

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0262	Case Officer:	Catherine Cardin
Application Type:	Full Application		
Proposal:	A change of use of a Recording studio into a 2 bedroom dwelling		
Site:	Stanbridge Farm East Recording Studio, Stanbridges, Stanbridge Lane, Staplefield, Haywards Heath, West Sussex, RH17 6BB,		
Validation Date	25 Feb 2026	Overall Expiry Date:	20 Mar 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	28 Apr 2026
Target Date:	22 Apr 2026	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	29 Apr 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0262

Stanbridge Farm East Recording Studio, Stanbridges, Stanbridge Lane, Staplefield, Haywards Heath, West Sussex, RH17 6BB

A change of use of a Recording studio into a 2 bedroom dwelling

Mr Jack Birthwright

SUMMARY OF REPRESENTATIONS

No representations have been received in response to this application.

SUMMARY OF CONSULTEES

Southern Water

No comment.

PARISH COUNCIL OBSERVATIONS

SPC. Object. This proposal sits within the AONB and adds no value to the landscape; it has no architectural merit. It is isolated and not sustainable. The current building is derelict and conversion to a dwelling will damage the AONB. The district and neighbourhood plans do not support the construction/conversion of isolated individual dwelling outside of the built-up areas.

INTRODUCTION

The application seeks full planning permission for a change of use from a recording studio into a 2-bedroom dwelling.

RELEVANT PLANNING HISTORY

12/00325/FUL- To build a stable block in the field in front of the house (amended location plan received 14/2/12). Permission.

DM/21/2479- Retrospective Change of Use application, the existing stables have been used as a recording and rehearsal space since 2015. Permission.

DM/25/3100- Change of use from redundant recording studio to residential. Prior approval is refused.

SITE AND SURROUNDINGS

The site is located off the western end of Stanbridge Lane, a private road with the countryside and High Weald Area of Outstanding Natural Beauty.

The locality is characterised by sporadic loose knit development with open field and areas of woodland. The properties within the locality consist of residential, agricultural and equestrian uses. The application site is located within a cluster of buildings at the end of Stanbridge Lane and largely consist of residential properties with an equestrian property along the access road. These properties include Stanbridge Farm East and Stanbridge Farm West, a Grade II listed building positioned to the north of the application site.

The application site consists of an 'L' shaped single storey building which has previously been used as a stable block, with an area of hardstanding to the front, and raised earth bunds around the perimeter which obscures the building largely from view. The building has an equestrian appearance with timber cladding and shutters over the fenestration and a green corrugated metal roof.

APPLICATION DETAILS

The application seeks change of use of the existing recording and rehearsal space to residential use. The submitted statement outlines that the recording studio has been in use since 2015 and was granted retrospective permission for this change of use in 2021, under application DM/21/2479. The statement outlines that someone was living at the property between 2019 and September 2025, with the studio now being vacant. It sets out that the studio continues to be used as a rehearsal space.

Submitted plans show that the building is proposed to be converted to form a 2-bed dwelling comprised of a living room, kitchen, 2 no. W.C s, utility, store and study.

Plans show that it is proposed to install a single door on the side (western) elevation, and two double doors and a window on the rear (eastern) elevation.

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 Slaugham 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

DP12 - Protection and Enhancement of the Countryside

DP15 - New Homes in the Countryside
DP16 - High Weald Area of Outstanding Natural Beauty
DP21 - Transport
DP26 - Character and Design
DP27 - Dwelling Space Standards

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.

Slaugham Neighbourhood Plan

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

Relevant policies:

Policy 1: Protecting the Area of Outstanding Natural Beauty

Policy 12: Economic Development

Other Material Considerations

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

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and hearings were concluded on the 19th March 2026. 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:

DPS2: Sustainable Design and Construction

DPC1: Protection and Enhancement of the Countryside

DPC3: New Homes in the Countryside

DPC4: High Weald Area of Outstanding Natural Beauty

DPB1: Character and Design

DPH1: Housing

DPH2: Sustainable Development - Outside the Built-up Area

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) (December 2024)

The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three overarching objectives to sustainable development, which are interdependent and need to be pursued in mutually supportive ways

(so that opportunities can be taken to secure net gains across each of the different objectives). The three objectives are economic, social and environmental.

