

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1605	Case Officer:	Caroline Grist
Application Type:	Householder Application		
Proposal:	Demolition of outbuildings, replacement garage, sauna, greenhouse, gazebo, gravel driveway and paths		
Site:	Durstons, Lodge Lane, Bolney, Haywards Heath, West Sussex, RH17 5RR, ,		
Validation Date	22 Jul 2025	Overall Expiry Date:	2 Oct 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	8 Oct 2025
Target Date:	16 Sep 2025	Recommending Officer Signature:	<i>Caroline Grist</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	8 Oct 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1605

**Durstons, Lodge Lane, Bolney, Haywards Heath, West Sussex, RH17 5RR,
Demolition of outbuildings, replacement garage, sauna, greenhouse, gazebo, gravel driveway
and paths
Mr Neil Murphy**

SUMMARY OF REPRESENTATIONS

No representations have been received in response to this application.

SUMMARY OF CONSULTEES

Drainage Engineer

We have no objection to the proposal development.

Drainage should be managed via Building Regulations and Building Control, as necessary.

Conservation Officer

Durstons is a Grade II listed 17th century or earlier timber framed building located in a rural position on the north-western edge of Bolney. There are a number of outbuildings located to the south-west of the house which appear to date from around the mid 20th century or later, and are not of any particular historical or architectural interest.

The current proposal is for the demolition of an existing garage, two sheds and a greenhouse, and construction of a replacement garage, greenhouse, gazebo and sauna, with associated landscaping.

The existing buildings are, as above, not of any particular interest and make at best a neutral contribution to the setting of the listed building. Their demolition is not considered contentious in principle. The proposed replacement buildings are in a similar location to the existing, with the exception of the greenhouse, which is set further away from the house to the southern end of the garden. The garage is taller than the existing buildings and will be somewhat more prominent in views from Lodge Lane, but remains set back behind the house, and is of a sympathetic design, being a double garage with a half-hipped clay tiled roof with a catslide to the rear, and timber clad elevations. The sauna is also a timber clad building, located to the rear of the garage, the gazebo is an open sided timber structure with a clay tiled roof, and the greenhouse is a conventional metal framed building. The proposed landscaping is sympathetic in principle, as described, in removing some of the hard-surfaced area in favour of soft landscaping and replacing the existing tarmac driveway with gravel. Subject to detail, the proposal is therefore considered to preserve the setting and special interest of the listed building.

The proposal therefore now meets the requirements of District Plan Policy DP34 and the relevant paragraphs of the NPPF.

I would recommend the following conditions:

- Details of facing and roofing materials
- Pipework and other external pipework to be of painted metal
- Detailed hard and soft landscaping scheme, including details of materials

Tree Officer

I have reviewed the Tree Survey, AIA and AMS for this proposal and have a small query. I think there has been a mistake in the loss of trees section, 2.2.2 states that G2 and T4 will be removed but on the

survey, I can see that it states that there is T2 and G4. Presumably, these have been mistaken and there aren't additional trees missing from the Tree Survey Schedule?

Provided that this is the case, then the AMS provides adequate protection for the remaining trees and the removal of the shed up against T7 will only benefit this tree.

I have no objection but please do condition adherence to the AIA, AMS and TPP.

PARISH COUNCIL OBSERVATIONS

No response.

INTRODUCTION

Planning permission is sought to demolish outbuildings and replace with a garage, sauna, greenhouse, gazebo, gravel driveway and paths.

RECENT PLANNING HISTORY

11/01183/LBC - Replacement of a window with sliding folding doors. Permission.

12/01657/FUL - Demolition of outbuildings and replacement of garage. Permission.

12/02009/LBC - Replacement of windows. Refused.

DM/16/5377 - Dwelling with detached garage. Permission.

DM/20/0867 - Variation of Condition 1 of planning application DM/16/5377 - to replace approved plans allowing for minor changes to elevations and floor plans. Permission.

DM/21/4185 - Variation of Condition 1 relating to planning reference DM/20/0867 to allow amended site plan for the re-site of the driveway. Permission.

DM/25/1606 - Demolition of outbuildings, replacement garage, sauna, greenhouse, gazebo, gravel driveway and paths. Pending Determination.

SITE AND SURROUNDINGS

Durstons is a north facing, detached, two storey dwelling that is Grade II listed. Externally the dwelling is finished in brick, timber and hanging tile, with a plain tile roof and timber windows. To the west of the site is a group of outbuildings, including a garage.

The application site is located outside of the built up area of Bolney and is therefore within the countryside. Neighbouring dwellings are situated to the east of the site, the highway is to the north and fields surround the rest of the property. The dwelling is set back from the highway by a front garden and there is a vehicular access to the west, adjoining the garage.

APPLICATION DETAILS

Planning permission is sought to demolish and replace outbuildings. The buildings to be demolished are a two bay garage, three sheds and a greenhouse. It is proposed to construct a replacement garage as well as a sauna, greenhouse and gazebo. Permission is also sought for a gravel driveway and paths.

It is proposed to construct the garage so that the front elevation would be in a similar position to the existing building. The new building is to be some 5.3 metres wide and 5.6 metres deep. An a-symmetric roof design is proposed that would have a lower eaves height, at the rear, of approximately 1.4 metres and a higher eaves of 2.1 metres at the front. The ridge height would be 3.97 metres. It is to be an oak framed structure, with a brick base and tiled roof.

Behind the garage a sauna building is proposed, which is to be approximately 2.3 metres wide and deep. A mono-pitched roof is proposed, with a lower height of some 2.3 metres to the rear and higher height of 2.5 metres to the front.

The proposed gazebo is to be positioned in a similar location to the existing greenhouse. It is to measure some 3.0 metres deep and 4.0 metres wide. A pitched roof is proposed that would have an overall height of approximately 3.0 metres. It is to be finished in oak, featheredge weatherboarding.

