

## **Planning Statement**

**Full planning application for Change of Use from single dwelling (Use Class C3) to care home (Use Class C2) including erection of rear and side extension to the main building and roof extensions to the coach house**

**Lingworth, 17 Oathall Road  
Haywards Heath**

**September 2024**

---

Planning application for Change of Use from single dwelling (Use Class C3) to care home (Use Class C2) including erection of rear and side extension to the main building and roof extensions to the coach house

At Lingworth, 17 Oathall Road, Haywards Heath

---

Planning Statement  
on Behalf of  
Adelaide Healthcare Limited

---

September 2024

DMH Stallard LLP  
Griffin House  
135 High Street  
Crawley  
West Sussex  
RH10 1DQ

Tel: 01293 663519  
Fax: 01293 543760  
Email: [nigel.abbott@dmhstallard.com](mailto:nigel.abbott@dmhstallard.com)  
DMH Stallard LLP ref: 408920.1

Contents	Page
1. Introduction	4
2. Description of the Site	5
3. Planning History of the Site	6
4. Pre-application Advice & Feedback from MSDC	7
5. The Proposed Scheme	13
6. The Development Plan and Policy Guidance	14
7. Planning Considerations	18
8. Conclusions including Planning Balance	25

## Appendix

Appendix 1 – Details of previous planning history

Appendix 2 – Pre-application advice provided by MSDC

## **1. Introduction**

- 1.1 This Planning Statement has been prepared by DMH Stallard LLP on behalf of the applicant, Adelaide Healthcare Limited to support this application for full planning permission for the following proposed development at Lingworth, 17 Oathall Road, Haywards Heath:

*"Change of Use from single dwelling (Use Class C3) to care home (Use Class C2) including erection of two storey rear and side extension to the main building and roof extension above the garage including provision of two dormer windows to the coach house"*

- 1.2 The application has been submitted following the receipt of pre-application advice provided by Mr Andy Watt of Mid Sussex District Council (MSDC) in March 2024 under reference DM/23/2550.
- 1.3 More details of the advice provided, and the steps taken by the applicant and design team in response in finalising the scheme for submission are set out later in this Planning Statement, but in summary officers considered the principle of the proposed development to be acceptable subject to making amendments in response to the comments provided.
- 1.4 In addition to this Planning Statement, the application is supported by a suite of drawings and documentation comprising the following:
- Covering letter prepared by DMH Stallard LLP
  - Completed application form prepared by DMH Stallard LLP
  - Existing survey drawings prepared by ACAD Mapping Ltd Land Surveyors
  - Existing survey drawings prepared by Buchan Rum Architects
  - Full suite of application drawings prepared by Buchan Rum Architects as listed in the covering letter.
  - Design and Access Statement prepared by Buchan Rum Architects
  - Heritage Statement prepared by Buchan Rum Architects

- Landscape scheme prepared by Buchan Rum Architects
- Biodiversity Net Gain Assessment & Metric Calculations prepared by Environmental Assessment Services Ltd (EAS)
- Tree Survey, Arboricultural Impact Assessment report and Tree Protection Plan prepared by Absolute Arboriculture.
- Transport Statement prepared by Motion Transport Consultants

1.5 The structure of the remainder of this Planning Statement is as follows:

- Section 2 provides a description of the site.
- Section 3 summarises the relevant planning history.
- Section 4 summarises the pre-application advice received from MSDC and the proposed responses to the issues raised in that advice.
- Section 5 describes the proposed scheme.
- Section 6 sets out the relevant planning policies and guidance.
- Section 7 sets out the planning assessment.
- Section 8 provides the conclusion.

## **2. Description of the Site**

2.1 Lingworth is located on the western side of Oathall Road, approximately 150 metres north of its junction with Heath Road, on the northern side of Haywards Heath town centre. It lies within The Heath Conservation Area that was designated in 1989 and is within the built-up area of Haywards Heath.

2.2 The property is currently vacant and comprises a sizeable detached Victorian villa arranged over 3 storeys plus basement last occupied as a single-family dwelling on a rectangular plot orientated south-east to north-west. Attached to the rear of the building is a single storey extension housing a swimming pool and there is a tennis court with floodlighting occupying a large proportion of the rear garden. There is also a coach house located to the very rear of the plot that was used for ancillary accommodation when Lingworth was last occupied.

- 2.3 There is an in-out carriageway vehicle access off Oathall Road with parking provided to the front of the property. An access road runs long the northern boundary of the plot to the coach house at the rear with further parking both within it and outside this building. Further detail in relation to the site description is set out in Section 2 of the Design and Access Statement prepared by Buchan Rum Architects.
- 2.4 There are a number of existing care and nursing homes located close to the application site. The Adelaide Nursing Home is located at 13 Oathall Road and contains 36 bedrooms. It was first established following the grant of planning permission in 1987 with subsequent permissions given to extend it.
- 2.5 The Wellington Nursing and Care Home is located immediately next door to the Adelaide at 11 Oathall Road and provides a total of 28 bedrooms. Bletchingley Nursing Home is located to the rear of the Wellington Nursing and Care Home and was opened in 2017 following the grant of planning permission in 2010. It contains 24 bedrooms.
- 2.6 Maplehurst Care Home is located at 53 Oathall Road some 270 metres to the north-east of the application site. It was established following the original grant of planning permission in 1987.

### **3. Planning History of the Site**

- 3.1 The full planning history of the application site, taken from MSDC's on-line planning register is presented in **Appendix 1**.
- 3.2 In summary planning permission was granted in March 1982 for the erection of the floodlights to the tennis court (CU/012/82). Permission was then granted in August 1983 for the erection of a single storey building over the swimming pool (CU/219/83). Planning applications were refused in February 2002 and May 2003 for the redevelopment of the site with block of 12 and 10 apartments respectively

together with the conversion of the coach house to form a single dwelling (02/00030/FUL & 02/01538/FUL). The latter scheme was also dismissed following an appeal. There were then applications for 48 sheltered housing units and 40 very sheltered housing units refused in June 2005 and March 2006 respectively (05/00775/FUL & 05/02752/OUT).

- 3.3 Permission was refused in May 2007 for a scheme that proposed the demolition of some rear parts of the main building and alterations to accommodate 5 x 2 bed flats together with the removal of the swimming pool and erection of a new building to accommodate 7 new 2 bed flats and alterations to the coach house (07/00506/FUL). This scheme was also dismissed at appeal. The extension to the coach house was permitted to be converted to a single dwelling in October 2009 (09/02463/FUL). There have been a number of other minor applications submitted subsequently.

#### **4. Pre-application Advice & Feedback from MSDC**

- 4.1 The applicant has sought pre-application advice from MSDC. A formal request for advice was submitted on 3 October 2023. A site meeting with the planning and conservation officers was held on 31 October 2023 and formal advice subsequently issued on 13<sup>th</sup> March 2024 (MSDC ref: DM/23/2550). A copy of this advice appears at **Appendix 2**.
- 4.2 Whilst the pre-application advice provided by MSDC was supportive in principle of the proposals presented, various comments were made to aspects of the proposals and requests made for alterations to be made to the drawings for the scheme.
- 4.3 The MSDC comments are set out in the table below together with the response of the applicant and design team to these. Section 5 that follows sets out the components of the proposed scheme now submitted for planning permission.

