

Land east of Lunce's Hill, Haywards Heath

Planning and Affordable Housing Statement

Final

MWB/HM/AB/34293

February 2025



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1 INTRODUCTION

1.1 OVERVIEW

1.1.1 This Planning and Affordable Housing Statement has been prepared by DHA Planning on behalf of Catesby Strategic Land Limited and Rurban Estates Limited ("the Applicant"), in support of an outline planning application in respect of land to the east of Lunce's Hill, Haywards Heath, West Sussex, RH16 4QT.

1.1.2 The full description of the development is as follows:

"Outline planning application for the erection of up to 130 dwellings, together with the change of use of an existing barn for a flexible community and/or commercial use, along with associated outdoor space and landscaping, drainage infrastructure, hard and soft landscaping, parking, access and associated works (all matters reserved except for access)."

1.1.3 This application relates to a site located on the boundary of Mid Sussex (West Sussex) and Lewes District (East Sussex). In accordance with National Planning Practice Guidance (NPPG), an identical planning application is submitted to each Local Planning Authority for consideration and the policies assessed herein relate to the adopted (and where relevant, emerging) Local Development Plan for each authority area. A greater proportion of the site lies within Lewes District.

1.1.4 This Planning and Affordable Housing Statement provides a detailed overview of the application site, its context and the relevant planning history, and a summary of the development proposal. It identifies all applicable development plans and relevant planning policies, as well as the National Planning Policy Framework (NPPF) (December 2024) and other guidance. It then sets out the planning considerations which are regarded as material to the determination of the application.

1.1.5 The report concludes that the proposal is sustainably located, appropriate in planning terms and accordingly requests that planning permission be granted.

1.2 STATEMENT STRUCTURE

1.2.1 The structure of this Planning Statement is as follows:

- Section 2 sets out the context of the site, the immediate surroundings and the relevant planning history;
- Section 3 has regard to the development proposed;
- Section 4 reviews the planning policy context by which the planning application will be considered, including having regard to the advice contained in the NPPF (December 2024) and the formal policies of the development plan;
- Section 5 sets out the current housing land supply and delivery position for Lewes and Mid Sussex Districts;

- Section 6 considers the 'principle' of the development and any other relevant planning considerations; and
- Section 7 draws conclusions to justify why it is considered that the development is acceptable.

1.3 SUPPORTING DOCUMENTS

1.3.1 This Planning and Affordable Housing Statement forms part of a suite of documents that support this outline planning application, and it is designed to be read in conjunction with the forms and documents listed in the table below.

1.3.2 This list accords with the Lewes District Council Local Validation List (April 2021) and the Mid Sussex District Council Validation List (September 2020).

DOCUMENT	AUTHOR
ADMINISTRATIVE DOCUMENTS	
Application Form, Notices and Land Declaration	DHA Planning
Planning Obligations Instruction Form (MSDC only)	DHA Planning
CIL – Additional Information Form (LDC only)	Applicant
Cover Letter	DHA Planning
REPORTS	
Air Quality Assessment	RPS
Arboricultural Impact Assessment	EDP
Design and Access Statement	Edge
Ecological Appraisal and BNG Statement + BNG Metric	Derek Finnie Associates
Flood Risk Assessment and Conceptual Drainage Strategy	RPS
Heritage Statement	Orion Heritage
Landscape and Visual Assessment	EDP
Lighting Impact Assessment	RPS
Noise Impact Assessment Report	RPS
Phase 1 Desk Study (Ground Conditions)	GRM
Statement of Community Involvement	Catesby Estates
Sustainability and Energy Statement	Iceni
Sustainability Checklist for Major Developments	DHA Planning
Transport Assessment	Stantec
Travel Plan	Stantec
Utilities Report	RPS
DRAWINGS	
604-L01 - Location Plan	
604-P01 - Constraints & Opportunities Plan	
604-P02 - Illustrative Masterplan	
604-P03 - Land Use & Building Heights Parameter Plan	
edp8571_d011 - Illustrative Landscape Strategy	

DOCUMENT	AUTHOR
332611520-STN-HGN-XX-DR-C-0100 P04 - Access Arrangement	
332611520-STN-HGN-XX-DR-C-0102 P02 - Visibility Plan	

2 SITE AND SURROUNDINGS

2.1 SITE LOCATION AND DESCRIPTION

2.1.1 The application site comprises an 8.81 hectare area of land to the east of Lunce's Hill (B2112), located on the southern end of Haywards Heath, West Sussex. The site is outlined in red in **Figure 2.1** below and on the Site Location Plan provided at **Appendix 1**.

2.1.2 Approximately 6.95 hectares of the site lies within the jurisdiction of Lewes District Council (LDC) and Wivelsfield Parish, with the remaining 1.86 hectares falling within the jurisdiction of Mid Sussex District Council (MSDC) and Haywards Heath Parish.

2.1.3 The site is largely characterised by agricultural grassland enclosed by established natural boundaries along much of the perimeter. It is subdivided into five smaller field parcels which are lined by managed hedgerows and an existing watercourse – Pellingford Brook – which runs east to west in the southern third of the site. There is an existing barn within the site which sits adjacent to the western boundary.

2.1.4 The site is bounded by existing residential development along Hurstwood Lane and Colwell Lane to the north-west; a field to the north; Hurst Wood to the east; agricultural land to the south; and Lunce's Hill (B2112) to the west.



FIGURE 2.1: SITE AERIAL SHOWING SURROUNDING CONTEXT

2.2 SITE CONTEXT

- 2.2.1 The site is located within an area undergoing significant change resulting from the recent development, approval, resolution-to-grant, or allocation of a number of development sites to the south of Haywards Heath.
- 2.2.2 These include a strategic development location being delivered for sustainable residential growth to the north of the site, known as 'Land at Hurst Farm'. A live application is submitted under planning reference DM/22/2272 for 375 new homes plus mixed-uses including a two form entry primary school, located primarily on allocated land within the boundaries of Mid Sussex District. The application boundary also covers land within the boundaries of Lewes District, for an additional residential development parcel, burial ground, allotments and public open space. A resolution to grant planning permission was given by Mid Sussex District Council's Planning Committee in August 2023.
- 2.2.3 Another small development site – land at Braydells – lies between the northern boundary of the site and the existing residential properties on Hurstwood Lane. This site has planning consent for 4 new homes under reference DM/19/0206, as amended. An additional residential development ('Spring Bank') comprising 20 new homes is located to the west of the site. This development was permitted under reference DM/22/0733 in 2022. Both developments are understood to be substantially completed with some occupations.
- 2.2.4 The site therefore lies immediately adjacent to what will soon form the southern boundary of Haywards Heath.
- 2.2.5 The southern end of Haywards Heath exhibits a variety of architectural styles resulting from incremental development from the town centre since the early 20th century followed by extensive development around Lunce's Hill by the 1980s. This has resulted in a range of house types with a mix of materials including red and buff brick, hanging tiles and render. Within this more contemporary development context, there are a number of older historic buildings in the wider area, principally clustered around the junction of Lunce's Hill and Hurstwood Lane.

2.3 ACCESS

- 2.3.1 Access is taken from a field gate along the western boundary which provides a direct link onto the highway. Opposite the site entrance is an existing surfaced footway which leads from the Spring Bank development along the west side of Lunce's Hill into town. An existing bus stop and shelter is located approximately 170m north of the site which provides regular services into Haywards Heath (including the railway station), Crawley, Cuckfield and Scaynes Hill.
- 2.3.2 A short section of footway on the eastern side of the road begins north of Hurstwood Lane which provides access to a second bus stop and shelter providing regular services southbound towards Lewes, Brighton, and South Chailey. This bus stop can be accessed via a dropped kerb pedestrian crossing at the Fox and Hounds public house.

2.3.3 Hurstwood Lane, located approximately 200m north of the site, will soon provide access to the new primary school to be delivered on the western side of the Hurst Farm development.

2.4 POLICY DESIGNATIONS AND SITE-SPECIFIC CONSIDERATIONS

Heritage

2.4.1 There are two designated assets within the vicinity of the site, comprising the Grade II listed Cleavewater (Listing Entry Number 1286454) and The Olde Cottage (Listing Entry Number 1223019) which is also Grade II listed. Cleavewater lies adjacent to the site's western boundary and fronts onto Lunce's Hill. The Olde Cottage lies approximately 120m further west along a private access track

2.4.2 Within the curtilage of Cleavewater are collection of outbuildings which includes the existing building within the boundary of the development site.

2.4.3 The site does not fall within a Conservation Area, with the nearest being the Wivelsfield Conservation Area located approximately 900m to the south and the Lewes Road, Haywards Heath Conservation Area located 1km to the north.

Flood Risk/Drainage

2.4.4 The Environment Agency's Flood Map for Planning shows the site within Flood Zone 1, which means that the site is at low risk of flooding from nearby rivers and the sea.

2.4.5 The southern area of the site is at risk of surface water flooding, which is associated with the onsite watercourse – the Pellingford Brook – and offsite drains. The level of risk identified in light blue is 'low' (i.e. between 0.1% and 1% chance each year); medium in mid-blue (i.e. between 1% and 3.3% chance each year) and high in areas shown in dark blue (more than 3.3% chance each year).

2.4.6 It is noted that the high level of risk is limited to the route of the Pellingford Brook and attached drains with a small area of high risk in the far south eastern corner.

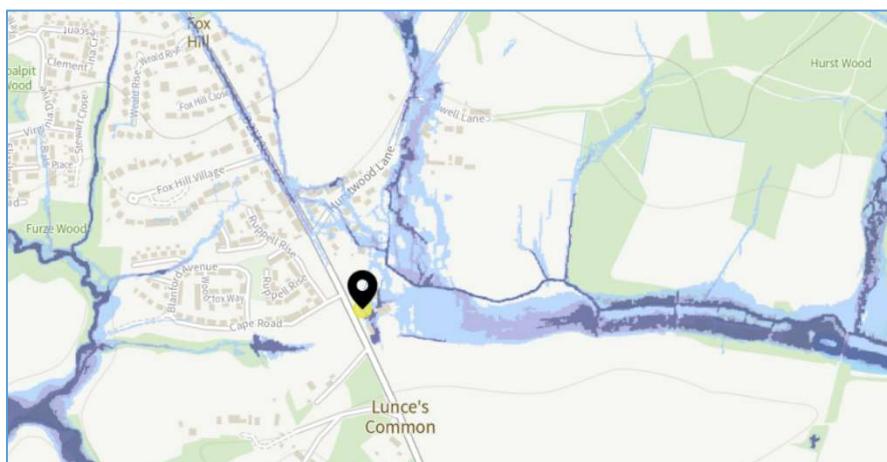


FIGURE 2.2: SURFACE WATER FLOOD RISK (SOURCE: ENVIRONMENT AGENCY)

Environmental and Spatial Designations

2.4.7 The proposed development site is located on the southern edge of Haywards Heath, in an area characterised by both rural landscape and built development. The key landscape features within the site are found along the boundaries in the form of trees and hedgerows. The majority of the site is characterised by open grassland.

