

MID SUSSEX DISTRICT COUNCIL

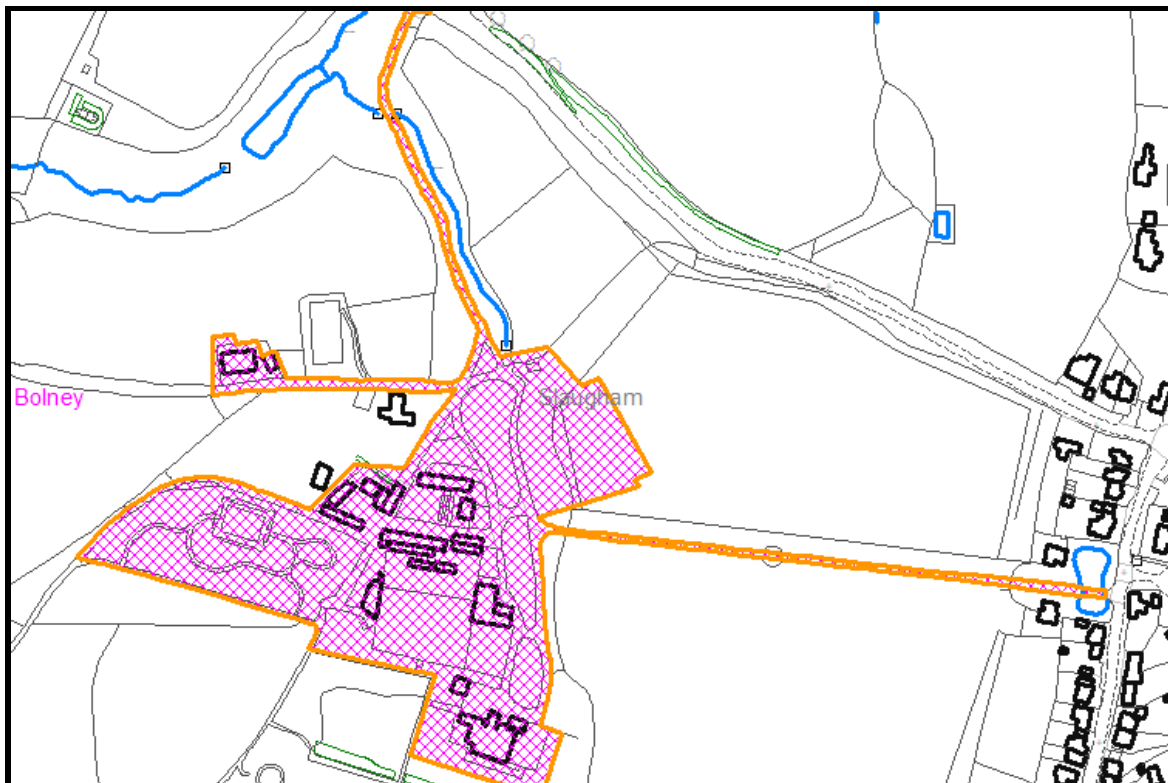
District Wide Committee

**19 MAY 2022**

RECOMMENDED FOR PERMISSION

**Slaugham**

**DM/21/3959**



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**LYDHURST ESTATE WARNINGLID LANE WARNINGLID HAYWARDS  
HEATH WEST SUSSEX RH17 5TG  
CHANGE OF USE AND CONVERSION OF ESTATE BUILDINGS FROM  
RESIDENTIAL TO ASSEMBLY AND LEISURE AND RESTAURANTS AND  
CAFES. THE NEW USES THAT ARE BEING PROPOSED ARE:  
ENTRANCE, RECEPTION, RESTAURANT, CLUB ROOM, COOKERY  
SCHOOL, WELLNESS CENTRE, TREATMENT ROOMS, YOGA STUDIO,  
GYM, CRAFT CENTRE, OFFICES, STAFF FACILITIES, VISITOR HOLIDAY  
LET ACCOMMODATION, MAINTENANCE YARD, EXTERNAL SWIMMING  
POOLS, CHILDREN'S PLAY AREA AND KIDS CLUB. ADDITIONAL  
INFORMATION RECEIVED 7TH MARCH 2022 CONCERNING AN  
UPDATED TRANSPORT ASSESSMENT, ARBORICULTURAL IMPACT  
ASSESSMENT, FURTHER DETAILS ON THE 'DUTCH BARN' HOLIDAY  
LET ACCOMMODATION, SWIMMING POOLS AND INDICATIVE DETAILS  
ON THE CHILDREN'S PLAY AREA.  
ADRIAN AND AMBER BAILLIE**

POLICY: Areas of Outstanding Natural Beauty / Area of Special Control of  
Adverts / Built Up Areas / Conservation Area / Countryside Area of  
Dev. Restraint / Pre 1974 Conservation Area Boundary / Classified  
Roads - 20m buffer / Public Right Of Way / Aerodrome Safeguarding  
(CAA) / SWT Bat Survey/ Minerals Local Plan Safeguarding  
(WSCC) / Minerals Local Plan Safeguarding (WSCC) /

ODPM CODE: Largescale Major Other

13 WEEK DATE: 20th May 2022

WARD MEMBERS: Cllr Judy Llewellyn-Burke /

CASE OFFICER: Joanne Fisher

## **PURPOSE OF REPORT**

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

## **EXECUTIVE SUMMARY**

Planning permission is sought for the change of use and conversion of estate buildings from Residential to Class E (Commercial Business and Service) and Class F (Local Community and Learning). The new uses that are being proposed are: entrance, reception, restaurant, club room, cookery school, wellness centre, treatment rooms, yoga studio, gym, craft centre, offices, staff facilities, visitor holiday let accommodation, maintenance yard, external swimming pools, children's play area and kids club at Lydhurst Estate, Warninglid Lane, Warninglid.

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the development plan and then to take account of other material planning considerations including the NPPF.

National planning policy states that planning should be genuinely plan led. The Council has an up to date District Plan and is able to demonstrate that it has a five year housing land supply. Planning decisions should therefore be in accordance with the development plan unless material considerations indicate otherwise.

The application site is a former country estate set within large grounds comprising of a main house, a number of cottages and existing holiday-lets and an enclave of single storey buildings associated with the estate. The proposal would form a self-contained tourist destination / use on the site utilising a number of the existing buildings and replacing a number of other buildings. The proposal would result in the re-use of a brownfield site and support sustainable growth of the rural economy within the countryside. It is considered that the proposal is of a high-quality design sensitive to the country estate and would provide comprehensive landscaping to create an appropriate setting and landscaped context for the development and proposed use. The proposal is considered to maintain the quality of the rural and landscape character in this part of Mid Sussex.

It is acknowledged that the change of use and the tourism related activities on the site would result in an increase in vehicle movements to and from the site. However, it is considered that the proposal would not result in significant highway safety impacts through the anticipated increase in vehicle movements to the site.

Due to the position of the buildings set within the site along a long private road the proposal would not result in significant detriment to the surrounding residential amenities through noise and disturbance or a loss of privacy.

The redevelopment of the site for tourism uses would provide economic and social benefits through the provision of employment during both the construction period and the formation of employment following the construction of the new tourist uses. This

would assist in supporting economic growth and proactively supporting sustainable rural economic development within the District.

There will be a neutral impact in respect of drainage, ecology and trees. There will be no likely significant effect on the Ashdown Forest SPA and SAC.

The application is thereby considered to comply with policies DP12, DP16, DP19, DP21, DP38, DP39 and DP41 of the District Plan, policies 1, 2 and 12 of the Slaugham Neighbourhood Plan, and the relevant provisions of the NPPF.

Overall, the planning balance is considered to fall significantly in favour of approving the planning application.

### **RECOMMENDATION**

It is recommended that planning permission be approved subject to the conditions set in Appendix A.

## **SUMMARY OF REPRESENTATIONS**

### 5 letters of SUPPORT

- Local tourism and creation of holiday accommodation to support other businesses within the area,
- Will utilise existing, disused building back into use,
- Innovative proposals and welcome addition to the village.

### 50 letters of OBJECTION concerning the following points:

- Access via the street is normally single file will be a problem with increased traffic,
- Crossroads is not suitable for increased traffic flow,
- Access should be via B2115 where there is an existing entrance as would reduce impact to the village,
- Volume of traffic will change the peaceful and rural location,
- Limited street lighting and no footpath along 'The Street',
- Duty to uphold the Conservation Area - the village pond with bridge and leading to the drive of Lydhurst Estate creates a focal point,
- Application lies within a Conservation Area and the High Weald Area of Outstanding Natural Beauty,
- High volume of traffic already of Warninglid Lane and would result in an increase in vehicle movements,
- Not using a 2019 traffic count undertaken,
- If rear gate is used for utility, services and construction vehicles will render bridleway which crosses the rear entrance hazardous to users,
- Increase traffic flow,
- Provision of facilities not necessary as numerous similar facilities within easy travel distance of the Lydhurst site - existing businesses will lose custom,
- Will not enhance the village,

- Traffic safety,
- Detrimental to local residents,
- Over-development of the site,
- New build of 'The Dutch Barn' is not related to the existing barn and policies seek to deter new dwellings in the countryside,
- Speeds shown in traffic plan are unrealistic,
- Design of the dutch barn and restaurant extension are modern and would appear out of keeping and not appropriate to the AONB,
- Width of bridge at main entrance to the estate not wide enough for two cars to pass,
- Traffic congestion would ruin the character of the Conservation Area and no longer make Warninglid which is within the AONB attractive,
- Increase in vehicle movements would result in increased noise and air pollution,
- Lighting would cause light pollution,
- Development will result in more power and water cuts due to the area due to increased use,
- Alternative entrance is available on Warninglid Lane which would result in less impact to existing residents on The Street,
- Concerns on future and increasing scale of activities resulting in a further increase in vehicle movements,
- Increase in traffic and noise at night with café and restaurant being open

## **SUMMARY OF CONSULTATIONS**

### **WSSC Highways Authority**

No objection subject to conditions

### **WSSC Water and Access**

Comments.

### **MSDC Urban Designer**

No objection on design grounds subject to conditions.

### **MSDC Tree Officer**

No objection on arboricultural grounds subject to conditions.

### **MSDC Drainage Engineer**

No objection subject to conditions

### **MSDC Environmental Protection**

Comments - suggested conditions.

## **MSDC Street Name and Numbering Officer**

Informative.

### **Slaugham Parish Council**

Summary of comments - Full details are set out in Appendix B:

#### Amended

It is with regret that Slaugham Parish Council do not feel that adequate amendments to the transport plan have been made to enable them to support this application in its current form and therefore object to the proposed development.

#### Original

It is with regret that Slaugham Parish Council do not feel that they can support this application in its current form and therefore object to the proposed development.

The increase in traffic movements within the conservation area that will be wholly harmful to the environment, the Street and quality of life for those living within the immediate area and the wider village conurbation to include the impacts on local infrastructure and the repercussions that this will have.

We would ask the LPA planning officers and delegated committee propose that further work is undertaken on the transport and traffic movements along with the increase demand on services to include a plan for improvement before recommendation to approval. As previously stated, we would like WSCC Highways representation response to include the provision for the main access/exit from the site onto the Warninglid Lane, not the Street. This Committee would be more than happy to attend site meetings to support this going forward.

We do hope this proposal is a success for the Lydhurst Estate and the owners whilst recognising that whilst progress can be a force for good, it must not be to the detriment of the village, its residents, and the surrounding area.

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## **INTRODUCTION**

This application seeks planning permission for the change of use and conversion of estate buildings from residential to Class E (Commercial Business and Service) and Class F (Local Community and Learning). The new uses that are being proposed are: entrance, reception, restaurant and club room, cookery school, wellness centre, treatment rooms, yoga studio, gym, graft centre, offices, staff facilities, visitor holiday let accommodation, maintenance yard, external swimming pools, children's play area and kids club at Lydhurst Estate, Warninglid Lane, Warninglid.

## **RELEVANT PLANNING HISTORY**

SV/014/74 - Erection of 4no. 3 bedroom houses (0.94 acres). APPROVED.

SV/030/74 - Replacement of existing glazed conservatory and loggia with new family room and entrance lobby. APPROVED.

SV/017/86 - Construction of replacement portico. APPROVED.

SV/044/99 - Construction of staff cottage with new farm office. REFUSED.

AP/99/0028 - Construction of staff cottage with new farm office. DISMISSED.

## **SITE AND SURROUNDINGS**

The Lydhurst Estate extends to some 90 hectares comprising 41 hectares of woodland (including areas of ancient woodland), 32 hectares of farmland and 10 hectares of gardens, grounds and parkland.

The estate includes a principal house, a series of cottages used as holiday lets, a range of estate buildings, a formal walled garden and related buildings, estate roads and related infrastructure.

The site is well enclosed with tree and vegetation screening within and on the boundaries of the estate.

The site is located within the countryside and the High Weald Area Outstanding Natural Beauty (HWAONB) as defined in the Mid Sussex District Plan and the Slaugham Neighbourhood Plan.

The site falls outside of the Warninglid Conservation Area which ends at the main entrance gates to the site to the east of the private estate road.

## **APPLICATION DETAILS**

Planning permission is sought for the change of use and conversion of estate buildings from residential to assembly and leisure and restaurants and cafes as well as the formation of a holiday-let.

In detail the proposal is to comprise of the following elements:

- the change of use, conversion and extension of the stables building, together with improvements in the walled gardens, to create a cafe / restaurant, and kitchen garden,
- a change of use, conversion, extension and replacement of estate yard buildings to form a wellness centre including treatment and beauty rooms together with a series of multi-functional activity spaces (i.e. yoga studio, fitness studio, cookery school, arts and crafts classroom etc),
- the refurbishment and extension of the main house to provide for holiday let accommodation,

- a new build guest accommodation / holiday let dwelling(s) on the site of an existing farm building, known as the Dutch Barn,
- 2no. outdoor swimming pools,
- a children's play area, and
- the formation of an area of hardstanding to provide car parking for guests of the development.