Paragraph 12 of the NPPF states;

'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'

Paragraph 39 of the NPPF states;

'Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.'

With specific reference to decision-taking paragraph 48 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Guidance

National Design Guide

Published in 2021, the National Design Guide illustrates how the government consider well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice.

Paragraph 134 of the NPPF sets out that this national document, along with the National Model Design Code, should be used to guide decisions on application in the absence of locally design guides or design codes.

Technical Housing Standards

The High Weald Area Of Outstanding Natural Beauty Management Plan 2024-2029

High Weald National Landscape - Technical Advice Note: Dark Skies Planning Advice Note - July 2024

ASSESSMENT

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

- o Principle of Development
- o Design, impact on the character of the area and impact on High Weald AONB
- o Impact on Residential Amenity
- o Highways access and parking
- o Impact on the Future Occupiers of the Development
- o Biodiversity Net Gain
- o Planning Balance and Conclusion

Principle

The site is located within the defined Countryside. Policy DP12 of the District Plan refers to the protection of the Countryside and states, in part, that development will be permitted in the countryside provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and is necessary for the purposes of agriculture or is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.

Policy DP6 of the District Plan states in part that:

'Outside defined built-up area boundaries, the expansion of settlements will be supported where:

- 1. The site is allocated in the District Plan, a Neighbourhood Plan or subsequent Development Plan Document or where the proposed development is for fewer than 10 dwellings; and*
- 2. The site is contiguous with an existing built up area of the settlement; and*
- 3. The development is demonstrated to be sustainable, including by reference to the settlement hierarchy.'*

The proposed residential development does not meet any of these criteria.

Policy DP15 of the District Plan refers to new homes in the countryside and sets out the special justifications where new homes would be permitted. Special justification would include;

- Essential agricultural or forestry workers accommodation; or
- Exceptional design quality for isolated new homes; or
- Rural exception sites; or
- DP6 requirements being met

The proposed residential development does not meet any of these special justifications.

For the conversion of a rural building to a residential use to comply fully with policy DP15, the proposal would need to demonstrate that it is not an agricultural building which has been recently constructed or has been little used for its original purpose and that it would secure the future of a heritage asset or that its re-use would lead to an enhancement of the immediate setting.

The existing building use was confirmed by a retrospective change of use application under reference DM/21/2479. The building's lawful use is established as a recording studio. The site is located within the countryside and the appearance of the buildings is considered to be relatively rural. Taking into account the above, the building is considered to be a rural building. It has not been proposed that the proposal would secure the future of a heritage asset and, therefore, the proposal would need to lead to an enhancement of the immediate setting.

A supporting statement has been provided as part of the application which indicates that the recording studio was used as residential accommodation between 2019 and September 2025, and that the residential element is currently vacant. The host building, which is a former stable block, is of no great architectural merit. The proposal includes the insertion of windows and doors; however, given the minor nature of these alterations it is considered that they would have a neutral impact on the appearance of the building. The proposed building would introduce additional residential paraphernalia in the vicinity of the existing building. They would also not result in an enhancement. Furthermore, no further works are proposed to the site, and no improvements to the surrounding landform or setting are indicated. As such the proposal is not considered to lead to an enhancement of the immediate setting of the area.

There are no other relevant policies in the District Plan, any other development plan documents such as the Site Allocations document, or the Neighbourhood Plan that would explicitly support the residential development of this site. The principle of the proposed development is therefore considered to conflict with the development plan, particularly in terms of what type of development is allowable under Policies DP6, DP12, and DP15.

