

MID SUSSEX DISTRICT COUNCIL

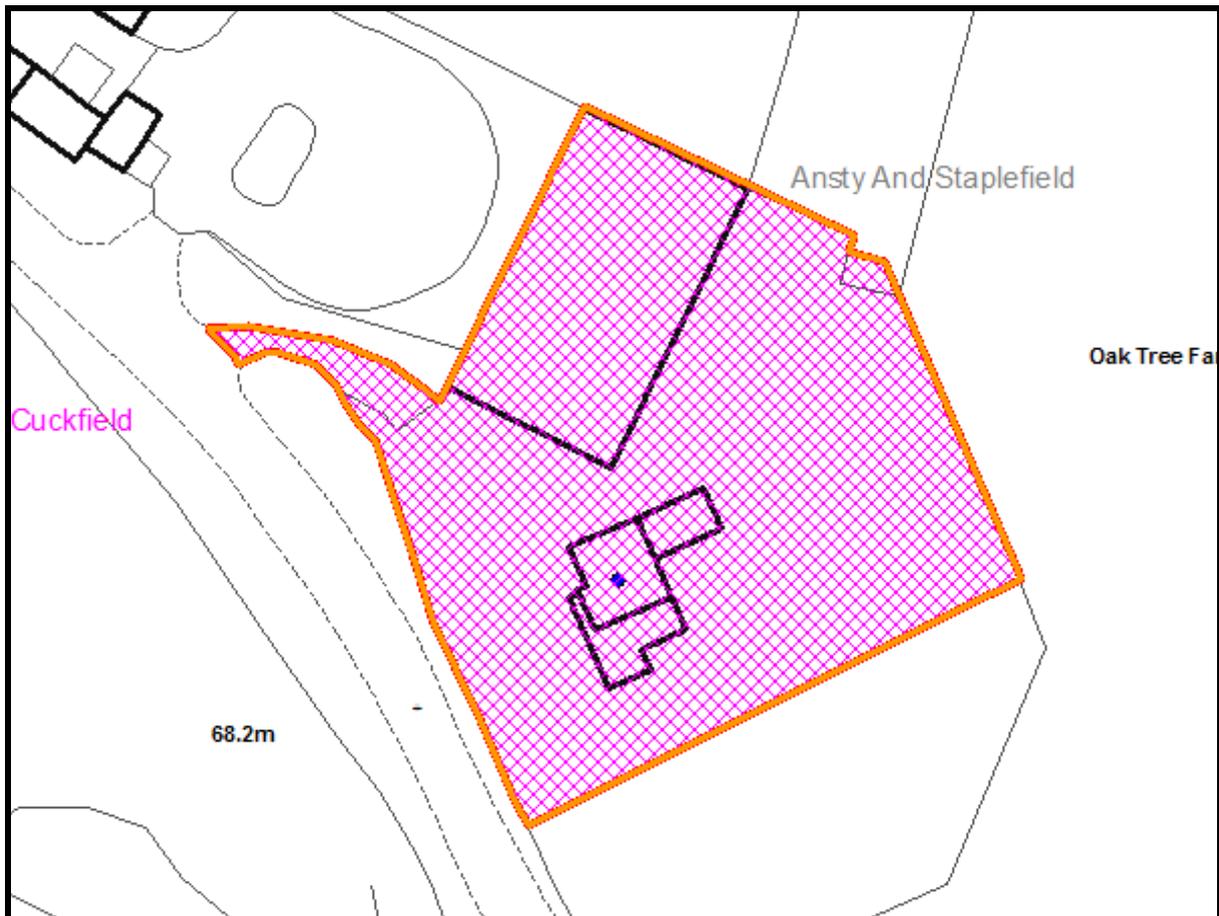
Planning Committee

29 MAY 2019

RECOMMENDED FOR PERMISSION

Ansty And Staplefield

DM/18/5130



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**OAKTREE FARM BURGESS HILL ROAD ANSTY HAYWARDS HEATH
OUTLINE APPLICATION FOR THE DEMOLITION OF THE EXISTING
DWELLING AND BARN AND REPLACEMENT WITH THREE NEW
DWELLINGS. ALL MATTERS RESERVED EXCEPT FOR ACCESS,
APPEARANCE, LAYOUT AND SCALE.
MR AND MRS MORELY**

POLICY: Areas of Special Control for Adverts / Countryside Area of Dev. Restraint / Classified Roads - 20m buffer / Planning Agreement / Planning Obligation / Aerodrome Safeguarding (CAA) /

ODPM CODE: Minor Dwellings

8 WEEK DATE: 5th June 2019

WARD MEMBERS: Cllr Robert Salisbury / Cllr Pete Bradbury /

CASE OFFICER: Anna Tidey

Purpose of Report

To consider the recommendation of the Divisional Lead, Planning and Economy on the application for outline planning permission as detailed above.

Executive Summary

This application follows an application under DM/16/1515 for a prior approval for the change of use of the existing agricultural buildings on the site to form two new residential dwellings. Dwelling 1 was approved as a 154 square metre 2 storey 4 bed house. Dwelling 2 was approved as a 150 square metre 2 storey 4 bed house. Prior approval was given for that application on 8th June 2016.

Outline approval is now sought for the demolition of the existing dwelling and barns and replacement with three new dwellings. Details of the proposed Access, Appearance, Layout and Scale are submitted, with Landscaping remaining as a reserved matter. The proposal is for the complete redevelopment of the site, with all the agricultural buildings and an existing bungalow being removed to allow for the construction of three new barn style dwellings with a reconfigured site access road and parking/turning provision. The proposed dwellings would be sited in part over the footprint of the disused barns on the site, over the footprint of the existing bungalow and within the garden curtilage at Oaktree Farm, off Burgess Hill Road to the south of Ansty, in Ansty and Staplefield Parish. The application has been submitted by the owners of the site.

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 National Planning Policy Framework.

Relevant in consideration of this application is District Plan Policy DP12 which seeks to protect the countryside to ensure new development maintains or enhances the rural landscape and District Plan Policy DP15 which allows approval of new homes in the countryside where special justification exists. A material consideration on the site is the extant Part Q approval for two 4 bed houses. The proposed replacement

dwelling meets the necessary tests in District Plan Policy DP15. Whilst the proposal fails to accord with all of the requirements of Paragraph 79 of the NPPF the new development layout and form would enhance the immediate setting of the site as seen from public vantage points and add to the character and appearance of this rural site.

It is considered that the proposal would not cause a significant loss of residential amenity to the occupiers of the neighbouring property. In this regard the proposal is considered to accord with the requirements of Policy DP26 of the District Plan.

The public benefits of the proposal have been considered in accordance with the appropriate planning guidance for development in the vicinity of Listed buildings, in this case West Riddens farmhouse. It has been assessed that in accordance with guidance in NPPF paragraph 196 the application can be supported as the public benefits outweigh any potential adverse harm to the heritage asset.

The proposal has been assessed with consideration to District Plan Policy DP39 (Sustainability). The proposed development has been considered in terms of energy efficiency and against the issues of the potential sustainability of the reuse of the existing buildings. For reasons, including the location of the site and the proposed energy efficiency details of the scheme, the proposal has been demonstrated to represent a sustainable development in accordance with District Plan Policy DP39.

The relationship and detailed construction for the improved access into the site to the oak trees on the roadside has been carefully considered by the Highways Authority and the Council's Tree Officer. Subject to the works being carried out as detailed in additional plans and a supplementary tree report the proposal will accord with District Plan Policies DP21 and DP37.

The Habitats Regulations Assessment screening assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development. No mitigation is required in relation to the Ashdown Forest SPA or SAC and a full HRA of the proposed development is not required.

There are not considered to be any ecological reasons to resist the development. The Council's Ecological Consultant has raised no objection to the proposal. As such the proposal complies with Policy DP38 in the District Plan.

Policy DP41 of the District Plan seeks to ensure that proposals can be properly drained. The proposal will accord with Policy DP41 of the District Plan subject to the submission of details of the proposed foul and surface water drainage and means of disposal and a management and maintenance plan for the lifetime of the development for approval.

In light of the above it is recommended that the application is approved.

Recommendation

It is recommended that permission be granted subject to the conditions listed at Appendix A.

Summary of Consultations

(Full responses from Consultees are included at the end of this report as Appendix B)

MSDC Tree Officer

Further details required. No objections to the additional tree report information. Request adherence to the Supplementary Tree Report.