The proposed change of use and conversion of estate buildings would result in the change of use from residential (Class C3) to Classes E (Commercial Business and Service) and F (Local Community and Learning) of the Town and Country Planning (Use Classes) Order. The new uses that are being proposed are: entrance, reception, restaurant and club room (Class Eb) cookery school, craft centre (Class F1(a)), wellness centre, treatment rooms (Class E(c)), yoga studio, gym, (Class E(d)), offices, staff facilities, (Class E(g)1)), visitor holiday let accommodation (C3), maintenance yard, external swimming pools, children's play area (Class F2(c)) and kids club (Class E(f)).

### Main house

The main house of 'Lydhurst' is to be refurbished and used for guest accommodation comprising of 10 bedrooms. A single storey extension is proposed to the west of the building replacing an existing extension. This new extension would provide additional communal lounge space / an activities room alongside the existing ground floor kitchen, dining and lounge facilities. The extension is to be constructed in brick with a flat roof and 3no central roof lanterns. There would be timber framed windows on all elevations of the extension. The extension would measure some 12 metres in width, 15.3 metres in depth, with an overall height of some 4.3 metres.

Internal alterations would be undertaken to the existing house to change it into guest accommodation comprising of 10 bedrooms - 8 to be en-suite and 2 connected to provide a family suite with en-suite facilities.

In addition, there would be alterations to the external appearance of the building whilst respecting the Neo-Georgian design and proportions of the building. Externally the building would be insulated to improve its thermal efficiency and clad with handmade brick slips and a stone string course detailing. The casement windows would be replaced with timber sash windows. The existing northern portico would be removed, and additional windows inserted to improve the appearance and symmetry of the building.

The main house would retain its C3 use as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended) but be used for holiday accommodation.

### Reception, Restaurant and Club Room

The proposal would include the conversion of the existing two storey stable building into a restaurant with a club room above. Floor plans show that the restaurant would be at ground floor and have a layout for 80 covers. On the first floor would be a club room for guests staying on the site with additional private space for private dining, working, meetings, or relaxation. As part of the conversion and change of use some



alterations would be undertaken to the fenestration to enlarge the existing openings into the walled garden. An extension is proposed to the northern (side) end of the building to form a modern reception / entrance space and visitor arrival point. In addition an extension is proposed to the western (rear) elevation of the building within the footprint of an existing external canopy.

The reception / entrance extension to the northern (side) elevation of the former stable building would be single storey and fully glazed at ground floor with timber cross bracing. The extension would have a hipped roof clad in copper standing seam with a large north facing dormer to provide views from the club room. On the eastern and western sides of the roof would be circular rooflights.

To the main building the existing 2no. chimneys would be removed and replaced with 3no new 'windcatcher' chimneys to provide natural ventilation. Along the ridge line to the eastern and western elevations would be linear rooflights to provide natural daylighting to the first floor.

The existing open sided glazed canopy on the eastern elevation would be removed and replaced with a single storey double pitched extension on the same footprint constructed in brick with a timber shingle clad and copper standing seam roof. There would be two service doors on the eastern elevation for deliveries and waste collection with supply and extract ventilation louvres above these openings to serve the kitchens. This extension would provide the kitchen to serve the restaurant and club room, a pot wash area, a dry and cold store and a plant room.

On the southern elevation of the existing building would be a new arched opening at first floor level with a metal framed balcony.

This building and its proposed uses would fall within Class E (b) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

### Cookery School

The existing lean-to single storey glasshouses set within the north-east corner of the walled garden and the brick built felt roofed buildings which they adjoin serving garaging and store rooms would be demolished and replaced with a new single storey building to form a cookery school. This would form 7no cooking stations, an eating area, store areas and a toilet.

The replacement building would be on the same footprint as the existing and form a new single storey building. The building would be constructed in brick and timber shingle with a copper standing seam roof and glazed northern light to the northern elevation, with full glazing to the southern elevation facing into the walled garden.

This building and proposed use would fall within Class E (c) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

## Wellness Centre

The existing single storey brick buildings which form part of the estate yard would be converted to a 'Wellness Centre' which would offer a range of therapies, classes and activities. The existing traditional buildings will be largely retained with alterations limited to the upgrading of the building fabric.

The wellness centre would form a beauty room, 5no treatment rooms, a solarium, reception area with a retail area for products, and a toilet and shower.

The building would retain its external appearance of brick elevations to the north and side elevations with a clay tiled roof and timber windows and the existing glasshouse retained to the southern elevation facing into the walled garden area.

This building and proposed use would fall within Class E (c) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

## Yoga studio and Gym

The yoga studio, gym and new changing facilities will be accessed from the estate yard and set to the west of the proposed wellness centre.

The yoga studio will occupy the refurbished existing garages. A new single storey link building is proposed to the west of the studio. This space will provide a circulation route between the yoga studio and gym leading through to new unisex and accessible changing facilities in an extension to the north. A gym is proposed as a new building to replace the existing open sided timber frame structure to the west of the link building.

The buildings would be single storey in height with pitched and mono pitched roofs as well as a flat roof link element. The building would comprise of a variety of materials consisting of brick, timber shingles, glazing, concrete plinth, patinated copper standing seam with clay tiles and copper standing seam to the roofs.

This building and proposed use would fall within Class E (c) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

## Dutch barn - new holiday let accommodation

An existing open framed dutch barn to the north-west of the site adjacent to existing tennis courts would be removed and replaced with a new holiday let property which could be split into two units (as a 4-bed and a 2-bed cottage) or utilised as one whole property. This would be a contemporary designed building built into the sloping nature of the site. The building would be highly sustainable.

Materials for the new building are to comprise of a stone retaining wall, standing seam metal cladding, coursed rubble stone walling, standing seam metal roofing and glazing. The building would have 3no dormers and a chimney.

Due to the sloping nature of the site the building would be set over three levels - lower ground floor to the north, ground floor and first floor. The building would measure a maximum of some 28 metres in length, a maximum of some 17.5 metres in depth. On the southern elevation adjacent to the internal access road the building would have a maximum height of some 6.5 metres. To the northern elevation of the building facing into a field, the building would have an overall height of some 10.4 metres.

To the south of the building adjacent to the access road would be off road parking for 6no vehicles.

The existing single storey brick and clay tiled roof building would be retained and used as a plant room.

This building and use would fall within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and provide holiday let accommodation.

### The Garden Cottages

To the western edge of the walled garden the two former gardener cottages would be re-furbished and extended to provide staff accommodation, a kids club and an office. In addition there would be a single storey external storage building to provide for additional storage for the maintenance of the estate.

The staff accommodation would be to the northern cottage forming an open plan living and dining room area at ground floor with 2no bedrooms and a bathroom at first floor.

The southern cottage would be converted to form an open plan area on the ground floor for kids club activities and two toilets with a small lobby area. At first floor would be an open plan office area with a small meeting room, kitchen and toilet facilities of staff. On the eastern elevation a new canopy porch is proposed to the southern end of the building to provide an entrance to the kids club.

Attached to the north of the cottages would be a single storey garden store built onto the walled garden to form additional storage for the maintenance of the estate. This store building would measure some 13.2 metres in width, 4.3 metres in depth, with an eaves height of some 2.8 metres and an overall ridge height of some 4 metres. The garden store would be constructed in vertical timber cladding, with painted timber windows, timber doors and a corrugated fibre cement roof. This would be linked to the existing brick store with brick and clay tiles. On the eastern (rear) elevation, the new store would build up the existing wall in brick and have a clay tiled roof.

The proposed uses for this building would fall within Class E (g) (i), E (f) and C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

### Staff accommodation

The existing single storey brick built staff building would be refurbished. As part of this the existing brickwork would be overclad with a decorative timber rain-screen

cladding with the existing clay tiled roof retained. The over-cladding would help to improve the buildings thermal performance.

The staff accommodation would comprise of a staff canteen, seating, dining and kitchen space as well as toilets and a shower facility.

### Other works

In addition to the above, there would be two open pools proposed as part of the development. One pool would be to the east of the main 'Lydhurst' dwelling, and the other to the east of the site within the wider garden area. There would also be an outdoor children's play area with various external play equipment within the wider grounds of the site.

A pool is proposed to the eastern side elevation of the main dwelling 'Lydhurst'. The pool would measure some 11 metres in length, 4 metres in width with a depth of some 1.5 metres. Surrounding the pool would be an area of hardstanding measuring some 14 metres in length and 7 metres in width. There would be a single storey timber plant enclosure building to be constructed next to the pool. This building would measure some 3.4 metres in length, 1.3 metres in depth and some 2 metres in height. The exact position of this building is to be confirmed.

The pool set within the western grounds of the site would measure some 15 metres in length and 8.5 metres in width. The pool would be dug into the ground and be some 1.5 metres in depth. Surrounding the pool would be an area of hardstanding measuring some 18 metres in length and 11.5 metres in width. There would be a single storey pool building to be constructed next to the pool to form two changing rooms, an accessible toilet and plant room. This building would measure some 11.4 metres in length, 2.6 metres in depth and some 2.6 metres in height. The building would be timber clad. The exact position of this building is to be confirmed.

There would be alterations to the existing internal road layout to provide an access to a car park to serve the development. The car park would be set to the north-east of the site on an existing area of unused parkland. This would comprise of 48 parking spaces and 4 disabled parking bays. There would be a pedestrian footway constructed from this car park leading to the reception building.

The application form submits that the proposal would result in the formation of 55 full-time jobs.

The application has been accompanied by a number of supporting statements for consideration consisting of:

- a Design and Access Statement,
- a Planning Statement,
- a Sustainability and Energy Statement,
- a Transport Statement,
- a Flood Risk Assessment,
- an Ecological Impact Assessment,
- an Arboricultural Impact Assessment and Method Statement,

- a Tree Retention and Protection Plan,
- a Mechanical and Electrical Services Feasibility Report, and
- a Landscape and Visual Appraisal.

A phasing plan has been submitted as part of the application detailing the development strategy of the site and the phasing of the scheme. It is submitted that the works would be carried out in the following phases:

- Phase 1 - main house and garden cottages,
- Phase 2 - dutch barn - new holiday let, restaurant works, cookery school and glass house renovation,
- Phase 3 - wellness centre and associated elements
- Phasing to be confirmed - pools and playground

## **LEGAL FRAMEWORK AND LIST OF POLICIES**

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Specifically Section 70 (2) of the Town and Country Planning Act 1990 states:

*'In dealing with such an application the authority shall have regard to:*

- a) The provisions of the development plan, so far as material to application,*
- b) And local finance considerations, so far as material to the application, and*
- c) Any other material considerations.'*

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

*'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'*

The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy, but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan and the Slaugham Neighbourhood Plan.

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

### **Mid Sussex District Plan**

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

Relevant policies include:

DP12: Protection and Enhancement of Countryside  
DP16: High Weald Area of Outstanding Natural Beauty  
DP19: Sustainable Tourism  
DP21: Transport  
DP26: Character and Design  
DP37: Trees, Woodland and Hedgerows  
DP38: Biodiversity  
DP39: Sustainable Design and Construction  
DP41: Flood Risk and Drainage

### **Slaugham Neighbourhood Plan**

The Neighbourhood Plan was made in September 2019. It forms part of the Development Plan for the District and can be given full weight.

The following policies are considered to be relevant:

Policy 1: Protecting the Area of Outstanding Natural Beauty  
Policy 2: Sustainable Development Measures  
Policy 12: Economic Development

### **Mid Sussex Design Guide Supplementary Planning Document (SPD)**

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

### **The High Weald Area of Outstanding Natural Beauty Management Plan 2019-2024**

The legal framework for AONBs in England and Wales is provided by the Countryside and Rights of Way Act (CRoW) 2000 which at Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty. Section 84 of the CRoW requires Local Planning Authorities to 'take all such action as appears to them expedient for accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB'.

## **West Sussex County Council Guidance on Parking at New Development, September 2020**

### **National Planning Policy Framework (NPPF)**

The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective. This means ensuring sufficient land of the right type to support growth, providing a supply of housing and creating a high quality environment with accessible local services, and using natural resources prudently. An overall aim of national policy is *'significantly boosting the supply of homes.'*

Paragraph 12 of the NPPF states *'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'*

Paragraph 38 of the NPPF states *'Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.'*

With specific reference to decision-taking paragraph 47 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

### **National Planning Policy Guidance**

#### **National Design Guide**

#### **Ministerial Statement and Design Guide**

On 1 October 2019 the Secretary of State for the Ministry of Housing, Communities and Local Government made a statement relating to design. The thrust of the statement was that the Government was seeking to improve the quality of design and drive up the quality of new homes. The Government also published a National Design Guide, which is a material planning consideration.

The National Design Guide provides guidance on what the Government considers to be good design and provides examples of good practice. It notes that social,

economic and environmental change will influence the planning, design and construction of new homes and places.

## **Assessment**

The main issues for consideration are:

- Principle of development,
- Impact on the character of the area and design,
- Impact on the High Weald Area of Outstanding Natural Beauty
- Access, parking and highway safety,
- Residential Amenity,
- Sustainability,
- Drainage
- Ecology
- Trees,
- Ashdown Forest, and
- Planning Balance and Conclusion.

## **Principle of development**

Policy DP12 of the District Plan relates to the protection and enhancement of the countryside. It states:

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

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

*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.'*

Policy 12 of the Neighbourhood Plan relates to economic development. It states:

*'Proposals which enable the development of business uses within the Parish will be supported where proposals are:*

- 1. Located in a sustainable location,*
- 2. In keeping with the character of the area,*
- 3. Respect residential amenity, and*
- 4. Would not have an unacceptable impact on the local road network.'*

Policy DP19 of the District Plan relates to Sustainable Tourism and states in part:

*'Tourism related development in the countryside (defined as the area outside of the built-up area boundaries on the Policies Map), including extensions to existing facilities, visitor accommodation and the re-use of rural buildings will be permitted provided:*

- it supports the sustainable growth of the rural economy, and*
- maintains or where possible enhances the quality of the rural and landscape character of the District, in accordance with Policy DP12: Protection and Enhancement of the Countryside.'*

Para 84 of the NPPF relates to supporting a prosperous rural economy and states in part that planning policies and decisions should enable

- 'b) the development and diversification of agricultural and other land-based rural businesses,' and*  
*'c) sustainable rural tourism and leisure developments which respect the character of the countryside'.*

Para 85 of the NPPF acknowledges that

*'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'*

It is acknowledged that Warninglid due to its rural location cannot be considered sustainable. However, the proposal is to re-use a former country estate and would result in the re-use of existing buildings within the site for tourism uses which would provide jobs and boost the rural economy. As such it is considered that the proposal complies broadly with the requirements of Policy 12 of the Neighbourhood Plan and Policy DP19 of the District Plan.

