

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1740	Case Officer:	Catherine Cardin
Application Type:	Full Application		
Proposal:	Retrospective application for a replacement dwelling and replacement of outbuilding to be used as a home gym.		
Site:	6 Chapel Lane, Ashurst Wood, East Grinstead, West Sussex, RH19 3QT, , ,		
Validation Date	3 Aug 2026	Overall Expiry Date:	3 Sep 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	23 Sep 2026
Target Date:	28 Sep 2026	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	3
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	24 Sep 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1740

**6 Chapel Lane, Ashurst Wood, East Grinstead, West Sussex, RH19 3QT, ,
Retrospective application for a replacement dwelling and replacement of outbuilding to be used
as a home gym.
Mr Cameron Glenister**

SUMMARY OF REPRESENTATIONS

Three letters of representation were received. Two letters were received in support which noted that:

- The proposed gym is further away from the shared boundary and lower than the original proposal
- Deeper foundations for the main building were essential
- The new property is sympathetic to the road and improves on the previous dwelling

One letter of representation raised concerns regarding:

- Potential increased use of the proposed gym
- Noise and disturbance from the proposed gym

SUMMARY OF CONSULTEES

Southern Water

No objection raised.

PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

The application seeks retrospective planning permission for the retention of a replacement dwelling and the construction of a replacement outbuilding.

RELEVANT PLANNING HISTORY

DM/25/0288- Proposed extension and refurbishment of existing dwelling house with removal and replacement of 2no outbuildings. Withdrawn.

DM/25/0865- Proposed extension and refurbishment of existing dwelling house with removal and replacement of 1 no outbuildings. Permission.

DM/25/2989- Non Material Amendment to application DM/25/0865 - to replace the roof covering with slate, to match the agreed tiles on the outbuilding. Refused.

DM/26/0187- Variation of condition no 3 relating to planning application DM/25/0865 - to allow for the use of slate tiles for the roof instead of existing tiles. Permission.

DM/26/1311- Variation of condition no 2 relating to planning application DM/25/0865 - to allow design changes. Invalid.

SITE AND SURROUNDINGS

6 Chapel Lane is a detached two-storey dwelling. It is constructed of red brick and has white uPVC and brown timber windows, and a pantile roof. The property has white painted render on the front ground floor elevation. The property benefits from a large driveway to the front and side of the property, and a garden to the side and rear of the property. The dwelling has an elevated position and is partially screened by a mature hedge boundary. The property benefits from a detached garage sited to the front of the property.

The application site lies within the built-up area boundary of Ashurst Wood and within the High Weald AONB. Neighbouring properties are located to the north, east and south. The highway is located to the west.

APPLICATION DETAILS

Retrospective planning permission is sought for the retention of a replacement dwelling house and the construction of a replacement outbuilding.

Permission was originally granted for extensions to the property under DM/25/0865. However, the Council deemed this to be unlawful as it was not built in accordance with the approved plans, with more of the original foundations and walls removed than granted permission. This application therefore seeks to rectify this retrospectively.

The replacement detached dwelling has been constructed to appear in accordance with the approved plans for DM/25/0865. The replacement dwelling measures approximately 12.6 metres in width and 15.3 metres in depth. The dwelling has a half-hipped roof with an approximate height to the ridge of 7.4 metres and an eaves height of 5 metres. The dwelling incorporates five windows and a porch on the front (western) elevation, five windows and sliding doors on the side (southern) elevation, a window and two doors on the side (northern) elevation and a further eight windows and patio doors on the rear (eastern) elevation. The dwelling incorporates a porch on the front elevation. The property is finished in red facing brickwork, white uPVC fenestration and dark grey slate roof tiles.

