

## Delegated Decision

### Sign off Sheet

|                                              |                                                                                                                                    |                                        |                       |
|----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|-----------------------|
| <b>Ref. No:</b>                              | DM/25/0350                                                                                                                         | <b>Case Officer:</b>                   | Caroline Grist        |
| <b>Application Type:</b>                     | Full Application                                                                                                                   |                                        |                       |
| <b>Proposal:</b>                             | Proposed change of use of residential outbuilding to a farm cafe and the retrospective replacement and extension of a timber deck. |                                        |                       |
| <b>Site:</b>                                 | Goddenwick Farm, Ardingly Road, Lindfield, Haywards Heath, West Sussex, RH16 2QX, ,                                                |                                        |                       |
| <b>Validation Date</b>                       | 11 Feb 2025                                                                                                                        | <b>Overall Expiry Date:</b>            | 14 Mar 2025           |
| <b>Pre-Commencement Conditions Required:</b> |                                                                                                                                    | <b>Pre-Com Conditions Date Agreed:</b> |                       |
| <b>Recommendation:</b>                       | Permission                                                                                                                         | <b>Recommendation Date:</b>            | 8 May 2025            |
| <b>Target Date:</b>                          | 8 Apr 2025                                                                                                                         | <b>Recommending Officer Signature:</b> | <i>Caroline Grist</i> |

|                                                        |  |                               |   |
|--------------------------------------------------------|--|-------------------------------|---|
| <b>Date Legal Agreement Completed: (if applicable)</b> |  | <b>No of Representations:</b> | 0 |
|--------------------------------------------------------|--|-------------------------------|---|

|                              |                        |              |            |
|------------------------------|------------------------|--------------|------------|
| <b>Signed and Agreed By:</b> | <i>Stephen Ashdown</i> | <b>Date:</b> | 9 May 2025 |
| <b>Comments:</b>             |                        |              |            |

## **MID SUSSEX DISTRICT COUNCIL**

**DM/25/0350**

**Goddenwick Farm, Ardingly Road, Lindfield, Haywards Heath, West Sussex, RH16 2QX,  
Proposed change of use of residential outbuilding to a farm cafe and the retrospective  
replacement and extension of a timber deck.**

**Mr C Kidger**

### **SUMMARY OF REPRESENTATIONS**

No representations have been received in response to this application.

### **SUMMARY OF CONSULTEES**

#### **Highways Authority**

The proposal is for the change of use of an existing redundant building in to a farm café to support the use of Goddenwick Farm. It is proposed that the farm café would be used to support the activities at the farm, which are already occurring at Christmas (in association with the sale of the trees), but also at other times of year such as Halloween and Easter. The site will be accessed from the B2028 Ardingly Road which in this location is subject to a 60-mph speed limit.

#### **Access and Visibility**

The site does have an existing vehicular access onto the B2028 Ardingly Road, no modifications are proposed to the existing access arrangements. The access is considered to be of sufficient geometry to accommodate the anticipated level of vehicular activity. Sightlines along the B2028 Ardingly Road from the existing point are considered acceptable.

A review of the access onto B2028 Ardingly Road indicates that, there have been no recorded accidents within the last 3 years and that there is no evidence to suggest that the access and local highway network are operating unsafely.

#### **Capacity**

Given the scale of the proposal and the existing permitted use a TRICS assessment and Travel Plan are not required. Within the Design and Access Statement the applicant has not provided a comparison on the traffic the proposal will generate over the existing use and proposed uses. The LHA have run our own assessment based on the proposed and existing uses and consider the information provided is accurate; there will be no material increase in traffic movements over the existing use. In addition, there are no known capacity and congestion issues within the immediate vicinity of the site. From a capacity perspective we are satisfied the proposal will not have a severe residual impact.

#### **Parking**

Parking will be provided within the existing car park which serves the farm business and is located to the south of the application site. The proposed parking allocation is not actually quoted within the supporting information, however given the internal space available all parking is likely to be accommodated within the existing area controlled by the applicant, a suitable condition has been suggested at the end of this report. The LHA are not aware of that the previous use resulted in excess parking onto the B2028; it is considered unlikely that there would be any occurrence of on-street parking as a result of this proposal. No reference is made within the supporting information for cycle parking for staff or visitors, this should be provided in the form of 'Sheffield Stands' in a secure and covered format.