Whilst such a scale of the development would normally conflict with the Policy DP12, regard is made to the sites context which is a large country estate with various outbuildings set away from the village core of Warninglid. The site is well enclosed by tree and vegetation screening and the proposal in part would result in the re-use of a number of buildings within the site. As such the proposal would maintain the quality of the rural and landscape character in this part of Mid Sussex. This is discussed further below.

In respect of the formation of a new build holiday let accommodation, this is to replace an existing open dutch barn and large area of hardstanding. The new holiday let accommodation is to be set within the sloping levels of the land and due to the design would result in a visual improvement to this part of the site through the removal of the barn. Whilst it is acknowledged that the building would be for holiday let accommodation and not a private dwelling which can be controlled through a restrictive condition on its use, Policy DP15 of the District Plan relates to new homes in the countryside and allows new homes where special justification exists. One of the justifications is that '*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,*' It is considered that the proposed design is of an exceptional quality which is supported by the Urban Designer as set out further below and would enhance the character of the area.

It is therefore felt that due to the unique circumstances that pertain to this site that an objection to the principle of the application should not be raised in this case.

### **Impact on the character of the area and design**

The site falls within the countryside. It is therefore necessary to consider the impact of the proposal in the local landscape in terms of the visual impact on the area.

There is an overriding need to ensure that the intrinsic character and beauty of the countryside is recognised, and that development should contribute to protecting and enhancing the natural, built and historic environment. This is reflected in DP12 of the District Plan. The aim of protecting the character of an area is also found in the NPPF at para 174 which requires the protection and enhancement of valued landscapes as well as the recognition of the intrinsic character and beauty of the countryside.

Policy DP12 of the District Plan relates to the protection and enhancement of the countryside. In part it states:

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

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

Policy DP26 of the District Plan relates to character and design considerations and states:

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

- is of high quality design and layout and includes appropriate landscaping and greenspace,*
- contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance,*
- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape,*
- protects open spaces, trees and gardens that contribute to the character of the area,*
- protects valued townscapes and the separate identity and character of towns and villages,*
- does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution.*
- creates a pedestrian friendly layout that is safe, well connected, legible and accessible,*
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed,*
- positively addresses sustainability considerations in the layout and the building design,*
- take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre, larger (300 plus unit) scheme will also normally be expected to incorporate a mixed use element,*
- optimises the potential of the site to accommodate development.'*

Para 130 of the NPPF relates to design and states:

*'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 users<sup>46</sup>, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'*

On the 1st October 2019 the Government published the National Design Guide which addresses the question of how well-designed places are recognised, by outlining and illustrating the Government's priorities for well-designed places in the form of ten characteristics. The underlying purpose for design quality and the quality of new development at all scales is to create well-designed and well-built places that benefit people and communities.

The Secretary of State for the Ministry of Housing, Communities and Local Government issued a Ministerial Statement on the 1st October 2019 stating that *'the National Design Guide is also capable of being a material consideration in planning applications and appeals, meaning that, where relevant, local planning authorities should take it into account when taking decisions. This should help give local authorities the confidence to refuse developments that are poorly designed.'*

The Council's adopted Design Guide is a material consideration in the determination of the application. This document seeks to inform and guide the quality of design for all development across Mid Sussex District. It sets out a number of design principles to deliver high quality, new development that responds appropriately to its context and is inclusive and sustainable. Within the Design Guide there is support for innovative and inventive designs that responds to the sustainability agenda within DG37. There is support for architectural integrity and a sense of place within DG38 where the facade and elevational treatment, roofscape fenestration and materials used in existing buildings within the locality should be a starting point for the consideration of architectural design of new buildings. Design principle DG39 requires the scale of new buildings to relate to their context. Sloping sites are considered under design principle DG41 where it states *'new buildings on cross slopes that run from the front to the back of building plots, also need to be carefully designed. They should deliver level access to the building from the rear garden as well as from the street.'*

Due to the level of works proposed, consideration is required to be undertaken in respect of each element sought as part of the scheme. This is set out in turn below.

### Main house

The single storey side extension to the main house is considered to be of a sensitive design and scale subordinate to the dwelling. The extension would incorporate design features from the main house to relate sympathetically to the character of the dwelling.

Due to its position set within the site, it is considered that the extension would not cause detriment to the character of the area.

### Reception, Restaurant and Club Room

The single storey extension to the eastern elevation of the building would replace an existing large canopy. The proposed scale of this extension would form a subordinate and form a subservient feature to the main building. The proposed design and materials are considered to be sensitive to the existing character and form of the building.

The proposed northern extension whilst of a contemporary design with a large dormer is considered to be of an appropriate scale and subordinate feature to the existing building. The extension would provide a modern entrance / reception area for the site.

Due to the scale, design and position of the extensions, these are considered not to detract from the character or design of the existing building. In addition these elements would maintain the character of the countryside and not cause detriment to the character of the area.

### Cookery School

The cookery school proposes to re-build on the site of the existing glass houses and garaging and form a new single storey building of a similar design of glazing on the southern elevation facing into the walled garden and brick and timber on the northern elevation.

The proposal seeks to have a contemporary design drawing from the existing glass houses. The re-build would be on a similar footprint of the existing buildings which it is to replace and is sited within an enclave of single storey buildings within the former estate yard area.

Due to the design, scale and position within the existing yard area, it is considered that the proposal is of a sensitive character and form which would not detract from the visual qualities of the area.

### Wellness Centre

The proposal seeks to refurbish existing single storey brick and glazed buildings within the existing yard and walled garden area. Due to the position of the building within an enclave of development and the works proposed, it is considered that the proposal is of a sensitive design and use which would not cause detriment to the character of the area.

### Yoga studio and Gym

This element of the proposal seeks to refurbish and extend an existing garage building as well as form a new single storey link, and a new building to replace an existing open sided timber framed structure.

The proposal would retain the single storey nature of the buildings and have a contemporary design utilising a range of materials many sensitive to the area. The design and form of the buildings are considered to be in keeping with the character of other buildings within the estate which are to be part of the proposal. Due to the position of the buildings within an enclave of development within the yard area, it is considered that the proposal would maintain the character of the area and the countryside.

#### Staff accommodation

The proposal would re-use an existing brick building and clad in timber to improve the buildings thermal performance. The proposed change in the materials to the elevations of the building are considered to be sensitive and would not detract from the character of the area or the countryside.

#### Gardeners Cottages

This element of the proposal seeks to amend the internal layout, undertake changes to fenestration and form a traditional open canopy small porch to the existing cottages. These works are considered to be sensitive to and not detract from the character and form of the building. In addition, it is proposed to form a single storey garden store to the northern side of the cottages. The extension would form a subordinate element to the buildings and would use traditional materials of brick, tiling and timber.

This element of the proposal is considered to address the character and scale of the surrounding buildings and would maintain the character of the area.

#### Dutch barn - new holiday let accommodation

The Council's Urban Designer has considered this element of the proposal due to the contemporary design of the new building. The Urban Designer considers that *'this is an interesting and imaginative design that has been carefully considered both in terms of its function and the response to its immediate context. The split-level arrangement allows it to respond to the slope, and the sub-division of the building into a series of individually designed parts successfully breaks up its scale. Traditional forms have also been cleverly referenced in a contemporary idiom that avoids pastiche.'*

Your Officers agree with the above comments from the Council's Urban Designer and consider that the proposed new holiday let due to its contemporary design and split-level arrangement would allow the building to respond to the sloping nature of the site and reduce its prominence through breaking up its scale and mass.

It is acknowledged that the building is a stand-alone element set away from existing buildings. However, due to the enclosed nature of the estate and tree and vegetation screening on the boundaries of the wider site, the proposal is considered to form a sensitive feature and not detract from the character of the countryside of the wider landscape.

## Other works

It is acknowledged that the car park would have some impact to the parkland setting through the formation of a large area of hardstanding of the existing grass and an access track through a belt of trees. However, the plans show that the car parking area would be well landscaped to soften its appearance so that it does not detract from the visual qualities of the wider estate.

The proposed pool to the east of the main house is contained to the side of the dwelling and in part would utilise an existing area of hard surfacing. The pool and the plant room is considered to be of a modest scale and would be seen in context with the existing dwelling and patio. Due to the pool being sunken into the ground the visual impact of the pool would be minimised.

The additional pool and children's playground to the east of the site would re-purpose a present rectangular area of lawn enclosed within formal, clipped hedgerows and shrubbery. The provision of a swimming pool and children's playground within the wider garden area of the estate is not considered to detract from the character of the area. These areas would be well contained within the site with landscaping surrounding to minimise the impact of these elements.

Overall it is considered that the proposal provides a high quality design and layout within the site which seeks to re-use where appropriate existing buildings and extend or re-build in an appropriate design and form. In addition the works proposed seeks to positively address sustainability considerations in works where buildings are to be retained and re-used as well as the design of replacement buildings on the site.

The majority of the works are to sit within an enclave of existing buildings which are well contained within the site. As such it is considered that whilst within the countryside that the proposal would maintain the rural and landscape character in the locality.

In light of the above, the proposal is considered to comply with policies DP12, DP19 and DP26 of the District Plan, the design principles of the Mid Sussex Design Guide, and para's 8, 84, 130 and 174 of the NPPF.

## **Impact to the High Weald Area of Outstanding Natural Beauty (HWAONB)**

The site lies within the High Weald Area of Outstanding Natural Beauty (HWAONB). The legal framework for AONBs in England and Wales is provided by the Countryside and Rights of Way Act (CRoW) 2000 which at Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty. Section 84 of the CRoW requires Local Planning Authorities to *'take all such action as appears to them expedient for accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB'*.

Policy 1 of the Neighbourhood Plan relates to the HWAONB and states in part that

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

Policy DP16 of the District Plan has a similar ethos.

Paragraph 176 of the NPPF is also relevant. This states:

*'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.'*

It is considered that the proposal would conserve the character of the HWAONB as the proposal is set within an existing enclave of development which seeks to re-use a number of existing buildings and form sensitive extensions or re-builds to a number of other buildings. In addition, within the estate are a number of holiday let cottages and the additional holiday let proposed due to its sensitive design and its position is considered to conserve the character of the area.

Due to the site's enclosed nature and tree screening, the development would be seen in context with the existing buildings within the estate and would not be detrimental to wider views of the AONB.

The proposal is thereby considered to comply with Policy 1 of the Neighbourhood Plan, Policy DP16 of the District Plan, para 176 of the NPPF and the provisions of the High Weald AONB Management Plan.

### **Access, parking and highway safety**

Policy DP21 of the District Plan relates to transport and requires proposals to be sustainably located and provide adequate parking. It states:

*'Development will be required to support the objectives of the West Sussex Transport Plan 2011-2026, which are:*

- *A high quality transport network that promotes a competitive and prosperous economy,*
- *A resilient transport network that complements the built and natural environment whilst reducing carbon emissions over time,*
- *Access to services, employment and housing, and*
- *A transport network that feels, and is, safer and healthier to use.*

*To meet these objectives, decisions on development proposals will take account of whether:*

- *The scheme is sustainably located to minimise the need for travel noting there might be circumstances where development needs to be located in the*



*countryside, such as rural economic uses (see policy DP14: Sustainable Rural Development and the Rural Economy),*

- Appropriate opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking, have been fully explored and taken up,*
- The scheme is designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages,*
- The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport, and with the relevant Neighbourhood Plan where applicable,*
- Development which generates significant amounts of movement is supported by a Transport Assessment/ Statement and a Travel Plan that is effective and demonstrably deliverable including setting out how schemes will be funded,*
- The scheme provides appropriate mitigation to support new development on the local and strategic road network, including the transport network outside of the district, secured where necessary through appropriate legal agreements,*
- The scheme avoids severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation,*
- The scheme protects the safety of road users and pedestrians, and*
- The scheme does not harm the special qualities of the South Downs National Park or the High Weald Area of Outstanding Natural Beauty through its transport impacts.*

*Where practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles.*

*Neighbourhood Plans can set local standards for car parking provision provided that it is based upon evidence that provides clear and compelling justification for doing so.'*

Paragraph 110 of the NPPF is relevant in respect of transport matters and states that:

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

- a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location,*
- b) safe and suitable access to the site can be achieved for all users, and*
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.'*

In addition, para 111 states:

*'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'*

The proposal would utilise the existing main access from The Street for guests, staff and delivery vehicles. The existing rear access from Warninglid Lane will continue to provide for the existing estate and service uses as well as for construction traffic during the development.

Within the site is to be an external visitor parking area providing 48 parking spaces and 4 disabled parking bays. There would be external lighting around the car park. The new holiday let building would also provide 6no parking spaces to the front of the building adjacent to an internal access road.

The proposal meets the parking standards as set out in the West Sussex County Council Guidance on Parking at New Developments (September 2020). It is to provide a suitable level of parking within the site as well as provide alternative options for travel.