2.4.8 The site is not within the South Downs National Park, or its setting, nor is it covered by the High Weald National Landscape or the Metropolitan Green Belt.

2.4.9 An Ancient Semi Natural Woodland is located adjacent to the site outside the eastern boundary.

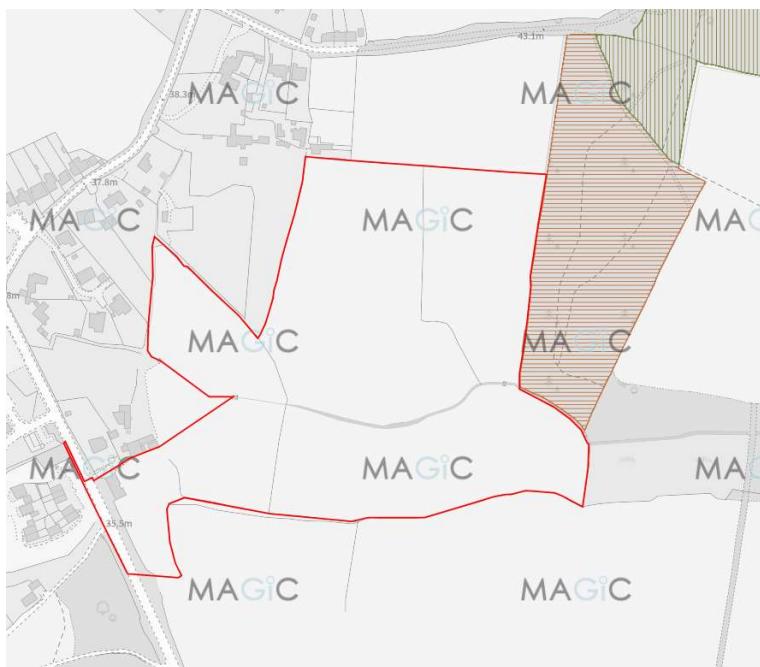


FIGURE 2.3 LOCATION OF THE ANCIENT WOODLAND OUTSIDE THE EASTERN BOUNDARY
(SOURCE: MAGIC MAPS)

2.5 PLANNING HISTORY

2.5.1 A review of LDC's public access system has revealed one application of relevance to the site:

REFERENCE	PROPOSAL	DECISION
E/72/1213	Outline application for the erection of dwellings.	Refused 24/07/1972

2.5.2 There are no documents available for this application, although it should be noted that the application was determined over 50 years ago and has no relevance to this submission, so it is not discussed any further.

2.5.3 A review of MSDC's public access system revealed there is no relevant planning history for the site. However, there are a number of relevant neighbouring planning applications which are discussed within this report:

REFERENCE	PROPOSAL	DECISION
DM/22/2272	<p><i>'Hurst Farm Strategic Site'</i></p> <p>Outline application with all matters reserved except for access for the erection of up to 375 homes, two-form entry primary school, burial ground, allotments, open space with associated infrastructure, landscaping and parking areas.</p>	Awaiting formal decision following resolution to grant planning permission given by MSDC's Planning Committee.
DM/22/0733	<p><i>'Spring Bank'</i></p> <p>Erection of 20 dwellings with associated amenity/garden, landscaping and access/parking arrangements.</p>	Approved 21/10/2022
DM/19/0206	<p><i>'Land at Braydells'</i></p> <p>Erection of four detached dwellings and attached garages; with modifications to the existing vehicular access.</p>	Approved 23/05/2019

3 THE PROPOSED DEVELOPMENT

3.1 OVERVIEW

3.1.1 The full description of the development is as follows:

"Outline planning application for the erection of up to 130 dwellings, together with the change of use of an existing barn for a flexible community and/or commercial use, along with associated outdoor space and landscaping, drainage infrastructure, hard and soft landscaping, parking, access and associated works (all matters reserved except for access)."

3.1.2 This section summarises the development proposed. Full details are contained within the submitted Design and Access Statement prepared by Edge Urban Design.

3.2 PROPOSED LAYOUT

3.2.1 While the layout of the development is a reserved matter, the indicative layout submitted with this application demonstrates how the development could be arranged to respect the key existing features within the site, in such a way that is appropriate to its edge of settlement location.

3.2.2 The layout has evolved through a careful review of the site's opportunities and constraints, following early advice from specialist consultants on ecology, trees, landscape, drainage, highways and others. The most pertinent of these includes:

- The parcel of Ancient Woodland outside the eastern boundary and need to provide a suitable buffer zone within the boundary of the site.
- The presence of the Pellingford Brook and opportunities to improve the management of surface water within the site through a drainage strategy that forms part of the overarching landscape strategy.
- The existence of a disused traditional barn which has potential to be brought into long term use to prevent its degradation while celebrating its local historic character.
- Existing boundary trees and hedgerows, which contribute to the landscape character and offer natural breaks between parcels of development. These features could be retained and enhanced as part of the site wide landscape strategy, while retaining a good level of natural screening from the open countryside beyond.
- Opportunities to connect to the highway and footway along Lunce's Hill.

3.2.3 The overarching strategy for the site is to create a landscape led development that sits comfortably within its edge-of-settlement context. The Parameters Plan submitted with the application defines the main development parcels within the site, which are reflective of the constraints and opportunities outlined above. This plan also emphasises the extent of the site that could be available for public open space, helping to soften the appearance of the development and offering recreational opportunities for existing and future residents to enjoy.

- 3.2.4 It is expected that the majority of the new dwellings would stand at up to 2 storeys in height. However, it is noted that there are examples of 2.5 storey dwellings in the immediate local area which could also be introduced in the central parts of the site along key thoroughfares. The indicative house types have been chosen to deliver a varied street scene, adding visual interest to the development and helping to establish a hierarchy of buildings which frame the key arterial routes through the neighbourhoods.
- 3.2.5 The existing barn on the eastern boundary is being retained for use as a small scale commercial and/or community use, supported by a dedicated car park to the east. Due to the size of the barn and its traditional features, the use of this building is expected to be modest but would benefit existing and future residents as local commercial or community provision.

3.3 PARKING ACCESS AND SERVICING

Access

- 3.3.1 Detailed consent is sought for the proposed access arrangement into the site.
- 3.3.2 An upgraded access from Lunce's Hill is proposed on the western boundary in form of a priority T-junction, which designed to accord with 'Manual for Streets' design guidance and accommodates a minimum stagger distance of 30 metres from the opposing Spring Bank access junction.
- 3.3.3 The site access design also incorporates a Puffin Crossing to the north of the Site, connecting pedestrians to the footway in the western verge of the highway and the bus stops further north.

Parking

- 3.3.4 The layout of the site is a reserved matter; however the indicative site plan is able to accommodate the expected parking provision required for the proposed dwellings and commercial/community use in accordance with East Sussex County Council and West Sussex County Council's parking standards.

4 PLANNING POLICY FRAMEWORK

4.1 OVERVIEW

4.1.1 Under the provisions of Section 38(6) of the Planning and Compulsory Purchase Act, applications for planning permission are required to be determined in accordance with the Development Plan in force unless material considerations indicate otherwise.

4.1.2 In this case, the adopted Development Plan of most relevance to this site comprises:

- Lewes District Local Plan Part 1: Joint Core Strategy (2016)
- Lewes District Local Plan Part 2: Site Allocations and Development Management Policies (2020)
- Saved Policies of the Lewes District Local Plan (2003)
- Wivelsfield Neighbourhood Plan (2016, reviewed in 2021)
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (2013)
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Site Plan (2017)

4.1.3 As part of the site lies within the jurisdiction of MSDC, the following Development Plan documents are also of relevance:

- Mid Sussex District Plan 2014 – 2031 (2018)
- Saved policies of the Mid Sussex Local Plan (2004)
- Mid Sussex Site Allocations DPD (2022)
- Mid Sussex Small Scale Housing Allocations DPD (2008)
- West Sussex Joint Minerals Local Plan (2018) and Waste Local Plan (2014)
- Haywards Heath Neighbourhood Plan (2016)

4.1.4 In addition to these Development Plans, other material considerations include the National Planning Policy Framework (December 2024) ('NPPF'), the emerging Mid Sussex District Plan Review, LDC's Interim Policy Statement for Housing Delivery (2020), and the various supplementary planning documents, guidance and technical notes adopted at the local level. The following are of relevance to this site:

LEWES DISTRICT	MID SUSSEX DISTRICT
Kerb Side Recycling SPD (2004)	Design Guide SPD (2020)

LEWES DISTRICT	MID SUSSEX DISTRICT
Renewable Energy SPD (2006)	Development Infrastructure and Contributions SPD (2019)
Affordable Housing SPD (2018)	Development Viability SPD (2019)
Biodiversity Net Gain TAN (2021)	Air Quality and Emissions Mitigation Guidance for Sussex (2021)
Circular Economy TAN (2021)	Policy for the Management of Surface Water (2018)
Sustainability in Development TAN (2021)	Parking Guidance (2020) (West Sussex)
Electrical Vehicle Charging Points Technical Guidance Note	Planning Noise Advice Document (2023)
Parking Guidance (2017) (East Sussex)	

4.1.5 There are number of 'saved' policies set out in the Lewes District Local Plan (2003) and the Mid Sussex Local Plan (2004). However, these policies are not relevant to the application site and so are not discussed any further. The site is not allocated in the Mid Sussex Small Scale Housing Allocations DPD, therefore there are no relevant policies, and this document is also not discussed further.

4.2 THE DEVELOPMENT PLAN

Lewes District Local Plan Part 1: Joint Core Strategy (2016)

4.2.1 The Lewes District Local Plan Part: Joint Core Strategy ('LPP1') was adopted by Lewes District Council in May 2016 to set out the strategic direction for development and change across the district up to 2030.