#### **Accessibility**

The submitted design and access statement does quote current National Planning Policy Framework (NPPF para 115) which promotes sustainable transport modes. The applicant should look at providing a Travel Plan Statement for staff members. Realistically given the type of use, the majority of visits would

be via the car. However as previously stated the proposal is not anticipated to result in a material increase in traffic movements over the permitted and historic uses.

#### Conclusion

The LHA does not consider that the proposal would have 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (para 116), and that there are no transport grounds to resist the proposal.

Any approval of planning consent would be subject to conditions relating to car and cycle parking.

#### *Additional comments*

I looked at the site on Monday morning. We did note a bicycle attached to the lamppost looking to the right of the site access which is presumably for advertising purposes for one of the businesses on the site. Visibility could be further improved if this wasn't in place. Is this connected with the proposed usage do you know? I am not sure if it has a licence from the WSCC Engineer but I can look into this if the applicant isn't aware of its purpose.

In summary though, for the type of use proposed under the application, the LHA would not have any concerns with the access used.

#### **Environmental Health Officer**

I would recommend that the hours of operation for the café applied for be conditioned, as well as restrictions on the times when commercial deliveries and waste collections are made.

I would suggest that commercial deliveries/collections are not permitted outside the following hours:

Monday to Friday: 08:00 - 18:00 Hours

Saturday: 09:00 - 13:00 Hours

Sunday & Public/Bank holidays: None permitted.

I haven't recommended any conditions regarding commercial plant given the applicants statement regarding ventilation and extraction.

#### **Conservation Officer**

Goddenwick Farm is a Grade II listed 16th century or earlier farmhouse located in a rural position outside Lindfield. The farmstead survives to the south and east of the house, and includes a number of older buildings which are likely to be regarded as curtilage listed, including a barn. The farmstead is recorded in the West Sussex Historic Farmstead and Landscape Character assessment as a historic farmstead of the Medieval period.

The current partially retrospective proposal relates to a modern, unlisted building located to the east of the farmstead which formerly housed an indoor pool, and is for its change of use to a café to form part of the existing Christmas tree farm operation at Goddenwick. The proposal includes retention of an extension to the external decked terrace area on the eastern side of the building.

Given the established Christmas tree farm use, which creates seasonal activity around the farmstead, and utilises existing access and parking areas, the creation of a café to serve visitors to the farm is considered unlikely to result in a significant upturn in noise or activity around the listed building or historic farmstead. The principle of the change of use is therefore not considered contentious.

The associated physical alterations to the building and the terrace area will have only a minor impact on its appearance and are not considered to adversely affect its contribution the setting of the farmhouse or curtilage listed buildings.

The proposal is therefore considered to preserve the setting of Goddenwick Farm, meeting the requirements of District Plan Policy DP34 and the relevant paragraphs of the NPPF.

## **PARISH COUNCIL OBSERVATIONS**

No objection provided similar materials are used to existing building.

## **INTRODUCTION**

Planning permission is sought to change of use of residential outbuilding to a farm cafe and the retrospective replacement and extension of a timber deck.

## **RELEVANT PLANNING HISTORY**

LR/057/92 - 2.75m high perimeter fence to tennis court consisting of plastic chain link on angle iron frame. Permission.

LR/052/95 - Two storey side extension with single storey glazed link to main house. Permission.

LR/011/96 - Two storey extension to rear with single storey link to main house. Permission.

LR/012/96 - Two storey extension to rear with single storey link to main house. Permission.

LR/035/97 - Erection of gazebo in garden. Permission.

00/00647/AGRDET - Erection of steel framed barn. Approval.

01/00305/FUL - Erection of a detached timber swimming pool building. Permission.

13/02637/LBC - Change the layout to the extension first floor to reduce the number of bedrooms from four to one and create a new enlarged bathroom. Improve the thermal standard of the roof and timber framed external walls of the main Farmhouse. Replace the poor quality single glazed timber windows to the main farmhouse with new double glazed units to match existing style. Structural repairs to the existing cart shed (now garage) to prevent collapse of the roof. Permission.

DM/18/2228 - Proposed forestry building for storage of felled trees, tools and machinery. Permission.

DM/23/3047 - Re slate existing single storey 'lean to' utility room roof and remove existing redundant 20th century chimney stack to below line of original slate roof. Permission.