<b>MSDC Officer comments</b>	<b>Applicant's response</b>
<p><b>Two storey side and rear extension –</b>  <i>The scale and footprint of the side and rear extension should be as far as possible minimised. Consideration should be given to other potential heritage benefits which could be built into the scheme in order to potentially mitigate the harm caused by this extension. For example:</i></p> <ul style="list-style-type: none"> <li>- <i>The removal of the existing unattractive black railings from the roof of the building.</i></li> <li>- <i>The removal of the existing two storey front porch extension would be a significant heritage benefit in relation to the character and appearance of this prominent elevation. I note at ground floor this extension is shown as retained as a porch, however I would question whether this is a necessary space given the large entrance hall within the house itself, or whether this could be removed without detriment. At first floor the space is shown as an ensuite, but given the largely glazed nature of the addition this does not appear appropriate or practical; an ensuite might be better accommodated by replanning of rooms within the original house. Were this two storey addition to be removed and the</i></li> </ul>	<p>In the applicant's view, the site is large enough to accommodate an extension of this size which is needed to make the conversion of the dwelling into a care home financially viable. The design has been amended from that presented at pre-application stage with the gable matching those on the main front elevation but lower thus being subservient. It is proposed to remove the unattractive black railings and roof access housing at roof level. It is also proposed to remove the unsympathetic canopy to the first-floor front elevation as well as the ground floor porch extension to improve the visual appearance of the front elevation. The first-floor front extension is proposed to be retained and is proposed to provide a twin bedroom.</p>



<p><i>surviving original façade, including the ornate entrance, restored and revealed, this would as above be a significant benefit which would stand to be weighed against the disbenefit of the proposed work to the side and rear of the building</i></p>	
<p><b>Design approach</b> - <i>Two options for a detailed design approach have been given. Option 1 replicates the existing aesthetic and option 2 is more contemporary. It is recommended that option 1 is more sympathetic and should be pursued.</i></p>	<p>The applicant accepts this recommendation and has pursued a scheme that replicates the existing aesthetic.</p>
<p><b>Works to Coach House</b> – <i>The dormer window extensions shown on the south side of the building are overscaled within the roof slope and require amendment. The number and scale of the proposed rooflights may also require reconsideration.</i></p>	<p>The dormer windows have been redesigned from the scheme and there are now two suitably sized and proportioned dormer windows provided to the south-west side elevation only. The conservation style rooflights are required to provide adequate light for the proposed bedrooms at first floor level.</p>
<p><b>Heritage Benefits</b> - <i>Consideration should be given to other potential heritage benefits which could be built into the scheme in order to potentially mitigate the harm caused by this extension. For example:</i></p>	<p>The following heritage benefits are proposed for the scheme:</p> <ul style="list-style-type: none"> <li>- The removal of the black railings from the roof of the building together with the roof access housing that is prominent at roof level.</li> <li>- The removal of the ground floor porch extension and provision of a</li> </ul>

<p>- <i>The removal of the existing unattractive black railings from the roof of the building.</i></p> <p>- <i>The removal of the existing two storey front porch extension would be a significant heritage benefit in relation to the character and appearance of this prominent elevation. I note at ground floor this extension is shown as retained as a porch, however I would question whether this is a necessary space given the large entrance hall within the house itself, or whether this could be removed without detriment. At first floor the space is shown as an ensuite, but given the largely glazed nature of the addition this does not appear appropriate or practical; an ensuite might be better accommodated by replanning of rooms within the original house. Were this two storey addition to be removed and the surviving original façade, including the ornate entrance, restored and revealed, this would as above be a significant benefit which would stand to be weighed against the disbenefit of the proposed work to the side and rear of the building</i></p>	<p>more sympathetic first floor forward extension with fenestration to match the bays are first floor level, creating a portico to the entrance to the building.</p> <p>- Significant landscape enhancement works involving the removal of the tennis court, surrounding ball-catch netting and associated floodlights and provision of new planting to provide an attractive outdoor space for residents together with the provision of a modest garden pavilion building with a green roof.</p>
<p><b>Impact on trees</b> - <i>The proposed extension may have an impact on the trees closest to no. 15 and therefore the</i></p>	<p>The application is supported by a tree survey and method statement prepared by Absolute Arboriculture</p>

<i>design and siting should be informed by the results of a tree survey and method statement</i>	which sets out measures to protect those trees to be retained during construction works. Two trees are required to be removed to accommodate the proposed development.
<b>Impact on neighbouring amenity</b> - <i>Care should be taken to ensure that the proposed extension does not result in a loss of privacy to the neighbouring property at no. 15 (particularly if any vegetation screening is removed).</i>	The existing site screening vegetation is all proposed to be retained and there. There will be no windows proposed in the side elevation for the extension proposed between the existing main building and no 15 Oathall Road.
<b>Highways matters</b> - <i>The intensification of activity on this site is likely to require a Stage 1 Safety Audit and Designers' Response to accompany an application</i>	The application is supported by a Transport Statement, prepared by Motion Transport.
<b>Biodiversity</b> – <i>The applicant will need to ensure compliance with advice provided in relation to Biodiversity Net Gain and ecological matters more generally.</i>	The application is supported by a report prepared by EAS detailing the Biodiversity Net Gain and associated Metric Calculations which demonstrates that the scheme will result in a net gain of biodiversity on site by 28.75%.
<b>Impact on Ashdown Forest</b> - <i>The proposal has the potential to increase the number of traffic movements across the Ashdown Forest that may have an adverse impact on the amount of nitrogen dioxide pollution deposited on the lowland heaths that make up the</i>	The site lies beyond the 7km buffer to Ashdown Forest. In addition, the proposed C2 use is one where SANG mitigation will not generally be applied by MSDC due to the level of care required by residents although SAMM mitigation may be required.

<p><i>Ashdown Forest Special Area of Conservation (SAC), a site of European importance.</i></p> <p><i>Each site will be considered on a case-by-case basis at the time of determining any application and further information can be found on our website.</i></p>	<p>Notwithstanding this, given the location of the site beyond the 7km buffer, no mitigation is considered necessary.</p>
<p><b>Legal Agreement</b> – <i>In order for the development to be assessed as a genuine C2 use, the applicant would need to enter into a legal agreement with the council to ensure the provision of personal care for each resident and be willing to accept a separate condition restricting occupation of the units to people aged 55 or over.</i></p>	<p>The applicant considers that the requirements for residents to receive care can be addressed in a suitably worded planning condition rather than entering into a legal agreement with the Council to ensure that the use is bona fide Class C2. As the use will be capable of accommodating adult people of different ages over the age of 18 with care needs, the applicant is not willing to accept a planning condition imposing any age restriction for the occupants of the proposed care home.</p>
<p><b>Waste provision</b> – <i>details should be provided of the provision made for recycling including commercial waste.</i></p>	<p>Waste will be stored in a yard located to the rear of the single storey rear extension to the main building.</p>
<p><b>Promotion of walking, cycling and public transport use</b> – <i>submission to include details addressing these matters.</i></p>	<p>Details of alternatives to the use of the private car are provided in the Transport Statement prepared by Motion Consultants.</p>

<b>Drainage</b> – <i>relevant documentation needs to be provided to demonstrate that the impact on drainage is acceptable.</i>	Details of the proposed drainage arrangements are included on page 7 of the Design & Access Statement.
<b>Sustainability</b> – <i>relevant documentation needs to be provided to demonstrate that the scheme is sustainable</i>	Details of the proposed sustainability measures are set out on page 6 of the Design & Access Statement.