A Transport Statement has been submitted as part of the application. This uses traffic flow and speed data collected in September and October 2017 for Warninglid Lane and Slaugham Lane. Vehicle speed data was collected for The Street in January 2021. It is submitted that the data from the 2017 surveys were used as this was pre-pandemic - the surveys from 2021 were specifically requested by WSCC to establish traffic speeds rather than traffic volumes. Within the revised transport statement, it is submitted that *'Trip generation data has been calculated which results in a maximum of 29 two-way peak hour trips on weekend days, which can be easily accommodated on the local highway network. This represents a highly robust and unlikely scenario as the restaurant and leisure facilities are intended for onsite guests only for use during their stay - this is a reasonable onsite facility for holiday accommodation. Therefore, the additional trips are most likely to be associated with only the additional accommodation of two dwellings, which is of negligible consequence - one or two daily trips.'*

The Highways Authority has considered the proposal and raise no objection subject to conditions. In respect of trips from the proposal they consider that:

*'whilst the main use will be by guests staying at the site, there may be some external use. As it cannot be exactly quantified 50% has been used as a robust assessment of the potential increase in external trips this may bring.'*

*'Trips have been provided and show that in the weekday peak hours the external trips associated with the proposed uses would be 15 trips, and on the weekend, this would increase to 20 trips, which is not considered to create any significant impact on the highway network.'*

The Highways Authority concludes that they *'do not consider the proposal to generate a significant number of trips in the peak hours which would be detrimental to the operation of the highway network or cause any highway safety issues.'*

Both the Parish Council and third party objections have been raised in respect of the traffic impact the uses would bring to Warninglid and congestion. In addition queries have been made over the transport data provided. Whilst these concerns are noted, the Highways Authority has considered the details submitted as well as the addendum to the Transport Statement following the request for further information and considers that the proposal would be acceptable in highway safety terms.

It has been suggested by third parties that a previous access on Warninglid Lane should be reinstated and used for the proposal. However, the Council can only consider what has been submitted which is to utilise the existing main entrance from The Street. As set out above, the Highways Authority consider that the use of the access from The Street for the proposed uses and resultant vehicle movements would be acceptable.

In light of the above it is considered that from a highway safety perspective the application complies with Policy DP21 of the District Plan and para 110 of the NPPF.

### **Residential Amenity**

Policy DP26 of the District Plan requires developments to demonstrate that it does not cause significant harm to amenities of existing nearby residents (or future occupiers), taking into account matters such as impact on light, privacy and outlook.

Policy DP29 of the District Plan relates to noise, air and light pollution which is considered pertinent. In part this states:

*'The environment, including nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife habitats, and the quality of people's life will be protected from unacceptable levels of noise, light and air pollution by only permitting development where:*

- *Noise pollution:  
It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area,*
- *If it is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures,*

*Noise sensitive development, such as residential, will not be permitted in close proximity to existing or proposed development generating high levels of noise unless adequate sound insulation measures, as supported by a noise assessment are incorporated within the development.*

*In appropriate circumstances, the applicant will be required to provide:*

- *an assessment of the impact of noise generated by a proposed development,*  
*or*

- *an assessment of the effect of noise by an existing noise source upon a proposed development,*

*Light pollution:*

- *The impact on local amenity, intrinsically dark landscapes and nature conservation areas of artificial lighting proposals (including floodlighting) is minimised, in terms of intensity and number of fittings,*
- *The applicant can demonstrate good design including fittings to restrict emissions from proposed lighting schemes,'.*

The main site is set some distance away from residential properties. Whilst the site entrance is accessed off 'The Street' where there are residential properties adjacent to the access gates to the Lyndhurst Estate, the proposed development is set within the site, along a private access drive and not set near residential properties.

The Councils Environmental Protection Officer has considered the proposal and raises no objection subject to conditions. He considers that the *'development will include aspects that could affect residential amenity (noise, odour) e.g. cookery school, dance classes, children's play area. However, the nearest residential premises are a reasonable distance away (approx. 300m) so it is unlikely, in my view, that residential amenity will in fact be affected.'*

In light of the distance of the residential properties, it is considered that the proposed development would not result in significant detriment to the amenities of nearby residential properties.

Concerns have been raised over vehicle movements at night from the proposed restaurant and the impact to residential properties adjacent to the entrance gate. Whilst this is noted, it is proposed that the restaurant would mainly be used in association with the holiday accommodation on the site. Although there would be some uses from external visitors, vehicle movements would be at a low speed. In addition, a condition could be placed on a permission controlling the hours on the restaurant.

In respect of lighting, a lighting plan has been provided showing that the proposed car park would have 22no. drive over ground recessed lights and 11 no. bollard path lights no details. In addition within the site would be a number of external lights including ground recessed LED up-lights, spike mounted LED tree up-lights, bollard path lights, external wall downlights, underwater lights (for the external pools) and festoon lighting serving the restaurant area. No details have been provided in respect of the specifics of the lighting and this can be controlled by a condition requiring such details. However, due to the context of the site it is considered that there would not be significant detriment to the amenities of surrounding residential properties nor to the character of the countryside.

The proposal is thereby considered to comply with Policies DP26 and DP29 of the District Plan.

## Sustainability

Policy 2 of the Neighbourhood Plan relates to sustainable development measures and states:

*'Development proposals which incorporate efficient and sustainable energy sources (including, but not limited to, photovoltaic panels, solar thermal insulation, biomass and heat pumps, and domestic water harvesting/ recycling systems) will be supported.'*

Policy DP21 of the District Plan relates to transport. The full policy is set out above. In part it requires schemes to be *'sustainably located to minimise the need for travel'* and take *'opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking'*. In addition, it requires where *'practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles.'*

Policy DP39 of the District Plan relates to Sustainable Design and Construction and requires development proposals to improve the sustainability of development. It 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'*

Paragraph 152 of the NPPF states:

*'The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience, encourage the reuse of existing resources, including the conversion of existing buildings, and support renewable and low carbon energy and associated infrastructure.'*

Paragraph 157 states:

*'In determining planning applications, local planning authorities should expect new development to:*

*a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable, and b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.'*

The application has been accompanied with a Building Services, Sustainability and Energy Statement. This sets out that where feasible, the fabric of the existing buildings will be improved with regards to thermal insulation and airtightness while maintaining the character of the buildings. The new buildings will be built to exceed the standards for thermal insulation laid out in Part L2A of the Building Regulations. It states that the new 'Dutch Barn' guest accommodation building will strive further to be of highly insulated construction. The Dutch Barn will use a ground source heat pump system to generate space heating domestic hot water. The ground array will be installed in the field to the west of the Dutch Barn. The cookery school, gym, yoga studio and staff accommodation will be heated using air source heat pumps located locally to each building. These will feed underfloor heating systems or split air systems.

In addition, the accessibility of the site, or the sustainable location of it, is a key consideration.

By nature of the location of the site within the countryside, it is acknowledged that the site is not within a sustainable location well served by public transport. However, the site would make use of a former country estate and would provide tourism related development within the countryside which is supported under Policy DP19 of the District Plan.

Therefore, it is considered that the proposal complies with the relevant criteria Policy DP39 of the District Plan and Policy 2 of the Neighbourhood Plan. The proposal is considered to be acceptable in sustainability terms.

## **Drainage**

Policy DP41 relates to flood risk and drainage and requires development to demonstrate it is safe across its lifetime and not increase the risk of flooding elsewhere.

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.

A Flood Risk Assessment (FRA) has been submitted with the application which concludes that the site is shown on the Environment Agency maps to be in Flood

Zone 1 and that the maps indicate a low flood risk. The submitted FRA recommends that no objection is made to the proposal on flood risk grounds.

It is proposed that the development will manage surface water from new impermeable areas via infiltration beneath permeable paving. It is also proposed to reroute surface water drainage which currently discharges into the foul system into the new impermeable areas. The site utilises a package treatment plant to manage existing foul water drainage. It is proposed that any surface water discharge to this system is re-routed and the capacity checked. Should the existing system not have capacity for the proposed development's foul flows then it's proposed this shall be upgraded or a second system added.

The Council's Drainage Engineer has been consulted on the scheme and has raised no objection subject to a condition concerning details of the proposed foul and surface water drainage and means of disposal.

The proposal is thereby considered to comply with policy DP41 of the District Plan.

## **Ecology**

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

Policy DP38 of the District Plan relates to Biodiversity and seeks proposals to protect and enhance biodiversity.

Para's 179 - 182 of the NPPF relate to habitats and biodiversity. Para 180 states *'development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists'*. In addition it considers that *'development whose primary objective is to conserve or enhance biodiversity should be supported'*.

An Ecological Impact Assessment has been submitted with the application. This concludes that the *'wider estate contains a wealth of ecologically valuable habitats, however, the development proposals have been designed to incorporate areas of very low ecological value such as hard standing and well-maintained amenity grassland. These common, widespread habitats are of very low ecological value.'* In addition it considers that a *'number of bat roosts are present on site, with small areas of suitable habitat for reptiles, GCN, dormice and breeding birds also present. A series of avoidance, mitigation and compensation measures as detailed above shall be employed to ensure that the development is not detrimental to local biodiversity.'* Finally, it states that the *'impacts of the planned development upon biodiversity will be negligible, with proposed ecological enhancements creating more varied,*

*ecologically diverse habitats resulting in a small net gain and a long-term positive increase in biodiversity in line with local and national planning policy guidance.'*

Overall it is considered that the scheme would not adversely affect any protected species and that conditions could be used to ensure wildlife mitigation and enhancements are undertaken as set out in the submitted Ecological Impact Assessment. The proposal is thereby considered to comply with Policy DP38 of the District Plan and para 180 of the NPPF.

## **Trees**

Policy DP37 of the Mid Sussex District Plan states that the *'District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.'*

An Existing Tree Schedule, Arboricultural Impact Assessment and Method Statement, and Tree Retention and Protection Plan have been submitted as part of the application.

The submitted Arboricultural Impact Assessment and Method Statement indicates that the new holiday-let accommodation known as 'the Dutch Barn' would require the removal of a small number of low value, self-seeded trees in fairly poor condition. The building proposals do not encroach into any other RPAs, although to allow access for construction a small area of a high-value oak is required. There are a number of mature Oak trees which overhang this site. It is proposed to lift the crown by 2metres to avoid damage during the removal of the barn.

Within the site is an existing road island which has a number of trees and vegetation on it. A new internal road is proposed crossing over the existing oblong road island. The Arboricultural Impact Assessment and Method Statement states that the *'road has been designed to avoid impacts upon the higher value and larger trees and their RPAs. Two low-value trees, and six moderate-value trees would require removal to accommodate this. The trees offer no significant value in of themselves, with the moderate-value trees consisting of dense spruces whose only value is as minor screening. Their removal could easily be compensated elsewhere on-site.'*

In addition a new car park is proposed to the north-east of the site. The Arboricultural Impact Assessment and Method Statement identifies that a 'U' grade and a number of 'C' grade trees as well as the edge of an 'A' grade area of woodland and one grade 'B' Oak tree would be removed to accommodate the access road. However, the Arboricultural Impact Assessment and Method Statement indicates that the removal of trees would be compensated through planting of replacement trees elsewhere within the estate.

In respect of new surfacing and means of access within the Root Protection Areas (RPAs) the statements sets out that *'the construction method should be implemented to avoid intrusion into or change of existing ground levels within the tree Root Protection Areas of existing trees'*, and that a *'No Dig' Construction should allow for*



*the paving of specified areas within or adjacent to tree Root Protection Areas to be constructed without disturbance to root systems'.*

Following a number of queries from the Councils Tree Officer, an addendum to the Arboricultural Impact Assessment has been provided as well as a revised Tree Retention and Protection Plan. These reflect amendments to the car park layout to better address tree root protection areas. In addition the addendum to the Arboricultural Impact Assessment states that there *'is ample opportunity within the immediate vicinity and the wider estate for mitigation planting. Currently tree planting is proposed and shown within the carpark, where there is capacity to replace the trees lost on at least a 1:1 ratio. The trees being lost are either low value trees with limited longevity, or relatively insignificant spruce trees.'*

It is noted that the proposal would impact on a number of trees which are set within the site. However, these are not protected by Tree Preservation Orders and do not form public amenity value. The proposal would provide mitigation planting elsewhere within the site in accordance with Policy DP37 of the District Plan.

The Councils Tree Officer has considered the submitted details and the addendum and raises no objection to the proposal on arboricultural grounds but suggests a condition requiring a detailed landscape package that should include both the hard surfacing that is to be used within the RPAs of any of the trees on site and the replacement planting of trees to conform with Section 6 (details of mitigation planting) of the Addendum to Arboricultural Impact Assessment and Method Statement report (March 2022).

In light of the above, it is considered that the proposal would thereby comply with Policy DP37 of the District Plan.

### **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 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.

This planning application does not result in a net increase in dwellings within the 7km zone of influence and so **mitigation is not required**.

### Atmospheric pollution

Increased traffic emissions as a consequence of new development may result in additional 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 potential effects of the proposed development are incorporated into the overall results of the transport model prepared for the Site Allocations DPD, which indicates there would not be an overall impact on Ashdown Forest. 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.

### **Other matters**

Concerns have been raised in respect on the impact on the Conservation Area due to the increase in traffic and the use of the main entrance which is adjacent to the Conservation Area. Whilst this is noted, as set out above, the proposal is considered to be acceptable in highway terms and vehicle movements. Whilst it is acknowledged that there would be an increase in vehicle movements compared to

existing, it is would be difficult to justify that the increase in vehicle movements would result in harm to the visual amenity to the village.

Although the access to the site from 'The Street' goes through the Conservation Area, the estate, buildings and wider site does not form part of it. Whilst additional vehicle movements would be through the Conservation Area, it is not considered that this alone would cause detriment to the character of the Conservation Area.

Concerns have been raised in respect of the impact on water and power supplies. This is not a planning consideration. However, the Agent has acknowledged that the scheme would require the upgrading of some transmission equipment in the area, and they consider that it is more likely to result in a net improvement in network resilience than capacity issues.

### **Planning Balance and Conclusion**

Planning permission is sought for the change of use and conversion of estate buildings from Residential to Class E (Commercial Business and Service) and Class F (Local Community and Learning). The new uses that are being proposed are: entrance, reception, restaurant, club room, cookery school, wellness centre, treatment rooms, yoga studio, gym, craft centre, offices, staff facilities, visitor holiday let accommodation, maintenance yard, external swimming pools, children's play area and kids club at Lydhurst Estate, Warninglid Lane, Warninglid.

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the development plan and then to take account of other material planning considerations including the NPPF.

National planning policy states that planning should be genuinely plan led. The Council has an up to date District Plan and is able to demonstrate that it has a five year housing land supply. Planning decisions should therefore be in accordance with the development plan unless material considerations indicate otherwise.