The application also seeks permission for the demolition of the existing garage to the rear of the property and the erection of a replacement outbuilding, following the demolition of the previous outbuilding. The proposed outbuilding would measure approximately 8 metres in width by 7 metres in depth and would have a hipped roof with an eaves height of approximately 2.6 metres and a ridge height of approximately 4.2 metres. The roof would be finished in dark grey slate tiles, with the external walls clad in dark grey boarding. The front elevation would incorporate full-height anthracite-framed glazing measuring approximately 4.4 metres in width and 2.2 metres in height, together with an anthracite aluminium door on the northern side elevation. The outbuilding would be used as a home gym.

LEGAL FRAMEWORK AND LIST OF POLICIES

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

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

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

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

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

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

The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy, but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad

statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

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

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

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

Mid Sussex District Plan

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

Relevant policies:

DP4 - Housing

DP6 - Settlement Hierarchy

DP16 - High Weald Area of Outstanding Natural Beauty

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

DP21 - Transport

DP26 - Character and Design

DP27 - Dwelling Space Standards

DP39 - Sustainable Design and Construction

Site Allocations DPD

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

Relevant policies:

There are no relevant policies.

Ashurst Wood Neighbourhood Plan

The Ashurst Wood Neighbourhood Plan was made in 2016.

Relevant policies:

ASW11 - Residential Development within the Built Up Area Boundary

ASW14 - Design and Character

ASW21 - Parking Provision

Other Legislation

Countryside and Rights of Way Act (CRoW) 2000

Other Material Considerations

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

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

NPPF. The draft District Plan 2021-2039 is currently at Examination with initial hearings held in February/March 2026. The Council is consulting on Main Modifications which are required to ensure the plan is legally compliant and sound. The District Plan remains at Examination until the Inspector has published his report, until that time only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant policies:

DPB1 - Character and Design
DPC4 - High Weald Area of Outstanding Natural Beauty
DPC6 - Ashdown Forest SPA and SAC
DPS2 - Sustainable Design and Construction
DPT4 - Parking and Electric Vehicle Charging Infrastructure
DPH11 - Dwelling Space Standards

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) (August 2026)

The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development.

Policy S3 of the NPPF concerns the presumption in favour of sustainable development and advises:

'1. Decisions on development proposals should apply a presumption in favour of sustainable development. This means:

- a. Policy S4 in this Framework should be applied when considering development proposals within settlements;*
- b. Outside settlements, policy S5 should be applied; and*
- c. In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.'*

Policy S4 states at section 1 that *'development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.'*

Paragraph 2 of Appendix A advises that *'development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in this Framework should be given very limited weight. The only exception to this is where they have been examined and adopted or made against this Framework. Other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of this Framework.'*

National Planning Policy Guidance

National Design Guide/Code

Technical Housing Standards

ASSESSMENT

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

- o Principle
- o Design and Impact on the Character and Appearance of the Area
- o Impact on High Weald AONB
- o Impact on Residential Amenity
- o Parking Arrangements
- o Standard of Accommodation
- o Sustainability of the Building
- o Ashdown Forest
- o Removal of Permitted Development Rights
- o Biodiversity Net Gain
- o Planning Balance and Conclusion

Principle

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

In terms of policy designations, the starting point for this assessment is that the application site lies within the built-up area boundary of Ashurst Wood.

Policies DP4 (Housing) and DP6 (Settlement Hierarchy) are relevant to this application. However, these are considered to have very limited weight due to the publication of the NPPF, and greater weight should be given to policy S4 of the NPPF.

Policy S4 of the NPPF set out that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects.

The application seeks retrospective planning permission for the retention of a replacement dwelling and replacement outbuilding within an established residential curtilage. The proposal does not introduce an additional dwelling and maintains the lawful residential use of the site. The principle of residential development at the site has already been established through the previous grant of planning permission under reference DM/25/0865.

As the site is located within the built-up area boundary of Ashurst Wood, and subject to the proposal being acceptable in respect of all other material planning considerations, the replacement dwelling and incidental outbuilding are considered acceptable in principle. The proposal therefore accords with Policy S4 of the NPPF.