MSDC Contaminated Land Officer

Planning conditions are recommended.

WSCC Highways Authority

A detailed plan outlining the access widths should be provided, to demonstrate that an average sized vehicle would be able to pass another vehicle manoeuvring at the access point.

Further comments: The access arrangements as demonstrated are considered suitable. No objection subject to conditions regarding visibility splays, vehicle turning and parking and site construction details.

MSDC Drainage

No objection subject to a condition requiring details of the proposed foul and surface water drainage and means of disposal and a management and maintenance plan for the lifetime of the development to be submitted to and approved by the Local Planning Authority.

Ecologist

In my opinion, there are no biodiversity policy reasons for refusal or amendment of the proposals, subject to a recommended planning condition.

MSDC Conservation Officer

I would consider that the proposal will be harmful to the setting of the listed building and associated curtilage listed farmstead. This would fail to meet the requirements of District Plan Policy DP34. In terms of the NPPF I would consider the proposal to cause less than substantial harm to the significance of these assets, such that the criteria set out in paragraph 196 of that document would apply.

Further comments: I remain of the view that the proposal would cause harm to the setting of West Riddens Farm and in terms of the NPPF the harm caused would be less than substantial.

Summary of Representations

No representations have been received in response to this application.

Parish Council Observations

Ansty and Staplefield Parish Council raise no objection to the application.

Introduction

This application seeks outline planning permission for the development of three new dwellings on the site to replace existing barns and a bungalow on the site at Oaktree Farm, Burgess Hill Road at Ansty.

The application is before committee as it represents a departure from adopted planning Policy.

Relevant Planning History

Planning reference: DM/16/1515. Prior notification application for the change of use of an existing agricultural building to form two dwellings. Approved June 2016.

Planning reference: 03/02553/FUL. Conservatory at the south east side of the property. Approved November 2003.

Planning reference: 03/01943/FUL. Extension to kitchen. Including removal of existing flat roof and replacing with hip roof. Approved September 2003.

Planning reference: CD/003/95. Proposed bedroom and ensuite bathroom extension to existing bungalow. Approved March 1995.

Planning reference: CD/038/79. Extension to bungalow namely hip roof extension to lounge/dining room and flat roof extension to kitchen, also new shower/WC complex. Approved August 1979.

Planning reference: CD/042/76. Single storey extension to existing bungalow. Approved 1976.

Planning reference: CD/016/75. Alteration of and extension to existing bungalow. Refused May 1975.

Planning reference: CD/051/74. Alteration of and extension to existing bungalow. Refused December 1974.

Site and Surroundings

The site of the application consists of the access from the B2036 (Burgess Hill Road), associated hardstanding and parking space, the area covered by a series of

disused agricultural barns and the footprint and curtilage of the bungalow currently known as Oaktree Farm.

The farm buildings consist of three linked barns, consisting of a solid sided Dutch style barn and wide concrete framed portal style buildings, with access doors at the front and rear of the site. The buildings are constructed of a variety of materials including concrete blocks, black metal sheeting and grey fibre cement cladding and extend up to the north western site boundary line.

The barns have a variety of profiles with minimum eaves height of 3m and a maximum eaves level of 5.3m. The heights of the existing barns are a minimum of 5m and a maximum of 7.2m. The bungalow on the site is constructed in part brick with render walls and a plain tiled roofline. The existing bungalow has eaves set at 2.6m and a maximum ridge height of 5.5m. The planning history for the bungalow confirms that it has been added to over time with a series of extensions.

The vehicular access into the site passes between two oak trees at the entrance. These trees fall outside of the site boundary and are not subject to a Tree Preservation Order. The site is otherwise well screened from public vantage points by established boundary vegetation along the roadside, which falls within the site area. To the south of the bungalow, and outside the red site line, an area of woodland labelled as a spruce plantation provides evergreen screening and to the north east of the barns there is a further area of established conifer trees.

Application Details

In detail the current application seeks planning permission for the construction of three new dwellings on the site, spaced out over the site to create three new curtilages.

The property at Plot 1 would be constructed within the area currently occupied by the agricultural barns. Plot 2 would take the rear garden area of the bungalow and Plot 3 is largely positioned over the footprint of the existing bungalow.

The proposed unit on Plot 1 has a T-shaped layout with three bedrooms in total and an attached single garage at the western side of the building. The unit would provide approx. 200 square metres of floor space on two levels. The building would be built in the style of a Sussex barn with horizontal sawn weather walls on a local stock brick base and plain clay tiled roof lines. The attached single garage would have a plain timber boarded garage door. The eaves would be set at 2.5m minimum and 5.2m maximum and the maximum ridge level at a height of 8m. The unit would accommodate three bedrooms in total at first floor level, two of which would have an associated ensuite shower room. A separate family bathroom is also shown to be provided.

The second unit (Plot 2) would have an L-shaped footprint and would be built with an integral double garage. The internal layout plans show four upper floor rooms (three marked as bedrooms) and a ground floor home office, sitting room, utility and kitchen/breakfast room. The unit would provide approx. 200 square metres of floor space on two levels, excluding the garage space. The building would be built in the

style of a Sussex barn with single and two storey elements. The building would be constructed with horizontal sawn weather walls on a local stock brick base, with timber and aluminium windows and plain clay tiled roofs. The garage would have two garage doors, the detailed materials of which are not specified. The eaves would be set at 2.3m minimum and 4.8m maximum and the maximum ridge level at a height of 7.9m.

The third unit (Plot 3) would replace the existing bungalow on the site. This has an L-shaped footprint and accommodates 2/3 bedrooms in a dwelling with a footprint area of approximately 160 square metres. The proposed replacement dwelling will be on two floors and will be an L-shaped property including a single storey wing to accommodate a double garage and utility room and WC. The internal layout plans show four bedrooms on the upper floor and a ground floor study, sitting room, hall and kitchen/breakfast room. The unit would provide approx. 200 square metres of floor space on the two levels, excluding the garage space. The building would be built in the style of a Sussex barn with horizontal sawn weather walls on a local stock brick base, with timber and aluminium windows and plain clay tiled roofs. The garage would have two garage doors with vertical timber boarded doors. The eaves would be set at 2.5m minimum and 4.9m maximum and the maximum ridge level at a height of 8.4m.

The layout of the site access has been adjusted at the request of the Highways Authority during the course of determining the application in order to create sufficient space at the access point to allow for two vehicles to pass in opposing directions. As a consequence there have been changes to the width of the vehicular route within the RPA of the adjacent oak trees. This has required the submission of a Supplementary Tree Report and consequently reconsideration of the scheme by the Council's Tree Officers, see comments reported above. The new dwellings are shown to be served by a shared access driveway with turning head provision off the line of the existing parking area serving the existing bungalow. Access to the field to the east of the site is shown to be provided through the new dwellings.

Additional information has been requested by the Conservation Officer to illustrate the relationship of the built form of the new buildings on the site to the existing buildings at West Riddens Farm. In addition North west and Roadside elevation drawings have been submitted to indicate the height and screening capacity of existing and new planting around the site boundaries to illustrate the impact of the development upon public vantage points. Landscaping of the proposal has been left as a reserved matter in this case.

Each of the new dwellings would have separate curtilages, with the boundaries delineated with planting/fencing as shown on the submitted Block Plan. The garden areas would be provided with depths of between 6.5m and 14.5m. Parking forecourts are shown to be provided to the front of each of the associated garage/s.

List of Policies

Mid Sussex District Plan 2014-2031

The District Plan was formerly adopted on the 28th March 2018.

- DP4 Housing
- DP6 Settlement hierarchy
- DP12 Protection and enhancement of the countryside
- DP15 New Homes in the Countryside
- DP21 Transport
- DP26 Character and design
- DP27 Dwelling Space Standards
- DP30 Housing Mix
- DP34 Listed buildings and other heritage assets
- DP37 Trees, Woodland and Hedgerows
- DP38 Biodiversity
- DP39 Sustainable design and construction
- DP41 Flood risk and drainage

Ansty, Staplefield and Brook Street Neighbourhood Plan

The Neighbourhood Plan was Made (Adopted) in February 2017.

- Policy AS1 New Housing Development
- Policy AS2 Preventing Coalescence
- Policy AS4 Housing mix

National Policy

National Planning Policy Framework (NPPF - 2019)

The National Planning Policy Framework 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 which are interdependent and need to be pursued in mutually supportive ways. These are an economic, social and environmental objective. This means seeking to help build a strong, responsive and competitive economy; to support strong, vibrant and healthy communities; and to contribute to protecting and enhancing the natural, built and historic environment.