The application site is a former country estate set within large grounds comprising of a main house, a number of cottages and existing holiday-lets and an enclave of single storey buildings associated with the estate. The proposal would form a self-contained tourist destination / use on the site utilising a number of the existing buildings and replacing a number of other buildings. The proposal would result in the re-use of a brownfield site and support sustainable growth of the rural economy within the countryside. It is considered that the proposal is of a high-quality design sensitive to the country estate and would provide comprehensive landscaping to create an appropriate setting and landscaped context for the development and proposed use. The proposal is considered to maintain the quality of the rural and landscape character in this part of Mid Sussex.

It is acknowledged that the change of use and the tourism related activities on the site would result in an increase in vehicle movements to and from the site. However,

it is considered that the proposal would not result in significant highway safety impacts through the anticipated increase in vehicle movements to the site.

Due to the position of the buildings set within the site along a long private road the proposal would not result in significant detriment to the surrounding residential amenities through noise and disturbance or a loss of privacy.

The redevelopment of the site for tourism uses would provide economic and social benefits through the provision of employment during both the construction period and the formation of employment following the construction of the new tourist uses. This would assist in supporting economic growth and proactively supporting sustainable rural economic development within the District.

There will be a neutral impact in respect of drainage, ecology and trees. There will be no likely significant effect on the Ashdown Forest SPA and SAC.

The application is thereby considered to comply with policies DP12, DP16, DP19, DP21, DP38, DP39 and DP41 of the District Plan, policies 1, 2 and 12 of the Slaugham Neighbourhood Plan, and the relevant provisions of the NPPF.

Officers consider that in the context of the adopted District Plan and Neighbourhood Plan, the proposed re-development of the site complies with the development plan and there are no material planning considerations indicating a decision should be made otherwise than in accordance with it. Accordingly the application is recommended for approval.

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## **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.

### **Pre-Commencement conditions**

3. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials, and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031.

4. 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 / brought into use 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 Mid Sussex District Plan 2014 - 2031.

5. Prior to the commencement of any residential part of the development hereby permitted, the details of a scheme of mitigation measures to improve air quality relating to the development shall be submitted and approved in writing by the Local Planning Authority. The scheme be in accordance with, and to a value derived in accordance with, the Air quality and emissions mitigation guidance for Sussex which is current at the time of the reserved matters application. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: To preserve the amenity of local residents regarding air quality and emissions and to accord with Policy DP29 of the Mid Sussex District Plan 2014 - 2031.

6. Prior to the construction of the pools, the exact location of the pool building / plant room are to be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

7. Prior to the construction of the children's play area, details of the location, layout and play equipment to be installed as well as details on existing and proposed site levels of the play area shall be submitted to and approved in writing by the Local

Planning Authority. The play area shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

8. Prior to the commencement of works to any of the buildings, details of facing materials and external surface materials for the walls, roofs, windows and doors of that that part of the development shall be submitted and approved in writing 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

9. Prior to the construction of 'The Dutch Barn' detailed 1:20 scale sections and elevations of key features shown in context including:
- The west elevation (demonstrating the contrast between the stone and metal clad facades including the different fenestration and roof forms and also featuring gutters and downpipes)
  - The circular and semi-circular windows on the north elevation,
  - The juxtaposition of the entrance door, gutter, eaves, skylight window and rainwater downpipes on the south elevation;

shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

10. Prior to the construction of 'The Dutch Barn' details shall be submitted to and approved in writing by the Local Planning Authority confirming the sustainable credentials which are to be undertaken in this building. Works shall be carried out in accordance with the approved details.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development, in accordance with the NPPF requirements, Policies DP26 and DP39 of the Mid Sussex District Plan 2014 - 2031.

11. Prior to the commencement of the works to the meeting rooms and craft building, full plans and elevations shall be submitted to and approved in writing detailing the works to be carried out to the buildings. The works shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

## **Construction Phase**

12. Works of construction or demolition, including the use of plant and machinery, as well as any delivery or collection of plant, equipment or materials for use during the demolition/construction phase necessary for implementation of this consent shall be limited to the following times:

- Monday - Friday 08:00 - 18:00 Hours Saturday 09:00 - 13:00 Hours
- Sundays and Bank/Public Holidays no work permitted

Reason: To protect the amenity of local residents and to accord with Policy DP29 of the Mid Sussex District Plan 2014 - 2031.

13. Throughout the course of any phase of the development hereby approved, all construction traffic shall utilise the vehicular access on Warninglid Lane only unless otherwise agreed in writing with the Local Planning Authority.

Reason: To avoid disruption to the amenities of residential properties on 'The Street' and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

14. The works shall be carried out in accordance with the Arboricultural Impact Assessment and Method Statement (Rev. 01, November 2021), the Addendum to the Arboricultural Impact Assessment and Method Statement (Rev.01, March 2021) and the Tree Retention and Protection Olan (drwg's LLD2457-ARB-DWG-006 rev 02, LLD2457-ARB-DWG-007 Rev 02, LLD2457-ARB-DWG-008 Rev 02, LLD2457-ARB-DWG-009, Rev 02 and LLD2457-ARB-DWG-010, Rev 02).

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area and to accord with Policy DP37 of the Mid Sussex District Plan.

15. The recommendations for mitigation and enhancement set out in the Ecological Impact Assessment Report by Lizard Landscapes, dated November 2021 (Ref LLD2450 Rev 02) shall be implemented in full unless otherwise agreed in writing by the local planning authority and a statement of compliance signed by the appointed ecologist / wildlife consultant shall be submitted to, and approved by, the local planning authority prior to use of the completed development.

Reason: To protect the ecological value of the site and to accord with policy DP38 of the Mid Sussex District Plan and policy 180 of the NPPF.

## **Pre-occupation conditions**

16. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031.

17. No part of the development shall be first occupied until visibility splays of 2.4 metres by 83 metres have been provided at the proposed site vehicular access onto Warninglid Lane in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions

over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031.

18. No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies and to provide alternative travel options to the use of the car in accordance with current sustainable transport policies and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031.

19. Prior to the occupation of each part of the development, hard and soft landscaping shall be submitted to and approved by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development. These works shall be carried out as approved. The works shall be carried out prior to the occupation of each part of the development or in accordance with the programme agreed by the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

### **Post construction / Management**

20. No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority. Details of lux levels and times of use together with a report to demonstrate its effect on nearby residential properties shall be supplied. It is recommended that the information be provided in a format that demonstrates compliance on the ILP Guidance Notes for the Reduction of Obtrusive Light. The information shall be submitted to and approved in writing by the Local Planning Authority. All lighting shall be carried out in accordance with the approved details.

Reason: To protect the character of the area and amenity of local residents and to accord with Policy DP29 of the Mid Sussex District Plan 2014 - 2031.

21. The occupation of the buildings of the main house 'Lydhurst' and the building known as 'The Dutch Barn' shall at all times comply with the following:
- a) The accommodation within the building shall be occupied for holiday purposes only.
  - b) The building shall not be occupied as a person's sole or main place of residence.
  - c) An up to date register shall be maintained of the names of all guests using the holiday let, including names, homes addresses, dates and durations of each stay



and the register shall be made available at all reasonable times to the Local Planning Authority.

Reason: To ensure the approved holiday accommodation is not used as a permanent residential unit and to comply with Policy DP19 of the Mid Sussex District Plan 2014 - 2031.

22. The restaurant and club room shall be used for such purposes and for no other purpose (including any other purpose in Class E (b) of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the control of development for sustainable tourism and to protect the amenities of nearby residents to accord with Policies DP19 and DP26 of the Mid Sussex District Plan 2014-2031.

23. The cookery school shall be used for such purposes and for no other purpose (including any other purpose in Class F1(a) of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the control of development for sustainable tourism and to protect the amenities of nearby residents to accord with Policies DP19 and DP26 of the Mid Sussex District Plan 2014-2031.

24. The wellness centre shall be used for such purposes and for no other purpose (including any other purpose in Class E (e) of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the control of development for sustainable tourism and to protect the amenities of nearby residents to accord with Policies DP19 and DP26 of the Mid Sussex District Plan 2014-2031.

25. The gym / yoga studio shall be used for such purposes and for no other purpose (including any other purpose in Class E (d) of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the control of development for sustainable tourism and to protect the amenities of nearby residents to accord with Policies DP19 and DP26 of the Mid Sussex District Plan 2014-2031.

26. The kids club and offices within the Gardeners Cottages shall be used for such purposes and for no other purpose (including any other purpose in Class E (f) and E (g)(i) of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the control of development for sustainable tourism and to protect the amenities of nearby residents to accord with Policies DP19 and DP26 of the Mid Sussex District Plan 2014-2031.

27. The meeting room building shall be used for such purposes and for no other purpose (including any other purpose in Class F1 (a) of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the control of development for sustainable tourism and to protect the amenities of nearby residents to accord with Policies DP19 and DP26 of the Mid Sussex District Plan 2014-2031.

28. The Arts and Craft building shall be used for such purposes and for no other purpose (including any other purpose in Class F1(a) of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the control of development for sustainable tourism and to protect the amenities of nearby residents to accord with Policies DP19 and DP26 of the Mid Sussex District Plan 2014-2031.

29. The restaurant shall not be open for trade or business except between the hours of 08:00 to 23:00 hours Mondays to Sundays.

Reason: To safeguard the amenities of nearby residents and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

30. The wellness centre shall not be open for trade or business except between the hours of 09:00 to 18:00 hours Mondays to Sundays.

Reason: To safeguard the amenities of nearby residents and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

31. The kids club shall only be for occupants of the site and not for non-residents of the Lydhurst estate. The kids club shall not be open for trade or business except between the hours of 09:00 to 18:00 hours Mondays to Sundays.

Reason: To safeguard the amenities of nearby residents and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

## INFORMATIVES

1. 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:

- 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.

2. In respect of condition 5, in order to ensure approval, we strongly recommend that the above scheme is agreed in advance with the Council's Air Quality Officer.
3. You are advised that this planning permission requires compliance with a planning condition(s) **before development commences**. You are therefore advised to contact the case officer as soon as possible, or you can obtain further information from: <https://www.gov.uk/guidance/use-of-planning-conditions#discharging-and-modifying-conditions> (Fee of £116 will be payable per request). If you carry out works prior to a pre-development condition being discharged, then a lawful start will not have been made and you will be liable to enforcement action.
4. In accordance with Article 35 Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

### 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
Existing Elevations	18-02-J-200	P1	15.11.2021
Proposed Elevations	18-02-J-201	P1	15.11.2021
Proposed Elevations	18-02-J-202	P1	15.11.2022
Location Plan	18-02-x-01	P1	15.11.2021
Location Plan	18-02-x-02	P1	15.11.2021
Site Plan	518521-1000		15.11.2021
Other	518521/1001		15.11.2021
Existing Floor Plans	2020LY_100_r.0	R.0	15.11.2021
Existing Elevations	2020LY_101_r.0	R.0	15.11.2021
Existing Elevations	2020LY_101_r.0	R.0	15.11.2021
Proposed Floor Plans	2020LY_200_r.	R.0	15.11.2021
Proposed Elevations	2020LY_201_r.0	R.0	15.11.2021
Proposed Elevations	2020LY_202_r.0	R.0	15.11.2021
Tree Survey	LLD2457-ARB-DWG-001	02	15.11.2021
Tree Survey	LLD2457-ARB-DWG-002	02	15.11.2021
Tree Survey	LLD2457-ARB-DWG-003	02	15.11.2021

Tree Survey	LLD2457-ARB-DWG-004	02	15.11.2021
Tree Survey	LLD2457-ARB-DWG-005	02	15.11.2021
Tree Survey	LLD2457-ARB-DWG-001	00	15.11.2021
Tree Survey	LLD2457-ARB-DWG-002	00	15.11.2021
Tree Survey	LLD2457-ARB-DWG-003	00	15.11.2021
Tree Survey	LLD2457-ARB-DWG-004	00	15.11.2021
Tree Survey	LLD2457-ARB-DWG-006	02	07.03.2022
Tree Survey	LLD2457-ARB-DWG-007	02	07.03.2022
Tree Survey	LLD2457-ARB-DWG-008	02	07.03.2022
Tree Survey	LLD2457-ARB-DWG-009	02	07.03.2022
Tree Survey	LLD2457-ARB-DWG-010	02	07.03.2022
Location Plan	2105_R.0_000	R.0	15.11.2021
Block Plan	2105LY_R.0_001	R.0	15.11.2021
Existing Floor Plans	2105LY_R.0_100	R.0	15.11.2021
Existing Floor and Elevations Plan	2105LY_R.0_101	R.0	15.11.2021
Existing Floor Plans	2105LY_R.0_102	R.0	15.11.2021
Existing Elevations	2105LY_R.0_103	R.0	15.11.2021
Existing Elevations	2105LY_R.0_104	R.0	15.11.2021
Proposed Floor Plans	2025LY_R.0_200	R.0	15.11.2021
Proposed Floor Plans	2105LY_R.0_201	R.0	15.11.2021
Proposed Floor Plans	2105LY_R.0_202	R.0	15.11.2021
Proposed Elevations	2105LY_R.0_203	R.0	15.11.2021
Proposed Elevations	2105LY_R.0_204	R.0	15.11.2021
Proposed Elevations	2105LY_R.0_205	R.0	15.11.2021
Other	2105LY_R.0_300	R.0	15.11.2021
Other	18-02-x-06	P1	29.04.2022
Proposed Roof Plan	18-02-J-110	P1	07.03.2022
Other	18-02-K-100		07.03.2022
Other	18-02-K-101		07.03.2022
Lighting Layout/Light Pollution Other	18-02-x-07	P1	30.11.2021
Existing Floor Plans	2164-000-002		15.11.2021
Existing Floor Plans	18-02-A-100	P1	15.11.2021
Proposed Floor Plans	18-02-A-101	P1	15.11.2021
Existing Elevations	18-02-A-200	P1	15.11.2021
Proposed Elevations	18-02-A-201	P1	15.11.2021
Existing Floor Plans	18-02-B-100	P1	15.11.2021
Existing Roof Plan	18-02-B-101	P1	15.11.2021
Existing Floor Plans	18-02-B-102	P1	15.11.2021
Proposed Floor Plans	18-02-B-103	P1	15.11.2021
Proposed Roof Plan	18-02-B-104	P1	15.11.2021
Existing Elevations	18-02-B-200	P1	15.11.2021
Existing Elevations	18-02-B-201	P1	15.11.2021
Proposed Elevations	18-02-B-202	P1	15.11.2021
Proposed Elevations	18-02-B-203	P1	15.11.2021
Existing Floor Plans	18-02-EF-100	P1	15.11.2021
Existing Roof Plan	18-02-EF-101	P1	15.11.2021
Proposed Floor Plans	18-02-EF-102	P1	15.11.2021
Proposed Roof Plan	18-02-EF-103	P1	15.11.2021
Existing Elevations	18-02-EF-200	P1	15.11.2021
Proposed Elevations	18-02-EF-201	P1	15.11.2021
Proposed Elevations	18-02-EF-202	P1	15.11.2021
Existing Floor Plans	18-02-H-100	P1	15.11.2021
Proposed Elevations	18-02-H-201	P1	15.11.2021
Proposed Floor Plans	18-02-H-101	P1	15.11.2021