Design and Impact on the Character and Appearance of the Area

Policy DP26 of the District Plan relates to character and design. In addition, policies ASW11 and ASW14 of the Neighbourhood Plan have a similar ethos. However, these are considered to have very limited weight as it is materially inconsistent with the NPPF, and greater weight should be given to policy DP3 of the NPPF.

Policy DP3 of the NPPF sets out the key principles for well-designed places. This sets out in part that proposals should respond to their context, so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.

The application relates to a residential area of Ashurst Wood where the area is characterised by properties of a variety of ages and designs. The current proposal follows planning permission DM/25/0865, which was subsequently found not to have been constructed in accordance with the approved details.

The design of the dwelling was addressed as part of the original planning permission (DM/25/0865) as follows:

'The design of the current application is deemed appropriate as it would present a more cohesive appearance and takes its cues from the character of the surrounding area. The dwelling employs materials which coordinate well with the surrounding properties.'

'The proposal does not close an important gap or view and the proposed design is considered to address the side boundary and adjacent buildings to the north appropriately. Furthermore, as the property is set back in its plot, there would only be glimpsed views of the property. It is therefore considered that the proposal would not be harmful to the character of the area.'

It is considered that the same assessment applies to the 'as-built' dwelling, insofar as it has been built in accordance to replicate the original planning permission.

The proposed outbuilding is considered to be appropriate in size and scale. The proposal includes introducing a new palette of materials which are not found in the street scene. It is considered that these materials are high quality and would coordinate well with the host dwelling. As the proposed outbuilding would not be visible from the street, the proposal is not considered to be harmful to the character of the area.

The proposal is therefore considered to address the character of the existing dwelling and the surrounding buildings, and as such the proposal is deemed to comply with the above part of policy DP26 of the District Plan, principles DG49, DG50 and DG51 of the Mid Sussex Design Guide SPD and Policy DP3 of the NPPF.

Impact on High Weald AONB

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

Policy DP16 of the District Plan relates to the High Weald Area of Outstanding Natural Beauty. It is considered that this policy has very limited weight as it is materially inconsistent with the NPPF and greater weight should be given to policy N4 of the NPPF.

Policy N4 of the NPPF states:

'Substantial weight should be placed on the importance of conserving and enhancing the natural beauty of these areas, and to conserving and enhancing wildlife and cultural heritage in National Parks and the Broads.'

The proposal relates to the retention of a replacement dwelling and replacement outbuilding within the built-up area of Ashurst Wood. The proposal would therefore be viewed in the context of surrounding built form, rather than an isolated development within the wider landscape.

Given that the proposal relates to a replacement dwelling and incidental domestic outbuilding within an established residential plot in the built-up area of Ashurst Wood, the development would not adversely affect the landscape character, scenic beauty or special qualities of the High Weald National Landscape.

Accordingly, the proposal would comply with the requirements of Policy DP16 of the District Plan, The High Weald AONB Management Plan and Policy N4 of the NPPF.

Impact on Residential Amenity

Policy DP26 in part seeks to ensure that new development does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings. It is considered that this policy has very limited weight as it is materially inconsistent with the NPPF and greater weight should be given to policy P3 of the NPPF.

Policy P3 of the NPPF relates to living conditions and pollution. Part 2(b) of this policy requires proposals 'Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site'.

The previous application assessed the impact of the dwelling and extensions on neighbouring residential amenity and concluded that, having regard to the separation distances, design and disposition of openings, the development would not result in unacceptable harm through loss of light, outlook, overshadowing or overlooking. The dwelling as constructed is substantially the same as that previously approved, and the relationship with neighbouring properties remains materially unchanged. Accordingly, the conclusions reached under the previous permission regarding loss of light, outlook, overshadowing and overlooking remain applicable. The siting, scale and relationship of the dwelling to neighbouring properties have not materially changed from the approved scheme and therefore the planning impacts previously assessed remain broadly the same.

Concerns have been raised regarding the potential for noise and disturbance arising from the proposed gym. The gym is proposed as an incidental residential outbuilding to serve the occupants of the dwelling. Whilst its use may generate some additional activity and associated noise compared to the existing arrangements on the site, exercising within a domestic gym is considered to be a normal and expected activity associated with residential occupation.