## 5. The Proposed Scheme

5.1 The scheme has been refined in the light of the pre-application advice received and proposes the following:

- The change of use of Lingworth from a single family dwellinghouse (Class C3 use) to a residential care home (Class C2 use). The following sets out on each floor of the two buildings the number of bedrooms (29 total) and bedspaces (37 total) in the proposal:

### **Bedrooms**

*Main building = 22 bedrooms in total comprising:*

Ground floor – 10 rooms

First floor – 9 rooms

Second floor – 3 rooms

*Coach House = 7 bedrooms in total comprising:*

Ground floor – 3 rooms

First Floor – 4 rooms

### **Bedspaces**

*Main building = 29 spaces in total comprising:*

Ground floor – 14 beds (comprising 6 x single and 4 x twin rooms)

First Floor – 12 beds (comprising 6 x single and 3 x twin rooms)

Second floor – 3 beds

*Coach House = 8 spaces in total comprising:*

Ground floor – 3 beds

First floor – 5 beds (comprising 3 x single and 1 x twin room)

- The erection of a two-storey rear and side extension to the main building set back some 8m from the front elevation of the existing building.
- The erection of a replacement first floor front extension in lieu of the existing two storey porch addition to the main building.
- The removal of the roof top railings and prominent roof top housing.
- A marginal enlargement of the plant room located to the rear of the existing single storey indoor swimming pool extension.
- The erection of a roof extension to the Coach House building with the provision of two appropriately proportioned dormer windows and rooflights.
- A landscape scheme to include the removal of the existing tennis court, ball-catch netting and floodlighting and the provision of a landscaped garden, a small pavilion building and pool feature in its place including additional car parking spaces adjacent to the Coach House.
- A total of 12 car parking spaces are proposed on the site comprising three spaces to the front of the building and nine spaces adjacent to the coach house.
- The provision of a cycle shelter for the parking of six cycles.

## **6. The Development Plan and Policy Guidance**

6.1 The following development plan policies are considered relevant to the determination of this application

### **Mid-Sussex District Plan (Adopted March 2018)**

- Policy DP1: Sustainable Economic Development
- Policy DP6: Settlement Hierarchy

- Policy DP17: Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)
- Policy DP21: Transport
- Policy DP26: Character and Design
- Policy DP28: Accessibility
- Policy DP29: Noise, Air and Light Pollution
- Policy DP30: Housing Mix
- Policy DP35: Conservation Areas
- Policy DP37: Trees, Woodland and Hedgerows
- Policy DP38: Biodiversity
- Policy DP39: Sustainable Design and Construction
- Policy DP41: Flood Risk and Drainage
- Policy DP42: Water Infrastructure and the Water Environment

The policies and explanatory text are available to view here:  
<https://www.midsussex.gov.uk/media/3406/mid-sussex-district-plan.pdf>

#### **Haywards Heath Neighbourhood Plan (Made in December 2016)**

- Policy E7: Sustainable Drainage Systems
- Policy E8: Sustainable Development
- Policy E9: Local Character
- Policy H9: Extensions to Existing Dwellings

The policies and supporting text are available to view here:  
<https://www.midsussex.gov.uk/planning-building/neighbourhood-plans/>

#### **Mid Sussex District Plan 2021-2039 - Submission Draft (Regulation 19)**

- 6.2 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. At the time of writing the date for the commencement of the formal Local Plan Examination was in the process of being set.

Relevant policies from the review are:

- DPS1: Climate Change
- DPS2: Sustainable Design and Construction
- DPS4: Flood Risk and Sustainable Drainage
- DPS6: Health and Wellbeing
- DPN1: Biodiversity, Geodiversity and Nature Recovery
- DPN2: Biodiversity Net Gain
- DPN3: Green and Blue Infrastructure
- DPN4: Trees, Woodland and Hedgerows
- DPN6: Pollution
- DPN7: Noise Impacts
- DPN8: Light Impacts and Dark Skies
- DPN9: Air Quality
- DPC6: Ashdown Forest SPA and SAC
- DPB1: Character and Design
- DPB3: Conservation Areas
- DPT3: Active and Sustainable Travel
- DPT4: Parking and Electric Vehicle Charging Infrastructure
- DPE1: Sustainable Economic Development
- DPH4: Older Persons Housing and Specialist Accommodation
- DPH8: Affordable Housing



- DPH12: Accessibility

### **Mid Sussex Design Guide Supplementary Planning Document (Nov 2020)**

6.3 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.

<https://www.midsussex.gov.uk/planning-building/supplementary-planning-documents/>

- Principle DG1: Character Study
- Principle DG2: Site appraisal
- Principle DG5: Water features and sustainable drainage systems
- Principle DG6: Design to enhance biodiversity
- Principle DG11: Respond to the existing townscape, heritage assets and historic landscape
- Principle DG21: Consider and allow for servicing, refuse collection and deliveries
- Principle DG22: Integrate refuse and recycling into the design of new development
- Principle DG24: Plan for cyclists
- Principle DG27: Integrate tree planting and soft landscape
- Principle DG31: Focus development in sustainable locations
- Principle DG37: Deliver high quality buildings that minimise their environmental impact
- Principle DG38: Design buildings with architectural integrity and a sense of place
- Principle DG39: Deliver appropriately scaled buildings
- Principle DG40: Design buildings that respond to and animate the street scene
- Principle DG45: Privacy of existing and future residents
- Principle DG46: Provide attractive and usable external amenity space for all homes

- Principle DG48: Design to minimise the impact of noise, air and light pollution
  - Principle DG49: General principles for extensions
  - Principle DG50: Front and side extensions
  - Principle DG51: Rear extensions
  - Principle DG52: Loft conversions and roof extensions
  - Principle DG53: Principles for conversions of traditional buildings with heritage value
- 6.4 Other relevant policy and guidance appears in the latest iteration of the National Planning Policy Framework (NPPF) and the supporting Planning Practice Guidance as well as the MSDC produced 'Mid Sussex Design Guide'.