4.2.2 The district of Lewes is highly constrained with approximately 56% of the land area located within the South Downs National Park and 77% of its population in the five urban areas of Lewes, Newhaven, Peacehaven, Seaford and Telscombe Cliffs / East Saltdean located on the southern end of the district. The remainder of the population live in 23 predominantly rural parishes which accommodates villages of no more than 2,000 people (with the exception of Ringmer near Lewes). The nearest largest towns providing a wide range of services and facilities are Burgess Hill and Haywards Heath in Mid Sussex, Uckfield in Wealden District, and the city of Brighton & Hove, outside of the district boundary.

4.2.3 The site is not allocated in the LLP1. The nearest strategic site comprises land at Greenway Hill, Haywards which was allocated for 175 new residential homes.

4.2.4 The following policies are considered to be of particular relevance to this site:

POLICY	POLICY NAME
Spatial Policy 1	Provision of Housing & Employment Land
Spatial Policy 2	Distribution of Housing
Core Policy 1	Affordable Housing
Core Policy 2	Housing Type, Mix and Density

POLICY	POLICY NAME
Core Policy 4	Economic Development & Regeneration
Core Policy 7	Infrastructure
Core Policy 8	Green Infrastructure
Core Policy 9	Air Quality
Core Policy 10	Natural Environment and Landscape
Core Policy 11	Built and Historic Environment & Design
Core Policy 12	Flood Risk, Coastal Erosion & Drainage
Core Policy 13	Sustainable Travel
Core Policy 14	Renewable and Low Carbon Energy

Lewes District Local Plan Part 2: Site Allocations and Development Management Policies (2020)

4.2.5 The Lewes District Local Plan Part 2: Site Allocations and Development Management Policies (2020) ('LPP2') was adopted in February 2020. The LPP2 includes specific land allocations to deliver the vision set out in LPP1 and includes development management policies to guide planning proposals.

4.2.6 The following policies are from the LLP2 and are considered relevant to this application.

POLICY	POLICY NAME
DM1	Planning Boundary
DM10	Employment Development in the Countryside
DM14	Multi-functional Green Infrastructure
DM15	Provision for Outdoor Playing Space
DM16	Children's Play Space in New Housing Development
DM19	Protection of Agricultural Land
DM21	Land Contamination
DM22	Water Resources and Water Quality
DM23	Noise
DM24	Protection of Biodiversity and Geodiversity
DM25	Design
DM26	Refuse and Recycling
DM27	Landscape Design
DM29	Garages and other buildings ancillary to existing dwellings
DM33	Heritage Assets

Mid Sussex District Plan (2018)

4.2.7 The Mid Sussex District Plan was adopted on 28th March 2018 and sets out the spatial strategy and accompanying development policies for new development in Mid Sussex within the period between 2014 and 2031. The following policies are of relevance to this site.

POLICY	POLICY NAME
DP2	Town Centre development
DP4	Housing
DP5	Planning to Meet Future Housing Need
DP6	Settlement Hierarchy
DP12	Protection and Enhancements of Countryside
DP13	Preventing Coalescence
DP14	Sustainable Rural Development and the Rural Economy
DP15	New Homes in the Countryside
DP17	Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)
DP20	Securing Infrastructure
DP21	Transport
DP22	Rights of Way and other Recreational Routes
DP23	Communication Infrastructure
DP24	Leisure and Cultural Facilities and Activities
DP25	Community Facilities and Local Services
DP26	Character and Design
DP27	Dwelling Space Standards
DP28	Accessibility
DP29	Noise, Air and Light Pollution
DP30	Housing Mix
DP31	Affordable Housing
DP34	Listed Buildings and Other Heritage Assets
DP37	Trees Woodland and Hedgerows
DP38	Biodiversity
DP39	Sustainable Design and Construction
DP41	Flood Risk and Drainage
DP42	Water Infrastructure and the Water Environment

Mid Sussex Site Allocations DPD (2022)

4.2.8 The site is not allocated within this document, however there are two policies that will be of relevance.

POLICY	POLICY NAME
Policy SA10	Housing
Policy SA38	Air Quality

Wivelsfield Neighbourhood Plan

4.2.9 The Wivelsfield Neighbourhood Plan was made (adopted) in December 2016 and more recently updated in 2021. Policies of relevance to the site within the boundary of Lewes District are as follows:

POLICY	POLICY NAME
Policy 1	A Spatial Plan for the Parish
Policy 2	Housing Site Allocation
Policy 5	Design
Policy 6	Green Infrastructure & Biodiversity

Haywards Heath Neighbourhood Plan (2016)

4.2.10 The Haywards Heath Neighbourhood Plan (HHNP) was made on 15th December 2016 and includes local planning policies to guide new development in the town in the period between 2014 and 2031. The following policies will be of relevance to the part of the site within the boundary of Mid Sussex:

POLICY	POLICY NAME
Policy E5	Rural Setting
Policy E6	Green Infrastructure
Policy E7	Flooding and Drainage
Policy E8	Sustainable Development
Policy E9	Design
Policy E11	Views
Policy E13	Private Outdoor Space
Policy B1	Retail and Other Town Centre Uses
Policy T1	Connectivity
Policy T2	Cycle Infrastructure
Policy T3	Parking
Policy H8	Windfall Sites
Policy L5	Community Uses

4.3 OTHER MATERIAL CONSIDERATIONS

National Planning Policy Framework (NPPF) (2024)

4.3.1 The NPPF sets out the Government's planning policies for England and how these should be applied. A revised NPPF was published in December 2024 and is a material consideration when determining planning applications.

4.3.2 **Paragraph 7** asserts that the purpose of the planning system is to contribute to the achievement of sustainable development.

4.3.3 **Paragraph 8** states that to help achieve sustainable development, it means that the planning system has three overarching objectives as follows:

- a) An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.3.4 **Paragraph 11** states that plans and decision making should apply a presumption in favour of sustainable development. For decision making this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

4.3.5 **Paragraph 61** states that in order to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

4.3.6 **Paragraph 73** states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly.

4.3.7 **Paragraph 82** states that in rural areas planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs and consider whether allowing some market housing on these sites would help to facilitate this.

4.3.8 **Paragraph 83** adds that planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

4.3.9 **Paragraph 97** continues by stating that decisions plan positively for the provision of shared spaces and community facilities within residential developments to improve the sustainability of these communities. It also discusses how the delivery of local strategies will improve the health, social and cultural well-being of the community involved.

4.3.10 **Section 12** sets out policies that work towards achieving well-designed places. Planning decisions should ensure that developments will function well and add to the overall quality of an area, are visually attractive, sympathetic to local character and history. They should establish or maintain a strong sense of place, using spaces, building types and materials to create attractive, welcoming and distinctive places to live. Furthermore, they should create places that are safe, inclusive and accessible and which promote health and well-being.

Supplementary Planning Guidance and other Documents

4.3.11 SPDs are prepared to further elaborate on particular policies or proposals from the adopted Local Plans to give guidance on how they will be implemented. The relevant SPDs, SPGs, and Technical Advice Notes are outlined previously in this section and are addressed where relevant later in this report.

4.3.12 Of particular relevance to the principle of development on this site is LDC's Interim Policy Statement which recognises that adopted planning boundaries may need to be breached in order to help meet local housing needs in this context and seeks to guide speculative development to the most sustainable locations. This document is assessed later in this report.

Mid Sussex District Plan Review

4.3.13 MSDC is in the process of preparing a revised District Plan which was submitted for Examination on 8th July 2024. Subject to the outcome of the Examination in Public, the revised District Plan will have increasing weight as it moves towards adoption.

Site Assessment

4.3.14 The site has been assessed by MSDC for its suitability for development and was given reference 1136 in the latest Strategic Housing and Economic Land Availability Assessment (SHELAA) report.

4.3.15 The Stage 1 assessment concluded that the site is relatively unconstrained, available and achievable within the emerging plan period. It was noted that the development would not have a negative impact on any Conservation Areas or any areas of Townscape Character, but it was noted that development may potentially affect listed buildings so mitigation may be necessary. Safe access was noted to already exist. A copy of the Stage 1 assessment is provided at **Appendix 2**.

4.3.16 However, in the Site Selection Conclusions Paper prepared for the emerging District Plan, the site has been discounted solely on heritage grounds. A copy of the assessment is provided at **Appendix 3** and is discussed later in this report.

4.3.17 The site has also been assessed by LDC and was given reference 41WC in their latest Land Availability Assessment (LAA) (2023, as amended in January 2024). A copy is contained at **Appendix 4**. The report classes the site as unsuitable for residential development on the grounds that it would be reliant on land within Mid Sussex who had not identified it for allocation in the emerging Local Plan. The results of the assessment are discussed later in this report.

5 HOUSING NEED AND SUPPLY OVERVIEW

5.1 CONTEXT

5.1.1 Paragraph 78 of the NPPF states that local planning authorities should monitor their deliverable land supply against their housing requirement, as set out in adopted strategic policies. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should include the requisite buffer of 5% or 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.

Lewes District

5.1.2 LDC's adopted housing requirement is set out in Spatial Policy 1 of the LPP1, which states that a minimum of 6,900 net additional dwellings (345 dwellings per annum) would be provided in the plan area in the period between 2010 and 2030. However, as the Local Plan is now more than 5 years old, LDC are required to calculate their local housing need in accordance with the Government's standard methodology – currently 853 new homes per annum and an uplift of over 147%, rising from an uplift of over 125% with the previous methodology. LDC's five-year land supply position (5YHLS) was most recently discussed at an appeal decided in July 2024 in which it was concluded that LDC was able to demonstrate a supply of 3.02 years¹. Although it should be noted that this position will reduce further as a result of the uplift in housing need confirmed in December 2024.

5.1.3 The 5YHLS position has unfortunately been consistently low for several years, as shown below, with Inspectors placing significant weight on this shortfall in the overall planning balance.

- Appeal Ref: APP/P1425/W/23/3319706 – 2.39 to 3.18 year land supply – allowed on 9th February 2024
- Appeal Ref: APP/P1425/W/23/3323308 – 3.02 year land supply – allowed on 13th December 2023.
- Appeal Ref: APP/P1425/W/22/3300691 – 2.7 year land supply – allowed on 2nd December 2022.