Para 12 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."

Para 38 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."

Para 47 states that the planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

ASSESSMENT

The main issues for consideration in determining the application are:

- Principle of development
- Design and impact upon the countryside
- Impact upon residential amenity
- Impact upon the Listed Building
- National Space Standards
- Sustainability
- Trees/Landscaping
- Habitats Regulations Assessment for Ashdown Forest
- Highway and Access issues
- Ecology
- Drainage
- Planning Balance and Conclusion

Principle of development

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."

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 in this part of Mid Sussex consists of the District Plan and the Ansty, Staplefield and Brook Street Neighbourhood Plan (2017).

The proposal is for two new houses on this site, as an alternative proposal to that approved under Part Q application DM/16/1515 (the "permitted scheme"), which was for the conversion and adaptation of the existing buildings on the site. In addition the current proposal includes a replacement dwelling for the existing bungalow. The application submitted under DM/16/1515 was not considered under the same procedure as a planning application. It was 'permitted development' and was considered under the 'prior approval' process. As such that proposal was considered without reference to the District Plan and the Ansty, Staplefield & Brook Street Neighbourhood Plan.

As this application does need to be determined with reference to these documents the relevant policies need to be identified and consideration given to their content.

As a starting point the site is located outside of the built up area of Ansty, which extends to the junction of the B2036 (Burgess Hill Road) and Cuckfield Road, approximately 380 metres to the north of Oaktree Farm. In the Countryside area the following District Plan policy is relevant to new housing development proposals, such as this.

DP12: Protection and Enhancement of Countryside

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

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

Agricultural land of Grade 3a and above will be protected from non-agricultural development proposals. Where significant development of agricultural land is demonstrated to be necessary, detailed field surveys should be undertaken and proposals should seek to use areas of poorer quality land in preference to that of higher quality.

The Mid Sussex Landscape Character Assessment, the West Sussex County Council Strategy for the West Sussex Landscape, the Capacity of Mid Sussex District to Accommodate Development Study and other available landscape evidence (including that gathered to support Neighbourhood Plans) will be used to

assess the impact of development proposals on the quality of rural and landscape character.

Built-up area boundaries are subject to review by Neighbourhood Plans or through a Site Allocations Development Plan Document, produced by the District Council. Economically viable mineral reserves within the district will be safeguarded.

The determining factor in whether development may be permitted outside the defined built up areas is whether it maintains or enhances the rural and landscape character of the District. There is an obvious conflict with this policy in that the proposed development is sited in the open countryside where there are well spaced residential properties and no specific residential grouping. The proposal would extend the built form of development on the site. The new development would extend beyond the footprint and form of the two residential units approved under DM/16/1515. Further consideration of the value of the proposal on this site and the visual and landscape effect of the proposed will follow. It is accepted in this case that there is a visual benefit to the proposal as there would be an improvement to the character of the site as a whole. As such the assessment needs to take into account the content of District Plan Policy DP15 and other relevant development plan policies, which will be considered further below.

District Plan Policy DP15 refers specifically to the development of new homes in the countryside. The policy also refers to replacement dwellings and is therefore highly relevant in the determination of this application. Policy DP15 is reproduced below:

DP15: New Homes in the Countryside

Provided that they would not be in conflict with Policy DP12: Protection and Enhancement of the Countryside, new homes in the countryside will be permitted where special justification exists.

Special justification is defined as:

- *Where accommodation is essential to enable agricultural, forestry and certain other full time rural workers to live at, or in the immediate vicinity of, their place of work; or*
- *In the case of new isolated homes in the countryside, where the design of the dwelling is of exceptional quality and it enhances its immediate setting and is sensitive to the character of the area; or*
- *Affordable housing in accordance with Policy DP32: Rural Exception Sites; or*
- *The proposed development meets the requirements of Policy DP6: Settlement Hierarchy.*

Permanent agricultural (includes forestry and certain other full time rural worker) dwellings will only be permitted to support existing agricultural activities on well-established agricultural units where:

- *The need cannot be fulfilled by another existing dwelling on or any other existing accommodation near the agricultural unit; and*

- *It can be proven that it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times; and*
- *It can be proven that the farming enterprise is economically viable; and*
- *It can be proven that the size of the dwelling is commensurate with the established functional requirement of the agricultural unit.*

Temporary agricultural dwellings essential to support a new farming activity either on a newly created agricultural unit or on an established one will be subject to the criteria above and should normally be provided by temporary accommodation. Applications for the removal of agricultural occupancy conditions will only be permitted where it can be proven that there is no longer any need for the dwelling for someone solely, mainly or last working in agriculture or forestry or other rural based enterprise. This will be based on an up to date assessment of the demand for farm (or other occupational) dwellings in the area as a whole, and not just on a particular holding.

New 'granny annexes' that are physically separate to the dwelling are defined as a new home and are subject to the same requirements as above.

Re-use of rural buildings for residential use

The re-use and adaptation of rural buildings for residential use in the countryside will be permitted where it is not a recently constructed agricultural building which has not been or has been little used for its original purpose and:

- *the re-use would secure the future of a heritage asset; or*
- *the re-use would lead to an enhancement of the immediate setting and the quality of the rural and landscape character of the area is maintained.*

Replacement dwellings in the countryside

Replacement dwellings in the countryside will be permitted where:

- *The residential use has not been abandoned;*
- *Highway, access and parking requirements can be met; and*
- *The replacement dwelling maintains or where possible enhances the quality of the natural and/or built landscape particularly in the High Weald Area of Outstanding Natural Beauty, especially if a significant change in scale from the existing dwelling is proposed.*

It is a requirement that for the approval of new homes in the countryside there must be a "special justification". In this case there is a relevant extant Part Q approval on the site which allows the conversion of the barns on the site into 2 new four bed houses. The nature of that approval is for the reuse and conversion of the existing barns, thereby retaining the bulk and form of the existing buildings on the site. This Part Q approval is of relevance in the determination of this application and is a material consideration.

The proposed scheme necessitates the demolition of the existing prominent and utilitarian barns and this is a factor in favour of this application. The end result of the

proposal would be the creation of two new isolated homes in the countryside (the same as the approved DM/16/1515 scheme result). However, in accordance with the requirements of Policy DP12 the design of the new Plot 1 and 2 houses would, it is considered, enhance the immediate rural setting of the site.

Policy DP12 identifies specific requirements regarding the replacement of houses in the countryside. In this case the proposal meets the requirements in that the existing bungalow is inhabited, parking and access requirements can be met and as a result of the rebuild the rural character of the site will be improved, albeit that the new house has two stories rather than one.

The tests in Policy DP12 are reflected in Paragraph 79 of the NPPF. This also refers to the need to avoid the development of isolated homes in the countryside, unless various criteria can be met. The wording of paragraph 79 is reproduced below:

79. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;*
- d) the development would involve the subdivision of an existing residential dwelling;*
or
- e) the design is of exceptional quality, in that it: is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.*

The Applicant's Agent has drawn attention to the Inspectors opinion in an appeal case at Great Wapses Farm. In that case an earlier Part Q application had been granted prior approval (DM/16/0063) for the conversion of a concrete framed open sided barn to a single dwelling. Following on from that planning permission was refused under planning application DM/16/1940 for an alternative proposal to build a new house on the site. In his consideration of the case the Inspector recognised the overall size of the proposal and the permitted scheme was similar. The replacement house was granted on Appeal. This Appeal decision does not set a precedent for the replacement of Part Q approval dwellings with new dwellings. It is merely one decision which was made based upon the individual merits of that case.

In this case the proposal would result in three new dwellings in this countryside location. Relevant in the consideration of this application are policies contained in the Ansty, Staplefield and Brook Street Neighbourhood Plan. Policy AS1 for New Housing Development refers to the development of small scale housing development of up to 10 dwellings. The policy is reproduced in full below:

POLICY AS1: NEW HOUSING DEVELOPMENT

The Ansty, Staplefield and Brook Street Neighbourhood Plan area is subject to significant environmental constraints and as a result new housing should be focused within the Development Boundary of Ansty as identified in the proposal map. Other proposals for small scale housing development of up to 10 units, to meet identified local need will only be permitted subject to the criteria below and compliance with other policies within the plan, in particular AS2 and AS3:

- a) The proposed development contributes to sustainable development;*
- b) Any application is supported by assessment of the environmental and visual impact of the proposal and include as necessary appropriate mitigation measures.*
- c) An application is supported by a robust assessment of the impact of the proposal upon the local highway network.*
- d) The proposal provides a mix of tenure types including private, social rented and shared equity (intermediate) to meet local housing need.*

All other development proposals outside the Ansty Development Boundary will not be permitted unless:

- They comply with the countryside policies of the Mid Sussex Local Plan 2004 or the Mid Sussex District Plan once it is adopted; Or*
- They relate to necessary utilities infrastructure where no reasonable alternative location is available.*

The Ansty, Staplefield and Brook Street Neighbourhood Plan was made in February 2017 and therefore forms part of the development plan. The District Plan was adopted in March 2018. Under section 38(5) of the Planning and Compulsory Purchase Act 2004 it is confirmed that 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.