Existing Elevations	18-02-H-200	P1	15.11.2021
Existing Floor Plans	18-02-I-100	P1	15.11.2021
Existing Floor Plans	18-02-I-101	P1	15.11.2021
Existing Floor Plans	18-02-I-102	P1	15.11.2021
Proposed Floor Plans	18-02-I-103	P1	15.11.2021
Proposed Floor Plans	18-02-I-104	P1	15.11.2021
Proposed Roof Plan	18-02-I-105	P1	15.11.2021
Existing Elevations	18-02-I-200	P1	15.11.2021
Existing Elevations	18-02-I-201	P1	15.11.2021
Proposed Elevations	18-02-I-202	P1	15.11.2021
Proposed Elevations	18-02-I-203	P1	15.11.2021
Existing Site Plan	18-02-J-000	P1	15.11.2021
Proposed Site Plan	18-02-J-100	P1	15.11.2021
Proposed Floor Plans	18-02-J-101	P1	15.11.2021
Proposed Floor Plans	18-02-J-102	P1	15.11.2021
Proposed Roof Plan	18-02-J-103	P1	15.11.2021
Proposed Floor Plans	18-02-J-104	P1	15.11.2021
Other	18-02-x-06	P1	29.04.2022
Drainage Details	18-02-J-110	P1	07.03.2022
Proposed Floor and Elevations Plan	18-02-K-100		07.03.2022
Proposed Floor and Elevations Plan	18-02-K-101		07.03.2022
Existing Block Plan	18-02-x-03	P1	30.11.2021
Proposed Block Plan	18-02-x-04	P1	30.11.2021
Block Plan	18-02-x-05	P1	30.11.2021
Lighting Layout/Light Pollution	18-02-x-06	P1	30.11.2021
Proposed Floor and Elevations Plan	99804 SK 01	P2	30.11.2021
Proposed Floor and Elevations Plan	99804 SK 02	P2	30.11.2021
Proposed Floor and Elevations Plan	99804 SK 03	P1	30.11.2021
Proposed Elevations	18-02-B-202	X	30.11.2021
Proposed Elevations	18-02-B-203	X	30.11.2021
Proposed Floor and Elevations Plan	99804 SK 04	P2	30.11.2021
Proposed Floor and Elevations Plan	99804 SK 05	P2	30.11.2021
Proposed Elevations	99804 SK 06	P2	30.11.2021
Proposed Floor and Elevations Plan	99804 SK 07	P1	30.11.2021
Proposed Floor Plans	99804 SK 08A	P3	30.11.2021
Proposed Floor Plans	99804 SK 08B	P3	30.11.2021
Proposed Floor Plans	99804 SK 08C	P3	30.11.2021
Sections	99804 SK 09	P3	30.11.2021
Proposed Elevations	99804 SK 10	P3	30.11.2021
Proposed Floor Plans	99804 SK 11	P1	30.11.2021
Proposed Floor Plans	99804 SK 12	P1	30.11.2021
Proposed Floor Plans	99804 SK13	P1	30.11.2021
Site Plan	99804 SK E 100	P2	30.11.2021

## APPENDIX B – CONSULTATIONS

### Architect / Urban Designer - Will Dorman

#### Environmental Protection

This development will include aspects that could affect residential amenity (noise, odour) eg cookery school, dance classes, children's play area. However, the nearest residential premises are a reasonable distance away (approx. 300m) so it is unlikely, in my view, that residential amenity will in fact be affected. Conditions to control construction noise and to ensure air quality emissions mitigation, are recommended:

' Construction hours: Works of construction or demolition, including the use of plant and machinery, as well as any delivery or collection of plant, equipment or materials for use during the demolition/construction phase necessary for implementation of this consent shall be limited to the following times:

Monday ' Friday 08:00 - 18:00 Hours

Saturday 09:00 - 13:00 Hours

Sundays and Bank/Public Holidays no work permitted

Reason ' To accord with MSDC Policy DP29: Noise, Air and Light Pollution

' Air Quality: Prior to the commencement of any residential part of the development hereby permitted, the details of a scheme of mitigation measures to improve air quality relating to the development shall be submitted and approved in writing by the Local Planning Authority. The scheme be in accordance with, and to a value derived in accordance with, the Air quality and emissions mitigation guidance for Sussex which is current at the time of the reserved matters application. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Informative ' In order to ensure approval, we strongly recommend that the above scheme is agreed in advance with the Council's Air Quality Officer.

Reason ' To accord with MSDC Policy DP29: Noise, Air and Light Pollution

If you would like to discuss this further, please contact me directly.

20/12/21

Nick Bennett

Environmental Health Officer

### WSCC Highways Authority

*Amended*

More information has been submitted to WSCC regarding the overall increase in trips from the proposal including the wellness centre, details regarding the main access drive, and construction access.

GTA Civils have provided the additional requested information and WSCC make the following comments.

### Access

The site access has also been assessed and this provides good visibility in line with speeds captured in a recent speed survey. These show an 85%ile speed of 20mph. In accordance with manual for streets guidance, a visibility splay of 2.4m x 26m to the south and 2.4m x 43m to the north, accords with the recommended speed stopping site distance and falls within the applicant's boundary or the public highway.

WSSC are satisfied that whilst there are limited passing places within the main access drive, there is space to overrun. As this does not form part of the public WSSC raise no issues with this.

### Trips

Clarification was sought over the use of the wellness centre and whilst the main use will be by guests staying at the site, there may be some external use. As it cannot be exactly quantified 50% has been used as a robust assessment of the potential increase in external trips this may bring.

Trips have been provided and show that in the weekday peak hours the external trips associated with the proposed uses would be 15 trips, and on the weekend, this would increase to 20 trips, which is not considered to create any significant impact on the highway network.

### Car Parking

The site has a 52-space car park and the car parking accumulation table submitted by the applicant shows there is plenty of capacity for all uses, and this still only equates to a demand for 23 spaces. The site also has plenty of space to accommodate parking and turning. EVC charging would be required and based on existing guidance we would expect to see provision within the accommodation areas of the site.

### Construction access

This access will be used by existing private and agricultural uses, but it will also be used for construction traffic. The width of the access has been measured at 3.3m in width, and swept path diagram on existing access plan 10687/101 Rev P6, show a concrete mixer entering the site. WSSC are satisfied this access can accommodate a larger vehicle and as there is plenty of circulation space to be able to enter turn and exit in forward gear.

As highlighted in the Stage 1 RSA, vegetation will be cut back to enhance the existing visibility splay of 2.4m x 60m to 83m.

Stage 1 Road Safety Audit Decision Log with OOR and Agreed Actions.

RSA problem	RSA recommendation	Design organisation response	Overseeing Organisation response	Agreed RSA action
3.1.1 Existing rear access.	Restricted visibility and sightlines could result in failure to give way type collisions Manual for Streets (MfS) recommends approximately 80 metres of clear visibility, which may well be achievable with some removal of the vegetation within the sightlines to the boundary of the site. From a road safety audit point of view, such sightlines would be acceptable from this existing access onto the highway. However, the existing trees and foliage in any agreed area should be cleared and regularly maintained to ensure that adequate visibility and sightlines eastwards when exiting the rear site access are maintained.	Agreed – the vegetation will be removed to achieve 83metres of visibility to the southeast.	Agreed – vegetation will be removed by the applicant and kept free from obstruction over 0.6m to maintain a clear visibility splay of 2.4m x 83m to the southeast of the rear access. This will be completed prior to occupation and included in the Lyndhurst Estates grounds maintenance program in perpetuity	Owner/applicant to undertake the necessary vegetation cut back works to maintain a visibility splay of 2.4m x 83m to the southeast of the rear access. This will be completed prior to occupation and included in the Lyndhurst Estates grounds maintenance program in perpetuity.

In summary WSCC do not consider the proposal to generate a significant number of trips in the peak hours which would be detrimental to the operation of the highway network or cause any highway safety issues.



No objection subject to conditions.

#### Visibility

No part of the development shall be first occupied until visibility splays of 2.4 metres by 83 metres have been provided at the proposed site vehicular access onto Warninglid Lane in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

#### EVC Parking Spaces

No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies

#### Construction Management Plan

No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials, and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

#### *Original*

More information is required as follows: -

The submitted TA does not provide a full picture of the proposed changes as follows: -

1. Please provide a trip rates for the existing use. It is said that no rates are possible because of covid? What was it being used as before covid? Use this as the baseline i.e., if it was being used as a residential dwelling and guest cottages what was the trip rate? If it was vacant what was it used as before this time?
2. Can the main access drive accommodate two cars passing each other? IF not can passing places be provided? How long is the access drive? If passing places are required can these show forward visibility to the next.

3. What will the rear access be used for? If construction traffic to convert the barns and other building works will they use this access? Can a builders vehicle access this, and exit in forward gear? A construction management plan will be a condition advised to the LPA.
4. What will the trip rates for the other uses on site be? The Wellness centre has not been considered. These should be provided and added to the accommodation and restaurant figures.

### **WSSC Water and Access**

Having viewed the plans and information for the change of use and conversion of estate buildings from Residential to commercial use premises, evidence is required that all properties are within 90 metres of a fire hydrant, any not within this distance will require an additional hydrant provided to ensure there is sufficient water available for firefighting.

### **MSDC Urban Designer**

As requested, my comments are limited to the proposed holiday let building on the site currently occupied by a Dutch Barn.

These observations will focus on the quality of the building design and how it sits within its immediate context. As this is a sensitive site that sits within the High Weald Area of Natural Beauty (AONB) it will need to be separately assessed in terms of its impact upon the wider landscape.

The building has been deliberately designed to have the appearance of a building that has evolved and been reassembled/repurposed. This is helped by the contrast between the stone clad façades of the northern half of the building and the overtly contemporary aesthetic of the metal clad finish of the southern half, while the plate glass windows that feature throughout help to cohere both parts of the building together and the views through them should beautifully frame the surrounding landscape. The employment of a mechanical ventilation and heat recovery system will be key to achieving this aesthetic (the Mechanical and Electrical Feasibility report states that it could be naturally ventilated, however I have concerns that this may impact upon the window design) and I am glad to see this will be part of a package of sustainability measures including a ground source heat pump which will sensibly utilise the retained store building.

Overall, I will defer to Sarah Nelson's advice in respect of the impact of the building upon the surrounding trees. However, in relation to the pre-application proposal, the building envelope size and footprint have been reduced and slightly reorientated to allow it to sit more comfortably with the adjacent oak trees which have an important role in softening the development and preserving the rural character of the site. The windows have generally been positioned (principally looking east and west) so the outlook/daylight will not be significantly impeded by the trees.

The oversized chimney tower and mono-pitch roof (that is angled in the opposite direction to the slope of the ground) over the sitting room have been deliberately configured to have a dramatic cliff-edge relationship with the field. While this provides the building with an iconic feature, it increases its prominence especially from the adjacent lane and there is no proposal to plant new trees on the north west side to replace the ones that will be lost to facilitate the development. So, unlike the Dutch Barn, it will not be screened by trees on this side and will be easily visible from this vantage.

On the southern side, the front threshold of the building will also be a parking area for six cars. It is proposed to soften this area by incorporating new trees and shrubs and employing natural materials for the hard surfacing. As well as helping to anchor the development, the

retention of the existing store house contributes to defining/ enclosing/screening this area and provides an attractive threshold despite the cars.

However, neither the landscaping nor the building design provides enough detail to demonstrate their quality, this therefore will need to be secured through condition. While a roof plan has now been received that shows the rainwater discharge from the roof, the detailed elevations and sections will need to demonstrate that the gutters and downpipes will be discreetly integrated as shown on the precedent photographs of the architect's completed buildings.

In conclusion, this is an interesting and imaginative design that has been carefully considered both in terms of its function and the response to its immediate context. The split-level arrangement allows it to respond to the slope, and the sub-division of the building into a series of individually designed parts successfully breaks up its scale. Traditional forms have also been cleverly referenced in a contemporary idiom that avoids pastiche.

I therefore raise no objection on design grounds, but to secure the quality of the design I would recommend conditions requiring the submission / approval of the following drawings:

#### Details of the soft and hard landscaping

- Details of facing materials and external surface materials
- Detailed 1:20 scale sections and elevations of key features shown in context including:
  - The west elevation (demonstrating the contrast between the stone and metal clad facades including the different fenestration and roof forms and also featuring gutters and downpipes)
  - The circular and semi-circular windows on the north elevation,
  - The juxtaposition of the entrance door, gutter, eaves, skylight window and rainwater downpipes on the south elevation.

I would also recommend a condition to be agreed with the applicant to secure the sustainability credentials of the scheme. Because the ventilation strategy will impact upon the design of the windows this condition is likely to need to be considered alongside the condition covering the facade details.