5.1.4 Paragraph 14 of the NPPF states that where the presumption in favour of sustainable development is applied in relation to housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

¹ Appeal Ref: APP/P1425/W/23/3330879

- (1) The neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and
- (2) The neighbourhood plan contains policies and allocations to meet its identified housing requirement.

5.1.5 There is an adopted Neighbourhood Plan for Wivelsfield Parish, which was made in September 2016. It is noted that a review of the Neighbourhood Plan was carried out and approved by the Parish Council in May 2021, however we note that this review was not subject to any further consultation, examination or referendum, presumably on the grounds that there were no material changes made. As a result, the Neighbourhood Plan has not considered the proportion of new housing that would need to be accommodated within the Parish as a result of the considerable uplift in housing need in Lewes, therefore it cannot be demonstrated that criteria (b) above has been met. The Neighbourhood Plan review itself would in any case become out of date in May 2025.

5.1.6 It can therefore be concluded that Paragraph 14 is not engaged when considering the presumption in favour of sustainable development in Lewes District.

5.1.7 The consequence of not being able to demonstrate a 5YHLS of deliverable housing sites means that the development boundaries from the adopted local plan and related restrictions on development in the countryside must be acknowledged as out-of-date.

5.1.8 The presumption in favour of sustainable development would apply when determining planning applications that cover land within the boundary of Lewes District. This means that more weight should be given to the benefits of providing housing within the site as means of contributing to sustainable development. This is discussed later in this report.

Mid Sussex District

5.1.9 Turning to Mid Sussex, the District's 5YHLS has recently been confirmed in the "Updated Statement of Common Ground on Housing Land Supply at 1st April 2024" agreed between Mid Sussex and Gladman Developments Ltd in the determination of the appeal relating to application reference DM/24/0446, dated 18th December 2024. A copy of the document is contained at **Appendix 5**, which confirms in paragraph 2.6 (emphasis added):

"Both parties agree that the Council cannot demonstrate a 5YHLS as it is required to under paragraph 78 of the Framework. Against the local housing need of 1,356 dwellings (calculated by the December 2024 revised Standard Method) and a 5% buffer (as now required by the updated Framework), the Council's deliverable supply of 4,815 dwellings equates to 3.38 years..."

5.1.10 Prior to this, the District's 5YHLS was considered in the determination of an appeal relating to 120 dwellings in Henfield Road, Albourne² at which it was concluded that Mid Sussex was able to demonstrate a 5.04 year supply of houses, with a 47 dwelling surplus. It is clear therefore that the revised method introduced for

² Appeal Ref: APP/D3830/W/23/3319542

calculating housing need at the end of 2024 has had considerable implications for the District.

5.1.11 It is also noted that MSDC is in the process of preparing a new District Plan which is currently subject to Examination. The first Hearing session was held in October 2024 at which there were significant concerns raised by third parties regarding the unmet need in neighbouring authorities with greater planning constraints, including but not limited to Lewes District. We note in the signed Statement of Common Ground between MSDC and LDC (signed 12 August 2024, after submission of the District Plan) that LDC will not have enough suitable land available to meet its housing need; with a shortfall anticipated between 2,675 and 6,628 homes.

5.1.12 Whilst it is applaudable that Mid Sussex is meeting its own housing needs in the emerging District Plan, with a buffer, it is clear from the Duty to Cooperate evidence that the Council is not planning positively to assist with unmet needs from elsewhere, including Lewes. The application site is well placed to accommodate some of this need as a sustainable extension to a large town with extensive facilities and transportation links, whilst the majority of the land would remain, appropriately, within the District of Lewes. This site is considered to present an ideal opportunity to demonstrate to the District Plan Inspector that both authorities are positively looking for opportunities to co-operate and meet housing needs cross boundary.

5.1.13 Concerns were also raised at the EIP hearings, including by the Applicant, regarding the approach taken in early stages of MSDC's site assessments, whereby sites have been excluded in the early stages of assessment due to constraints that can be overcome, resulting in the exclusion of additional candidates for allocation. This includes the application site which was discounted from further assessment in the SHLAA over concerns in respect of heritage.

5.1.14 There is one listed building to the west of the site, Cleavewater which is Grade II listed, which can be designed into a scheme to ensure its setting is preserved, as demonstrated in the submitted Heritage Statement and summarised in Section 6.9 of this document. Indeed, it is noted there is a new housing development directly opposite recently completed: Spring Bank by Sigma Homes which has clearly overcome any constraints presented by this heritage asset.

5.1.15 The principle of development on the application site within this context is discussed in Section 6.

5.2 PAST DELIVERY

5.2.1 Paragraph 79 states that to maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below the local planning authority's housing requirement over the previous three years, the following policy consequences should apply:

- Where delivery falls below 95% of the requirement over the previous three years, the authority should prepare an action plan to assess the causes of under-delivery and identify actions to increase delivery in future years;

- b. Where delivery falls below 85% of the requirement over the previous three years, the authority should include a buffer of 20% to their identified supply of specific deliverable sites as set out in paragraph 78 of the framework, in addition to the requirement for an action plan.
- c. Where delivery falls below 75% of the requirement over the previous three years, the presumption in favour of sustainable development applies, in addition to the requirements for an action plan and 20% buffer.

5.2.2 The most recent Housing Delivery Test results were published by the Department for Levelling Up, Housing and Communities in December 2024 and show that Lewes achieved 89% delivery, resulting in the need for LDC to prepare an Action Plan.

5.2.3 The Housing Delivery Test shows that Mid Sussex achieved 142% delivery. As the presumption is not currently in effect in Mid Sussex, this has no implications for the district. It is considered further as part of the wider planning case set out in Section 6.

6 PRE-APPLICATION ENGAGEMENT

6.1 LOCAL PLANNING AUTHORITIES

6.1.1 A request for pre-application advice was submitted to Lewes District Council and Mid Sussex District Council and a meeting was subsequently held with representatives from both councils. Ward Members from the Haywards Heath Franklands Ward, which covers the part of the site within Mid Sussex, were also in attendance. The feedback received from the meeting is summarised as follows:

- The site is located on land within the countryside, outside of any defined settlement boundary in both relevant development plans. However, the presumption in favour of sustainable development is currently in effect in both Lewes District and Mid Sussex District, therefore the tilted balance would need to be applied in the assessment of the site. The tilted balance would be applied in both authorities until new development plans are adopted.
- Key considerations were noted to be heritage, accessibility, ecology, the site's relationship with the adjacent Ancient Woodland and Pellingford Brook, all of which have been addressed in the documentation submitted with this application and assessed against relevant planning policies in the following section.
- The edge of settlement location means that the site is not in close proximity to the centre of Haywards Heath. The accessibility of the site would therefore need to be addressed in the application, although it was acknowledged that the site was comparable in accessibility terms to the Spring Bank development to the west. The accessibility of the site is addressed in the Transport Assessment and in summarised in the following section.
- Ward Members advised of the existing local concerns with regard to vehicle speeds along Lunce's Hill and Foxes Hill due to the straight nature of the road and its topography. It was also noted that street lighting ended further north of the proposed site entrance which meant that the stretch of footway leading the site is not well lit at present. These comments are addressed in the Transport Assessment and in the following section.
- Comments were made in respect of the indicative arrangement of buildings and extent of hardstanding in the section of the site falling within Mid Sussex. As a result, the Illustrative Masterplan has been amended to increase the amount of landscaping and soften the overall appearance of this part of the site. Details are contained within the submitted Design and Access Statement.

6.2 LOCAL RESIDENTS

6.2.1 A Statement of Community Involvement has been submitted as part of this application which sets out the engagement carried out in advance of the submission and the feedback received.

6.2.2 An online consultation with details of the emerging proposals was made available in late 2024, following the distribution of 301 leaflets to local residents/businesses, advertisements in the local papers and via social media. Overall, there were a total of 451 views to the website (spending an average of 1 minute and 8 seconds on the site), 8 online survey forms completed, and 3 direct correspondences with individual residents or businesses. While the level of responses was low, the feedback received is summarised below and is set out in full in the Statement of Community Involvement.

- There was no one housing type considered to be missing from the Haywards Heath housing market, with an apparent need for affordable housing, bungalows, self-build/custom build plots, smaller homes for those looking to join the housing ladder, family homes (3-4 bedrooms) and homes with increased sustainability credentials.
- Desired aspects to be included in the significant area of public open space included facilities for older children (e.g. climbing equipment), assisted play for smaller children, walking and cycling routes, natural areas with tree and wildflower planting, protection for neighbouring woodland, and general recreation space for sports.
- Desired uses for the barn include a creche/nursery, farm shop/caf  , health care, leisure (e.g. yoga studio), shared workspace, community hall (Fox Hill was noted to not have a community hall), or a health centre.
- Largely positive responses were received in response to a question on whether the local community would benefit from more walking/cycling routes, offsite highways improvements, public open space, and financial contributions to upgrade existing facilities.
- One negative comment was received on the principle of the development. Another concern raised related to general lack of GPs, dentists and schools.

6.2.3 Please refer to the submitted Statement of Community Involvement for details.

7 PLANNING CONSIDERATIONS

7.1 INTRODUCTION

- 7.1.1 Due to the cross-boundary nature of this application, the first part of this section discusses the principle of development in both authorities individually, taking into consideration the adopted development strategy for both Lewes and Mid Sussex within the context of the tilted balance in favour of sustainable development that exists.
- 7.1.2 The second part of this section considers the specific planning considerations for the site on a site-wide basis. The relevant policies and guidance from both Development Plans are identified where required.

7.2 PRINCIPLE OF DEVELOPMENT

Lewes District

- 7.2.1 Section 5 of this report has established that the presumption in favour of sustainable development is currently in effect in Lewes due to an out-of-date local plan and shortfall in 5YHLS.
- 7.2.2 The policies of most relevance to new housing development which are deemed out of date comprise LPP1 Spatial Policy 1 (Provision of Housing & Employment Land) and Spatial Policy 2 (Distribution of Housing), and LPP2 Policy DM1 (Planning Boundary).
- 7.2.3 In such circumstances the Paragraph 11d of the NPPF states that planning permission must be granted unless the application of policies in the NPPF that protect areas or assets of particular importance³ provide a strong⁴ reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 7.2.4 Turning first to the overall alignment with adopted spatial strategy for Lewes, Spatial Policy 2 of the LPP1 states that the identified housing need not be delivered through recently completed, committed or windfall/rural exception sites but would be delivered:

³ The areas or assets of particular importance referred to are defined by the NPPF as being habitats sites and/or those designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest); and areas at risk of flooding or coastal change.

