

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0888	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Structural repair works to existing roof structure, re-roofing, installation of three roof lights and general refurbishment works to potting shed,		
Site:	The Holt, Stonehurst, Selsfield Road, Ardingly, Haywards Heath, West Sussex, RH17 6TN,		
Validation Date	31 Mar 2025	Overall Expiry Date:	28 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	16 May 2025
Target Date:	26 May 2025	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	16 May 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0888

The Holt, Stonehurst, Selsfield Road, Ardingly, Haywards Heath, West Sussex, RH17 6TN
Structural repair works to existing roof structure, re-roofing, installation of three roof lights and
general refurbishment works to potting shed,
Mr Philip Stinson

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

West Sussex NatureSpace Partnership: The proposed development is not considered to be relevant to the District Licensing Scheme in this case and we consider there would be no likely impact on great crested newts or their habitats. I therefore have no comments to make at this time. If the proposal changes, then please seek further advice from me if necessary.

Essex CC Place Services Ecology: We have reviewed the documents supplied by the applicant, relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation. This includes The Bat Scoping Assessment (Ecology Co-op, January 2025).

We are not satisfied that there is sufficient ecological information available for determination of this application due to insufficient information on European Protected Species (bats).

We note that the Bat Scoping Assessment (Ecology Co-op, January 2025) confirms that the structure contains low roosting suitability for bats and recommends a precautionary approach based on professional judgement in line with BCT Guidelines. We support the proposals to undertake a precautionary approach without the provision of a Emergence or Re-entry Survey but recommend that that an outline mitigation strategy should be set out prior to determination to ensure the LPA has certainty that potential impacts upon European Protected Species will be appropriately addressed.

This should include timing of works, when licenced ecologists should be present within the site, the precautionary works (e.g. soft stripping) and what should be undertaken in the event that bats are determined during the works. This could be included in an updated Bat Scoping Assessment (Ecology Co-op, January 2025) or separate report.

With regard to mandatory biodiversity net gains, it is highlighted that applications are required to deliver a mandatory 10% measurable biodiversity net gain, unless exempt under paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024. As a result, we are satisfied that this application is exempt from mandatory biodiversity net gains, as the development meets the householder exemption.

Additional comments

Following the submission of an amended bat scoping assessment they stated that they support the further mitigation measures included within the updated bat scoping report. I would recommend that details of the mitigation are secured, as well as a separate compensation and enhancement strategy condition.

PARISH COUNCIL COMMENTS

Not received

INTRODUCTION

Planning permission is sought for structural repair works to existing roof structure, re-roofing, installation of three roof lights and general refurbishment of the existing potting shed,

RELEVANT PLANNING HISTORY

AR/035/95 - EXTENSION TO ESTATE COTTAGE TO PROVIDE ADDITIONAL BEDROOM SPACE (SINGLE STOREY). (approved)

05/00275/FUL - Replacement of existing dilapidated wooden fence with wooden close board fence of height 5' 6" (approved)

07/00891/FUL - Alteration and extension within existing building lines (approved)

08/00302/FUL - Minor alteration to approved scheme (AR/07/00891/FUL) (approved)

09/00261/FUL - Minor amendments to approved development 08/00302/FUL (approved)

SITE AND SURROUNDINGS

The existing detached clay tiled pitched roofed potting shed on the north-western boundary of the property curtilage. The building is characterised by timber doors and windows with face brickwork walls. The main property, The Holt, is a large detached hipped roofed dwelling characterised by face brickwork and hanging tiles with timber doors and windows characterised by extensions.

To the north of the site is the garden of neighbouring South Lodge, to the south of the site is the tennis court with the main dwelling beyond, to the west of the site is the boundary wall to highway beyond and to the east is the rear garden.

The site is outside of the built-up area of Ardingly and within the High Weald AONB.

APPLICATION DETAILS

The refurbished potting shed measures approximately 3.2m in depth, 8m in width with a height to eaves of 2.3m and an overall height of 4m. The works include the replacement of the existing door and windows, gutters and downpipes, the replacement of modern brown clay roof tiles with traditional red clay tiles and the installation of three conservation rooflights which approximately measures 0.8m by 0.5m.

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 Ardingly 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

DP16 - High Weald Area of Outstanding Natural Beauty

DP26 - Character and design

DP36 - Historic parks and gardens

DP38- Biodiversity

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.

Ardingly Neighbourhood Plan

Mid Sussex District Council formally 'made' the Ardingly Neighbourhood Plan part of the Local Development Plan for the Parish of Ardingly as of 18 March 2015. The policies contained therein carry full weight as part of the Development Plan for planning decisions within Ardingly.

Relevant policies:

ARD5 (Housing Design)
ARD8 (Biodiversity)

Other Material Considerations

Mid Sussex District Plan 2021-2039 Consultation Draft

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and the stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to some of the Policies in the draft District Plan and 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:

DPN1 - Biodiversity, Geodiversity and Nature Recovery
DPN5 - Historic Parks and Gardens
DPC1 - Protection and Enhancement of the Countryside
DPC4 - High Weald of Outstanding Natural Beauty
DPB1 - Character and Design

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.