#### **MSDC Tree Officer**

I have reviewed Addendum to Arboricultural Impact Assessment and Method Statement report (March 22) and the amended Tree Retention and Protection Plan which satisfactorily addresses my previous concerns as follows:

1. Construction of a new carpark with access drive and footpath - It is noted the access road cannot be relocated further north due to the category A woodland area, which as the amended report points out was not immediately obvious on the original report. The access has however been relocated and the retention of T41 is welcomed.
2. Replacement of an existing timber framed external store - The loss of the category U willow has been noted, along with the note on mitigation planting.
3. New road over an existing road island - Providing the mitigation planting is acceptable and agreed under a condition there is no further objection to this part.
4. New accommodation building on the location of an existing Dutch barn - Details of the proposed surfacing for the area of parking are to be provided as part of the detailed landscape package (see comments below) and should be agreed prior to commencement.

The explanations provided regarding the future pressure on T46/ T49/ T50 as a result of guest parking is noted and accepted.

I would not object to the project on arboricultural grounds, however, would request the conditioning of a detailed landscape package that should include both the hard surfacing that is to be used within the RPAs of any of the trees on site and the replacement planting of trees to conform with Section 6 (details of mitigation planting) of The Addendum to Arboricultural Impact Assessment and Method Statement report (March 22).

Furthermore I would request strict adherence to the Method Statement and Protection Plans.

### *Original*

The areas of impact upon trees are as follows:

1. Construction of a new carpark with access drive and footpath
  - One category U and a small number category C trees are to be removed which is acceptable.
  - Category B oak is to be removed which seems unnecessary when it appears the access could be located slighter to the north to avoid this.
  - There is some encroachment into small areas of the RPAs of some trees therefore it is key the method statement is strictly adhered to.
2. Replacement of an existing timber framed external store
  - One category U willow tree and cherry laurel shrubs are to be removed which is acceptable. Mitigation planting of holly has been suggested and should be included in the detailed landscaping plans see mitigation planting (below).
3. New road over an existing road island
  - Six category B and two category C trees are being removed which this seems excessive, so it would be helpful to understand why this is road is being constructed?
  - There is also minimal incursion into the RPA of the Scots pine which will be addressed within the AMS and should be adhered to.
4. New accommodation building on the location of an existing Dutch barn
  - Removal of a small number of low category trees is acceptable.
  - There is an operation zone designated during construction to minimise the impact on the RPA of T44 (category A oak) which should be strictly adhered to.
  - Impact on T46/ T49/ T50. These are three category A oak trees with RPAs and canopies overhanging the designated parking area. Although currently the area is hard standing, this is to be removed and replaced. The details of this hard surfacing should be submitted and agreed ensuring a permeable solution is used.
  - Future impact on T46/ T49/ T50. Three category A oak trees with RPAs and canopies overhanging the parking area. The use of this space for parking will increase the target area compared to present. Temporary residents may be concerned over parking their vehicles under these trees taking into account safety and the seasonal nuisances caused by this, however this may not be as much of a concern that a permanent resident may have over these issues. However there is concern that the responsibility placed on the owner of the property to ensure the safety of temporary residents and their property, which would inevitably lead to unreasonable pressure to dramatically cut back the canopies of these high value trees. I would therefore request alternative parking spaces are explored.

### Mitigation planting

There are recommendations for tree planting across the estate to compensate for the loss of trees and therefore these details would be requested.

## **MSDC Drainage Engineer**

No objection subject to condition.

### **FLOOD RISK**

The site is within flood zone 1 and is at low fluvial flood risk (risk of flooding from Main Rivers). The site 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. A lack of historic records of flooding does not mean that flooding has never occurred, instead, that flooding has just never been reported.

### **SEWERS ON SITE**

The Southern Water public sewer map does not show any public sewers located within the redline boundary of the site.

There may be sewers located on the site not shown on the plan which are now considered public sewers. Any drain which serves more than one property, or crosses into the site from a separate site is likely to now be considered a public sewer. Advice in relation to this situation can be found on the relevant water authority's website.

### **SURFACE WATER DRAINAGE**

The BGS infiltration potential map shows the site to be in an area with moderate to low infiltration potential. Therefore, the use of infiltration drainage such as permeable paving or soakaways is unlikely to be possible on site. This will need to be confirmed through infiltration testing on site as part of detailed drainage design.

It is proposed that the development will manage surface water from new impermeable areas via infiltration beneath permeable paving. It is also proposed to reroute surface water drainage which currently discharges into the foul system into the new impermeable areas.

The proposed surface water drainage strategy is considered acceptable in principle. We would advise the applicant that surface water drainage should be designed to cater for the 1 in 100-year storm event, plus an allowance for climate change.

Further information into our general requirements for surface water drainage is included within the 'General Drainage Requirement Guidance' section.

### **FOUL WATER DRAINAGE**

The site utilises a package treatment plant to manage existing foul water drainage. It is proposed that any surface water discharge to this system is rerouted and the capacity checked. Should the existing system not have capacity for the proposed development's foul flows then it's proposed this shall be upgraded or a second system added.

The use of an existing system with possible upgrades is considered acceptable in principle.

We advise the applicant that as part of the detailed drainage design capacity calculations will need to be provided which show the system can cope with the predicted foul flows. If the existing system is to be utilised in any way the applicant should also provide evidence that the system is functioning as designed with no surface water discharging to it.

Further information into our general requirements for foul water drainage is included within the 'General Drainage Requirement Guidance' section.

## CONDITION RECOMMENDATION

### C18F - MULTIPLE BUILDINGS

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 / brought into use 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.

### **General drainage requirement guidance**

#### SURFACE WATER DRAINAGE

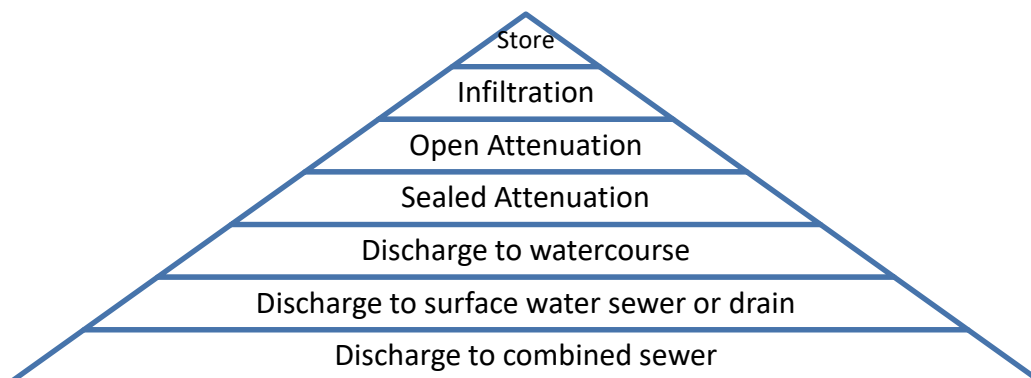
Proposed development will need to fully consider how it will manage surface water run-off. The hierarchy of surface water disposal will need to be followed and full consideration will need to be made towards the development catering for the 1 in 100-year storm event plus extra capacity for climate change. Climate change allowances should be in line with the Environment Agency's climate change allowance recommendations.

The use of pumped surface water drainage is not considered to be sustainable and therefore would not be considered an appropriate means of managing surface water as part of a development.

Multiple dwellings / multiple unit development will need to provide 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, as set out below.



- 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 FEH 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.

## FOUL WATER DRAINAGE

This proposed development will need to fully consider how it will manage foul water drainage. The preference will always be to connect to a public foul sewer. However, where a foul sewer is not available then the use of a package treatment plant or septic tank should be investigated.

The use of non-mains foul drainage should consider the Environment Agency's General Binding Rules. We would advise applicants that 'General Binding Rules 2020' came into force as of 1st January 2020.

The Environment Agency have advised that any existing septic tank foul drainage systems that are found to not comply with the 2020 Binding Rules will need to be replaced or upgraded. As such any foul drainage system which proposed to utilise a septic tank will need to comply with the new 2020 rules. Guidance into the General Binding Rules can be found on the government website (<https://www.gov.uk/guidance/general-binding-rules-small-sewage-discharge-to-a-surface-water>)

### ***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
	✓				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

### **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](#)

[West Sussex Lead Local Flood Authority Policy for the Management of Surface Water](#)

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



## Information Requirements

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.            Located in Flood Zone 1 and greater than 1 hectare in area.            Located in an area where a significant flood risk has been identified (including increased surface water flood risk)</p>	<ul style="list-style-type: none"> <li>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.</li> </ul>
<p>Multiple plot development</p>	<ul style="list-style-type: none"> <li>A Maintenance and Management Plan 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, 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.</li> </ul>
<p>Public sewer under or adjacent to site</p>	<ul style="list-style-type: none"> <li>Evidence of approvals to build over or within proximity to public sewers will need to be submitted.</li> </ul> <p><u>Advice</u>            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 proximity to such sewers will require prior permission from the sewerage undertaker. Any development within 8m of a sewer will require consultation.</p>

DESCRIPTION OF DEVELOPMENT	INFORMATION REQUIRED
MSDC culvert under or adjacent to site	<ul style="list-style-type: none"> <li>Evidence of approvals to build over or within proximity to MSDC assets will need to be submitted.</li> </ul> <p><u>Advice</u>  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. Consultation should be made where such an asset is within 8m of any development.  Building any structure over or within 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 Flood Risk and Drainage Team via <a href="mailto:drainage@midsussex.gov.uk">drainage@midsussex.gov.uk</a>.</p>
Watercourse on or adjacent to site	<ul style="list-style-type: none"> <li>Plan showing watercourse maintenance strip</li> </ul> <p><u>Advice</u>  A watercourse maintenance strip of 5 to 8 metres is required between any building and the top-of-bank of any watercourse that my run through or adjacent to the development site.</p>

### MSDC Environmental Protection

This development will include aspects that could affect residential amenity (noise, odour) e.g. cookery school, dance classes, children's play area. However, the nearest residential premises are a reasonable distance away (approx. 300m) so it is unlikely, in my view, that residential amenity will in fact be affected. Conditions to control construction noise and to ensure air quality emissions mitigation, are recommended:

'Construction hours: Works of construction or demolition, including the use of plant and machinery, as well as any delivery or collection of plant, equipment or materials for use during the demolition/construction phase necessary for implementation of this consent shall be limited to the following times:

Monday ' Friday 08:00 - 18:00 Hours Saturday 09:00 - 13:00 Hours

Sundays and Bank/Public Holidays no work permitted

Reason ' To accord with MSDC Policy DP29: Noise, Air and Light Pollution

' Air Quality: Prior to the commencement of any residential part of the development hereby permitted, the details of a scheme of mitigation measures to improve air quality relating to the development shall be submitted and approved in writing by the Local Planning Authority. The scheme be in accordance with, and to a value derived in accordance with, the Air quality and emissions mitigation guidance for Sussex which is current at the time of the reserved matters application. All works which form part of the approved scheme shall be completed

before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Informative ' In order to ensure approval, we strongly recommend that the above scheme is agreed in advance with the Council's Air Quality Officer.

Reason ' To accord with MSDC Policy DP29: Noise, Air and Light Pollution

### **MSDC Street Name and Numbering Officer**

Informative (Info29)

The proposed development will require formal address allocation. You are advised to contact the Council's Street Naming and Numbering Officer before work starts on site. Details of fees and advice for developers can be found at [www.midsussex.gov.uk/streetnaming](http://www.midsussex.gov.uk/streetnaming) or by phone on 01444 477175.

### **Slaugham Parish Council**

*Amended*

With reference to the Rural Solutions "additional information" paper dated 07/03/22.

#### Page 2. Last para

SPC do not agree that the lack of comments in objection naturally translates in to unqualified support and a recognition that the proposal will somehow benefit the village.

This proposal will only benefit the applicant. The investment in the estate is a noble undertaking but absolutely fails to address the detrimental effect any increase in traffic will have in an already congested village within a conservation area.

This conservation area was one of, if not the first in Mid-Sussex and given that it was considered special and valuable then, it is absolutely recognised both locally and in the broader community for the value it brings today.

The suggestion that it is worth deteriorating this for the benefit of the applicant or broader "wine tourism" is a gross underestimate of its local amenity value.

This Council were concise in their previous response in that the owners of the Estate should recognise that whilst progress can be a force for good, it must not be to the detriment of the village, its residents, and the surrounding area.

#### Page 3. Traffic.

The comments and consultation referred to under this section do not address the fundamental objection made by this Council and the village residents.

That is the desire by the applicant to direct traffic into the estate by accessing the "front gate" centred in the middle of the conservation area.

The applicant now accepts that construction traffic, agricultural traffic and service vehicles can easily be accommodated by using the entrance on Warninglid Lane. The suggestion that a former estate entrance on Warninglid lane could be constructed and in doing so would be detrimental to the amenity land within the estate is valid, particularly as the comment quite rightly identifies the sensitivity of the estates place within the AONB.

This comment fails to place any regard on the value of the conservation area within the village and the AONB and this fundamental objection is not addressed within either the original proposal or the note of additional information.

The lack of objection from West Sussex Highways Authority to the proposal fails to note that the conservation area does not fall within their remit, nor does any consideration for the additional detrimental carbon emissions, and loss of village amenity.

#### **Page 4.**

The reference in the first paragraph relating to the existing access from The Street having completely unrestricted use is valid in the context of its use for a private residence, which was absolutely its original intent. It is not viable to expect the same unrestricted access for the commercial enterprise proposed under this application.

- The second paragraph on page 4 references the wellness centre being primarily used by the guests of the estate, but we note, not exclusively. This is referenced as supporting vehicle movements within those considered in the TRICS data whereas a better interpretation would be a validation of the data as a minimum.
- The third paragraph again refers to the primary objective of the on-site restaurant is to serve the estates guests and local people, local people of course will be driving to the facility and again validates the potential increase proposed within the TRICS data.
- The fourth paragraph makes the point that a second restaurant within Warninglid is not unprecedented. This is not supported by the facts. There was a restaurant at the Rifleman Inn in until the mid-1990'S over 25 years ago when vehicle movements were considerably less and the local roads were not full of delivery vans and the extra cars occasioned by the overall growth of the national economy and the increase in rural living. This was not a second restaurant as the public house at the time was just that a Pub who at the most sold bar snacks and drinks. It was not the restaurant it has become today.
- The fifth paragraph references the potential for noise from the increase traffic and counters that the noise will be reduced because traffic will be at slow speeds. It again fails to acknowledge that any increase in traffic will be detrimental to the conservation area and the only reason existing traffic is slow is because the area is already congested with residents cars.