⁴ Changed from 'clear' from the 2023 version of the NPPF.

- Through strategic housing allocations adjacent to Lewes, Ringmer, Haywards Heath, Newhaven and Peacehaven;
- Planned housing growth at a number of defined settlements within Lewes District, through sites to be identified through the LPP2;
- Circa 200 additional in locations to be identified through the LPP2.

7.2.5 Subsequently a number of housing sites were allocated in the LPP2 and the updated settlement boundaries were defined by LPP2 Policy DM1. The nearest settlement boundary to the site – Haywards Heath – is not defined by the LPP2 as it falls outside of the District. Nevertheless, it is noted that Inset Map 14 (Edge of Haywards Heath) shows the location of the Greenhill Way allocated site without the settlement boundary shown. This demonstrates that the principle of development on the edge of Haywards Heath would broadly align with the overarching planning strategy, albeit not in direct compliance with LPP1 Spatial Policy 2 or LPP2 Policy DM1 without a formal allocation.

7.2.6 As the application site is not allocated, it currently falls in the open countryside and would be at conflict with the rural housing policies of the LPP2 identified as Policy DM2 (Rural Exception Sites), Policy DM3 (Agricultural and Rural Workers) or Policy DM5 (Replacement Dwellings).

7.2.7 However, as the titled balance is currently engaged, these adopted housing policies are now out of date and new development in Lewes must be determined under the presumption in favour of sustainable development established under Paragraph 11d of the NPPF.

7.2.8 Within this context, LDC has prepared an Interim Policy Statement which recognises that adopted planning boundaries may need to be breached in order to help meet local housing needs and seeks to guide speculative development to the most sustainable locations. The criteria set out in the Interim Policy Statement are addressed below:

INTERIM POLICY STATEMENT CRITERIA	RESPONSE
The site boundary is contiguous with an adopted settlement planning boundary, as defined on the Local Plan Policies Map.	Due to its location outside of the District boundary, the settlement boundary for Haywards Heath is not shown on the adopted Local Plan Policies Map. Nevertheless, the site does physically adjoin the defined built up area of Haywards Heath and the defined settlement boundary as set within the MSDC District Plan and will be compatible with the surrounding landscape character.
The scale of development is appropriate to the size, character and role of the adjacent settlement, having regard to the settlement hierarchy set out in LPP1. In deciding whether the scale is appropriate, the Council will take account of the cumulative impact of extant unimplemented permissions in the relevant settlement.	The scale of development is deemed to be appropriate to the scale of Haywards Heath as a large town in the local area, offering a wide range of employment opportunities, shops and facilities, and regional transportation links. The proposed development would not appear disproportionate to the existing and emerging scale of the town. Indeed, it would be the most appropriate location for major development compared to the more rural Settlements elsewhere in Lewes District.
The proposed development will provide safe and convenient pedestrian and cycle access	Direct access can be provided to the existing and proposed footways which run along Lunce's Hill, which provide non-car access to nearby facilities

INTERIM POLICY STATEMENT CRITERIA	RESPONSE
to key community facilities and services within the adjacent settlement.	and local bus connections. The site is comparable in terms of accessibility to the site approved at Spring Bank by Mid Sussex District Council.
The proposed development, individually or cumulatively, will not result in the actual or perceived coalescence of settlements. Where appropriate, this should be demonstrated through the submission of a visual and landscape character impact assessment.	The site is a considerable distance away and cannot be viewed from the nearest settlement – Wivelsfield. As a result of this distance, local land form, and local landscape character, there will be no actual or perceived coalescence of settlements.
Within the setting of the South Downs National Park, an assessment is undertaken to demonstrate that the proposed development will conserve the special qualities of the National Park. This assessment should be informed by the SDNP View Characterisation & Analysis Study 2015, the SDNP Tranquillity Study 2017, and the SDNP Dark Skies Technical Advice Note 2018.	Not applicable as the site is not within the setting of the National Park.
An ecological impact assessment is undertaken and appropriate measures identified and implemented accordingly to mitigate any potential adverse impacts of the development on biodiversity and secure biodiversity net gain in accordance with the Council's Biodiversity Net Gain Technical Advice Note (February 2021).	Please refer to Section 6.8 which summarises the results of the Ecological Appraisal submitted with the application. Biodiversity Net Gain will be delivered in accordance with the BNG Technical Advice Note.
The proposed development will make the best and most efficient use of the land, whilst responding sympathetically to the existing character and distinctiveness of the adjoining settlement and surrounding rural area. Arbitrarily low density or piecemeal development, including the artificial subdivision of larger land parcels, will not be acceptable.	The density and layout of the site is deemed to be suitable for this edge of settlement location and ensures that important landscape features and constraints are suitably designed into the development.
It can be demonstrated that the proposed development is deliverable and viable, having regard to the provision of necessary on-site infrastructure, including affordable housing, green infrastructure and other requirements. Where the proposed development would create the need to provide additional or improved off-site infrastructure, a programme of delivery should be agreed with the relevant infrastructure providers to ensure that these improvements are provided at the time they are needed.	There are no constraints to the development of this site which would prevent delivery in the short term. The evidence base prepared in support of the emerging Mid Sussex District Plan indicates that Hurst Farm will be delivered in the first five years of the plan, meaning that the two sites can be brought forward in tandem. Similarly it noted that the land at Braydells, adjacent to the site, is under construction.

7.2.9 In accordance with the NPPF, it is necessary to consider the grant of planning permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

7.2.10 Section 6.3 onwards assesses all relevant planning considerations, including alignment with MSDC's adopted Development Plan, to enable a conclusion to be made in this respect.

Mid Sussex District

7.2.11 It has also been established that the presumption in favour of sustainable development is currently in effect in Mid Sussex – a position confirmed by MSDC in December 2024 and during pre-application discussions.

7.2.12 As in Lewes District, the NPPF states that planning permission must be granted unless the application of policies in the NPPF that protect areas or assets of particular importance⁵ provide a strong⁶ reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

7.2.13 Policy DP6 of the District Plan sets out MSDC's spatial strategy for meeting local housing needs. In addition to support for development within defined settlement boundaries, the policy states that the growth of settlements will be supported where it meets identified local housing, employment and community needs.

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

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

7.2.15 It is recognised that the development site does not meet Criteria 1 of this policy as the site is not allocated and the proposed development includes more than 10 dwellings, the result being a conflict with the adopted spatial strategy. Nevertheless, it is important to recognise that this is only a partial conflict on the grounds that:

- Criteria 1 supports the principle of the expansion of settlements and it does not refer only to development within defined settlement boundaries. The identified conflict is the proposed development being over 10 dwellings.
- The site is contiguous⁷ with the existing built up boundary of Haywards Heath, as shown in **Figure 6.1** below.

⁵ The areas or assets of particular importance referred to are defined by the NPPF as being habitats sites and/or those designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest); and areas at risk of flooding or coastal change.

⁶ Changed from 'clear' from the 2023 version of the NPPF.

⁷ Defined by the District Plan as 'sharing a common border, touching'

c. The development is sustainable for the reasons set out in the paragraphs below.

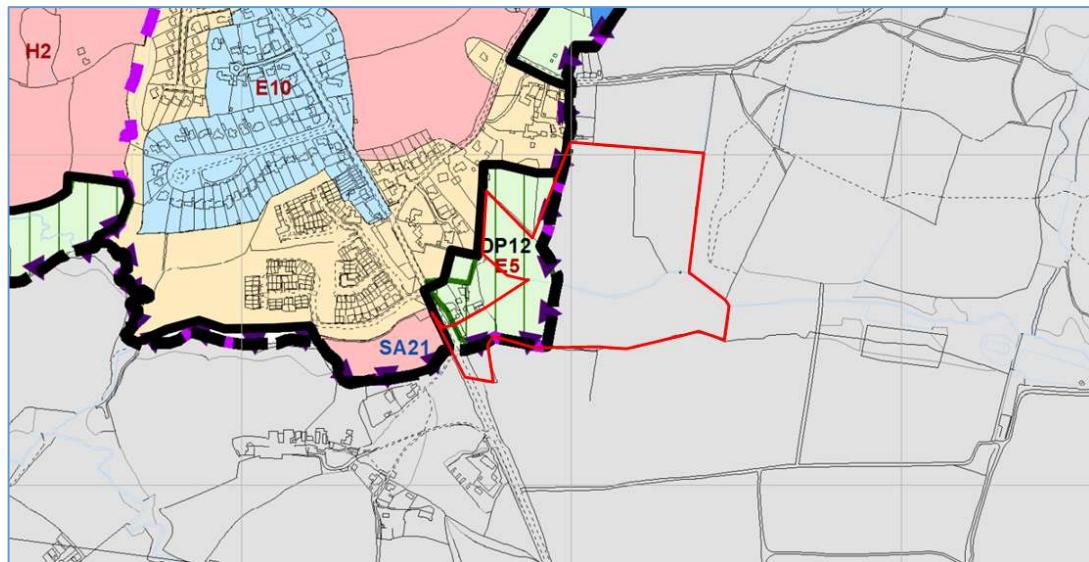


FIGURE 6.1: EXTRACT OF MSDC'S DISTRICT PLAN OVERLAYED WITH APPLICATION BOUNDARY (NOTE THAT THIS DOES NOT SHOW THE APPROVED 4 DWELLINGS AT BRAYDELLS TO THE NORTH)

7.2.16 Criteria 3 of Policy DP6 requires development to be sustainable, including by reference to the settlement hierarchy. The most important aspect of sustainable development is locational sustainability which refers to the accessibility of the site in terms of its connectivity to local shops, services and jobs.

7.2.17 The Mid Sussex District Plan defines Haywards Heath as a Category 1 settlement – i.e. a location most suitable for new development out of the five given categories. Category 1 settlements are defined as “*settlements with a comprehensive range of employment, retail, health, education leisure services and facilities. These settlements will also benefit from good public transport provision and will act as a main service centre for the smaller settlements.*”

7.2.18 As noted previously in this report, the site benefits from its strategic position adjacent to the main road link between Haywards Heath and Burgess Hill which provides direct access on foot, bicycle or regular bus links to nearby shops, schools, services, employment opportunities and railway stations for access throughout the local area and further afield to Brighton and London, as shown in the table below.