## **SITE AND SURROUNDINGS**

Goddenwick Farm is a south facing, detached two storey dwelling that is grade II listed. To the east of the dwelling is a detached, single storey building, to which this application relates. It was granted planning permission in 2001 as a swimming pool building (01/00305/FUL). This building is timber clad, with a tiled roof and has timber windows and doors. There is a decked area to the rear and, during the Case Officer's site visit, it was noted that the pool had been infilled and surfaced.

The site is located outside of a defined built up area and is therefore within the countryside. To the east of the site are further farm buildings and area used for parking is to the south. A neighbouring dwelling, Roosters, is to the south west of the site and the access road is to the south, connecting to Ardingly Road which is to the west. The site also lies within the High Weald Area of Outstanding Natural Beauty.

## **APPLICATION DETAILS**

Planning permission is firstly sought to change the use of the swimming pool building to a farm café. No external changes are proposed to the building and parking is to be provided within the existing farm car park, which serves the farm business and is located to the south of the application site.

Permission is also sought retrospectively to replace and enlarge the decked area to the rear of the building. The submitted plans show that the approved area would be some 17.3 metres wide and projected approximately 1.7 metres beyond the rear elevation. The proposed plans show that the decked area would have an additional 6.1 metres in depth.

## **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,*
- 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 Document (DPD) and the Lindfield and Lindfield Rural 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
- DP21 - Transport
- DP26 - Character and Design
- DP34 - Listed Buildings and Other Heritage Assets

### **Site Allocations Development Plan Document**

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

There are no relevant policies.

### **Lindfield and Lindfield Rural Neighbourhood Plan**

The Lindfield and Lindfield Rural Neighbourhood Plan was made in March 2016.

There are no relevant policies.

### **Other Legislation**

Countryside and Rights of Way Act (CRoW) 2000

Planning (Listed Buildings and Conservation Areas) Act 1990

## Other Material Considerations

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

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

DPS2 - Sustainable Design and Construction

DPS6 - Health and Wellbeing

DPC1 - Protection and Enhancement of the Countryside

DPC4 - High Weald Area of Outstanding Natural Beauty

DPB1 - Character and Design

DPB2 - Listed Buildings and Other Heritage Assets

DPT1 - Placemaking and Connectivity

### *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 objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective.

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/Code*

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.

## **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 and impact on the landscape;
- o Design and impact on the listed building;
- o Impact on amenity;
- o Highways; and
- o Biodiversity Net Gain.

### **Principle of development and impact on the landscape**

The application site is situated within the countryside. Policy DP12 of the Mid Sussex District Plan relates to development within the countryside and 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:*

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

The application site is also within the High Weald Area of Outstanding Natural Beauty (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.

Paragraph 189 of the NPPF states:

*'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.'*

Policy DP16 of the Mid Sussex Plan further sets out:

*Development within the High Weald Area of Outstanding Natural Beauty (AONB), as shown on the Policies Maps, will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan, in particular;*

- o *the identified landscape features or components of natural beauty and to their setting;*

- o the traditional interaction of people with nature, and appropriate land management;
- o character and local distinctiveness, settlement pattern, sense of place and setting of the AONB; and
- o the conservation of wildlife and cultural heritage.

*Small scale proposals which support the economy and social well-being of the AONB that are compatible with the conservation and enhancement of natural beauty will be supported'.*

The Planning, Design & Access Statement, submitted as part of this application, has provided additional background information relating to the proposal. It states the Goddenwick Farm has gradually diversified into forestry (Christmas trees) and Sussex Trees, which operates from the site. Animals are also kept on the land.

It is further advised that:

*'The farm has grown organically, in response to demand from customers in the local area, and in conjunction with the successful Christmas tree business, the farm has begun to offer pop up food and drink stalls for visitors collecting their trees at Christmas. This income is only seasonal and has been restricted to winter owing to the nature of the forestry use. The operation has expanded to provide pumpkin picking at the farm at Halloween and it is the intention to provide Easter Egg Hunts on the farm at Easter. This will provide a valuable source of income for the farm across the year which will maintain the viability of the forestry use of the land and buildings'.*

*'The purpose of this planning application is to establish a more permanent venue for food and drink, to provide an indoor space for customers. This will also avoid the need for obtaining pop up vendors to cater at events and will make the operation which more efficient'.*

It is considered that the proposed farm café would offer an additional service at the farm, which would compliment their existing business. The proposed café use, given the size of the existing building, is considered to be relatively small scale and would use the existing parking provision. The only external works relate to the retrospective enlargement of the decked area. This enlargement is not considered to be excessive in scale and would be viewed in the context of the existing group of buildings, thereby not creating an isolated form of development in the landscape.