As per planning legislation, a decision must be made in accordance with the development plan unless there are any material planning considerations which indicate otherwise.

The policies contained within the NPPF are material considerations which should be taken into account in the determination of this application. This is confirmed within paragraph 231 of the NPPF.

Paragraph 232 clarifies that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

Paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development, and states;

'For decision-taking this means;

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development policies, or the policies which are most important for the determining the application are out-of-date, granting planning permission unless;

i. The application of policies within this Framework that protect areas of assets of particular importance provides a strong reason for refusing development proposed; or

ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.'

Footnote 7 of paragraph 11(i) clarifies that the policies referred to are those in this Framework (rather than those in development plans) and relate to habitats sites (and those and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets and other heritage assets of archaeological interest; and areas at risk of flooding or coastal change.

Footnote 8 of paragraph 11 clarifies that for applications involving the provision of housing, in situations where the local planning authority cannot demonstrate a five year land supply of delivery housing sites (with an appropriate buffer) or where the Housing Delivery Test indicates that delivery of housing has been substantially below (less than 75%) of the housing requirement for the last three years, then relevant policies for the supply of housing should be considered out-of-date.

Having regard to the above, while the Council has performed excellently in respect of the Housing Delivery Test, a new standard method formula was published alongside the NPPF which gives Mid Sussex a significantly higher housing requirement than the current District Plan. As a result, and having regard for the need for an appropriate buffer, the Council is unable to demonstrate a five year supply of deliverable housing sites as per the requirements of paragraph 78 of the NPPF.

In light of the above, this development needs to be considered in the context of the presumption in favour of sustainable development. If a development is found to be sustainable, that would weigh heavily in favour of granting permission in the paragraph 11(d) balance. If however the development is not found to be sustainable, that is not the end of the matter; the Local Planning Authority still need to go through the weighing up process between the positive benefits of the scheme against any harm that may be caused, having particular regard for the key policies indicated in paragraph 11(d) (i) and (ii).

As part of this process, the weight to be given to development plan policies will need to be assessed against the degree of conformity with the NPPF.

Policies DP4 (Housing) and DP6 (Settlement Hierarchy) are relevant to this application. These policies are considered to be policies relating to the supply of housing and as such can be considered to be out-of-date, having regard to the NPPF tests. As such, these policies can be given limited weight in the determination of the application.

Policy DP12 (Protection and Enhancement of the Countryside) seeks to protect the intrinsic character and beauty of the countryside. While it does seek to restrict certain forms of development, it is not considered to be a policy directly related to the supply of housing, however it is recognised that given the Council's is unable to demonstrate a five year land supply and given the aim of the NPPF to boost significantly the supply of housing, the weight that can be afforded to this policy is moderate.

Policy DP15 (New Homes in the Countryside) identifies the types of new homes that will be permitted in the countryside, where special justification exists. While this policy relates to the provision of housing, the aims are consistent with paragraphs 82 - 84 of the NPPF and as such this policy can be given full weight.

Therefore, the key test that must be undertaken when assessing this application is as set out within para 11(d) of the NPPF.

The following sections of the report will consider the relevant matters associated with the proposed development in the context of the development plan and other material considerations, including the NPPF in order to undertake the necessary tilted balance assessment outlined above.

Design, impact on the character of the area and impact on High Weald AONB

District Plan Policy DP12 seeks to protect the countryside from harmful development, with the aim to conserve its intrinsic character and beauty. Development will be permitted provided that it maintains or where possible enhances the quality of the rural and landscape character of the District.