DESTINATION	TRAVEL TIME
Primary School	4 minute walk from site access (New Hurst Farm Primary School) 11 minute bus journey (St Joseph's Catholic Primary School or St Wilfred's C of E Primary School)
Secondary School	21 minute bus journey (Warden Park School)
Local Shop	9 minute bus journey (Coop or Iceland)
Supermarket	17 minute (Sainsburys or Waitrose)
Health	8 minute bus journey (Princess Royal Hospital via '166', '271' or '272' bus route)
Railway Station	13 minute bus journey (Haywards Heath)

DESTINATION	TRAVEL TIME
High Street	11 minute bus journey (Haywards Heath via '271' bus route)
Amenity Space	Within the proposed development
Public House	4 minute walk from site entrance (The Fox and Hounds)

7.2.19 The Department for Transport's National Travel Survey states that the average trip duration by bus in England was 37 minutes in 2023. The above travel times by bus are well within this average, meaning that it would be a reasonable option for new residents to travel to local services by public transport as an alternative to the car. While the majority of these services fall outside a 20 minute walking distance, they can be accessed via non-car means of transportation which aligns with the broad principles of creating sustainable communities within the 20 minute neighbourhood concept encouraged in MSDC's emerging District Plan.

7.2.20 Indeed, the site is comparable in accessibility terms to the approved Spring Bank development immediately west of the site for which Officers concluded that "*while ... the site lies on the edge of the town, there are opportunities for few of the journeys to be replaced by walking and cycling.*" The same conclusions can be made in respect of the application site. It could also be argued that the site is more accessible than the Hurst Farm development to the north which lies at a greater distance from the nearby bus links.

7.2.21 On balance, the partial conflict with Policy DP6 is deemed outweighed by the presumption in favour of sustainable development currently in effect. In addition, as a result of the titled balance and the considerable undersupply of housing land in Lewes District and the emerging uplift in housing need introduced in December 2024, the proposed site is considered ideal to meet some of Lewes' housing requirement in a sustainable location adjacent to one of the larger towns in this part of Sussex. The grant of planning permission for this site would also go some way to addressing the concerns raised in the Examination of the emerging plan and would align with the objectives of Policy DP5 which states that the Council will continue to work under the 'Duty-to-Cooperate' with all other neighbouring local authorities on an ongoing basis to address the objectively assessed need for housing across the Housing Market Areas.

7.2.22 The district of Lewes is highly constrained with approximately 56% of the land area located within the South Downs National Park and 77% of its population in the five urban areas of Lewes, Newhaven, Peacehaven, Seaford and Telscombe Cliffs / East Saltdean located in the southern part of the district. The remainder of the population live in 23 predominantly rural parishes which accommodate villages of no more than 2,000 people (with the exception of Ringmer near Lewes).

7.2.23 The nearest largest towns providing a wide range of services and facilities are Burgess Hill and Haywards Heath in Mid Sussex, Uckfield in Wealden District, and the city of Brighton & Hove, outside of the district boundary. Sites within Lewes District, but located in proximity to these larger towns, are therefore arguably the most suitable locations for new speculative developments submitted under the titled balance.

7.2.24 The south of Haywards Heath has recently formed a reliable strategic location for sustainable residential growth, with high-quality new housing successfully delivered along Lunce's Hill southward and west from Rocky Lane to the north with

further development east of Lunce's Hill recently securing a resolution to grant for a further 375 dwellings. In this context, the application site forms a logically contained location for strategic scale development, unconstrained by strategic planning designations, situated immediately adjacent to the expanding settlement area of Haywards Heath and well-contained by existing and recently consented residential development, highway infrastructure and natural vegetation.

- 7.2.25 The following sections will demonstrate how the proposal would comprise sustainable development in accordance with the three pillars defined in the NPPF and demonstrate that there would be no adverse impacts of granting planning permission which would significantly and demonstrably outweigh the benefits.
- 7.2.26 For the reasons set out above, it can be clearly demonstrated that the site will be locationally sustainable in light of its close proximity to a key road connection, public transport links, and pedestrian infrastructure, despite its edge-of-settlement location.

Use

- 7.2.27 The proposed development seeks to deliver up to 130 new residential dwellings which is compatible with the existing and emerging land uses to the west and north of the site.
- 7.2.28 The proposal also includes the change of use of the existing barn for a flexible commercial and/or community use due to its position at the gateway into the site. A commercial and/or community use was deemed to be more appropriate for the building as it is likely to require fewer external alterations and would allow this traditional building to be enjoyed by the local community.
- 7.2.29 MSDC Policy DP2 seeks to support the regeneration and renewal of 'town centre uses' in order to support the vitality of Haywards Heath and Burgess Hill while also protecting the limited supply of retail floorspace in the district. The policy states that planning applications proposing the construction of 500m² or more gross floorspace for the sale of convenience or comparison goods outside a town centre must be accompanied by a Retail Impact Assessment in order to demonstrate that they would not have a significant adverse impact on a town centre, either on their own or cumulatively in the area. This application does not propose the construction of any new floorspace and the conversion of the existing barn is 190sqm so does not require the submission of a Retail Impact Assessment.
- 7.2.30 Notwithstanding this, the policy requires a sequential test to be undertaken for any applications for main town centre uses that are not in an existing centre and are not in accordance with the District Plan and the relevant Neighbourhood Plan, albeit it should be noted that NPPF Paragraph 92 states that this sequential approach should not be applied to applications for small scale rural development.
- 7.2.31 The sequential test under Policy DP2 requires:
 - Applications for main town centre uses to be located in town centres; or, if suitable sites are not available,
 - In edge of centre locations where the site is accessible and well connected to the town centre; or, if suitable sites are not available,

- At accessible out of centre sites that are well connected to the town centre.

7.2.32 The proposed use would not be located in the town centre nor in an edge of centre location. However, this is deemed acceptable on the basis that the proposed use of the building is a result of bringing an existing rural building back into active use in such a way that is compatible with the established and emerging uses found in the local area. The proposed use is expected to be a modest, bespoke use operated by an independent business and would not result in the creation of commercial floor space that would typically be sought after by the type of businesses who would otherwise look for floorspace in town centres, in line with HHNP Policy B1.

7.2.33 The proposed use also would align with Policy DP14 (Sustainable Rural Development and the Rural Economy) which states that the 'reuse and adaptation of rural buildings for business or tourism use in the countryside will be permitted provided:

- The building is of permanent construction and capable of re-use without substantial reconstruction or extensive alteration;
- The appearance and setting are not materially altered; and
- It is not a recently constructed agricultural building which has not been or has been little used for its original purpose.

7.2.34 Similar support is also provided by LPP2 Policy DM10 (Employment Development in the Countryside).

7.2.35 In accordance with the above policies, the existing barn is a traditional building of permanent construction and is capable of reuse without substantial reconstruction or extensive alteration. The setting of the building will be altered to provide a modest parking area to support the use of the building; however, this would not appear out of place when read in the context of the wider development. The detailed requirements of LPP2 Policy DM10 will be addressed through a future reserved matters application.

7.2.36 In accordance with part 3 of Policy D2, the site is demonstrated to be an accessible location which supports access by non-car modes of transportation. In any case, it is expected the majority of visitors to the building will already be living in the near vicinity or will already be on the highway network.

7.2.37 The proposed use is therefore deemed to align with Policy D2, in light of specific nature of the building, and Policy DP14 in terms of its conversion into an alternative use.

7.2.38 The potential use of the building for community purposes would also align with MSDC Policy DP25 which states that the provision or improvement of community facilities and local services that contribute to creating sustainable communities will be supported. Community uses are also supported by HHNP Policy L5 (Community Uses).

7.2.39 For similar reasons set out in the assessment of MSDC Policy DP2, the potential community use within an existing building means that this use could not be located elsewhere. It would nonetheless be well located to existing and emerging

development to meet a small-scale local need. The proposal therefore aligns with LPP1 Core Policy 7 (Infrastructure).

Loss of Agricultural Land

- 7.2.40 LPP2 Policy DM19 (Protection of Agricultural Land) states that development that would result in the irreversible loss of the best and most versatile agricultural land will not be permitted unless it can be demonstrated that there are no suitable alternative locations and the proposal would have overriding sustainability benefits that outweigh the loss of land from agricultural use.
- 7.2.41 The DEFRA Agricultural Land Classification shows the site within Grade 3 agricultural land (Good to Moderate Quality), which falls below the Grade 1 (Excellent) and Grade 2 (Very Good) classifications.
- 7.2.42 As demonstrated previously in this section, the proposal would have overriding sustainability benefits that outweigh the loss of Grade 3 land from agricultural use. It is clear from the lack of 5YHLS that there are limited other available sites in Lewes District to meet local housing needs which may or may not be lower in quality.

7.3 DESIGN AND LAYOUT

- 7.3.1 As noted previously, the appearance and layout of the proposed development are reserved matters. However, the indicative site plan submitted with this application demonstrates how the development could be arranged on site to ensure that it is appropriate to its edge-of-settlement context and respects key existing landscape features and constraints such as the adjacent Ancient Woodland; the presence of the Pellingford Brook and the associated surface water flood risk; and existing trees and vegetation.
- 7.3.2 The Parameters Plan submitted with the application defines the main development parcels within the site which are reflective of the constraints and opportunities outlined previously. This also emphasises the extent of the site that could be available for public open space, helping to soften the appearance of the development and offering recreational opportunities for existing and future residents to enjoy.
- 7.3.3 It is expected that the majority of the new dwellings would stand at up to 2 storeys in height. However, it is noted that there are examples of 2.5 storey dwellings in the immediate local area which could also be introduced in the central parts of the site along key thoroughfares. The indicative house types have been chosen to deliver a varied street scene, adding visual interest to the development and helping to establish a hierarchy of buildings which frame the key arterial routes through the neighbourhoods.
- 7.3.4 The proposed layout also seeks to retain the existing traditional barn on site which has potential to be brought into long term use to prevent its degradation while celebrating its local historic character. The barn is proposed to be retained for use as a small scale commercial and/or community use, supported by a dedicated car park to the east. Due to the size of the barn and its traditional features, the use of

this building is expected to be modest but would benefit existing and future residents as local commercial or community provision.

