the submitted Ground Floor Plan.

The biomass boiler chimney is constructed through the pitched roof of the building to a height above the building ridge. A small back-up boiler flue protrudes through the rear wall, under the building eaves, on the southern elevation of the building.

The application has been accompanied by a Vision Plan for the new agricultural business enterprise, which is being developed at The Naked Farm. The business seeks to produce farm products including: eggs, milk, meat, fruit and vegetables, which will be delivered daily to local homes direct from the farm.

A Planning Statement has been submitted with the application. It has been written by an Agricultural Property Consultant and is available to view on the planning file. In summary it provides background information on the estate, the purpose and details of the proposed development, relevant development plan policies at the time of the application submission and a planning appraisal.

During the course of determining the application the applicant's agent has provided additional information regarding the construction method of the concrete plinth. It is confirmed that the plinth was laid on top of the ground and no excavation took place to damage the tree root structure.

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, the Slaugham Neighbourhood Plan and Site Allocations DPD.

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

Mid Sussex District Plan

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

Relevant policies:

DP14 Sustainable Rural Development and the Rural Economy

DP16 High Weald Area of Outstanding Natural Beauty
DP26 Character and Design
DP29 Noise, Air and light Pollution
DP37 Trees, Woodland and Hedgerows
DP38 Biodiversity
DP39 Sustainable Design
DP40 Renewable Energy Schemes

Site Allocations Development Plan Document

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

The Slaugham Neighbourhood Plan was made on 25th September 2019.

Policy 1 Protecting the AONB
Policy 2 Sustainable Development Measures
Policy 12 Economic Development

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 is currently at Examination with initial hearings held in February/March 2026. The Council is consulting on Main Modifications which are required to ensure the plan is legally compliant and sound. The District Plan remains at Examination until the Inspector has published his report, until that time 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:

DPC1 Protection and Enhancement of Countryside
DPC4 High Weald Area of Outstanding Natural Beauty
DPB1 Character and Design
DPS1 Climate Change
DPN1 Biodiversity, Geodiversity and nature Recovery
DPN2 Biodiversity Net Gain
DPN7 Noise Impacts
DPC6 Ashdown Forest SPA and SAC

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 Area of Outstanding Natural Beauty Management Plan 2019-2024

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
- Impact upon AONB/High Weald National Landscape
- Impact on residential amenities
- Renewable energy
- Impact on tree
- HRA
- Biodiversity Net Gain

Principle of development

The site lies within the open countryside and seeks permission for development that is related to an agricultural business that is being developed at the site as a new venture, by the new owners of the estate.

Policy DP14 in the District Plan seeks to support sustainable growth and the vitality of the rural economy and the diversification of activities on existing farm units.

This support is echoed in Policy 12 in the Slaugham Neighbourhood Plan which states:

'Proposals which enable the development of business uses within the Parish will be supported where proposals are:

- 1. Located in a sustainable location;*
- 2. In keeping with the character of the area;*
- 3. Respect residential amenity; and*
- 4. Would not have an unacceptable impact on the local road network.'*

The policies contained within the newly published NPPF are material considerations which should be taken into account in decision-making from the day of its publication, i.e. from 17th August 2026.

The NPPF recognises that Development Plan policies which are materially inconsistent with national decision-making policies in the NPPF should be given very limited weight. In this context, the aims of Policy DP14 of the District Plan and Policy 12 of the Neighbourhood Plan are inconsistent with the NPPF and should be afforded very limited weight. Greater weight should be given to the relevant NPPF Policies under S3, S5, E2 and E4.

Having regard to the above, the principle of the proposed development of a renewable heating source for the farm facilities at this site is acceptable in the context of both the development plan and the NPPF.

Design

Policy DP26 of the District Plan relates to character and design and requires all proposals to be well designed and reflect the distinctive character of the towns and villages as well as addressing the character and scale of the surrounding buildings and landscape.