Paragraph 187 of the NPPF contains a similar ethos and states that:

'Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;'

With regards to design, policy DP26 of the Mid Sussex 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:

- 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.'*

Policy 1 of the Slaugham Neighbourhood Plan requires that:

'Development proposals within the High Weald AONB will only be supported where they conserve or enhance natural beauty and have regard to the High Weald AONB Management Plan in particular:

- 1. The identified landscape features or components of landscape beauty and to their setting;*
- 2. The traditional interaction of people with nature and appropriate landscape management;*
- 3. Character and local distinctiveness, settlement pattern, sense of place and setting of the AONB; and*
- 4. The conservation of wildlife and cultural heritage.*

Small scale proposals which support the local economy and social well being of the AONB will be supported where they are compatible with the conservation and enhancement of the AONB.

Development proposals on land that contribute to the setting of the AONB will only be permitted where it does not detract from the visual qualities and essential characteristics of the AONB, and in particular does not adversely affect the views into, and out of, the AONB by virtue of its location and/or design.'

Principle DG38 of the Mid Sussex Design Guide SPD states:

'Applicants should establish an architectural approach and identity in the design of building that is borne from the place.

The facade and elevational treatment, roofscape fenestration and materials used in existing buildings within the locality should be a starting point for the consideration of architectural design of new buildings.

However, this should not result in pastiche replicas of traditional buildings. Instead a re-interpretation of key aspects of their form should be demonstrated.

Good architecture involves the successful co-ordination of proportions, materials, colour and detail.

Buildings should therefore be holistically designed with each part in harmony with its whole while appropriately responding to both its context and modern living requirements. This includes:

- The elevational treatment and overall façade design;*
- The placement, proportions and design of windows, doors and balconies;*
- A roofscape and form that creates a harmonious composition and minimises the visual impact of downpipes and guttering;*
- The appropriate incorporation of dormer windows and chimneys;*
- An appropriate palette of good quality materials that are preferably locally sourced.'*

The site is located within the High Weald Area of Outstanding Natural Beauty. The legal framework for Areas of Outstanding Natural Beauty (AONB) in England and Wales is provided by the Levelling-Up and Regeneration Act 2023. Section 245(6)(a) sets out the primary purpose of AONBs: to conserve and enhance natural beauty. It also requires Local Planning Authorities to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty'.

Paragraph 189 of the NPPF states that '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 Countryside and Rights of Way Act 2000 (CROW) places a statutory duty on all relevant authorities, including a local planning authority such as Mid Sussex District Council, that in 'exercising or performing any functions in relation to, or so as to affect, land in an AONB, they must seek to further the purpose of conserving and enhancing the natural beauty of the AONB'. This includes land both within the landscape designation and within its setting.

Section 84(4) of the CROW confirms the powers of local planning authorities to 'take all such action as appears to them expedient for the accomplishment of the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty'.

A similar ethos can be found within both policies DP16 of the District Plan which states in part that development within the High Weald AONB 'will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan, in particular... character and local distinctiveness, settlement pattern, sense of place and setting of the AONB...'

The High Weald AONB Management Plan has been adopted by MSDC and is a material consideration in the planning process, including decisions on planning applications.

The concerns from the Parish Council are noted.

The proposed change of use of the stable building would not result in any enlargement to the structure. The scheme would, however, introduce new windows and doors. Whilst these openings are modest in their scale and broadly comparable to existing openings, they would materially alter the functional character of the building, giving it a distinctly domestic appearance.

Although the proposal does not include formal landscaping works, the change of use would introduce residential activity across the site, resulting in a fundamental change from its current rural and agricultural character. The extent of domestic curtilage, together with the likely introduction of domestic features, would lead to an increased level of domestication and would significantly erode the site's rural quality.

Of particular concern is the impact of the proposed residential use on light emissions. The High Weald landscape is valued for its dark skies and low levels of artificial light. The introduction of a dwelling with all its associated domestic lighting and evening activity, would inevitably result in increased light spillage in an area that currently experiences little or no artificial illumination. This would conflict with the recently published *High Weald National Landscape - Technical Advice Note: Dark Skies Planning Advice Note - July 2024*, which identifies dark skies as a defining characteristic of the landscape and highlights their importance to tranquillity, landscape character, wildlife, and the historic settlement pattern of the area.