There is a conflict between Policy AS1 in the Ansty, Staplefield and Brook Street Neighbourhood Plan and Policy DP6 in the District Plan. This is because Policy AS1 allows developments of up to 10 dwellings anywhere within the Neighbourhood Plan area whereas Policy DP6 only supports residential development of up to 10 dwellings which is contiguous with the built-up area boundaries. As such this conflict must be resolved in favour of Policy DP6 in the District Plan and little weight can be afforded to Policy AS1 in the Ansty, Staplefield and Brook Street Neighbourhood Plan.

The application site is located in designated countryside and within the gap between Ansty and Burgess Hill, as identified by Policy AS2 in the Ansty, Staplefield & Brook Street Neighbourhood Plan. Policy AS2 states:

POLICY AS2: PREVENTING COALESCENCE

Development proposals are expected to demonstrate that they would not result in the coalescence with any neighbouring settlement either individually or cumulatively or result in the perception of openness being unacceptably eroded between the following areas:

- *Ansty and Burgess Hill*
- *Brook Street and Cuckfield*
- *Ansty and Cuckfield*

Planning permission will not normally be granted for development which: Contributes towards the ad hoc or isolated development of dwellings outside the built up area, including infilling of built up frontages or linear development along roads.

Whilst the development will result in three new dwellings in total on the site, one being a replacement, so a net gain of two, it is not considered that there would be a harmful erosion in this case upon the perceived gap that exists between the built up areas of Ansty and the current northern boundary of Burgess Hill. Burgess Hill Road is characterised by well spaced dwellings, and on this site by a grouping of buildings including the bungalow and the adjacent farmhouse at West Riddens Farm. As such the proposal would add to the existing grouping, but it is considered, would not impact negatively upon the openness of the rural setting.

Design and impact upon the countryside

In their supporting statement the applicant's agent has highlighted that the proposal represents three replacement dwellings on the site rather than any new units of residential accommodation. It states: 'The dwellings have been designed and orientated to provide good natural daylight. There is a garden area to the rear and side of each property providing private amenity space. The design of the dwellings and the proposed materials would be characteristic of the locality. The removal of the utilitarian barn building would improve the appearance of the site. The barn is located adjacent to the northern property boundary and is very visible from the road. The re-siting of the built form on the site would allow for additional planting, particularly along this northern boundary, enhancing the appearance of the site as well as providing additional screening of the new dwellings. Therefore, it is considered that the proposal would enhance the quality of the landscape in line with the requirements for replacement dwellings of an increased scale as detailed in point 3 of Policy DP15'.

To date no barn conversion works have proceeded on this site. As such the site currently has only one dwelling to 'replace'. Notwithstanding this the extant consent is a material consideration. The approved Part Q scheme utilises the built form of the higher barn and hence the placement of the approved dwellings would form a dominant presence on the entry to the site.

The complete removal of the out of use barns is a significant element of the proposed redevelopment scheme. It is considered that their removal will serve to enhance the appearance of the site and the reorientation of the buildings on the site,

and in particular the reduced bulk and footprint of Plot 1 relative to this viewpoint will result in a development which would be more attractive to complement the immediate rural setting and this would visually enhance the whole site. This will ensure that the overall rural character of this part of Burgess Hill Road will not be compromised by the proposed development, which will continue to utilise the existing shared vehicular access point.

The proposed development does represent a more cohesive and a farm yard style grouping of development than that approved under DM/16/1515, which had a more severe urban character, dominated by the reuse of one of the existing dominant utilitarian buildings, and utilising render and concrete cladding finishes to give an industrial style finish to the two dwellings contained in the retained barn.

Under the current planning application the imposition of appropriately worded planning conditions will ensure a better living environment, increased opportunities for tree preservation, controlled hard and soft landscaping and careful selection for the construction material choice can be achieved. New tree and landscaping on the north western site boundary will enhance the new development.

Paragraph 127 of the NPPF requires that Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Consequently the proposed development is considered to be appropriate to the rural setting of the site and would accord with Policies DP26 (District Plan).

Impact upon residential amenity

Policy DP26 of the Mid Sussex District Plan states that development should "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."

The north western plot boundary is located a minimum of 43 metres from the farm house at West Riddens Farm, the nearest residential property to the site. This falls outside of the site boundary and is served by an existing separate vehicular access, and is located with a series of other related farm buildings which back up to Burgess Hill Road.

Given the distance from the site, the lower position of West Riddens farmhouse and the orientation of the new dwellings it is considered that the occupation of the properties will not adversely impinge upon the occupiers of that property, particularly as the nearest plot (1) boundary is shown to be supplemented with new intervening hedge and tree screening. It is considered that the proposed development would not negatively impinge upon the quiet enjoyment of the rural area. The proposal is therefore considered to accord with District Plan Policy DP26.

Impact upon the Listed Building

West Riddens Farmhouse is Grade II listed and the associated outbuildings can be regarded as curtilage listed. As such the Council's Conservation Officer has been asked to comment on the application, and her comments are reported above.

The Council, as the Local Planning Authority, has a statutory duty to have special regard to the desirability of preserving heritage assets. Listed Buildings and their settings are afforded special protection under the planning regime by virtue of Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCAA); paragraphs 189-197 of the NPPF and Policy DP34 of the District Plan.

Section 16(2) of the PLBCAA 1990 states:

(2) In considering whether to grant listed building consent for any works the local planning authority or 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.

Section 66(1) of the PLBCAA 1990 states:

66.—(1) In considering whether to grant planning permission 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 District Plan states:

Listed Buildings

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

- *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;*

- *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;*
- *Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- *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;*
- *Special regard is given to protecting the setting of a listed building;*
- *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.*

Other Heritage Assets

Development that retains buildings which are not listed but are of architectural or historic merit, or which make a significant and positive contribution to the street scene will be permitted in preference to their demolition and redevelopment.

The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic.

Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.

Paragraphs 193 to 196 of the NPPF state:

'193. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

195. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is

necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

Paragraph 193 refers to the degree of harm that development may cause to a heritage asset and clarifies that there may be *substantial harm, total loss or less than substantial harm*. The Conservation Officer is of the opinion that the proposal would cause harm to the setting of West Riddens Farm, contrary to the requirements of District Plan Policy DP34. In terms of the NPPF the harm caused would be less than substantial, such that the balancing exercise set out in paragraph 196 of that document would apply. A careful judgement is required in assessing the degree of harm. It is contended that within the bracket of "less than substantial harm", there is range of impacts. It is felt that the "less than substantial harm" in this case is at the lower end of the scale of harm. The reasons for this assessment are explained below.

In this case the development will take the built form of buildings on the site further from the existing position, the house on Plot 1 being angled away from the boundary, and of a significantly reduced bulk than the existing barns. The new property will be located some 56m from West Riddens Farmhouse.

District Plan Policy DP34 states that special regard needs to be given to protecting the setting of a Listed building. In this case the setting of the Listed building is spacious with the immediate area to the north western side of the barns laid out as an extensive hard surfaced area used for parking cars. This provides open views of the site from the house from a distance. It is considered that the proposed layout and form of the house at Plot 1 will serve to soften the outlook from the Listed Building and alleviate the built form adjacent to the boundary line. This view is also open to highway users and to those approaching the site from Burgess Hill Road.