## **7. Planning Considerations**

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that '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 development plan unless material considerations indicate otherwise'.
- 7.2 The application is considered to raise the following key issues:
- Principle of development
  - Design and visual impact on the Heath Conservation Area
  - Impact on Trees
  - Impact on neighbouring amenity
  - Highways matters
  - Impact on Ecology including proposed Biodiversity Net Gain
  - Impact on Ashdown Forest
  - Legal Agreement

## **Principle of development**

- 7.3 As set out in the pre-application advice provided by MSDC, the spatial strategy of the Mid Sussex District Plan is to focus the majority of housing and employment development at Burgess Hill with the remainder of development delivered at the other towns and villages including Haywards Heath. Within the settlement hierarchy, Haywards Heath is defined as a Category 1 settlement as it has a comprehensive range of employment, retail, health, education, leisure services and facilities with good public transport provision. Within the defined built-up area boundaries, development is acceptable in principle.
- 7.4 Moreover, the supporting text to Policy DP30 of the District Plan expressly states that in respect of Class C2 uses, "...provided the scheme makes efficient use of land, any site considered appropriate for housing development would be positively considered for such older person accommodation through the decision making process". Accordingly, the principle of this development at this site must be considered acceptable.

## **Design and visual impact on The Heath Conservation Area**

- 7.5 At the pre-application advice stage, the advice given was that the proposed two storey side and rear extensions were substantial wrapping around the rear corner of the building. To make the scheme financially viable, and given the shape and layout of the existing building, an extension of the size proposed that wraps around the building is needed.
- 7.6 The extension is set well back from the main building's existing front elevation, thereby allowing the original building to be clearly discerned. The design has also been amended from that presented at the pre-application stage to better reflect

the design of the front elevation as proposed to be amended by the removal of the front extension and replacement with the first floor bay.

- 7.7 We acknowledge that the Conservation Officer was keen to see the first floor rear window to be left exposed for viewing however, given the need for the required floorspace, this is not possible. In any event, there are no public views available of this window given its location on the rear elevation and the distance from the rear boundary of the plot.
- 7.8 In relation to the conversion works to the existing pool house, which is a modern addition to the property, the pre-application advice request indicated that these were not considered contentious subject to detail. The scheme as submitted has not been altered in this part of the building and so is assumed to remain acceptable.
- 7.9 In relation to the proposed alterations to the Coach House, the pre-application advice advised that the extension above the modern garage was not considered contentious but the dormer additions on the south side of the building are overscaled within the roof slope and will require amendment. These have been amended. Two appropriately designed dormer windows that sit above the ground floor windows are proposed in the south-west only facing roof slope of the extension above the garage. Dormer windows are no longer proposed on the opposite north-east roof slope and instead two additional conservation style rooflights are proposed.
- 7.10 The pre-application advice response stated that the presence of the tennis court and floodlighting detracted from the character and appearance of the Heath Conservation Area. A key benefit of the proposal is the removal of these features from the site and replacement with a high-quality landscape scheme that has been designed for the benefit of future residents and incorporates a small garden pavilion with sedum roof, pergola, water feature, winding pathways, new trees and hedging.

## **Impact on trees**

- 7.11 The application is supported by an Arboricultural Impact Assessment (AIA) which includes an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) prepared by Absolute Arboriculture. This report has identified that a plum tree (T014) is in poor condition and should be removed irrespective of the development proposals. Section 7 of the report summarises the impact of the proposed development on the existing trees.
- 7.12 The report recommends the crown lift to the canopy's of T001, G002 and G019. The removal of T017 and T018 will need to be removed to accommodate the proposed development and G005 will require cutting back in order for the development to begin. Paragraph 4.4 makes it clear that there is ample scope for re-planting which has been taken into account in the proposed landscape plan.
- 7.13 It is considered that provided the recommendations in the AIA, associated AMS and the TPP are followed in implementing any planning permission that is granted that the proposals will comply with the requirements of policy DP37 of the Mid Sussex District Plan.

## **Impact on neighbouring amenity**

- 7.14 The pre-application advice states that care needs to be taken to ensure that the proposed extension does not result in a loss of privacy to the neighbouring property at no 15 particularly if any vegetation screening is removed.
- 7.15 Whilst paragraph 7.3 of the AIA report indicates that there will be a need to remove the most northerly trees from G005 that lies on the property boundary with no 15, as the landscape plan shows, the majority of the trees in this group will be retained to form an effective screen to the adjoining property.

7.16 In the applicant's view, the fenestration adds interest to the flank elevation. It affords a view by the future occupants of the room of a partly shaded garden which will be particularly welcome in summer without impacting on neighbouring amenity. We do not anticipate there will be pressure to fell any trees to be retained as a result. The trees in any event have a degree of protection due to their location within the Heath Conservation Area.

7.17 In addition we note that the closest structure to the boundary at no 15 is the converted garage that was extended and converted to a larger area and games room on ground floor and extension to a home office at first floor level under planning permission ref 14/02584/FUL. The principal windows to this structure face towards the front of the plot with the only side facing windows being rooflights within the pitched roof. It is considered that the proposals comply with policies DP26 and DP29 of the Mid Sussex District Plan.

## **Highways matters**

7.18 Motion Transport has produced a Transport Statement that is submitted as part of the application package. The report has the following summary:

- Pedestrian facilities in the surrounding area are provided and create safe links between the site and key local amenities;
- The site is located close to bus and train links, which connect the site with the local area and provides access to a number of local amenities;
- Access to the development is proposed via the existing access to the site, at which appropriate visibility splays can be achieved; and
- The proposals will only lead to a small increase in vehicle movements on the local road network, particularly during peak periods.

7.19 On the basis of the above review, it is concluded that the proposals accord with national and local transport related policies and can be accommodated without detriment to the safety and operating capacity of the local highway network. As

such, it is considered that there is no reason why the proposals should be resisted on traffic and transportation grounds.

### **Impact on Ecology including proposed Biodiversity Net Gain**

- 7.20 Environmental Assessment Services Ltd (EAS) has undertaken a Biodiversity Net Gain (BNG) Assessment and their report and the associated metric spreadsheet are submitted as part of the application package. The existing habitat components on site were mapped and assessed which gave a total of 0.16 habitat units. The proposed scheme was then assessed which includes a decrease in the total area of sealed surface and increase in vegetated garden giving a proposed total of 0.21 habitat units, representing a Biodiversity Net Gain of +28.75% thus well exceeding the mandatory minimum gain of 10%. Accordingly, the proposals comply with the statutory requirement and meet policy expectations.

### **Impact on Ashdown Forest**

- 7.21 The pre-application advice response from MSDC indicated that the proposal has the potential to increase the number of traffic movements across Ashdown Forest that have an adverse impact on the amount of nitrogen dioxide pollution deposited on the lowlands heaths that make up the Ashdown Forest Special Area of Conservation (SAC). Each site will be considered on a case by case basis.
- 7.22 In this case, the application site lies beyond the 7km zone around Ashdown Forest and therefore specific mitigation measures are not necessary to be secured for this development.