7.3.5 The design of the new dwellings is a reserved matter and any future application will demonstrate compliance with LPP2 Policy DM25 (Design); MSDC's Design Guide; MSDC Policy DM26 (Character and Design), Wivelsfield Neighbourhood Plan Policy 5 (Design); HHNP Policy E9 (Design); and E12 (Private Outdoor Space). The indicative layout demonstrates how a sense of place can be created through a landscape-led development scheme which sets aside a large proportion of the site (over 4 hectares / approximately 45%) for green and blue infrastructure and public amenity areas

Accessibility

7.3.6 All dwellings will comply with nationally described space standards in accordance with MSDC Policy DP27.

7.3.7 At least 20% of the new homes will be Building Regulations M4(2) compliant, in accordance with MSDC Policy DP28 (Accessibility). M4(3) compliant dwellings will also be provided for a reasonable proportion of affordable homes on site (approximately 4%).

Housing Mix and Density

7.3.8 MSDC Policy DP30 (Housing Mix) states that housing development should provide a mix of dwelling types and sizes from new development (including affordable housing) that reflects current and future local housing needs. A similar requirement is set out in LPP1 Core Policy 2 (Housing Type, Mix and Density).

7.3.9 Indicative Accommodate Schedules for the parts of the site in Lewes and Mid Sussex, respectively, are submitted to demonstrate how the mix of homes could comply with the above policies. The indicative house types include a mix of 1, 2, 3 and 4 bedroom homes. At the outline stage this is provided for indicative reasons only and the exact mix will be decided at the reserved matters stage.

7.3.10 With regards to density, LPP1 Core Policy 2 states that development should reflect the site's context but should achieve densities in the region of 47 to 57 dwellings per hectare for the towns and 20 to 30 dwellings per hectare for the villages. Higher or lower densities may be justified by the specific character and context of a site.

7.3.11 The density of the indicative development shown on the submitted plans varies depending on the development parcel, as shown in drawing reference SK03 – Density Plan. Densities will range from up to 25dph and up to 35dph which is deemed to be appropriate for this edge of settlement site which falls within the 'town' and 'village' targets set out in Core Policy 2.

Amenity and Open Space

7.3.12 LPP2 Policy DM15 (Provision for Outdoor Playing Space) states that LDC will seek to achieve provision of outdoor playing space to the following minimum standards:

- a. 1.6 ha per 1000 population for outdoor sports, including playing pitches, tennis courts, and bowling greens;
- b. 0.25 ha per 1000 population for equipped/designated children's play space;
- c. 0.3 ha per 1000 population for other outdoor provision (multiple use games areas and skateboard parks).

7.3.13 LPP2 Policy DM16 (Children's Play Space in New Housing Development) adds that residential developments of 20 dwellings or more will only be permitted where children's play space is provided on-site in accordance with the minimum standards set out in criteria (b) of Policy DM15.

7.3.14 MSDC Policy DP24 states that onsite provision of new leisure and cultural facilities, including the provision of play areas and equipment will be required for all new residential developments, where appropriate in scale and impact.

7.3.15 Assuming the nationwide average occupancy rate of 2.4 people, the proposed development is expected to accommodate approximately 312 residents, resulting in a requirement for 0.49 ha of outdoor sports provision, 0.078 ha of children's play space, and 0.0936 ha for other outdoor space provision.

7.3.16 Approximately half of the indicative layout is set aside for public amenity space, including space for a children's play area, resulting in approximately 4 hectares of provision on site. This is significantly in excess of the requirements of policy requirements, albeit it is noted that the site will not accommodate outdoor sports provision.

7.3.17 HHNP Policy E6 states that major development will be required to promote Green Infrastructure opportunities within the site and establish and / or enhance links between this and existing Green Infrastructure in the immediate vicinity of the site. This is similar to LPP1 Core Policy 8 (Green Infrastructure) which requires development to contribute to the green infrastructure network and make provision for new green infrastructure and/or linkages to existing green infrastructure, where appropriate. LPP2 Policy DM14 (Multi-functional Green Infrastructure) adds that existing ecological networks should be identified, and ecological corridors should, where practical and appropriate, form an essential component of green infrastructure provision to ensure habitat connectivity.

7.3.18 The indicative landscape strategy submitted with this application demonstrates how a landscape led approach can be taken to the development of this site, which focuses on the retention of existing important ecological features and the overall softening of the development with a significant proportion of the site available for open space. A detailed assessment of LPP2 Policy DM27 (Landscape Design) will be included in any future reserved matters application. The indicative biodiversity net gain strategy is set out later in this section.

7.4 LANDSCAPE

7.4.1 In accordance with HHNP Policy E11 (Views), a Landscape and Visual Impact Assessment has been submitted with this application to demonstrate that the development is appropriate to this edge-of-settlement location.

7.4.2 The Landscape and Visual Impact Assessment concludes that there will be a minor to moderate short-term effect on landscape character during the construction phase which would be unavoidable for any greenfield site. However, once the development is occupied and the landscaping scheme established, the impact on landscape character will reduce to minor/moderate to minor/negligible with the higher level of effect resulting from the introduction of built development and landscaped open space from currently agricultural land. This impact is reduced as a result of its edge of settlement location which, as a result of existing settlement and infrastructure, would not be entirely out of character with the existing landscape. The design process has also taken into consideration existing key features typical of the landscape and integrated them into the scheme by offsetting built form from these features and designing them into green corridors where possible.

7.4.3 Over time, the proposed development will form the clear southern edge to the town, along with the approved residential development immediately west of the site at Spring Bank. Beyond these developments, the topography rises to the south into more open countryside with a notably more rural character and a general absence of development.

Settlement Coalescence

7.4.4 MSDC Policy DP13 states that individual towns and villages in the District each have their own unique characteristics. Provided it is not in conflict with Policy DP12, development will be permitted if it does not result in the coalescence of settlements which harms the separate identity and amenity of settlements, and would not have an unacceptably urbanising effect on the area between them.

7.4.5 It is also acknowledged that the site lies within a Local Gap defined in the HHNP. HHNP Policy E5 states that new development outside the built-up area will only be permitted if it would not unduly erode the landscape character of the area or its ecology; would not harm the setting of the town; and would retain and enhance the separate identity of communities. However, it is noted that the Local Gap covers all land outside of the settlement boundary within the Neighbourhood Plan area and does not appear to respond to any specific evidence with regard to gaps between settlements.

7.4.6 The proposed development would be located over 1.25km away from the nearest settlement of Wivelsfield and due to the local topography – which rises upwards to the south – there would be no perception of settlement coalescence as a result of this development. The development would be naturally enclosed by existing boundary vegetation on the southern edge and would be clearly read as the southern boundary of Haywards Heath in light of the existing development immediately west, and the significant level of screening provided by the adjacent woodland.

7.4.7 As demonstrated by the submitted Landscape and Visual Impact Assessment, the proposed development would not 'unduly erode' the landscape character of the area and would be compatible with the existing land uses immediately adjacent.

7.5 AFFORDABLE HOUSING STATEMENT

7.5.1 MSDC Policy DP31 states that the council will seek the provision of a minimum of 30% on-site affordable housing for all residential developments providing 11 dwellings or more. It should be provided at a mix of tenures, normally approximately 75% social or affordable rented homes, with the remaining 25% for intermediate homes, unless the best available evidence supports a different mix. All affordable housing should be integrated with market housing and meet national technical standards for housing.

7.5.2 LPP1 Core Policy 1 states that there will be a district wide target of 40% affordable housing, including affordable rented and intermediate housing, for developments of 10 or more dwelling units. The guideline affordable housing tenure split will be 75% affordable rented and 25% intermediate (shared ownership). The local planning authority will negotiate the appropriate tenure split on a site by site basis. Affordable housing units will be integrated throughout the development site, be indistinguishable in design and materials from the market housing on the site and remain affordable in perpetuity.

7.5.3 Accordingly, the proposed development will provide a minimum of 30% affordable housing on the Mid Sussex part of the site and a minimum of 40% affordable housing on the Lewes part of the site. The mix and location of affordable units will be agreed at reserved matters stage.

7.6 TRANSPORT AND SERVICING

Access and Parking

7.6.1 A Transport Assessment prepared by Stantec has been submitted with the application in order to demonstrate compliance with LPP1 Core Policy 13, MSDC Policy DP21 (Transport) and HHNP Policy T3 (Parking).

7.6.2 The proposed development is to be accessed from Lunce's Hill via a priority T-junction for which detailed consent is sought. The site access design has been developed with consideration to the site's location, existing highway alignment, required junction geometry and provisions for non-vehicular movements. This has been considered in accordance with 'Manual for Streets' design guidance and accommodates a minimum stagger distance of 30 metres from the opposing Spring Bank access junction.

7.6.3 The site access design also incorporates a Puffin Crossing to the north of the site, which connects pedestrians to the footway in the western verge of the highway, where users can travel north to Haywards Heath, to the nearby bus stops, and to the new primary school to be delivered at the Hurst Farm site. This pedestrian crossing and upgraded route will provide obvious and safe pedestrian access along Lunce's Hill, improving connectivity to the site and encouraging travel on foot and by bus.

7.6.4 Traffic surveys were undertaken in June 2024 to inform an assessment of existing traffic conditions on the highway network and the implications of the expected and cumulative traffic generation for this site and other committed developments in the local area. The majority of junctions assessed are forecast to operate within

capacity in 2028, and therefore no mitigation is proposed as part of this application. For other junctions, the impact is unlikely to be perceptible on a day-to-day basis with an increase in delay of up three seconds.

Car and Cycle Parking

7.6.5 Sufficient space is available on site to align with the residential and visitor parking requirements set out in East Sussex and West Sussex County guidance, with details to be agreed at reserved matters stage.

7.6.6 The Mid Sussex part of the site falls within Parking Zone 3 which requires the following parking provision:

- 1 bedroom – 0.9 spaces
- 2 bedroom – 1.3 spaces
- 3 bedroom – 1.8 spaces
- 4+ bedroom – 2.5 spaces

7.6.7 Parking provision on the Lewes part of the site will be dependent on the mix of units and associated proportion of market/affordable homes.

7.6.8 Electric vehicle charging provision will be provided in line with Part S Building Regulations and LDC's Electrical Vehicle Charging Points Technical Guidance Note.

Refuse and Recycling

7.6.9 There is sufficient space on the indicative layout for the storage of general and recyclable waste. A future reserved matters application will demonstrate specific compliance with LPP2 Policy DM26 (Refuse and Recycling) and LDC's Kerb Side Recycling SPD (2004).