The domestic use of the building would therefore introduce a new and conspicuous light source into an otherwise unspoilt area of the countryside, causing harm to the setting and failing to conserve the rural and landscape character of the area. As such, the natural beauty of the area would not be conserved or enhanced.

The site sits within the High Weald National Landscape, and that the proposed change of use would detract from its visual qualities and essential characteristics through the introduction of residential activity, domestication and artificial light.

Accordingly, in terms of design and AONB, the proposed change of use would be contrary to District Plan policies DP12, DP16 and DP26 of the District Plan and policy 1 of the Slaugham Neighbourhood Plan, and The High Weald AONB Management Plan.

Impact on Residential Amenity

In terms of impact upon neighbouring amenities, Policy DP26 of the District Plan 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 DP29);'

A similar ethos is contained within the Mid Sussex Design Guide SPD.

To the northern side of the application site is Stanbridge Farm East and West. Given that the proposal would be offset from this neighbour by some 53 metres it is not considered that the proposal would be harmful to the amenities of this neighbour.

To the western side of the application site is The Acorns. Given that the proposal would be offset from this neighbour by some 70 metres it is not considered that the proposal would be harmful to the amenities of this neighbour.

Due to the modest nature of the proposed development, there would not be any significant harm regarding noise, air or light pollution.

It is therefore considered that the proposal would not cause harm to the amenities of neighbouring properties. The proposal is therefore deemed to accord with the above part of policy DP26 of the District Plan.

Highways access and parking

Policy DP21 of the District Plan seeks to ensure that schemes are sustainably located to minimise the need for travel, and protect the safety of road users and pedestrians, and seeks to provide adequate parking in relation to development proposals.

Paragraph 115 of the NPPF is relevant in respect of transport matters and states that:

'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users;*
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code48; and*
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.*

Paragraph 116 of the NPPF is relevant in respect of transport matters and states

'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.'

With regards to sustainability, the NPPF recognises that opportunities to maximise sustainable travel solutions will vary between urban and rural area, however it also encourages development to be focused on locations that limits the need for travel. This aligns with the aims of Policy DP21. As policy DP21 accords with the aims of the NPPF, it can be afforded full weight.

It is considered that the occupiers of the proposed dwellings would be reliant on the private car for access to shops, services and employment opportunities and this would conflict with the aims of the Framework and policy DP21 as set out above. The proposal is located some 2.3 km from Staplefield Village. Whilst the proposal would be in walking distance of the village, there are no pavements along Staplefield Lane and nearby footpaths are unlit. Cycling would be an option, but Staplefield Lane is narrow so there is limited space to allow for vehicles to pass cyclists safely. Whilst it is noted that there is a nearby bus stop, services from this stop are limited.

The West Sussex County Council Parking Guidance advises that for a dwelling of this size in this location some 2 off street parking spaces should be provided. The proposed plans show six off-street parking spaces would be retained to the west of the property. The proposal would use the existing vehicular access to the site.

In practical terms, the operation of the recording studio would be expected to generate regular vehicular movements, including those associated with staff, visiting musicians and equipment deliveries. The proposed change of use to an independent dwelling would not result in an increase in vehicular activity over and above that which could reasonably arise from the existing lawful use. The site benefits from a long-established access, and the proposal raises no highway safety concerns.

Therefore, whilst the parking arrangements and access point to the highway would be acceptable, it is considered that as a result of the unsustainable location of the proposal, the proposal would conflict with policy DP21.

Impact on the Future Occupiers of the Development

Policy DP27 of the District Plan states that all new residential development should comply with minimum nationally described space standards for internal floor space and storage.

A minimum floor area of 70 sqm with 2 sqm of built in storage is recommended for a single storey dwelling with 4 bed spaces.