## **Legal Agreement**

- 7.23 The pre-application advice response from MSDC indicated that in order for the development to be assessed as a genuine Class C2 use, the applicant will need to enter into a legal agreement with the council to ensure the provision of personal care for each resident. The advice also said the applicant should confirm willingness to accept a planning condition restricting occupation of the units (in reality they are rooms, not units) to people aged 55 or over.
- 7.24 On behalf of the applicant we consider that the requirement for the provision of care for each resident can be reasonably covered by an appropriately worded planning condition rather than being subsumed in a legal agreement. As regarding to the age restricted condition, the applicant does not agree to the imposition of such a condition as it is proposed that the care home will cater for all adults aged 18 or over, not just older people requiring the provision of care.
- 7.25 It is noted that at pre-application stage under other matters, we were alerted to Policy E8 of the Haywards Heath Neighbourhood Plan that sets out various requirements that major development proposals should incorporate into their designs. This scheme is not a major development as the proposed additional floorspace is less than 1,000sqm in area and neither does the proposal involve the provision of 10 or more dwellings as the care home provides bedrooms, not self-contained dwellings. Accordingly, the requirements of Policy E8 of the Neighbourhood Plan is not considered to apply to the proposed scheme.



## **8. Conclusions including Planning Balance**

- 8.1 Planning permission is sought for the conversion and extension of Lingworth and its associated coach house from a single vacant dwelling to a 29 bed care home that will cater for the care needs of all adults with care needs. The application site lies within the urban area of Haywards Heath and in an appropriate location close to the town centre.
- 8.2 There is significant need for additional care facilities within the area. The proposed alterations to the main property and associated coach house have been designed to ensure that having regard to the Heath Conservation Area, the character and appearance of the site and building is enhanced.
- 8.3 There are significant benefits arising from the scheme in the provision of new care facilities to assist with meeting local needs, the provision of employment both during the construction and operational phases, the heritage benefits to the main building as set out in the accompanying Heritage Statement, the removal of the existing tennis court and associated floodlighting and ball-catch netting and replacement landscaping scheme with new high quality garden pavilion building incorporating a green roof and significant biodiversity net gain.
- 8.4 Following the earlier pre-application process, the scheme design has been refined to take into account as many of the issues raised by officers as possible whilst ensuring the scheme remains financially viable to deliver and operate. It has also been designed to ensure that the impacts on the amenities of adjoining occupiers is minimised.
- 8.5 Overall, for the reasons set out in this Planning Statement and the accompanying application documents we consider that the scheme complies with national, local and neighbourhood planning policies and therefore that planning permission should be granted.

## Appendix 1 – Full Planning History of Site

<b>MSDC Ref</b>	<b>Description of development</b>	<b>Decision</b>	<b>Date</b>
CU/012/82	Erection of 6 no. steel lighting posts with floodlight fittings around the perimeter of the existing tennis court.	Approved	23.03.1982
CU/219/83	ERECTION OF A SINGLE STOREY SWIMMING POOL BUILDING OVER THE EXISTING SWIMMING POOL.	Approved	09.08.1983
CU/219/83/AP1	AMENDED PLANS: ERECTION OF A SINGLE STOREY SWIMMING POOL BUILDING OVER THE EXISTING SWIMMING POOL. AMENDED PLANS SHOWING: CHANGE OF EXTERNAL MATERIALS. MINOR REDUCTION IN SIZE.	Approved	17.10.1984
02/00030/FUL	Development of 12 No. 2 bed apartments and conversion of existing coach house to form detached dwelling together with parking and landscape following demolition of Lingworth, No. 17.	Refused	19.02.2002
02/00031/CON	Demolition of Lingworth (No. 17) Development of 12 No. 2 bed apartments and conversion of existing coach house to form detached dwelling with parking and landscaping.	Refused	19.02.2002
02/01538/FUL (AP/02/0052)	Construction of 10 two bedroom apartments and conversion of existing coach house to form a detached dwelling.	Refused and Appeal Dismissed	15.05.2003
02/01539/CON (AP/02/0057)	Demolition of existing dwelling (separate application submitted for construction of ten two bedroom apartments and conversion of existing coach house to form a detached dwelling.)	Refused and Appeal dismissed	15.05.2003

HH/221/98	NO.15 - TRIM BACK SYCAMORES AND CHERRY OVERHANGING NO.17 BY 50%. NO.17 - FELL SIX CYPRESSES, REDUCE BRANCHES OF WALNUT ON NORTHERN SIDE BY 2-3M. FELL FOUR SYCAMORE STEMS.	No Objection	05.11.1998
05/00775/FUL	48 sheltered 1 and 2 bedroom flats with ancillary common sitting room and stores.	Refused	28.06.2005
05/02752/OUT	40 no. 2 bedroom very sheltered housing units, associated communal provision, residential nurses flat, access and parking	Refused	03.03.2006
07/00506/FUL (AP/07/0102)	Demolition of some rear parts of existing house and alterations to accommodate 5 new 2 bedroom flats. The removal of existing swimming pool and the erection of a new building to accommodate 7 new 2 bedroom flats. Alterations to existing coach house, accommodating 2 bedrooms.	Refused & Appeal Dismissed	29.05.2007
07/00507/CON (AP/02/0103)	Demolition of some rear parts of existing house No. 17, including a swimming pool and tennis court.	Refused & Appeal Dismisses	29.05.2007
09/02463/FUL	Conversion of extension to existing Coach House to provide 1 no dwelling	Approved	13.10.2009
11/01137/FUL	Attached garage to coach house extension (amendment to 09/02463/FUL)	Approved	08.06.2011
12/02837/FUL	Conversion of extension to existing coach house to provide 1 dwelling.	Approved	11.10.2012
12/04186/FUL	Replacement of existing timber fence front boundary with new metal railings and gates to include hedging.	Approved	16.01.2013
14/01021/FUL	Attached garage to Coach House extension.	Approved	16.05.2014
DM/15/3065	Discharge of planning condition nos 2, 4, 5, 6, 9, 10 and 12 relating to planning application 12/02837/FUL	Approved	11.09.2015

DM/16/0837	Non-material amendment to planning application 12/04186/FUL for an amendment to the design of railings fence, to include brick piers	Refused	24.03.2016
DM/16/1407	(T1) Cypressus - Fell	No Objection	09.05.2016
DM/16/1814	Replacement of existing timber fence front boundary with new metal railings and gates to include hedging (retrospective) (Corrected plans received on 1 July 2016)	Withdrawn	30.08.2016
DM/16/2363	Proposed detached garage	Approved	26.07.2016
DM/16/4048	Discharge of planning condition no. 11 relating to planning application 12/02837/FUL	Approved	12.10.2016

## **Appendix 2 – MSDC Pre-Application Advice provided in March 2024.**

Dear Mr Rainier

**Reference: DM/23/2550**

**Proposal: Change of use from dwelling to C2 and side extension**

**Location: Lingworth 17 Oathall Road Haywards Heath West Sussex**

Thank you for your enquiry received on 3 October and for meeting me and my colleague, Emily Wade, the Council's Conservation Officer, on 31 October, together with Emily Hatton and Graham Whitehouse. Please accept my apologies for the delay in following this up in writing.