Furthermore, the outbuilding is located within the residential curtilage, and occupies broadly the same position as the previously demolished garage. Whilst the building is relatively large for an incidental domestic outbuilding, its scale and design are consistent with its proposed use as a home gym and it remains subordinate to the host dwelling. There is no evidence before the Local Planning Authority to indicate that the building would be used for commercial purposes or by persons other than occupants of the dwelling. A condition can be imposed to ensure that the outbuilding remains incidental to the enjoyment of the dwellinghouse and is not used for any commercial activity. Having regard to the scale, siting and proposed incidental use of the building, it is not considered that the development would result in noise and disturbance to such a degree as to cause unacceptable harm to the living conditions of neighbouring occupiers.

Taking all matters into account, the proposed outbuilding would not result in unacceptable harm to the living conditions of neighbouring occupiers through loss of outlook, loss of light, overlooking, noise or disturbance. The proposal therefore accords with the above part of Policy DP26 of the District Plan and Policy P3 of the NPPF.

Parking Arrangements

Policy DP21 of the District Plan seeks development to provide adequate car parking taking into account accessibility of development, the type, mix and use, and the availability and opportunities for public transport. It is considered that this policy has very limited weight as it is considered to be materially inconsistent with the NPPF and greater weight should be given to policies TR2 and TR6 of the NPPF.

Policy TR4 of the NPPF relates to street design, access and parking. Part TR3(1e) requires proposals to *'Provide a suitable number of parking spaces for a range of transport modes where appropriate, reflecting the location and nature of the development (including its connectivity), any locally-set standards in the development plan, and including adequate provision of spaces and infrastructure that allow for the charging of electric vehicles in safe, accessible and convenient locations.'*

Policy TR6 of the NPPF relates to assessing transport impacts. Policy TR6(4) states *'Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network'*

improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.'

The previous application assessed the parking as follows:

'It is noted that the proposal would result in the loss of a garage space associated with the dwelling. West Sussex County Council Parking Standards Guidance (2020) outlines the County Council's approach to parking at new developments to ensure that sufficient parking is provided to meet the needs of the development while maintaining highway network operations, protecting surrounding communities and pursuing opportunities to encourage use of sustainable modes of transport. The proposal would result in a property with four bedrooms. West Sussex County Council Parking Standards Guidance (2020) outlines that for a 4-bedroom dwelling in this location that 3 parking spaces should be provided. There is an external parking space surrounding the house which can accommodate three cars, which would remain. In addition, there are no restrictions on the surrounding roads that would prevent on road parking. It is therefore considered that, in this instance, the proposal would be acceptable in terms of highways impact'.

It is considered that the same assessment applies to the 'as-built' dwelling, insofar as it has been built in accordance with the original planning permission.

As such the proposal is considered acceptable in terms of highway safety and parking provision. The proposal therefore complies with policies TR4 and TR6 of the NPPF and policy DP21 of the District Plan.

Standard of Accommodation

Policy DP27 of the Mid Sussex District Plan is materially consistent with the NPPF and therefore has full weight.

The policy states:

'Minimum nationally described space standards for internal floor space and storage space will be applied to all new residential development. These standards are applicable to:

- Open market dwellings and affordable housing;*
- The full range of dwelling types; and*
- Dwellings created through subdivision or conversion.*

All dwellings will be required to meet these standards, other than in exceptional circumstances, where clear evidence will need to be provided to show that the internal form or special features prevent some of the requirements being met.'

The dwelling provides four bedrooms over two storeys, comfortably exceeding the standard of 124 sq m. Accordingly, the development complies with the government's Technical Housing Standards - Nationally Described Space Standards document, so constitutes a high-quality development and thereby complies with Policy DP27 of the Mid Sussex District Plan.