Lastly a new greenhouse is proposed in the south western corner of the site. This pitched roof structure is to measure approximately 3.7 metres wide, 2.5 metres deep, 1.6 metres to the eaves and 2.5 metres to the ridge.

An associated application for listed building consent is being considered under application DM/25/1606.

LEGAL FRAMEWORK AND LIST OF POLICIES

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

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

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

Mid Sussex District Plan

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

Relevant policies:

DP12 - Protection and Enhancement of Countryside

DP26 - Character and Design

DP34 - Listed Buildings and Other Heritage Assets

DP37 - Trees, Woodland and Hedgerows

Site Allocations DPD

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

There are no relevant policies.

Bolney Neighbourhood Plan

The Bolney Neighbourhood Plan was formally made on 21st September 2016.

Relevant policies:

BOLE2 - Protect and Enhance the Countryside

BOLD1 - Design of New Development and Conservation

Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

Other Material Considerations

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

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the

NPPF. The draft District Plan 2021-2039 (Regulation 19) was published for public consultation on 12th January 2024 for six weeks and as a result of this consultation there are unresolved objections to the majority of Policies in the draft District Plan. As such, only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant policies:

DPS2 - Sustainable Design and Construction

DPS6 - Health and Wellbeing

DPN4 - Trees, Woodland and Hedgerows

DPC1 - Protection and Enhancement of the Countryside

DPB1 - Character and Design

DPB2 - Listed Buildings and Other Heritage Assets

Mid Sussex Design Guide Supplementary Planning Document (SPD)

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

National Planning Policy Framework (NPPF) (December 2023)

ASSESSMENT

Design and impact upon heritage assets

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states *'In considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'*.

Policy DP34 of the Mid Sussex District Plan, in part, relates to listed buildings and states:

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

- o A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*
- o Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;*
- o Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- o Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;*
- o Special regard is given to protecting the setting of a listed building;*
- o Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric'.*

Policy DP12 of the Mid Sussex District Plan relates to development within the countryside. It seeks to protect the countryside in recognition of its intrinsic character and beauty. New development should maintain or, where possible, enhance the quality of the rural and landscape character of the District. Policy BOLE2 of the Bolney Neighbourhood Plan reflects these aims.

Policy DP26 of the Mid Sussex District Plan relates to design:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- o is of high quality design and layout and includes appropriate landscaping and greenspace;*
- o contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- o protects open spaces, trees and gardens that contribute to the character of the area;*
- o protects valued townscapes and the separate identity and character of towns and villages;*
- o does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP27);*
- o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- o positively addresses sustainability considerations in the layout and the building design;*
- o take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- o optimises the potential of the site to accommodate development.'*

This ethos is reflected in policy BOLD1 of the Bolney Neighbourhood Plan.

The Mid Sussex Design Guide SPD also provides advice for extensions to dwellings. Principle DG49 states that:

'Extensions should respond to the design of the original dwelling and applicants will be expected to demonstrate how local character has informed the design proposal. 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'.

The application relates to a Grade II listed building, dating from the 17th century or earlier, that is situated outside of the built up area of Bolney. Comments have been provided by the Conservation Officer in response to the submitted proposal.

The application firstly seeks to remove a number of outbuildings to the south west of the site. The Conservation Officer has confirmed that these buildings are not of any particular historical or architectural interest and, as such, no objection has been raised regarding their removal.

With regards to the proposed buildings, the Conservation Officer has noted that, other than the greenhouse, they are to be predominantly sited in similar positions to existing buildings. The garage is to be taller than the existing buildings and whilst it might be more prominent in views from Lodge Lane, it is to be set back behind the house and of a sympathetic design. The landscaping is advised as being sympathetic in principle as it would remove some of the hard surfacing and replace it with landscaping. It is also proposed to replace the existing tarmac driveway with gravel. No objection has therefore been raised to the development subject to details. Conditions have therefore been recommended to secure the final details of the materials and landscaping as well as for the external pipework to be painted metal.

The view of the Conservation Officer is shared from a design perspective. The scheme would predominantly replace existing buildings on the site and their overall design is considered to be sympathetic to the host building and the character of the area. As replacement buildings, within the domestic curtilage, set back within the property, it is considered that there would not be an adverse impact on the countryside.

Impact to amenity

Policy DP26 of the Mid Sussex District Plan seeks to ensure that new development *'does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP27).'*

In terms of the impact to amenity, due to the positions of the outbuildings and distance to neighbouring properties it is considered that there would not be an adverse impact on neighbour's light or outlook. No windows are proposed that would result in any direct overlooking.

Due to the domestic nature of the proposed works, there would not be an unreasonable impact with regards to noise, air and light pollution.

Impact to trees

Policy DP37 of the Mid Sussex District Plan relates to trees and states:

'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:

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

During the site visit it was noted that there are trees within close proximity to the proposed outbuildings. Information was therefore sought on this matter and an Arboricultural Method Statement, Impact Assessment and Tree Protection Plan was provided. The Tree Officer has reviewed this document and has noted that the removal of an existing shed against an oak tree will be of benefit. Whilst an error has been noted in the document, no objection has been raised to the proposal. The applicant has provided clarification on this matter and a condition can be attached to any consent to ensure that the proposal would not result in harm to the trees.

Biodiversity Net Gain

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

PLANNING BALANCE AND CONCLUSION

In conclusion, the proposal would accord with the requirements of policies DP12, DP26, DP34 and DP37 of the Mid Sussex District Plan and policies BOLE2 and BOLD1 of the Bolney Neighbourhood Plan. The development is therefore considered to be acceptable.

Decision: Permission

Case Officer: Caroline Grist