### SITE CHARACTERISTICS AND CONSTRAINTS

Lingworth is a sizeable detached Victorian villa arranged over 3-storeys. It is located within The Heath Conservation Area in the built-up area of Haywards Heath. The dwelling has attached to it a large covered swimming pool extension to the rear, and part of the garden is currently taken by a tennis court with floodlighting. A coach house to the rear (used as an annexe) is accessed via a gravel driveway at the side of the main dwelling, which provides some car parking space both internally and externally. There is an in-out carriageway access onto Oathall Road. The site is designated as a Great Crested Newt – Impact Risk Zone (Green).

The surrounding area is residential, with properties being sizeable and set in spacious, well vegetated gardens.

### RELEVANT PLANNING HISTORY

CU/012/82 - Erection of 6 no. steel lighting posts with floodlight fittings around the perimeter of the existing tennis court. - Permission - 23.03.1982

CU/219/83/AP1 - AMENDED PLANS: ERECTION OF A SINGLE STOREY SWIMMING POOL BUILDING OVER THE EXISTING SWIMMING POOL. AMENDED PLANS SHOWING: CHANGE OF EXTERNAL MATERIALS. MINOR REDUCTION IN SIZE. - Permission - 17.10.1984

02/00030/FUL - Development of 12 No. 2 bed apartments and conversion of existing coach house to form detached dwelling together with parking and landscape following demolition of Lingworth, No. 17. - Refused - 19.02.2002

02/00031/CON - Demolition of Lingworth (No. 17) Development of 12 No. 2 bed apartments and conversion of existing coach house to form detached dwelling with parking and landscaping. - Refused - 15.02.2002

02/01538/FUL - Construction of 10 two bedroom apartments and conversion of existing coach house to form a detached dwelling. - Appeal Dismissed - 15.05.2003

02/01539/CON - Demolition of existing dwelling (separate application submitted for construction of ten two bedroom apartments and conversion of existing coach house to form a detached dwelling.) -

Refused - 30.09.2002

CU/219/83 - ERECTION OF A SINGLE STOREY SWIMMING POOL BUILDING OVER THE EXISTING SWIMMING POOL. - Permission - 09.08.1983

05/00775/FUL - 48 sheltered 1 and 2 bedroom flats with ancillary common sitting room and stores. - Refused - 28.06.2005

05/02752/OUT - 40 no. 2 bedroom very sheltered housing units, associated communal provision, residential nurses flat, access and parking - Refused - 03.03.2006

07/00506/FUL - Demolition of some rear parts of existing house and alterations to accommodate 5 new 2 bedroom flats. The removal of existing swimming pool and the erection of a new building to accommodate 7 new 2 bedroom flats. Alterations to existing coach house, accommodating 2 bedrooms. - Refused - 29.05.2007

07/00507/CON - Demolition of some rear parts of existing house No. 17, including a swimming pool and tennis court. - Refused - 29.05.2007

09/02463/FUL - Conversion of extension to existing Coach House to provide 1 no dwelling - Permission - 13.10.2009

11/01137/FUL - Attached garage to coach house extension (amendment to 09/02463/FUL) - Permission - 08.06.2011

12/02837/FUL - Conversion of extension to existing coach house to provide 1 dwelling. - Permission - 11.10.2012

12/04186/FUL - Replacement of existing timber fence front boundary with new metal railings and gates to include hedging. - Permission - 16.01.2013

14/01021/FUL - Attached garage to Coach House extension. - Permission - 16.05.2014

DM/16/0837 - Non-material amendment to planning application 12/04186/FUL for an amendment to the design of railings fence, to include brick piers - Refused - 24.03.2016

DM/16/1814 - Replacement of existing timber fence front boundary with new metal railings and gates to include hedging (retrospective) (Corrected plans received on 1 July 2016) - Withdrawn - 30.08.2016

DM/16/2363 - Proposed detached garage - Permission - 26.07.2016

### PROPOSAL

The proposal is for a change of use of the property (the main building and the coach house) from residential use to a C2 care home, plus a side extension to the main building and a front extension and roof extensions to the coach house.

## RELEVANT PLANNING POLICIES

The Council would need to have regard to the following Development Plan policies:

### **Mid Sussex District Plan 2014-2031 (Mar 2018)**

Policy DP1: Sustainable Economic Development

Policy DP6: Settlement Hierarchy

Policy DP17: Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)

Policy DP21: Transport

Policy DP26: Character and Design

Policy DP28: Accessibility

Policy DP29: Noise, Air and Light Pollution

Policy DP30: Housing Mix

Policy DP35: Conservation Areas

Policy DP37: Trees, Woodland and Hedgerows

Policy DP38: Biodiversity

Policy DP39: Sustainable Design and Construction

Policy DP41: Flood Risk and Drainage

Policy DP42: Water Infrastructure and the Water Environment

<http://www.midsussex.gov.uk/planning-building/mid-sussex-district-plan/>

### **Haywards Heath Neighbourhood Plan (Dec 2016)**

Policy E7: Sustainable Drainage Systems

Policy E8: Sustainable Development

Policy E9: Local Character

Policy H9: Extensions to Existing Dwellings

<https://www.midsussex.gov.uk/planning-building/neighbourhood-plans/>

In addition, the Council would need to have regard to other material considerations. These include:

### **Mid Sussex District Plan 2021-2039 - Submission Draft (Regulation 19)**

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021-2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) was published for public consultation on 12th January 2024 for six weeks. At this stage the Local Planning Authority does not know which Policies will be the subject of unresolved objections and therefore only minimal weight can be given to the Plan.

Relevant policies:

DPS1: Climate Change

DPS2: Sustainable Design and Construction

DPS4: Flood Risk and Sustainable Drainage  
DPS6: Health and Wellbeing  
DPN1: Biodiversity, Geodiversity and Nature Recovery  
DPN2: Biodiversity Net Gain  
DPN3: Green and Blue Infrastructure  
DPN4: Trees, Woodland and Hedgerows  
DPN6: Pollution  
DPN7: Noise Impacts  
DPN8: Light Impacts and Dark Skies  
DPN9: Air Quality  
DPC6: Ashdown Forest SPA and SAC  
DPB1: Character and Design  
DPB3: Conservation Areas  
DPT3: Active and Sustainable Travel  
DPT4: Parking and Electric Vehicle Charging Infrastructure  
DPE1: Sustainable Economic Development  
DPH4: Older Persons Housing and Specialist Accommodation  
DPH8: Affordable Housing  
DPH12: Accessibility

**The National Planning Policy Framework (NPPF) (Dec 2023)**

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

**West Sussex County Council: Guidance on Parking at New Developments (Aug 2019)**

<https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/pre-application-advice-for-roads-and-transport/#additional-information>

**Mid Sussex Design Guide Supplementary Planning Document (Nov 2020)**

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4<sup>th</sup> 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.