Policy 1 in the Slaugham Neighbourhood Plan has similar aims and refers to the importance of protecting the visual qualities and essential characteristics of the AONB and views by virtue of the location and/or design of new development. These policies are considered to be materially inconsistent with the NPPF and as such should be afforded very limited weight, greater weight should be given to the relevant NPPF policies.

Section 14 of the NPPF is titled 'Achieving well-designed places' and includes Policy DP3: Key principles for well-designed places. This requires consideration of the context of new development, to include the character and features of the site and its setting. It seeks to support developments that are well located and support healthy communities. Greater weight should be given to national decision-making Policy DP3.

Also relevant in the determination of the application is the design guidance contained in the Mid Sussex Design Guide. 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.

It is important to note that good design is not just about the external appearance of new development, but is also about function. This is particularly the case for the proposed development, which is designed to deliver renewable source of heating on the site for the benefit of the estate workers and farm facilities utilising wood chips generated on site from the estate woodland management practices.

The works to install the biomass boiler, back up boiler and water storage cylinders are largely complete and have limited impact upon the external appearance of the former farm building in which they are located. The associated external hopper is sited on a concrete base at the western end of the building on the site of a former attached structure, now removed.

The design and appearance of the associated external flues and hopper are of a standard design and do not significantly impact upon the form and appearance of the original building, being minor additions, subordinate in form to the scale of the building.

Overall, it is considered that the design of the proposed biomass installation is functional and the external appearance of the associated structures is acceptable.

As such the application complies with Policy DP26 in the District Plan, Policy P1 of the Neighbourhood Plan, the Design Guide principles and the aims of NPPF Policy DP3.

Impact upon AONB/High Weald National Landscape

Policy DP12 (Protection and Enhancement of the Countryside) seeks to protect the intrinsic character and beauty of the countryside. Policy DP16 of the District Plan refers to development in the High Weald AONB, and this states that development will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan. Policy 1 in the Slaugham Neighbourhood Plan reflects this stance. These policies are considered to be materially inconsistent with the NPPF and as such should be afforded very limited weight, greater weight should be given to the relevant NPPF policies.

Section 19 of the NPPF is titled 'Conserving and enhancing the natural environment' and includes Policy N4: Protected Landscapes, which include National Landscapes, such as the High Weald AONB. This requires development proposals to be limited in scale and sensitively located and designed to avoid harm to the special qualities of such areas, placing importance upon conserving and enhancing the natural beauty of these areas.

Overall, it is considered that the proposed biomass installation has no adverse impact beyond the immediate setting of the farmstead and will not harmfully impact upon the wider AONB/National Landscape.

As such the application complies with Policies DP12 and DP16 in the District Plan, Policy 1 of the Neighbourhood Plan, and the aims of NPPF Policy N4.

Impact on residential amenities

Policy DP26 of the District Plan requires developments to demonstrate that it does not cause significant harm to amenities of existing nearby residents (or future occupiers), taking into account matters such as impact on light, privacy and outlook. As already identified, this policy is considered to be materially inconsistent with the NPPF and greater weight should be given to the relevant policies in the NPPF.

Policy L2 of the NPPF relates to making effective use of land. Part L2(1dii) requires proposals to have '*acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space*'.

NPPF Policy P3 refers to Living conditions and Pollution and requires consideration of likely effects of development upon living conditions (para 2a) and daylight/sunlight access for neighbouring residents and occupiers (para 2b).

Principle DG45 in the Design Guide refers to the need to consider privacy of existing and future residents and it is noted that privacy may be affected by the relationship of buildings to each other.

The nearest neighbouring property is White House, which is one of the estate owned dwellings. That property is located some 9m (approx.) from the site of the hopper and the end gable of the plant room.

The application details have been reviewed by the Environmental Health Officer and their comments are reported above. It is considered that there would be no adverse noise or air quality impacts associated with the development and no objection is raised on environmental protection grounds.