Sustainability of the Building

Policy DP21 of the District Plan relates to transport and policy DP39 of the District Plan relates to Sustainable Design. It is considered that these policies have very limited weight as there are materially inconsistent with the NPPF and greater weight should be given to policies TR3, TR4, and CC2 of the NPPF.

Policy CC2 of the NPPF seeks to support climate change mitigation and the transition to net zero by encouraging development to promote sustainable travel, reduce the need to travel, conserve energy and resources, incorporate low-carbon and renewable energy opportunities where appropriate, reuse existing materials and structures, and protect or enhance habitats that act as carbon stores. Significant weight should be given to proposals that improve the energy efficiency of existing buildings or utilise renewable and low-carbon energy sources.

There would be a number of sustainable measures implemented as part of the development proposal. The submitted Sustainability Assessment makes reference high levels of thermal retention, high performance double glazing, underfloor heating, solar photovoltaic (PV) panels, and a battery storage system.

Accordingly, it is considered that the proposed development complies with Policies TR3, TR4 and CC2 of the NPPF and Policy DP39 of the District Plan.

Ashdown Forest

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

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

A Habitats Regulations Assessment screening report has been undertaken for the proposed development.

Recreational disturbance

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

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

The proposed development does not result in a net increase in dwellings within the 7km zone of influence and as such, mitigation is not required.

Atmospheric pollution

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

The proposed development has been assessed through the Mid Sussex Transport Study (Updated Transport Analysis) as windfall development, such that its potential effects are incorporated into the overall results of the transport model which indicates there would not be an overall impact on Ashdown Forest. Sufficient windfall capacity exists within the development area. This means that there is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

Conclusion of the Habitats Regulations Assessment screening report

The screening assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development. No mitigation is required in relation to the Ashdown Forest SPA or SAC.

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

Removal of Permitted Development Rights

The application seeks retrospective permission for a replacement dwelling which represents a substantial increase in built form when compared to the dwelling it replaces. Whilst the replacement dwelling is considered acceptable in this instance, the site lies within the High Weald National Landscape where great weight is given to conserving and enhancing landscape character and scenic beauty.

The dwelling has been assessed on its individual merits and found to be acceptable. However, the retention of permitted development rights for extensions, roof alterations and outbuildings could allow further additions to be undertaken without planning permission, resulting in a cumulative increase in built form beyond that assessed as part of the current application. Given the size of the replacement dwelling and the sensitivity of its location within the National Landscape, it is considered necessary and reasonable to remove permitted development rights for Classes A, B, C and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

This would ensure that any future enlargement, alteration or ancillary outbuilding is subject to planning control and can be assessed having regard to its impact on the character and appearance of the area and the special qualities of the High Weald National Landscape.

Other Matters

Southern Water advises that the site does not fall within its statutory water supply area and that South East Water is the relevant undertaker for water supply matters. It notes the presence of public sewer/water infrastructure in the vicinity of the site and provides advisory guidance relating to asset protection, tree planting, demolition works and drainage design.

Southern Water requests conditions relating to landscaping adjacent to apparatus and the disposal of surface water. However, having regard to the nature of the proposal, which comprises a retrospective replacement dwelling and replacement outbuilding, it is not considered necessary or reasonable to impose the requested conditions. Matters relating to the precise location and protection of any statutory undertaker's apparatus, together with compliance with relevant Building Regulations and separate statutory controls, fall outside the scope of this planning permission.

The comments are noted and the applicant is advised to liaise directly with Southern Water where necessary.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain this application comprises development below 0.2 hectares meaning that this development is exempt from providing biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

The proposal is considered to be appropriate in terms of design, size and scale to the building and locality, and would not cause harm to the amenities of neighbouring properties.

In conclusion, the proposal would accord with the requirements of policies DP4, DP6, DP16, DP17, DP21, DP26, DP27 and DP39 of the Mid Sussex District Plan, policies AW11, AW14 and AW21 of the Ashurst Wood Neighbourhood Plan and the relevant provisions of the NPPF. The application is therefore recommended for approval.

Decision: Permission

Case Officer: Catherine Cardin