It is your Officers view that the proposal will cause less than substantial harm to the Listed building. The harm that will result from the proposed development is a change in the character of the setting of the historic farmstead which is viewed in association with West Riddens farmhouse. In accordance with Section 66(1) PLBCAA Act 1990 - the local planning authority needs to give special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

However, this does not mean that any harm, however minor, necessarily requires planning permission to be refused. As set out in paragraph 196 of the NPPF, the

considerable weight attached to the less than substantial harm needs to be weighed against the public benefits of the proposal. Indeed the public benefits of the new boundary treatment, the greater spacing achieved by the position of Plot 1 and the overall building layout on the site will serve to widen the area around the Listed Building and weigh in favour of a public benefit sufficient to weigh in favour of an approval. In accordance with the guidance in NPPF paragraph 196 the application can therefore be supported in this case as the public benefits will outweigh any potential harm to the heritage asset.

National Space Standards

In March 2015 the Government issued a document containing dwelling space standards, entitled "Technical housing standards- nationally described space standard". The standards are applicable to the proposed development and referred to in District Plan Policy DP27.

In the standards a space standard table indicates that a 2 storey 3 bed dwelling could accommodate between 4 and 6 people, requiring between 84 - 102 square metres of internal floor space. A 2 storey 4 bed dwelling could accommodate between 5 and 8 people, requiring between 97 - 124 square metres of internal floor space.

The proposed house at Plot 1 would provide a 3 bed unit of accommodation, with 200 square metres of internal living space, ie 98 square metres larger than the minimum space standard would require. The other houses at Plots 2 and 3 would have similar floor space areas, also exceeding the minimum sizing standards by approximately 80 square metres. The associated garden space is also reasonable in this rural context. The proposed properties would therefore accord with District Plan Policy DP27 and the National Space Standards.

The removal of permitted development rights for the future extension of the houses and within each new residential curtilage may be restricted by the imposition of a suitably worded planning condition.

Sustainability

District Plan Policy DP39 is relevant in the determination of this application. This states:

'All development proposals must seek to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate the following measures:

- *Minimise energy use through the design and layout of the scheme including through the use of natural lighting and ventilation;*
- *Explore opportunities for efficient energy supply through the use of communal heating networks where viable and feasible;*
- *Use renewable sources of energy;*
- *Maximise efficient use of resources, including minimising waste and maximising recycling/ re-use of materials through both construction and occupation;*

- *Limit water use to 110 litres/person/day in accordance with Policy DP42: Water Infrastructure and the Water Environment;*
- *Demonstrate how the risks associated with future climate change have been planned for as part of the layout of the scheme and design of its buildings to ensure its longer term resilience.'*

The proposal does involve the demolition of all the existing buildings on the site. No structural report has been provided to support a need for the barns or the bungalow to be removed for any structural or safety issues. Indeed the main barn has been deemed to be capable of conversion into two new dwellings, and as such the existing building resources on the site would be adapted without the need for significant structural change. This approach accords with the Government's established Part Q approach to adapt existing redundant agricultural buildings to create new rural dwellings.

Against this there needs to be consideration of the degree of work that would be required to adapt the barn and the potential quality of the proposed new buildings in this rural setting. In terms of new dwellings on the site the Agent's stance that the end result of the proposal will be no net increase in the number of residential units on the site is also relevant.

In terms of the requirements of DP39 the proposal has been demonstrated to include a series of energy efficiency and sustainability measures including the use of grey water, water saving fittings, low energy lighting, locally sourced materials, sustainable timber, high levels of insulation, etc.

In terms of the location, the site is within walking distance of bus stops in Ansty to nearby towns and Burgess Hill railway station and is therefore considered to be a sustainable location for the three proposed dwellings.

It is considered that the proposal has been demonstrated to represent a sustainable development on this site and therefore would accord with the requirements of District Plan Policy DP39.

Trees/Landscaping

Due to the siting of the access between two mature trees, which are to be retained, and fall outside of the ownership of the applicants, the application has been supported by a Tree Report and followed by the submission of a Supplementary Tree Report regarding the proposed revised access to suit the requirements of the Highway Authority.

The Tree Officer has been asked to comment on these documents and the comments are reported above. The works are considered acceptable subject to them being implemented to accord with the detailed tree protection measures explained in the supplementary report. A suitably worded planning condition will ensure that the development is carried out to accord with District Plan Policy DP37.

Habitats Regulations Assessment for Ashdown Forest

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

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

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

Recreational disturbance

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

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

The proposed development is outside the 7km zone of influence and as such, **mitigation is not required.**

Atmospheric pollution

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

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

significant in combination effect on the Ashdown Forest SAC by this development proposal.

Conclusion of the Habitats Regulations Assessment screening report

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

No mitigation is required in relation to the Ashdown Forest SPA or SAC.

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

Highway and Access issues

The Highway Authority have reviewed the site access arrangements and have requested additional plans to indicate that two vehicles can pass in opposing directions. Further to the receipt of additional supporting layout plans it has been assessed that there are no highway reasons to refuse the proposal subject to conditions regarding visibility splays, vehicle turning and parking and site construction details and an Informative regarding the need for a separate vehicle crossover licence. Subject to the receipt of these details the proposal accords with Policy DP21 of the District Plan and the requirements of the NPPF.

Ecology

Whilst the proposal involves the demolition of existing buildings on the site the Ecologist has raised no biodiversity issues and recommends a planning condition to require the recommended wildlife habitat enhancement are implemented in the development. Subject to the imposition of this condition the proposed development is considered to accord with District Plan Policy DP38.

Drainage

Policy DP41 of the District Plan seeks to ensure that proposals can be properly drained. This site is not located in a Flood Risk zone, falling within Flood Zone 1. The application has been assessed by the Council's drainage engineers. Details of the proposed foul and surface water drainage and means of disposal and a management and maintenance plan for the lifetime of the development are required to be submitted to and approved by the Local Planning Authority. With the submission and approval of these details the proposal will accord with Policy DP41 of the District Plan.

Planning Balance and Conclusions

To conclude this application follows an extant application for conversion of one of the barns on this site to create two 4 bed houses. The proposal also seeks permission to replace an existing bungalow which is in use at the site with a new house to

complement the design of the other new dwellings. The proposal is for outline approval for a detailed scheme, omitting the landscape details as reserved matters.

The proposed dwellings would be sited in part over the footprint of the disused barns on the site, over the footprint of the existing bungalow and within the garden curtilage at Oaktree Farm, off Burgess Hill Road to the south of Ansty, in Ansty and Staplefield Parish. The layout of the new houses forms a spacious development with each house set in a modest, private garden plot.

The application must be determined in accordance with the development plan unless material planning considerations indicate otherwise. The development plan in this part of Mid Sussex comprises the Ansty, Staplefield and Brook Street Neighbourhood Plan and the District Plan.

Relevant in consideration of this application is District Plan Policy DP12 which seeks to protect the countryside to ensure new development maintains or enhances the rural landscape and District Plan Policy DP15 which allows approval of new homes in the countryside where special justification exists. A material consideration on the site is the extant Part Q approval for two 4 bed houses. The proposed replacement dwelling meets the necessary tests in District Plan Policy DP15. Whilst the proposal fails to accord with all of the requirements of Paragraph 79 of the NPPF the new development layout and form would enhance the immediate setting of the site as seen from public vantage points and add to the character and appearance of this rural site.

It is considered that the proposal would not cause a significant loss of residential amenity to the occupiers of the neighbouring property. In this regard the proposal is considered to accord with the requirements of Policy DP26 of the District Plan.

As the application site lies close to the Grade II Listed Building at West Riddens farm the PLBCAA 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. The requirements of this Act are reflected in Policy DP34 of the District Plan. The NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Whilst it is the professional view of the Conservation Officer that there would be less than substantial harm to the Listed building, it is considered by your officer that the harm is at the lower end of less than substantial. It is considered to be relevant to assess the extent of the harm and then to weigh this in the planning balance. Case law has determined that if a proposal does result in less than substantial harm as defined by the NPPF, this must be given significant weight in the planning balance to reflect the statutory presumption that preservation is desirable. The proposal has been assessed in accordance with guidance in NPPF paragraph 196 and the application can be supported as the public benefits outweigh any potential adverse harm to the heritage asset.

The proposal has been assessed with consideration to District Plan Policy DP39 (Sustainability). The proposed development has been considered in terms of energy efficiency and against the issues of the potential sustainability of the reuse of the

existing buildings. For reasons including the location of the site and the proposed energy efficiency details of the scheme the proposal has been demonstrated to represent a sustainable development in accordance with District Plan Policy DP39.

The relationship and detailed construction for the improved access into the site to the oak trees on the roadside has been carefully considered by the Highways Authority and the Council's Tree Officer. Subject to the works being carried out as detailed in additional plans and a supplementary tree report the proposal will accord with District Plan Policy DP21 and DP37.