It is considered that the proposal would not impact upon residential amenities of those living near the plant. As such it is considered that the proposal complies with Policy DP26 of the District Plan, and Policies L2 and P3 of the NPPF in respect of this issue.

Renewable energy

Policy DP40 of the District Plan supports the development of new renewable energy sources, with regard to associated visual impacts upon the AONB and residential amenities including air, dust, noise, odour and traffic generation.

This policy is considered to have very limited weight, being materially inconsistent with the pro renewable development policy in the new NPPF, Policy W3. This policy is supportive of improved energy security, supporting economic development (1.a.) and acknowledges the contribution that small-scale renewable and low carbon energy projects can make to reducing greenhouse gas emissions, with associated economic and social benefits.

As such it is considered that the proposal complies with Policy DP40 of the District Plan, and Policy W3 of the NPPF in respect of renewable energy production for the farmstead.

Impact on tree

It is regrettable, due to the retrospective nature of the application, that the concrete base for the wood chip hopper has been constructed up to the trunk of an existing young oak tree that is growing within approx. 3m of the plant room in the farm building. Whilst the applicant has attempted to retain the tree for the short term, it is appreciated that the tree is poorly located for its long term health and retention.

The affected tree is a young tree and there are numerous more appropriately sited trees growing around the farmstead, and these form a natural backdrop to the farmstead. Whilst policy is supportive of retaining trees it is considered that should the tree's health fail as a result of the proximity of the constructed plinth, the harm has already occurred and this does not make the proposal unacceptable.

Policy DP37 of the District Plan supports the protection and enhancement of trees, woodland and hedgerows, and encourages new planting in new developments. The policy seeks to protect ancient woodland and aged or veteran trees in particular.

This policy is considered to have very limited weight, being materially inconsistent with the policy in the new NPPF, Policy N2, para 1.d. which seeks to improve the natural environment, and to conserve and enhance existing features of visual, historic or nature conservation value (such as established trees and hedgerows).

In this instance the proposal is considered acceptable with regards to the impact of the associated works upon a poorly located young oak tree.

HRA Assessment

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

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

A Habitats Regulations Assessment has been undertaken for the proposed development in this planning application.

Recreational disturbance

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

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

This planning application does not result in a net increase in dwellings within the 7km zone of influence and so mitigation is not required.

Atmospheric pollution

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

The potential effects of the proposed development are incorporated into the overall results of the transport model prepared for the Mid Sussex Transport Study, which indicates there would not be an overall impact on Ashdown Forest. This means that there is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

Conclusion of the Habitats Regulations Assessment

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

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

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

Biodiversity Net Gain

The Local Planning Authority has statutory biodiversity duties under s40 NERC Act 2006 (as amended) for the delivery of mandatory Biodiversity Net Gain.

The application has been supported by a Planning Statement which confirms the development is subject to the de minimis exemption. This development does not impact a priority habitat and impacts less than 25 square metres of onsite habitat.

PLANNING BALANCE AND CONCLUSION

The principle of the proposed development is acceptable in the context of both the development plan and the NPPF.

The installation of the woodchip boiler and the associated plant is almost complete. The external hopper, auger and flues are not widely visible beyond the immediate farmstead. Their installation will not adversely impact upon the character of the area. The design of the equipment is functional and the external appearance is acceptable. As such the application complies with Policy DP26 in the District Plan, the Design Guide principles and the aims of NPPF Policy DP3.

The proposal would not impact upon residential amenities of the estate workers living in the estate dwellings located near the site. As such it is considered that the proposal complies with Policy DP26 of the District Plan, and Policies L2 and P3 of the NPPF.

To conclude, the proposed development will provide renewable energy for the estate buildings and some of the residential units at the site, utilising wood stocks from the woodland growing on the estate and the application can be supported.

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

In this instance the proposal is considered acceptable with regards to the impact of the associated works upon a poorly located young oak tree.

Consequently this application is recommended for approval.

Decision: Permission

Case Officer: Anna Tidey