

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0218	Case Officer:	Hamish Evans
Application Type:	Removal/Variation of Condition		
Proposal:	Variation of condition No: 1 relating to planning application DM/24/1225 to allow for the substitution of the approved plans.		
Site:	Ormonde Hall, Cowfold Road, Bolney, Haywards Heath, West Sussex, RH17 5SE, ,		
Validation Date	29 Jan 2025	Overall Expiry Date:	7 Mar 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	24 Mar 2025
Target Date:	26 Mar 2025	Recommending Officer Signature:	Hamish Evans

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	26 Mar 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0218

**Ormonde Hall, Cowfold Road, Bolney, Haywards Heath, West Sussex, RH17 5SE,
Variation of condition No: 1 relating to planning application DM/24/1225 to allow for the
substitution of the approved plans.
Mr And Mrs Collins**

SUMMARY OF REPRESENTATIONS

No third-party representation letters have been received in response to this application.

SUMMARY OF CONSULTEES

MSDC Conservation Officer

The proposal is considered to preserve the special interest of the listed building and complies with policy DP34 of the MSDP and the relevant paragraphs of the NPPF.

Historic England

No comment.

BOLNEY PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

This application seeks permission, under section 73 of the Town and County Planning Act 1990, to vary condition 1 of planning permission DM/24/1225 which was permitted to vary conditions 1 and 3 of planning application DM/23/3184. DM/23/3184 was granted to vary condition 1 of planning application DM/23/0187 which was granted permission to vary condition 1 of planning permission DM/21/2193. DM/21/2193 was granted permission on 18th August 2021 for the "Demolition of existing 20th Century burnt out house attached to 15th Century Grade II Listed Hall/Barn and erection of a replacement 2 Storey House with a single storey frameless glass link between replacement house and Grade II Listed Hall/Barn. In addition a detached Triple Garage is proposed." at Ormonde Hall, Cowfold Road, Bolney, RH17 5SE.

RELEVANT PLANNING HISTORY

DM/15/1160. Alterations and extension with associated landscaping works and garage. Permission.

DM/15/1165. Alterations and extension with associated landscaping works and new detached four bay garage. Permission.

DM/16/1134. Discharge of planning condition nos. 3,4 and 5 relating to listed building consent application DM/15/1165. Permission.

DM/18/2105. Discharge of conditions 2, 3, and 4 relating to planning reference DM/15/1160. Permission.

DM/19/4798. Demolition of 4 chimneys on 20th Century part of the property as they are unsafe following the gutting of the building by fire. Permission.

DM/21/2193. Demolition of existing 20th Century burnt out house attached to 15th Century Grade II Listed Hall/Barn and erection of a replacement 2 Storey House with a single storey frameless glass link between replacement house and Grade II Listed Hall/Barn. In addition a detached Triple Garage is proposed. Permission.

DM/21/2197. Application to partially demolish linked elements of burnt out 20th Century Dwelling linked to Grade Two Listed Hall building and internal alterations of Grade Two Listed Hall building staircase, floor repairs and any associated wall finishes and ceiling finishes, linked to previous fire and water damage. Permission.

DM/23/0814. Application to partially demolish linked elements of burnt out 20th Century Dwelling linked to Grade Two Listed Hall building and internal alterations of Grade Two Listed Hall building staircase, floor repairs and any associated wall finishes and ceiling finishes, linked to previous fire and water damage. Application for amendments to the design of the scheme for the replacement extension previously approved under references DM/21/2193 and DM/21/2197. Permission.

DM/23/0817. Variation of Condition 1 relating to planning reference DM/21/2193. Permission.

DM/23/3184. Variation of condition no. 1 of planning application DM/23/0817 - to allow for the substitution of the approved drawings of the detached garage to provide a revised design. Permission.

DM/24/1222. Alter the previously approved Bricks under application DM/23/0814 to "Partially demolish linked elements of burnt out 20th Century dwelling linked to Grade Two Listed Hall building and internal alterations of Grade Two Listed Hall building staircase, floor repairs and any associated wall finishes and ceiling finishes, linked to previous fire and water damage. Application for amendments to the design of the scheme for the replacement extension previously approved under references DM/21/2193 and DM/21/2197. Permission.

DM/24/1225. Variation of condition no 1 and 3 of planning application DM/23/3184 - to allow for amended plans. Permission.

DM/25/0232. Variation of condition No: 1 relating to planning application DM/21/2193, to allow for the substitution of the approved plans. Pending Consideration.

SITE AND SURROUNDINGS

The application site is located within the countryside with the built-up area boundary of Bolney being located some 870 metres to the east of the application site.

Ormonde Hall is a Grade II listed 15th century timber framed building situated in a rural position outside Bolney. A very substantial extension was added to the building during the 1920s- this wing was extensively damaged by fire during the late 20th century.

The site is currently a building site with the dwelling approved under DM/21/2193 being constructed. The surrounding boundary treatment consists of significant tree lines and hedgerows. The site is accessed through a private road located to the north and west of the site which leads to Cowfold Road which is located to the south of the site.

APPLICATION DETAILS

This application seeks permission, under section 73 of the Town and County Planning Act 1990, to vary condition 1 of planning permission DM/24/1225 which was permitted to vary conditions 1 and 3 of planning application DM/23/3184. DM/23/3184 was granted to vary condition 1 of planning application DM/23/0187 which was granted permission to vary condition 1 of planning permission DM/21/2193. DM/21/2193 was granted permission on 18th August 2021 for the "Demolition of existing 20th Century burnt out house attached to 15th Century Grade II Listed Hall/Barn and erection of a replacement 2 Storey House with a single storey frameless glass link between replacement house and Grade II Listed Hall/Barn. In addition a detached Triple Garage is proposed." at Ormonde Hall, Cowfold Road, Bolney, RH17 5SE.