We note the additional comments in relation to the utilities and the intentions to improve and manage those moving forward.

SPC still contend that the ambient nature of the conservation area will be irreparably damaged by the projected increase in traffic. The quiet enjoyment the village residents expect and one of the reasons the conservation area was put in place is being threatened for the commercial gain of one enterprise when there is a perfectly adequate entrance off Warninglid Lane that will allow the enterprise to function at no detriment to the conservation area.

Council would like to ask the LPA whether Historic England should have been invited to comment on the proposed application. Could they also guide Council to their published plan for the preservation and enhancement of designated conservation areas as part of their

duties under the 1990 Planning Act: DP35 Conservation within the District Plan makes reference to appraisals and management plans.

Should the application be considered for approval we would ask that the LPA make it a condition that Estate implement a traffic plan that asks their patrons/staff etc leaving the site do so via Warninglid Lane. This a similar arrangement that is in place at the South Lodge and Cisswood Hotel's. This would help minimise traffic movements on the Street, particularly at night when this can be disruptive for those that live on the Street, noise and light pollution.

### Slaugham Parish Council Planning Response - Summary

It is with regret that Slaugham Parish Council do not feel that adequate amendments to the transport plan have been made to enable them to support this application in its current form and therefore object to the proposed development.

#### *Original*

The "change of use" from residential to assembly and leisure to include a restaurant with 80 covers alongside a cookery school, wellness centre and treatment area, yoga studio gym, craft centre, children's area, offices, staff facilities and additional guest accommodation is a significant leap from the current use which will have detrimental transport impact on the village of Warninglid, which is a designated Conservation Area. The current and what appears to be the continual access to the Estate will be via The Street which is entrenched with 16th century buildings that have significant architectural and historic interest.

Please note the following policies set out in the Mid Sussex District Plan DP35 Conservation Areas <https://www.midsussex.gov.uk/media/3406/mid-sussex-district-plan.pdf>

Strategic Objectives: 2) To promote well located and designed development that reflects the District's distinctive towns and villages, retains their separate identity and character and prevents coalescence, 4) To protect valued characteristics of the built environment for their historical and visual qualities, and 11) To support and enhance the attractiveness of Mid Sussex as a visitor destination.

Evidence Base: Mid Sussex Conservation Area Appraisals, Sussex Extensive Urban Surveys, West Sussex Historic Environment Record.

Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:

- New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials,
- Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character,
- Traditional shop fronts that are a key feature of the conservation area are protected. Any alterations to shopfronts in a conservation area will only be permitted where they do not result in the loss of a traditional shopfront and the new design is sympathetic to the character of the existing building and street scene in which it is located,
- Existing buildings that contribute to the character of the conservation area are protected. Where demolition is permitted, the replacement buildings are of a design that reflects the special characteristics of the area,

- Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported,
- New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area.

Mid Sussex District Council has designated 36 Conservation Areas so far. They were designated between 1969 and 2003, and a few Conservation Areas have had their boundaries amended since the original designation. This document provides a description and boundary map for each Conservation Area.

<https://www.midsussex.gov.uk/media/3710/conservation-areas-in-mid-sussex.pdf>

The Street, which forms the focus of the Conservation Area designated in 1969, contains a number of buildings dating back to the 16th century. Some of these are Listed as being of special architectural or historic interest.

The following features, in particular, contribute to the character of the Conservation Area:

- the attractiveness of The Street due to the variety in the ages and styles of building;
- the predominant use of traditional and natural building materials e.g. sandstone, brick, timber and clay roof tiles;
- the traditional style street lamps and road sign directing traffic to adjacent villages/towns;
- the sense of enclosure created by the buildings and the bank, hedges and trees adjacent to The Street; and
- the village pond with an arching sandstone bridge leading to the drive of Lyndhurst Estate, creating a focal point within The Street.



The Council welcome the development of local business that support the economic growth of the Parish, nevertheless these must be sensitive to the local area specifically where there is an increase in traffic movements and demand on local infrastructure that will be needed to support it. These were some of the areas that the Council were mindful of when producing their local plan and policies.

**National Planning Policy Framework 16 Conserving and enhancing the historic environment - Paragraphs 189-208** <https://www.gov.uk/guidance/national-planning-policy-framework/16-conserving-and-enhancing-the-historic-environment>

In determining applications, the Local Planning Authority has the responsibility to preserve and enhance the character and appearance of the designated Conservation Area and any new development must make a positive contribution to the character of the area.

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. This is irrespective

of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

We believe that the increase in volume of traffic would neither enhance the area or make a positive contribution to it. It could be said that this proposal will cause "significant harm" to the setting of the Conservation Area in its current form.

#### Slaugham Parish Neighbourhood Plan

#### Policy 12: Economic Development

7.7. The local economy is predominantly rural, and in part dependent upon small scale businesses which are scattered throughout the Parish.

7.8. SPC wish to support economic growth in the Parish in order to create jobs and a strong rural economy. SPC therefore wish to support the sustainable start-up of new businesses in the Parish.

7.9. Policy 12 provides a supporting context within which such proposals would be considered in the development management process. Plainly, the definition of a sustainable location will be a matter of local judgement. However, SPC considers that a sustainable location would be either one within Handcross or Pease Pottage or within 800 metres of the settlement boundaries of those settlements, and/or readily accessible to non-car forms of transport.

Policy 12: Economic Development Proposals which enable the development of business uses within the Parish will be supported where proposals are:

1. Located in a sustainable location,
2. In keeping with the character of the area,
3. Respect residential amenity, and
4. Would not have an unacceptable impact on the local road network.

#### Policy 4 Conservation Areas

Development proposals within Handcross, Slaugham or Warninglid Conservation Areas will be supported where they conserve or enhance the character or appearance of the Conservation Area concerned, and comply with the requirements in Policy DP35 (Conservation Areas) of the MSDP.

Development proposals which respect the following features:

1. St. Mary's Church, Slaugham,
2. The Street (Park Road), Slaugham
3. Slaugham Place,
4. The Street, Warninglid, and
5. High Street, Handcross.

will be supported where such proposals would conserve or enhance the specific part of the Conservation Area and its immediate setting.

We believe that some of the statements made by the Estate and their professional consultants are inadequate. The Transport Statement does not provide an adequate assessment of the impact of the proposed expansion.

The survey and the statistics collated were completed during the COVID19 pandemic which is not a true reflection on the traffic movements and so the projected movements once the development is complete.

The document alludes to be written in accordance with the Horsham District Local Plan when it should be in accordance with the Mid Sussex District Plan as the LPA for Warninglid, not Horsham.

Local Response - The Committee consulted with the local residents who have three key areas of concern:

#### Traffic Impacts

This is as already stated a serious concern and its impact on the village particularly the residents of "The Street".

#### Utility Infrastructure

The impact on the water and electricity supplies given that we are all aware of the fragility of both these services, having had no water for long periods in the last few years.

#### Future Growth

Lydhurst Estate may decide to increase services beyond this proposal so strategic plans should be shared so adequate infrastructure measures to support those if resolved upon can be invested in now

or:

What corrective measures can be put in place should the activity levels significantly exceed those proposed within the submitted plans.

### **1. Traffic**

The Council, along with many of the residents of the village, and in particular those that live on The Street within the Conservation Area are concerned with the increase in vehicular movements linked to this proposal that will be generated during the construction period and in line with the ongoing operational activity proposed.

The access from the village crossroads is already effectively single file due to width of the road, resident and visitor parking alongside the Public House, The Half Moon to Listers. All of which is adjacent to the Lydhurst Estate entrance.

The access to the village from the A272/Spronkets Lane is similarly congested along the length of The Street for much of the day and already a hazard to agricultural traffic and other legitimate users, which include, cyclists, horse riders and pedestrians.

The projected traffic flows are inadequate for the facilities and services being constructed under this proposal, little regard has been given to staff and service vehicles, passing trade to the proposed café, visitors to the wellness studio, pool, treatment rooms and cookery school. This statement is supported in the WSCC consultation response where more accurate information is required and that this needs to be revisited.

[https://padocs.midsussex.gov.uk/PublicAccess\\_Live/Document/ViewDocument?id=7F5E4EFE985B42AFBD54F48A22D02BAC](https://padocs.midsussex.gov.uk/PublicAccess_Live/Document/ViewDocument?id=7F5E4EFE985B42AFBD54F48A22D02BAC)

All of these facilities will need a constant flow of customers, staff, service vehicles and suppliers to ensure they remain in good order and viable.

We also note that the traffic modelling was completed in 2020/21 during the early pandemic period and is not reflective of normal village life and traffic movements. There are other noteworthy inaccuracies within the transport statement that do not provide a factual representation of the increase in traffic to the area which need to be revisited.

The proposed access is width restricted over the "pond bridge" with no provision for larger vehicles to safely access without blocking the Street. The bridge and ponds are an important



feature in the Warninglid Conservation Area close to which are a number of Listed Buildings in The Street, the importance of which should not be diminished as set out above. The Street, does not lend itself to accommodate large delivery vehicles, there is not enough room for two cars to pass let alone larger vehicles.

There are strong feelings locally that all access/egress should be from Warninglid Lane, rather than access from The Street and egress from Warninglid Lane. Given the traffic numbers we are anticipating, there would still be an unacceptable level of traffic movements in The Street.

With this in mind we fully support the WSCC Highways Officers request more information and that this proposal is reconsidered surrounding transport/access as a matter of local importance to the area and surrounding villages.

## **2. Utilities**

Concerns regarding the increase demand on local utilities, particularly water and electricity. There appears to be no provision for significant brown water harvesting and the achievement of water neutrality.

We are concerned with the increase in demand on the electricity power supply which is currently inadequate for an expansion of this size. The network has known issues that have been raised with UKPN, which require network enhancements as the village experiences weekly outages. The village has over the years also experienced several water crisis most recently in for just over 3 days in the summer of last year and for some week in August 2020, this made the local and national news. We are of the opinion that the Estate draws from the same network for both electricity and water, this will be have severe impacts unless more work is proposed alleviate these.

The electrical services feasibility report acknowledges the strain on the network and the impacts of the and makes several recommendations to transfer load within the site itself along with an initial approach made to UKPN, via Crown Energy to establish the feasibility and likely costs for providing the required supplies. As we see it there are no actual plans for this to be extended improvements to outside the site or the impacts that this will have on local infrastructure. The current study also recommends the replacement of oil fired boilers due to the high carbon omissions and local planning policy to use renewables where feasible. This will increase demand in the future.

The risks surrounding loss of electricity due to the demands on site are documented. This includes the disruption to the mains water supply with the increase water consumption to service the various services swimming pool, leisure/gym guest accommodation and WCs etc. There are recommendations being made with no validity, further work is required to include UKPN and Southern Water agency approach to the increased demand planned as part of this proposal. We are note that the planning officers report acknowledges this also.

[https://padocs.midsussex.gov.uk/PublicAccess\\_Live/Document/ViewDocument?id=066C61E77B4A42AE8C9267899E90918B](https://padocs.midsussex.gov.uk/PublicAccess_Live/Document/ViewDocument?id=066C61E77B4A42AE8C9267899E90918B)

## **3. Future Growth**

What is next? There is a concern that should the estate proposals be the success the owners hope for, what will follow and how and can this be planned for? There is, and understandably so, no provision for success beyond that anticipated. The challenge for the estate will be how to manage this. The reality is the impact on the village and the wider Parish and how the local residents will live with a deteriorating quality of life caused by

increased traffic to the area with no input on how this may be dealt with. This will leave those locally with the feeling of isolation and abandonment caused by the success of the venture with no further engagement or local consultation.

With this in mind the Council propose that restrictions/conditions are considered now to permitted development rights to ensure there is no development creep and the estate become a victim of its own success. We can see locally the impact on Handcross caused by Nymans Gardens and more recently the impact at Lower Beeding of the regenerated Leonardslee Gardens. The village would be unable to cope on a daily basis, and it would have detrimental effect on an area that is immeasurably valued and cherish, that has significant historical value.

We appreciate that the LPA will be undertaking an Environmental Impact Assessment in accordance with Regulation 7 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as the site is also within the High Weald AONB, which is excellent news for a site of this size and potential.

However, it would appear that the only assessment that has currently been documented is the environmental protection of the site, which states that due to its proximity (approx. 300m) to the nearest property impacts are unlikely. We do not agree with this assessment. We believe that this proposal will affect the residential amenity of those neighbouring properties by additional noise, odour and light pollution not to mention the movement of those attending and leaving the site. We appreciate that further work is recommended here to ensure conformity with MSDC Policy DP29: Noise, Air and Light Pollution.

With regard to construction conditions and control, noise and air quality emissions should also be measured based on the current planned access to the site, which is unsuitable for construction traffic, limiting or restricting the movement and timings will not adequately alleviate this.

### **Slaugham Parish Council Planning Response - In Summary**

It is with regret that Slaugham Parish Council do not feel that they can support this application in its current form and therefore object to the proposed development.

The increase in traffic movements within the conservation area that will be wholly harmful to the environment, the Street and quality of life for those living within the immediate area and the wider village conurbation to include the impacts on local infrastructure and the repercussions that this will have.

We would ask the LPA planning officers and delegated committee propose that further work is undertaken on the transport and traffic movements along with the increase demand on services to include a plan for improvement before recommendation to approval. As previously stated, we would like WSCC Highways representation response to include the provision for the main access/exit from the site onto the Warninglid Lane, not the Street. This Committee would be more than happy to attend site meetings to support this going forward.

We do hope this proposal is a success for the Lydhurst Estate and the owners whilst recognising that whilst progress can be a force for good, it must not be to the detriment of the village, its residents, and the surrounding area.