<https://www.midsussex.gov.uk/planning-building/supplementary-planning-documents/>

Principle DG1: Character Study

Principle DG2: Site appraisal

Principle DG5: Water features and sustainable drainage systems

Principle DG6: Design to enhance biodiversity

Principle DG11: Respond to the existing townscape, heritage assets and historic landscape

Principle DG21: Consider and allow for servicing, refuse collection and deliveries

Principle DG22: Integrate refuse and recycling into the design of new development

Principle DG24: Plan for cyclists

Principle DG27: Integrate tree planting and soft landscape

Principle DG31: Focus development in sustainable locations

Principle DG37: Deliver high quality buildings that minimise their environmental impact

Principle DG38: Design buildings with architectural integrity and a sense of place

Principle DG39: Deliver appropriately scaled buildings



Principle DG40: Design buildings that respond to and animate the street scene  
Principle DG45: Privacy of existing and future residents  
Principle DG46: Provide attractive and usable external amenity space for all homes  
Principle DG48: Design to minimise the impact of noise, air and light pollution  
Principle DG49: General principles for extensions  
Principle DG50: Front and side extensions  
Principle DG51: Rear extensions  
Principle DG52: Loft conversions and roof extensions  
Principle DG53: Principles for conversions of traditional buildings with heritage value

## ASSESSMENT

### **Procedural matters**

I have set out above the relevant planning policies on the basis that the proposal is for a C2 (residential institutions) use as defined under the Town and Country Planning (Use Classes) Order 1987 as amended (i.e. residential accommodation and care to people in need of care). If, on the other hand, it is subsequently deemed that the proposal is for a C3 (dwellinghouses) use, then you should be aware that other policies may apply, such as DP20, DP27 and DP31 of the Mid Sussex District Plan and Policies E13 and H8 of the Neighbourhood Plan.

Please note that draft policy DPH4 of the District Plan Review requires affordable housing to be provided for C2 uses, as well as C3 uses.

### **Principle of development**

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

The spatial strategy of the Mid Sussex District Plan is to focus the majority of housing and employment development at Burgess Hill with the remainder of development delivered at the other towns and villages (including Haywards Heath) to support economic, infrastructure and social needs whilst maintaining the settlement pattern. A settlement hierarchy has been developed which Haywards Heath is defined as a Category 1 settlement, i.e. with a comprehensive range of employment, retail, health, education, leisure services and facilities ... [with] good public transport provision and will act as a main service centre for smaller settlements. Within defined built-up area boundaries, development is accepted in principle.

The preamble to Policy DP30 of the District Plan makes clear in respect of C2 uses, '... provided the scheme makes efficient use of land, any site considered appropriate for housing development would be positively considered for such older person accommodation through the decision making process.'

The principle of this development is therefore considered acceptable.

### **Design and Visual Impact on The Heath Conservation Area**

Policy DP26 of the Mid Sussex District Plan states (in part):

*'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;*
- *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;*
- *positively addresses sustainability considerations in the layout and the building design.'*

Policy DP35 of the Mid Sussex District Plan states (in part):

*'Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:*

- *New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials;*
- *Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character;*

*Development will also protect the setting of the conservation area and in particular views into and out of the area.'*

Policy E9 of the Neighbourhood Plan states:

*'Developers must demonstrate how their proposal will protect and reinforce the local character within the locality of the site. This will include having regard to the following design elements:*

- *height, scale, spacing, layout, orientation, design and materials of buildings,*
- *the scale, design and materials of the development (highways, footways, open space and landscape), and is sympathetic to the setting of any heritage asset,*
- *respects the natural contours of a site and protects and sensitively incorporates natural features such as trees, hedges and ponds within the site,*
- *creates safe, accessible and well-connected environments that meet the needs of users,*
- *Will not result in unacceptable levels of light, noise, air or water pollution,*
- *Makes best use of the site to accommodate development,*
- *Car parking is designed and located so that it fits in with the character of the proposed development.*

*Proposals affecting a listed building, conservation area, building of local interest or public park of historic interest or their setting should preserve or enhance their special interest and/or distinctive character.'*

The council's Conservation Officer, Emily Wade, has made the following comments:

*Lingworth is a substantial unlisted house located within The Heath Conservation Area within Haywards Heath. The building, which dates from the late 19th or early 20th century, retains a number of period features including sash and stained glass windows, but has been altered and extended particularly to the rear. There is a surviving original coach house building to the back, which is visible from The Heath itself. Both buildings make a positive contribution to the character and appearance of the Conservation Area. As is noted in the adopted character appraisal, one of the key features of the Area is 'large Victorian and Edwardian villas set in extensive gardens in Oathall Road and Heath Road'- Lingworth would be a good example of such a property. This appraisal goes on to consider Lingworth in more detail, stating that:*

*'No.17 Oathall Road (Lingworth) is a grand Late Victorian / Edwardian (1897-1912) two-storey villa with attics. The original building has a symmetrical plan but the central porch has been replaced with an extension that detracts from the appearance of the building. At the rear of the house is an enclosed swimming pool (1983) and a hard tennis court. The tennis court lighting poles erected in 1982 are intrusive. On the western boundary of the garden is a modest Edwardian coach house that has some original internal features.'*

*The current proposal is for the change of use of the building from a single family house to C2 use (care home), with alterations and extensions including:*

- A two storey side and rear extension wrapping around the rear south west corner of the building;*
- Internal alterations to the house at ground and first floor to create ensuite rooms and other facilities;*
- Conversion of the existing rear single storey pool house to provide additional bedrooms and a day room;*
- Alterations and an extension at first floor level to the coach house;*
- Landscaping works including removal of the existing flood lit tennis court.*

*The proposed two storey side and rear extension is substantial, and wraps around the rear corner of the building extending across the entire rear elevation of the building. This raises a number of concerns:*

- The relationship of scale between the house and proposed extension, in particular when viewed cumulatively with the existing rear additions to the building, which already sit across the full width of the building at ground floor and extend back for some distance into the garden.*
- The form of the extension in wrapping around the corner of the building exacerbates the impact on the extent to which the original footprint of the building would continue to be appreciable.*
- In respect of both of these above points the requirements of the Council's adopted Design Guide will be relevant, in particular Principle DG49 'General Principles for Extensions', which states that 'Extensions should also normally be designed to be well-integrated with the existing scale, form and massing allowing the original building to remain the dominant element of the property whether it has one or several additions.' Figure 9E is also relevant and illustrates the point that extensions that wrap around an existing dwelling can undermine the integrity of the original architecture.*

*- The extension has an adverse impact on surviving features of interest to the building, in particular an existing large decorative stained glass window to the rear stairwell, which would become internalised.*

*- Two options for a detailed design approach have been given, one (Option 1) replicating the existing aesthetic of the building and one (Option 2) more contemporary. In my opinion, putting to one side the issues of scale and form, the first option is the more sympathetic the contemporary design shown fails to relate appropriately to either the character of the existing house or that of the wider Conservation Area.*

*The proposed works to the pool house, which is a modern addition to the property, are not considered contentious subject to detail.*