The proposed dwelling would provide 67 sqm of internal floor space. While this falls marginally below the standard for a 4-bed space dwelling, it exceeds the minimum requirement for a 3-bed space unit. Having regard to the modest shortfall, the internal layout, and the absence of a clear over-occupation scenario, the proposal is considered to be acceptable and to broadly accord with the objectives of the nationally prescribed space standards.

Accordingly, the proposal would meet the requirements of the Technical Housing Standards and therefore comply with DP27 of the District Plan.

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 is comprised development below the de-minimis threshold meaning that this development is exempt from providing biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the Development Plan and then to take account of other material planning considerations including the NPPF. The Development Plan in this instance consists of the Mid Sussex District Plan, the Site Allocations Development Plan Document and the Slaugham Neighbourhood Plan.

Courts have confirmed that the Development Plan must be considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy within the Development Plan.

For the reasons set out within the assessment section, it is considered that the application complies with Mid Sussex District Plan policy DP27.

Although the application must be assessed against the policies of the development plan taken as a whole, this assessment has identified conflict with the development plan. This being in respect of what types of development are allowable under policies DP4, DP6, DP12, DP15, DP16, and DP26 and Slaugham Neighbourhood Plan policy 1. There is also conflict with policy DP21 in respect of the sustainability of the site in relation to transport.

As a result, it is considered that the application conflicts with the development plan when read as a whole. This is not the end point as planning law requires that 'where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise'.

As the Council is currently unable to demonstrate a five year supply of deliverable housing sites, it follows that the relevant policies for the supply of housing from the development plan are out-of-date (footnote 8 of paragraph 11 NPPF). As such, reduced weight should be given to these policies.

In these circumstances paragraph 11 of the NPPF provides for a presumption in favour of sustainable development which means that planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole (having particular regard to key policies for directing development to

sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination), or specific policies in the NPPF that protect areas or assets of particular importance provide a strong reason for refusing the development.

The application site lies within the High Weald National Landscape, an area afforded the highest status of protection in relation to landscape and scenic beauty. Paragraph 189 of the NPPF requires great weight to be given to conserving and enhancing landscape and scenic beauty in such designated areas.

The proposed change of use would introduce a residential use into a sensitive rural landscape, resulting in a spread of domestic activity, domestication and artificial light beyond the established residential envelope of the area. While there are existing dwellings in the wider vicinity and some screening is present, the introduction of a new, independent residential unit in this location would intensify domestic influence within the landscape and extend it into an area that presently remains largely free from residential use. These changes would erode the area's sense of remoteness and tranquillity, detract from its visual qualities, and fail to conserve the essential characteristics of the High Weald National Landscape. In particular, the creation of a new residential light source in an otherwise dark landscape would conflict with established dark skies objectives and would cause demonstrable harm to the natural beauty of the area.

While the proposal would provide some limited benefits, including short-term construction employment, a modest contribution to local spending, and a small addition to the district's housing supply, the weight afforded to these benefits is limited given that the proposal relates to a single dwelling. Furthermore, the site is located in an unsustainable countryside location with limited access to services, facilities and employment opportunities, resulting in a high reliance on the private car, which further diminishes the overall sustainability of the proposal.

The proposal would therefore give rise to substantial harm to the High Weald National Landscape and would fail to conserve or enhance its natural beauty, contrary to national planning policy. In these circumstances, the policies of the NPPF relating to the protection of a designated landscape provide a strong reason for refusing the development, such that the tilted balance in paragraph 11(d) does not apply.

Even if the presumption in favour of sustainable development were engaged, the adverse impacts of the development, particularly the harm to the High Weald National Landscape and the unsustainable location of the site, would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole.

Accordingly, the proposal is considered contrary to the NPPF, District Plan policies DP12, DP15, DP16 and DP26, and Policy 1 of the Slaugham Neighbourhood Plan and there are no other material considerations that would warrant the determination of the application other than in accordance with the development plan.

Decision: Refusal

Case Officer: Catherine Cardin