The Habitats Regulations Assessment screening assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development. No mitigation is required in relation to the Ashdown Forest SPA or SAC and a full HRA of the proposed development is not required.

There are not considered to be any ecological reasons to resist the development. The Council's Ecological Consultant has raised no objection to the proposal. As such the proposal complies with Policy DP38 in the District Plan.

Policy DP41 of the District Plan seeks to ensure that proposals can be properly drained. The proposal will accord with Policy DP41 of the District Plan subject to the submission of details of the proposed foul and surface water drainage and means of disposal and a management and maintenance plan for the lifetime of the development for approval.

In summary, this is a case where it is considered that the proposal complies with some policies within the development plan but conflicts with others. It is considered the proposal complies with Policies DP4, DP6, DP21, DP26, DP27, DP38 and DP41 of the District Plan whereas there is a conflict with Policies DP12, DP15, DP34 and DP39 of the District Plan. Given the Conservation Officers view that there would be less than substantial harm to the adjacent Listed Building consideration has been given by in this report to the policy guidance and a careful assessment has been made. It is considered that the harm is at the lower end of the scale and that given the statutory presumption in favour of preservation, this harm must be given appropriate importance and weight.

Overall given the degree of compliance with the policies in the development plan that have been identified it is your officer's view that the proposed development is acceptable on the site, with the extant approval a material consideration in this assessment. The public benefits of providing a well designed layout and dwellings which respect their rural setting on this site are felt to outweigh the less than substantial harm to the Listed Building (which has been afforded significant importance and weight) that has been identified in this report.

To conclude it is your Officer's view that whilst there is conflict with some policies in the development plan as set out above, overall the planning application complies with the development plan when read as a whole. The scheme is for three new dwellings in a relatively sustainable location that accords with Policy DP6 of the District Plan, which is the policy that sets out the settlement hierarchy for the District.

There are not considered to be any other material considerations that would indicate that the application should be refused.

In light of the above it is recommended that the application is approved.

APPENDIX A – RECOMMENDED CONDITIONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Approved plans

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

3. No development shall be carried out unless and until samples of materials and finishes to be used for external walls / roofs / fenestration of the proposed buildings have been submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority in writing.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031 and Policies AS1 and AS2 of the Ansty, Staplefield and Brook Street Neighbourhood Plan.

4. The buildings shall not be occupied until the parking spaces/turning facilities/and garages shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking/turning/and garaging of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways and to accord with Policy DP21 of the District Plan 2014 - 2031 and Policy AS1 of the Ansty, Staplefield and Brook Street Neighbourhood Plan.

5. Within six months of the implementation of the development, maximum visibility splays shall be provided at the site access onto Burgess Hill Road in accordance with a plan to be submitted to and approved by the Local Planning Authority. These splays shall thereafter be kept clear of all obstructions to visibility above a height of one metre above the adjoining road level.

Reason: In the interests of road safety and to accord with Policy DP21 of the District Plan 2014 - 2031 and Policies AS1 and AS2 of the Ansty, Staplefield and Brook Street Neighbourhood Plan.

6. No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development and to accord with Policy DP21 of the District Plan 2014 - 2031 and Policies AS1 and AS2 of the Ansty, Staplefield and Brook Street Neighbourhood Plan.

7. No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access and to accord with Policy DP21 of the District Plan 2014 - 2031 and Policies AS1 and AS2 of the Ansty, Staplefield and Brook Street Neighbourhood Plan.

8. The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements and Policy DP41 of the District Plan (2014 - 2031).

9. If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the Local Planning Authority. The remediation measures shall be carried out as approved and in accordance with the approved programme. If no unexpected contamination is encountered during development works, on completion of works and prior to occupation a letter confirming this should be submitted to the Local Planning Authority. If unexpected contamination is encountered during development works, on completion of works and prior to occupation, the agreed information, results of investigation and details of any remediation undertaken will be produced to the satisfaction of and approved in writing by the Local Planning Authority.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

10. The recommendations set out in the Preliminary Ecological Assessment and Buildings Assessment report by The Ecology Partnership (March 2018) shall be

implemented in full unless otherwise agreed in writing by the local planning authority. If there is a delay of greater than 24 months between the surveys that this report was based on (March 2018) and demolition of existing buildings and / or site clearance, an updated report and recommendations shall be submitted to, and approved in writing by, the local planning authority prior to commencement. All works shall then proceed full accordance with the updated report.

Reason: To ensure that the proposals contribute to a net gain in biodiversity, in accordance with DP38 of the District Plan.

11. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or as amended in the future, no enlargement, improvement or other alteration of the dwelling houses hereby approved, whether or not consisting of an addition or alteration to their roofs, nor any other alteration to their roofs, shall be carried out, (nor shall any building or enclosure, swimming or other pool be provided within the curtilage of the dwelling houses) without the specific grant of planning permission from the Local Planning Authority.

Reason: To prevent the overdevelopment of the site and to accord with Policies DP26 and DP34 of the Mid Sussex District Plan 2014 - 2031 and Policies AS1 and AS2 of the Ansty, Staplefield and Brook Street Neighbourhood Plan.

12. The development hereby permitted shall not be occupied until trees/shrubs/a hedge of species to be approved in writing by the Local Planning Authority have been planted along the north western and south western site boundaries. In the event that any such trees, or shrubs or plants die or become seriously damaged or diseased within a period of 5 years following planting they shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing with the LPA.

Reason: In the interests of the visual amenities of the locality and to accord with Policy DP37 of the Mid Sussex District Plan 2014 - 2031 and Policies AS1 and AS2 of the Ansty, Staplefield and Brook Street Neighbourhood Plan.

13. The existing Oak trees at the site entrance shall be retained and protected in accordance with the details in the submitted Tree Report by Sutlieff Tree Services Limited and the Supplementary Tree Report received on 09.04.2019 by the same before the development commences, for the duration of the development and the oak trees shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced in the following planting season with trees of such size and species as may be agreed with the Local Planning Authority.

Reason: To ensure the retention of vegetation important to the visual amenity and/or ecology of the area and to accord with Policy DP37 of the Mid Sussex District Plan 2014 - 2031 and Policies AS1 and AS2 of the Ansty, Staplefield and Brook Street Neighbourhood Plan.

INFORMATIVES

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance.

Accordingly, you are requested that:

- Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 - 1800 hrs; Saturdays 0900 - 1300 hrs; No construction/demolition work on Sundays or Public Holidays.
- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- No burning of materials shall take place on site at any time.

If you require any further information on these issues, please contact Environmental Protection on 01444 477292.

3. Vehicle Crossover - Minor Highway Works

The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/>

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Location Plan	15/178/Loc	A	08.03.2019
Block Plan	15/178/SK10		27.12.2018
Existing Floor Plans	15/178/SK01		27.12.2018
Existing Elevations	15/178/SK02		27.12.2018
Existing Elevations	15/178/SK03		27.12.2018
Existing Sections	15/178/SK04		27.12.2018
Proposed Floor Plans	15/178/SK11	Plot 1	27.12.2018
Proposed Elevations	15/178/SK12	Plot 1	27.12.2018
Proposed Floor Plans	15/178/SK13	Plot 2	27.12.2018
Proposed Elevations	15/178/SK14	Plot 2	09.01.2019
Proposed Floor Plans	15/178/SK15	Plot 3	27.12.2018
Proposed Elevations	15/178/SK16	Plot 3	27.12.2018
Survey		Site Survey	27.12.2018
Planning Statement	Heritage Sustain		27.12.2018
Other	Ecology		27.12.2018
Drainage Details	Foul Sewage		27.12.2018
Tree Survey			15.01.2019
Illustration	15/178/SK20	Context Plan	17.04.2019
Illustration	15/178/SK21	Elevations	17.04.2019
Access Plan	15/178/01		08.03.2019
Tree Survey		Supplementary	09.04.2019
Existing Floor Plans			27.12.2018
Existing Elevations			27.12.2018

APPENDIX B – CONSULTATIONS

Parish Consultation

No objection.

MSDC Tree Officer

We need an updated tree survey. It's difficult to ascertain the extent of the drive on the RPAs. Also details of excavation for use of cellular web material and proposed granite setts. Further details required.

Further comments: I have checked the additional tree report information submitted to accompany the amended access layout plans. I have no objections, however we should request adherence to this Supplementary Tree Report. Additional landscaping may be required in the future. This can be considered at the reserved matters stage and you may wish to apply conditions to this respect.