*The coach house is an original or early feature of the property, and makes a positive contribution to the setting of the house and the character and appearance of the wider Conservation Area. The proposed first floor addition will add to the bulk of the extensions to the building, but is relatively modest in scale, and will sit above an existing modern garage. In principle, this aspect of the proposal is not considered contentious, however the dormer additions shown to the southern side of the building are overscaled within the roofslope and will require amendment- reference should be made to the Council's Design Guide. The number and scale of the proposed rooflights may also require reconsideration.*

*The associated landscaping scheme includes the proposed removal of the flood lit tennis court- this represents a large area of hard surfacing which detracts from the generally verdant character of the gardens. The flood lights are tall structures visible from the adjacent Heath, which again detract from the setting of this surviving area of semi-natural landscape at the heart of the Conservation Area. The removal of this feature, returning most of the affected space to garden, would be a positive aspect of the proposal in heritage terms, although it is noted that some of the area would be lowered and resurfaced to create a parking area.*

*In summary, the proposal raises concerns in terms in particular of the scale and form of the proposed side and rear extension, and associated loss or concealment of original features. Although there are some heritage benefits arising from the relandscaping of the rear garden, these may not be sufficient to outweigh the harm caused by this aspect of the proposal. I would suggest the following in respect of any formal application:*

- The scale and footprint of the side and rear extension should be as far as possible minimised.*
- Consideration should be given to other potential heritage benefits which could be built into the scheme in order to potentially mitigate the harm caused by this extension. For example:*
  - - The removal of the existing unattractive black railings from the roof of the building.*
  - - The removal of the existing two storey front porch extension would be a significant heritage benefit in relation to the character and appearance of this prominent elevation. I note at ground floor this extension is shown as retained as a porch, however I would question whether this is a necessary space given the large entrance hall within the house itself, or whether this could be removed without detriment. At first floor the space is shown as an ensuite, but given the largely glazed nature of the addition this does not appear appropriate or practical; an ensuite might be better accommodated by replanning of rooms within the original house. Were this two storey addition to be removed and the surviving original façade, including the ornate entrance, restored and revealed, this would as above*

*be a significant benefit which would stand to be weighed against the disbenefit of the proposed work to the side and rear of the building.*

*Any formal application would be considered in the context of District Plan Policy DP35 (Conservation Areas) as well as the Council's adopted Design Guide, and the Heath Conservation Area Appraisal, which includes management proposals.*

### **Impact on trees**

Policy DP37 of the Mid Sussex District Plan states (in part):

*'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.*

*Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/or that have landscape, historic or wildlife importance, will not normally be permitted.*

*Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.*

*Trees, woodland and hedgerows will be protected and enhanced by ensuring development:*

- *incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- *prevents damage to root systems and takes account of expected future growth; and*
- *where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
- *has appropriate protection measures throughout the development process; and*
- *takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*
- *does not sever ecological corridors created by these assets.'*

The proposed extension may have an impact on the trees closest to no. 15 and therefore the design and siting should be informed by the results of a tree survey and method statement.

### **Impact on neighbouring amenity**

Policies DP26 and DP29 of the District Plan seek to protect neighbouring amenity.

Care should be taken to ensure that the proposed extension does not result in a loss of privacy to the neighbouring property at no. 15 (particularly if any vegetation screening is removed).

I note that the building has been carefully designed to follow the consented scheme as closely as possible in terms of the extent of the footprint. This means that, although the heights will be

different, the distances and impact to neighbouring properties would generally be as was assessed in planning permission DM/18/1274. Impacts from lighting, noise and potentially air pollution (from additional car movements or parking) may be assessed as part of any application.

### **Highways matters**

Policy DP21 of the Mid Sussex District Plan states (in part):

*'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);*
- *Appropriate opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking, have been fully explored and taken up;*
- *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;*
- *of movement is supported by a Transport Assessment/ Statement and a Travel Plan that is effective and demonstrably deliverable including setting out how schemes will be funded;*
- *The scheme protects the safety of road users and pedestrians; and*
- *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.*

*Where practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles.*

*Neighbourhood Plans can set local standards for car parking provision provided that it is based upon evidence that provides clear and compelling justification for doing so.'*

The intensification of activity on this site is likely to require a Stage 1 Safety Audit and Designers' Response to accompany an application – but you will need to seek separate pre-application advice from the Highway Authority at West Sussex County Council.

### **Biodiversity**

You will need to ensure compliance with the following advice relating to biodiversity net gain and ecological matters on the site more generally, which will be validation requirements:

[Wildlife and Planning - Mid Sussex District Council](#)  
[Biodiversity Net Gain - Mid Sussex District Council](#)

### **Impact on Ashdown Forest**

The proposal has the potential to increase the number of traffic movements across the Ashdown Forest that may have an adverse impact on the amount of nitrogen dioxide pollution deposited on the lowland heaths that make up the Ashdown Forest Special Area of Conservation (SAC), a site of European importance.

Each site will be considered on a case-by-case basis at the time of determining any application and further information can be found on our website via the following link:

[Protecting Ashdown Forest - Mid Sussex District Council](#)

### **Legal agreement**

In order for this development to be assessed as a genuine C2 use, your client would need to enter into a legal agreement with the council to ensure the provision of personal care for each resident and be willing to accept a separate condition restricting occupation of the units to people aged 55 or over.

### **Other matters**

Policy E8 of the Neighbourhood Plan states:

*'New major development proposals, defined as 10 or more dwellings, 1000sqm floorspace or more, or application sites over 1 hectare, will be required to be designed to support making the town more sustainable by having regard to the following matters when designing the scheme:*

- *provision of recycling, including commercial waste within the scheme*
- *submission of details of how the scheme will promote walking, cycling, public transport use and promotion of car sharing*
- *submission of details on how the scheme will manage energy and water use*
- *demonstrate how the scheme would contribute to the improvement of the health and wellbeing of the community.'*

Your application should demonstrate how these elements will be incorporated into the scheme. **Note**

Matters such as drainage and sustainability will need to be accompanied by the relevant supporting documents and if deemed acceptable, should be able to be secured through condition of any planning permission.

### **CONCLUSION**

Based on the comments above, I would advise that you address Emily Wade's comments and then perhaps submit a further pre-application request before proceeding to submitting an application.

In any case, application forms, guidance notes and detailed validation requirements can be downloaded from our website at:

[Apply for Planning Permission - Mid Sussex District Council](#)



The information contained in pre-planning advice may be subject to public disclosure under the Freedom of Information Act 2000. Unless the information contained is legally exempt from disclosure, we cannot guarantee that we will not provide the whole or part of this advice to a third party making a request for information about the subject matter.

The views expressed in this email are at officer level only and do not prejudice the Council from making whatever decision it considers appropriate on any application subsequently submitted.

I hope these comments are helpful. Please do not hesitate to contact me if you have any further queries.

Kind regards

**Andy Watt, BSc (Hons), MTPL, MRTPI**

Senior Planning Officer

Development Management

01444 477517

[andy.watt@midsussex.gov.uk](mailto:andy.watt@midsussex.gov.uk)

[www.midsussex.gov.uk](http://www.midsussex.gov.uk)

Working together for a Better Mid Sussex