It is therefore concluded that the application would represent a small scale proposal, which would support the economy through the additional support it would provide to an existing farm business. Due to the nature of the works it is not considered to have an adverse impact on the countryside or AONB landscape.

### **Design and impact on the listed building**

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

Policy DP34 of the Mid Sussex District Plan relates to listed buildings:

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

- o A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;
- o Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;

- o *Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- o *Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;*
- o *Special regard is given to protecting the setting of a listed building;*
- o *Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric'.*

Policy DP26 of the Mid Sussex District Plan relates to design and 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'.*

As the application relates to a listed building, comments have been provided by the Conservation Officer. It is advised that within the farmstead there are a number of older buildings which are also likely to be regarded as curtilage listed. The farmstead is recorded in the West Sussex Historic Farmstead and Landscape Character assessment as a historic farmstead of the Medieval period.

The Conservation Officer has advised that, given the established Christmas tree farm use, which creates seasonal activity around the farmstead, and utilises existing access and parking areas, the creation of a café to serve visitors to the farm is considered unlikely to result in a significant upturn in noise or activity around the listed building or historic farmstead. The principle of the change of use is therefore advised as not being considered contentious.

With regards to the physical works and decked area, it is the view of the Conservation Officer that this would have a minor impact on the appearance of the building and would not adversely affect its contribution the setting of the farmhouse or curtilage listed buildings.

In terms of design, given the scale and nature of the proposal, they would appear appropriate in relation to the application property and surrounding area.

## **Impact to amenity**

Policy DP26 of the Mid Sussex District Plan states:

*'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);'*

Given the distance from the application site to neighbouring properties, it is considered that it would not result in a loss of light, outlook or privacy.

With regards to noise and disturbance, the Environmental Health Officer has reviewed the application and advised that, subject to conditions relating to hours of operation and deliveries and collections, no objection would be raised.

A response was received following these comments, concerned that the hours of operation would be overly restrictive for the café, particularly being closed on Sunday and Bank Holidays. It is understood that the deliveries and collections would be the key area of concern for this application regarding the impact for noise and disturbance and, as such, opening hours 10 - 4 on Sundays and Bank Holidays would be considered acceptable.

## **Highways**

Policy DP21 the Mid Sussex District Plan requires development to: be sustainably located to minimise the need for travel; promote alternative means of transport to the private car, including provision of suitable facilities for secure and safe cycle parking; not cause a severe cumulative impact in terms of road safety and increased traffic congestion; be designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages; and provide adequate car parking in accordance with parking standards as agreed by the Local Planning Authority or in accordance with the relevant Neighbourhood Plan.

The Highways Authority have been consulted as part of this application and have provided comments on the proposed scheme.

With regards to access and visibility it is noted that the site has an existing vehicular access onto the B2028 Ardingly Road and the scheme proposes no changes to it. It is advised that the access would be sufficient to accommodate the anticipated level of vehicular activity and the sightlines are considered to be acceptable.

In terms of capacity, whilst no information has been submitted as part of the application on this matter, the Highways Authority have run their own assessment and concluded that there would be no material increase in traffic movements over the existing use. Additionally there are no known capacity and congestion issues within the immediate vicinity of the site.

The application sets out that the parking is to be accommodated within the existing car park which serves the farm business and is located to the south of the application site. No objection has been raised regarding this arrangement and additional information provided in response to cycle parking is also considered to be acceptable.

Concern has also been raised regarding the position of a bike, within the site access, which is being used for advertising purposes. It has been advised that a licence is required from West Sussex County Council for it to be in its current position and that it should be removed in the interim. The agent has been notified of this matter.

## **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 planning permission is being granted on an application made under

Section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out). This application is therefore exempt from the requirement to provide biodiversity net gain.

## **PLANNING BALANCE AND CONCLUSION**

In conclusion, it is considered that the principle of the proposed development is acceptable and that there would be no harm to the landscape. The development would not result in harm to the near by listed building, the amenity of neighbouring properties or in highways terms. It is also considered to be acceptable in design terms. As such the development would accord with the requirements of policies DP12, DP16, DP21, DP26 and DP34 of the Mid Sussex District Plan as well as other relevant legislation and material considerations. The application is therefore considered acceptable.

Decision:       Permission

Case Officer: Caroline Grist