MSDC Contaminated Land Officer

Part of the site has had historical use as agricultural land, and may have been used for the storage of items such as biocides, fuels, animal corpses etc. which have the potential to cause localised contamination. Given the above it is appropriate to attach a discovery strategy, so that in the event any potential contamination is discovered during ground works, that all works stop until the matter has been dealt with in a manner approved by the local authority. Planning conditions are recommended.

WSCC Highways Authority

It should be demonstrated that there is sufficient space at the access point to allow for two vehicles to pass in opposing directions should conflict occur. The access from Harvest Hill is a narrow arrangement, although the applicant states that access widening is to occur throughout the access track, it is not considered that sufficient passing space is available at the access to the highway.

Due to the B class nature of this road and the 60mph speed restrictions in place along this portion of the highway, it is not considered acceptable to encourage a vehicle to wait within the highway and obstruct the free flow of traffic. At its' widest point the access measures 4.9m however narrows to 3m and would not accommodate an entire vehicle off of the highway.

A detailed plan outlining the access widths should be provided, and should demonstrate that an average sized vehicle would be able to pass another vehicles manoeuvring at the access point.

The applicant should supply maximum achievable visibility splays from the site access, these should be drawn from 2.4m back from the edge of the highway into the access and span to the same side of the carriageway edge as far as possible in both directions. For guidance, accesses adjoining 60mph roads are required to meet 215m in both directions however the applicant in the first instance must demonstrate what is achievable from this point.

Once this information has been provided, please re-consult.

Further comments: The Local Highways Authority (LHA) note that there is an extant permission at the site for Prior Notification to change the use of the barn into two dwellings. The Local Highway Authority (LHA) has reviewed data supplied to WSCC by Sussex Police over a period of the last three years. There have been no recorded injury accidents at the access with the public highway, onto Burgess Hill Road. There is no evidence to suggest that the junction is operating unsafely or that the proposal would exacerbate an existing safety concern.

The applicant has provided details of the achievable visibility from the site access. This measures approx. 2.4 x 120m in both directions. Maximum achievable visibility should be conditioned alongside any permission of the proposal to ensure the splays are maintained and available in perpetuity.

The access road will be altered to facilitate two passing vehicles and to assist the manoeuvre from the highway. From observation of the submitted plan this is considered wide enough for two vehicles to pass at the access point without the need for an oncoming vehicle to wait within the highway. The driveway is to be constructed from tarmac which removes the potential for debris being distributed within the highway at this point. The formalising of the access into the site within the Publicly Maintained Highway should be created to WSCC standards and will require a license from the WSCC Area Office, an informative on how to obtain this license has been included below.

The access arrangements as demonstrated are considered suitable as this will be a low speed, low traffic environment. The parking allocation is in accordance with the demand from the WSCC PDC (Parking Demand Calculator). From checking this and based on the proposed mix and tenure of the dwellings, the car parking provision is anticipated to satisfy the likely demands.

A turning head has been provided within the site to allow for deliveries and larger vehicles space to turn to exit onto Burgess Hill Road in a forward gear. It has not been demonstrated by means of a swept path diagram that this is workable, however it is accepted that a multiple manoeuvre would be acceptable if required to exit the site. The applicant should discuss the refuse collection proposals with the waste collection authorities to ensure that this is a workable solution. 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.

The LHA does not consider that the proposal would have a 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (para 109), and that there are no transport grounds to resist the proposal.

Should the LPA be minded to approve this proposal, conditions regarding visibility splays, vehicle turning and parking and site construction details are recommended and an Informative regarding the need for a separate vehicle crossover licence.

MSDC Drainage

The proposed development is within flood zone 1 and is deemed to be at low fluvial flood risk. The proposed development is not within an area identified as having possible surface water (pluvial) flood risk. There are not any historic records of flooding occurring on this site and in this area. This does not mean that flooding has never occurred here, instead, that flooding has just never been reported.

The application form states surface water drainage shall be managed through the use of soakaways. However, the 'Foul Sewage, Utilities and Surface Water Assessment' report submitted as part of the application states surface water shall be managed through the use of permeable paving, soft landscaping and water butts.

It is proposed that the development will manage foul water drainage through the use of a package treatment plant. We would advise the applicant that the use of water butts on their own would not be a suitable means of managing surface water drainage due to their limited storage capacity.

Recommend a condition requiring details of the proposed foul and surface water drainage and means of disposal and a management and maintenance plan for the lifetime of the development to be submitted to and approved by the Local Planning Authority.

SUGGESTED CONDITIONS

C18F - Multiple Dwellings

The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the local planning authority. No building shall be occupied until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements, Policy CS13 of the Mid Sussex Local Plan, Policy DP41 of the Pre-Submission District Plan (2014 - 2031) and Policy ...'z'... of the Neighbourhood Plan.

FURTHER DRAINAGE ADVICE

The following information will be required for the proposed development. It is acceptable for these details to be provided at discharge of conditions stage.

This proposed development will need to fully consider how it will manage surface water run-off. Guidance is provided at the end of this consultation response for the various possible methods. However, the hierarchy of surface water disposal will need to be followed and full consideration will need to be made towards the development catering for the 1 in 100 year storm event plus extra capacity for climate change.

As this is for multiple dwellings, we will need to see a maintenance and management plan that identifies how the various drainage systems will be managed for the lifetime of the development, who will undertake this work and how it will be funded.

The proposed development drainage will need to:

- Follow the hierarchy of surface water disposal.
- Protect people and property on the site from the risk of flooding
- Avoid creating and/or exacerbating flood risk to others beyond the boundary of the site.
- Match existing Greenfield rates and follow natural drainage routes as far as possible.
- Calculate Greenfield rates using IH124 or a similar approved method. SAAR and any other rainfall data used in run-off storage calculations should be based upon FEH rainfall values.
- Seek to reduce existing flood risk.
- Fully consider the likely impacts of climate change and changes to impermeable areas over the lifetime of the development.
- Consider a sustainable approach to drainage design considering managing surface water at source and surface.
- Consider the ability to remove pollutants and improve water quality.
- Consider opportunities for biodiversity enhancement.

Flood Risk and Drainage Information for Planning Applications

The level of drainage information necessary for submission at each stage within the planning process will vary depending on the size of the development, flood risk, site constraints, proposed sustainable drainage system etc. The table below provides a guide and is taken from the [Practice Guidance for the English non-statutory SuDS Standards](#). Additional information may be required under specific site conditions or development proposals

Pre-app	Outline	Full	Reserved	Discharge	Document submitted
√	√	√			Flood Risk Assessment / Statement (checklist)
√	√	√			Drainage Strategy / Statement & sketch layout plan (checklist)
	√				Preliminary layout drawings
	√				Preliminary "Outline" hydraulic calculations
	√				Preliminary landscape proposals

Pre-app	Outline	Full	Reserved	Discharge	Document submitted
	√				Ground investigation report (for infiltration)
	√	√			Evidence of third party agreement for discharge to their system (in principle / consent to discharge)
		√		√	Maintenance program and on-going maintenance responsibilities
		√	√		Detailed development layout
		√	√	√	Detailed flood and drainage design drawings
		√	√	√	Full Structural, hydraulic & ground investigations
		√	√	√	Geotechnical factual and interpretive reports, including infiltration results
		√	√	√	Detailing landscaping details
		√	√	√	Discharge agreements (temporary and permanent)
		√	√	√	Development Management & Construction Phasing Plan

Specific Information Required

The following provides a guideline into the specific information required based on the type of development, location and type of surface water drainage management proposed. Multiple lists may be relevant to a single application.