THE HIGH WEALD AREA OF OUTSTANDING NATURAL BEAUTY MANAGEMENT PLAN 2024-2029

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 8, 11, 131, 135 and 189 are considered to be relevant to this application.

Protection and Enhancement of the Countryside

Policy DP12 of the Mid Sussex District Plan in part states:

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

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

The nature of the outbuilding it is deemed in character with the rural location of the site.

Character and Design

Policy DP26 of the District Plan states:

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

- is of high quality design and layout and includes appropriate landscaping and greenspace;*
- 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;*
- 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;*
- 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'*

ARD5 of the Ardingly Neighbourhood Plan states *'The Neighbourhood Plan requires all developments, including alterations to existing buildings, to be sympathetic of the character and scale of surrounding buildings and landscape'.*

Policy DP36 of the District Plan relates to historic parks and gardens and states that:

'The character, appearance and setting of a registered park, or park or garden of special local historic interest will be protected. This will be achieved by ensuring that any development within or adjacent to a registered park, or park or garden of local historic interest will only be permitted where it protects and enhances its special features, setting and views into and out of the park or garden.'

The proposal is an enhancement on the existing dilapidated potting shed, it will modernise the building and use similar materials which are sympathetic to its usage and surroundings. It will only be glanced from the streetscene from Selsfield Road above the boundary wall.

The proposal will therefore comply with policies DP26 and DP36 of the Mid Sussex District Plan, ARD5 of the Ardingly Neighbourhood Plan and the relevant paragraphs of the NPPF.

Impact on the High Weald Area of Outstanding Natural Beauty

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 16 of the District Plan requires proposals in the AONB to conserve or enhance natural beauty. Paragraph 189 of the NPPF is also relevant. This states, in part:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks.'

Given the domestic nature of the proposal, it would not converse the scenic beauty of the High Weald AONB.

As such it would not have any adverse impact on the landscape quality of the AONB and it complies with the requirements of policy DP16 of the District Plan, High Weald AONB Management Plan 2024-2029 and paragraph 189 of the NPPF as the character of the AONB would be conserved.

Impact on neighbouring amenities

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

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

Principle DG47 of the Mid Sussex Design Guide SPD relates to neighbouring amenities in terms of light and states:

'All dwellings should benefit from daylight and sunlight levels that conform to BRE (Better Regulation Executive) standards'.

Given the location of the proposals and their relationship with the neighbouring properties, the proposal complies with policy DP26 of the Mid Sussex District Plan in terms of neighbouring amenities.

Biodiversity

Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) lists species of animal (other than birds) which are provided special protection under the Act. Under Section 13 of the Wildlife and Countryside Act 1981 (as amended), all wild plants are protected from being uprooted without the consent of the landowner. In addition to the protection afforded by the Wildlife and Countryside Act 1981 (as amended), certain species are also covered by European legislation. These species are listed in Schedule 2 of the Conservation (Natural Habitats, 7c.) Regulations 1994 (as amended).

Policy DP38 of the Mid Sussex District Plan states:

'Biodiversity will be protected and enhanced by ensuring development:

- Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and*
- Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances); and*
- Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and*
- Promotes the restoration, management and expansion of priority habitats in the District; and*

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

Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks.

Valued soils will be protected and enhanced, including the best and most versatile agricultural land, and development should not contribute to unacceptable levels of soil pollution.

Geodiversity will be protected by ensuring development prevents harm to geological conservation interests, and where possible, enhances such interests. Geological conservation interests include Regionally Important Geological and Geomorphological Sites.'

ARD8 of the Ardingly Neighbourhood Plan states: *'The Neighbourhood Plan will support proposals that protect and enhance the rich natural features that are a key component of the High Weald cultural landscape which provide habitats for Ardingly's diverse species populations. Proposals that provide favourable conditions for biodiversity including maintenance and enhancement of habitat connectivity and landscape scale conservation will be supported. Mitigation measures will be sought where any loss would be unavoidable and cause significant harm'*. Chapter 15 of the NPPF advises that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity value by minimising impacts on and providing net gains for biodiversity. The most relevant are paragraphs 192 and 193.

The Bat scoping report has outlined various mitigation and enhancement measures.

The Council's Ecological Consultant has made comments stating that subject to the imposition of conditions to formalise the measures outlined within the report to mitigate the impacts and provide enhancement, they are satisfied that the impact on bats would be acceptable. It is therefore considered that the proposals would comply with Policy DP38 of the Mid Sussex District Plan, Chapter 15 of the NPPF and the legislation outlined above.

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 refurbished outbuilding is appropriate in terms of design and does not negatively impact on the wider appearance of this property, its countryside location, its immediate setting within a historic garden, or the High Weald Area of Outstanding Natural Beauty, it will not harm biodiversity and will not harm neighbouring amenities.

The proposal therefore complies with Policies DP12, DP16, DP26, DP36 and DP38 of the District Plan, ARD5 and ARD8 of the Ardingly Neighbourhood Plan, the MSDC Design Guide, The High Weald Area Management Plan and the requirements of the NPPF.

Decision: Permission

Case Officer: Andrew Horrell