The proposed changes consist of:

- New external door to southern elevation of original dwelling,
- Alterations to stair balustrade of original dwelling,
- Opening of the eastern side fireplace of original dwelling,
- New bathroom at first-floor of original dwelling,
- Altered roof to central projecting of the principal elevation amended from a hip to a gable of approved dwelling,
- Two flat roofed front dormers at approved dwelling, and
- Two rooflights to the rear roof slope at approved dwelling.

It should be noted that works to implement planning permission DM/24/1225 have taken place on the site however, the building is not considered to be substantially complete.

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, the Mid Sussex Site Allocations DPD and the Bolney Neighbourhood Plan.

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

Mid Sussex District Plan

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

DP12 - Protection and Enhancement of Countryside

DP26 - Character and Design

DP34 - Listed Buildings and Other Heritage Assets

Site Allocations DPD

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

There are no relevant policies.

Bolney Neighbourhood Plan (adopted September 2016)

Relevant policies:

BOLD1 - Design of New Development and Conservation

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 stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to some of 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.

DPC1: Countryside

DPB2: Listed Buildings and Other Heritage Assets
DPB1: Character and Design

NATIONAL POLICY

National Planning Policy Framework (NPPF December 2024)

Planning Practice Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

OTHER PLANNING GUIDANCE

Mid Sussex Design Guide Supplementary Planning Document

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.

ASSESSMENT

The application is submitted under Section 73 of the Town and Country Planning Act 1990. The Act states that *'On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—*

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.'

The principle of the development has been established by virtue of the previous permission. As such it is only necessary to consider the specific changes that are proposed to the previously approved development. The proposed amendments consist of:

- New external door to southern elevation of original dwelling,
- Alterations to stair balustrade of original dwelling,
- Opening of the eastern side fireplace of original dwelling,
- New bathroom at first-floor of original dwelling,
- Altered roof to central projecting of the principal elevation amended from a hip to a gable of approved dwelling,
- Two flat roofed front dormers at approved dwelling, and
- Two rooflights to the rear roof slope at approved dwelling.

Character, Design and Protection of Countryside

The site is located outside of a defined built up area boundary and, as such, is within the countryside. Policy DP12 of the Mid Sussex District Plan seeks to protect the countryside *'in recognition of its intrinsic character and beauty'* and supports new development *'provided it maintains or where possible enhances the quality of the rural and landscape character of the District'*. A similar ethos is found within policy BOLE 2 of the Neighbourhood Plan.

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:

- 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;
- protects valued townscapes and the separate identity and character of towns and villages;
- 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);
- creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;
- positively addresses sustainability considerations in the layout and the building design;
- 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;
- optimises the potential of the site to accommodate development.'

Policy BOLD1 of the Neighbourhood Plan states:

'Planning permission for new development will ordinarily be permitted subject to the following criteria: It is designed to a high quality which reflects Bolney's rural nature and responds to the heritage and distinctive character by way of;

height, scale, spacing, layout, orientation, design and materials of buildings, and

the scale, design and materials of the public realm (highways, footways, open space and landscape); and

It does not have an unacceptable impact on the setting of any heritage asset; and

It respects the natural contours of a site and protects and sensitively incorporates well established natural features of the landscape including trees, species-rich hedgerows and ponds within the site; and

It creates a safe, accessible and well-connected environment that meets the needs of its users; and

It will not result in unacceptable levels of light, noise, air or water pollution, and

Where possible, it provides lock-up facilities for storage of bicycles, children's pushchairs and mobility

vehicles to encourage walking and cycling and to assist accessibility.,'

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

The proposed external works would be relatively modest in their nature and are considered to be of a design, character and appearance that would be sympathetic to the previously approved works and the rural character of the site.

Taking into account the above, the proposal is considered to address the character and scale of the surrounding buildings and landscape and would maintain the quality of the rural and landscape character of the District. Therefore the proposal complies with policies DP12 and DP26 of the Mid Sussex District Plan, policies BOLD1 and BOLE2 of the Bolney Neighbourhood Plan and the Mid Sussex Design Guide SPD.

Listed Building

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority 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.

While Policy DP34 seek to preserve the special interest of the Listed Building a similar ethos is found within the National Guidance contained in Paragraphs 210-215 of the NPPF and within BOLD1 of the Neighbourhood Plan.

The Councils Conservation Officer has raised no objection to the proposal and they have advised that the proposal would preserve the special interest of the listed building.

Therefore, in line with the comments of the Conservation Officer, the proposal is deemed to be acceptable in line with policy DP34 of the Mid Sussex District Plan, Policy BOLD1 of the Neighbourhood Plan, the Planning (Listed Buildings and Conservation Areas) Act 1990 and the relevant provisions of the NPPF.

CONCLUSION

To summarise it is considered that the proposed amendments are acceptable. As such this application can be approved and the proposal complies with Policies DP12, DP26 and DP34 of the District Plan, Policy BOLD1 and BOLE2 of the Neighbourhood Plan, The Mid Sussex Design Guide SPD, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements of the NPPF.

Decision: Permission

Case Officer: Hamish Evans