DESCRIPTION OF DEVELOPMENT	INFORMATION REQUIRED
<p>Located in Flood Zone 2 or 3.</p> <p>Located in Flood Zone 1 and greater than 1 hectare in area.</p> <p>Located in an area where a significant flood risk has been identified.</p>	<p>Flood Risk Assessment which identified what the flood risks are and how they will change in the future. Also whether the proposed development will create or exacerbate flood risk, and how it is intended to manage flood risk post development.</p>
<p>Multiple plot development.</p>	<p>A maintenance and management plan will need to be submitted that shows how all drainage infrastructure will be maintained so it will operate at its optimum for the lifetime of the development. This will need to identify who will undertake this work and how it will be funded. Also, measures and arrangements in place to ensure perpetuity and demonstrate the serviceability requirements,</p>

	including scheduled maintenance, inspections, repairs and replacements, will need to be submitted. A clear timetable for the schedule of maintenance can help to demonstrate this.
Public sewer under or adjacent to site	Consultation will need to be made with the sewerage undertaker if there is a Public Sewer running under or adjacent to the proposed development. Building any structure over or within close proximity to such sewers will require prior permission from the sewerage undertaker. Evidence of approvals to build over or within close proximity to such sewers will need to be submitted.
MSDC culvert under or adjacent to site	Consultation will need to be made with Mid Sussex District Council if there is a MSDC owned culvert running under or adjacent to the proposed development. Building any structure over or within close proximity to such culverts will require prior permission from Mid Sussex District Council. Normally it will be required that an "easement" strip of land, at least 5 to 8 metres wide, is left undeveloped to ensure that access can be made in the event of future maintenance and/or replacement. This matter can be discussed with Mid Sussex District Council, Scott Wakely, 01444 477 055 or drainage@midsussex.gov.uk .
Watercourse on or adjacent to site	A watercourse maintenance strip of 5 to 8 metres is required between any building and the top-of-bank of any watercourse that may run through or adjacent to the development site.

<p style="text-align: center;">PROPOSED SURFACE WATER DRAINAGE METHOD</p>	<p style="text-align: center;">INFORMATION REQUIRED</p>
<p>Soakaways</p>	<p>Percolation tests, calculations, plans and details will need to be submitted to demonstrate that the soakaway system will be able to cater for the 1 in 100 year storm event plus have extra capacity for climate change. It will also need to be demonstrated that the proposed soakaway will have a half drain time of 24 hours or less.</p>
<p>SuDS and attenuation</p>	<p>Written Statement (HCWS 161) - Department for Communities and Local Government - sets out the expectation that sustainable drainage systems will be provided to new developments wherever this is appropriate.</p> <p>Percolation tests, calculations, plans and details will need to be submitted to demonstrate that the development will be able to cater for the 1 in 100 year storm event plus climate change percentages, for some developments this will mean considering between 20 and 40% additional volume for climate change but scenarios should be calculated and a precautionary worst case taken.</p> <p>Any proposed run-off to a watercourse or sewer system will need to be restricted in accordance with the Non-statutory Technical Standards for SuDS, so that run-off rates and volumes do not exceed the pre-existing greenfield values for the whole site between the 1 in 1 to the 1 in 100 year event.</p> <p>A maintenance and management plan will also need to be submitted that shows how all SuDS infrastructure will be maintained so it will operate at its optimum for the lifetime of the development. This will need to identify who will undertake this</p>

	<p>work and how it will be funded. Also, measures and arrangements in place to ensure perpetuity and demonstrate the serviceability requirements, including scheduled maintenance, inspections, repairs and replacements, will need to be submitted. A clear timetable for the schedule of maintenance can help to demonstrate this.</p> <p>You cannot discharge surface water unrestricted to a watercourse or sewer.</p>
<p>Outfall to watercourse</p>	<p>Any proposed run-off to a watercourse will need to be restricted in accordance with the Non-statutory Technical Standards for SuDS, so that run-off rates and volumes do not exceed the pre-existing Greenfield values for the whole site between the 1 in 1 to the 1 in 100 year event. You cannot discharge surface water unrestricted to a watercourse.</p> <p>If works (including temporary works) are undertaken within, under, over or up to an Ordinary Watercourse, then these works are likely to affect the flow in the watercourse and an Ordinary Watercourse Consent (OWC) may need to be applied for. Guidance into the OWC application process can be found on West Sussex County Council's website at</p> <p>https://www.westsussex.gov.uk/fire-emergencies-and-crime/dealing-with-extreme-weather/dealing-with-flooding/flood-risk-management/ordinary-watercourse-land-drainage-consent/</p> <p>OWC applications can also be discussed and made with Mid Sussex District Council, Scott Wakely, 01444 477 005.</p>
<p>Outfall to public sewer</p>	<p>Any proposed run-off to a sewer will need to be restricted in accordance with the Non-statutory Technical Standards for SuDS, so that run-off rates and volumes do not exceed the pre-existing</p>

	<p>Greenfield values for the whole site between the 1 in 1 to the 1 in 100 year event. You cannot discharge surface water unrestricted to a sewer.</p> <p>Copies of the approval of the adoption of foul and surface water sewers and/or the connection to foul and surface water sewers from the sewerage undertaker, which agrees a rate of discharge, will need to be submitted. It will be expected that any controlled discharge of surface water will need to be restricted so that the cumulative total run-off rates, from the developed area and remaining greenfield area, is not an increase above the pre-developed greenfield rates.</p>
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Useful Links

[Planning Practice Guidance](#) - Flood Risk and Coastal Change

[Flood Risk Assessment for Planning Applications](#)

[Sustainable drainage systems technical standards](#)

[Water.People.Places.](#) - A guide for master planning sustainable drainage into developments

[Climate change allowances - Detailed guidance](#) - Environment Agency Guidance

Further guidance is available on the Susdrain website at <http://www.susdrain.org/resources/>

Ecologist

In my opinion, there are no biodiversity policy reasons for refusal or amendment of the proposals, subject to a recommended planning condition.

MSDC Conservation Officer – Emily Wade

The application site is a farmstead with dwelling and barns located to the south east of West Riddens Farm. West Riddens Farm itself is Grade II listed and has a number of associated outbuildings which would be regarded as curtilage listed. The existing buildings on the site itself appear to date from the 20th century and may originally have formed part of the same farm as West Riddens, later separated as Oaktree Farm. The site and West Riddens Farm are located within a rural setting to the south of the hamlet of Ansty.

The current proposal is for the demolition of the existing buildings on the site and the construction of three dwellings. Notwithstanding that the existing buildings on the site are of no architectural merit and that prior approval has been granted for the conversion of one of the barns to two dwellings, I have concerns regarding this proposal.

At present, the existing barns to the north west boundary of the site (adjacent to West Riddens Farm), are a prominent feature of the setting of the historic farmstead. Although not of any architectural merit they are of an agricultural character which compliments the rural nature of the setting of the listed and curtilage listed buildings. As such, they have a neutral

impact on that setting, and also serve to shield the existing bungalow dwelling on the site from view from the direction of the farm.

It is my opinion that the proposed new development of three houses on the site is likely to have a detrimental impact on the character of the setting of the historic farmstead. New, relatively high density, residential development on this site will serve to domesticate this part of the listed and curtilage listed buildings' setting. This will be at odds with the current rurality of that setting, which makes a strong positive contribution to the manner in which the special interest of the buildings is appreciated. This is notwithstanding the prior approval for conversion of the barns, which could be expected to preserve more of their existing agricultural character.

The applicant has suggested that the proposal will enhance the setting of the listed farmhouse through the provision of better screening along the site boundary. However no detail of this screening or contextual elevation has been provided, which would demonstrate the degree of intervisibility between the site and the listed farmstead. Also missing from the application is a contextual street scene to demonstrate the impact of the proposal on views from Burgess Hill Road which is the main public approach to West Riddens Farm. The existing development on the site is partially screened from view (in respect of the bungalow at least) by dense vegetation on the road frontage. It would be useful to have both of these elevations to allow for a fully informed assessment of the impact of the proposal.

As it stands, however I would consider that the proposal will be harmful to the setting of the listed building and associated curtilage listed farmstead. This would fail to meet the requirements of District Plan Policy DP34. In terms of the NPPF I would consider the proposal to cause less than substantial harm to the significance of these assets, such that the criteria set out in paragraph 196 of that document would apply.

Further comments: Comments on the further information provided in respect of the above application. Having reviewed the submitted contextual elevations and the covering email from Mr Rainier (the Agent) I remain of the opinion that the proposal would have an adverse impact on the currently substantially rural character of the setting of the listed and curtilage listed buildings at West Riddens Farm, which would be to the detriment of the manner in which their special interest is appreciated. Although the submitted elevations suggest that views of the site from Burgess Hill Road would be limited, there would be views from the entrance driveway and from the immediate setting of the historic farmstead. The nature of the development is such that this part of the setting would become domesticated and suburbanised to an extent that is not the case at present with the existing bungalow hidden behind the large agricultural buildings on the boundary.

I therefore remain of the view that the proposal would cause harm to the setting of West Riddens Farm, contrary to the requirements of District Plan Policy DP34. In terms of the NPPF the harm caused would be less than substantial, such that the balancing exercise set out in paragraph 196 of that document would apply.