Accessibility

7.6.10 LPP1 Core Policy 13 states that the Council will promote and support development that encourages travel by walking, cycling and public transport, and reduces the proportion of journeys made by car, in order to help achieve a rebalancing of transport in favour of sustainable modes.

7.6.11 HHNP Policy T1 states that planning applications for new major development proposals will be required to provide good pedestrian and cycle connections with safe crossing points to the existing pedestrian and cycle network linking to the town centre and local services.

7.6.12 As outlined previously in this section, it can be demonstrated that the site is locationally sustainable as a result of its edge-of-settlement location and access to non-car modes of travel to encourage sustainable means of transport.

7.6.13 An Outline Travel Plan, prepared by Stantec, is submitted as part of this application which sets out measures to promote more environmentally sustainable travel patterns to new residents in accordance with HHNP Policy E8. It should be noted that the assessment of junctions on the highway network outlined above has been undertaken without reference to the travel demand management strategy

proposed, which will aim to reduce single occupancy journey to work trips made by the private car by 20%. This strategy includes the implementation of a Residential Travel Plan.

7.6.14 In accordance with MSDC Policy DP22, the proposed development will promote access to the countryside through the provision of new public open space throughout the site which will provide landscaped walking routes for local residents.

7.7 FLOODING AND DRAINAGE

7.7.1 A Flood Risk Assessment and Drainage Strategy has been prepared by RPS and has been submitted to demonstrate compliance with LPP1 Core Policy 12, LPP2 Policy DM22, MSDC Policy DP41 and DP42, along with HHNP Policy E7 (Flooding and Drainage). It has also been designed to accord with the Policy for the Management of Surface Water (2018).

7.7.2 The report confirms the site's position in Flood Zone 1 which results in a low risk of flooding from nearby rivers and the sea (less than 1 in 1000 year). However, land in the west and the south of the site are assessed as having a 'low' and 'medium' risk of surface water flooding. Additionally, 'high' risk of surface water flooding is shown within the site in localised areas in the southeast, west and adjacent to the Pellingford Brook. This appears to be a flow path associated with the watercourse and on-site drainage network, flowing off site to the east. Information received from East Sussex and West Sussex County Council suggests that the site is unlikely to be at risk from groundwater flooding.

7.7.3 The submitted Flood Risk Assessment and Drainage Strategy demonstrates that the baseline surface water scenario can be improved as a result of the proposed drainage strategy which will involve the inclusion of attenuation ponds around the Pellingford Brook.

7.8 ECOLOGY AND TREES

Ecology

7.8.1 An Ecological Appraisal has been prepared by Derek Finnie Associates to demonstrate compliance with LPP1 Core Policy 10, LPP2 Policy DM24, MSDC Policy DP38 and Wivelsfield Neighbourhood Plan Policy 6.

7.8.2 The Appraisal describes the site as comprising several fields made up of largely species poor, semi-improved grassland (normally cut for silage/hay), which is delineated by hedgerows and scattered trees. There is a strip of more species rich grassland along the edge of the hedgerow running north south in the eastern part of the site.

7.8.3 Trees exists along the perimeter of the site which join with Hurst Wood outside the boundary to the east. A small stream – the Pellingford Brook – runs through the lower third of the site which is bounded by scrub growing on steep banks.

7.8.4 The Ecological Assessment also provides details of the surveys carried out in respect of badger, reptile, water vole, otter, breeding birds and bats. The results of these surveys are summarised below:

- **Badger** – No evidence of badger activity was encountered within the site, although the site was assessed as having some potential to support such species as a foraging resource if they are present in the wider area.
- **Bats** – A low to moderate assemblage of bats was identified foraging in the site and in the adjacent woodland. Roosting bats were identified in the existing barn.
- **Reptiles and Amphibians** – No reptiles were recorded on site, which is expected to be due to the agricultural use of the land. There are no waterbodies within the site or the immediate surrounding area, therefore, the potential for terrestrial phase great crested newts to be within the site was deemed to be negligible.
- **Birds** – A number of bird species were found on site, with the majority encountered within the hedgerows and offsite woodland. A barn owl was noted leaving the existing building on two occasions throughout the survey period, but there is no evidence it is breeding within the building. It is likely the structure is used as an occasional roosting site.
- **Water Vole and Otter** – No evidence of the presence of water vole or otter was encountered.

Biodiversity Net Gain

7.8.5 Habitat creation and ecological enhancements have been considered from the outset, with the landscape design being developed with input from the ecology team. As a result, a significant proportion of the site will be given over to green infrastructure and the creation of high-quality habitats, resulting in a 10.08% net gain for area habitat and a 12.39% net gain for linear habitat. Due to the presence of the Pellingford Brook, a 11.62% for watercourse habitat will also be secured.

7.8.6 The indicative landscaping strategy includes:

- Creation of 0.35ha of new broad-leaved woodland;
- Creation of 3.6ha of species rich grassland, both dry and damp;
- Creation of 0.2ha of mixed scrub;
- Planting of 0.6ha of amenity grassland; and
- Planting of 100 new trees;
- Enhancements to the river corridor; and
- Creation of 180m of new hedgerows.

- 7.8.7 A Habitat Management and Monitoring Plan will be prepared post decision to ensure that the maximum ecological benefits are realised on a long term and that the predicted increase in the BNG of the site is delivered.
- 7.8.8 The proposal therefore aligns with national requirements and with LDC's Biodiversity Net Gain Technical Advice Note (2021).

Trees

- 7.8.9 MSDC Policy DP37 states that the 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.
- 7.8.10 An Arboricultural Impact Assessment and Tree Survey has been prepared by EDP and is submitted with this application. The report confirms that 7 Category A trees and 8 Category B trees were identified within the site. Both category A and B items by default shall be prioritised for retention, where practicable, due to their condition, age and retention span. No trees are protected by a Tree Preservation Order nor is the site within a Conservation Area.
- 7.8.11 The survey identified a total of seven Category U trees, the condition of which were considered to be impaired to such an extent that they are unsuitable within the future context of the development proposals.
- 7.8.12 One of the above-mentioned Category A items includes the plantation on Ancient Woodland which lies adjacent to the site. In respect of this Ancient Woodland, Natural England and the Forestry Commission recommends that an appropriate buffer zone of semi-natural habitat is implemented, with the minimum being 15m. This has been accommodated within the site.
- 7.8.13 The illustrative layout submitted with the application would result in four items being affected, comprising the partial removal of three hedgerows (Category C) to create the internal road layout and the incursion into the Root Protection Area of G29 (Category A) near to the access.

Ashdown Forest SPA and SAC

- 7.8.14 LPP1 Core Policy 10 and MSDC Policy DP17 states that in order to prevent adverse effects on the Ashdown Forest SPA and SAC, new development likely to have a significant effect, either alone or in combination with other development, will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects.
- 7.8.15 The main potential impacts that are likely to have a significant effect on Ashdown Forest are recreational disturbance to protected breeding birds from an increase in visitors to Ashdown Forest and atmospheric pollution affecting the heathland habitat from increased traffic and associated nitrogen deposition. The defined 'Zone of Influence' is within a 7km straight-line distance from the SPA boundary of the Ashdown Forest.
- 7.8.16 The outer edge of the Zone of Influence ends to the north of Lindfield and Scaynes Hill, a significant distance away from the proposed development. The proposed

development therefore accords with LPP1 Core Policy 10 and Policy DP17 by virtue of its distance from the Ashdown Forest and no mitigation is required.

7.9 HERITAGE AND ARCHAEOLOGY

7.9.1 LPP1 Core Policy 11 (Built and Historic Environment and Design) seeks to safeguard historic assets. Proposals which conserve or enhance the historic environment, including the sensitive use of historic assets through regeneration, will be encouraged and supported. LPP2 Policy 33 (Heritage Assets) states that development affecting a heritage asset will only be permitted where the proposal would make a positive contribution to conserving or enhancing the significance of the heritage asset, taking account of its character, appearance and setting.

7.9.2 MSDC Policy DP34 also states that development will be required to protect listed buildings and their settings. Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use.

7.9.3 A Heritage Statement has been prepared to assess the heritage assets outside the site for their potential to be impacted in relation to the proposed development.

Cleavewater

7.9.4 The significance of Cleavewater derives principally from its date of construction and the retention of its historic built fabric which generates its special historic and architectural interest. Although there have been several alterations and additions to the asset, most notably the 19th-century additions to form a T plan, the historic planform of the building is still legible.

7.9.5 The setting of Cleavewater is defined by both its location on Lunce's Hill and within its historic farmstead plot, which has not changed significantly based on a review of the earliest available mapping. Its principal elevation is experienced when approaching along Lunce's Hill from both the north and the south, owing to a lack of screening from vegetation or other built form in the vicinity of the house.

7.9.6 The study site forms part of the setting of Cleavewater as part of its agricultural historic surroundings. However, other aspects of the house's setting, including land to the west of Lunce's Hill, have already been impacted by modern residential development. This is particularly the case where modern housing has been constructed directly opposite the western elevation of Cleavewater. While the study site makes a positive contribution to the significance of Cleavewater as part of its setting, the importance of this contribution has been limited by the impact of existing modern development in the surrounding landscape.

7.9.7 While the listed building is located directly adjacent to the western boundary of the application site, the new buildings will be located at least 50m from the site boundary owing to the inclusion of a landscape buffer. The proposed planting of trees in the vicinity of the proposed houses will bring a level of natural screening between the proposed development and Cleavewater, although they will still experience intervisibility. Where Cleavewater is experienced in views when travelling along Lunce's Hill, there will not be any discernible change to the

legibility of Cleavewater's significance owing to the setting back of the proposed houses from Ditchling Road. The considered colour pallet of proposed facing materials that are to be used will also help to blend the massing of the new buildings within views of the landscape to the east of the study site.

7.9.8 The application site forms part of the setting of Cleavewater owing to their proximity and their historic agricultural context. However, existing modern residential development to the west of the site has already truncated the setting of Cleavewater, limiting the importance of the contribution made by setting to the significance of the listed house. The proposed development of the site will cause less than substantial harm to the significance of Cleavewater as development within its setting. The abovementioned considered design of the proposed development ensures that levels of less than substantial harm are confined to the lowest levels possible.

Existing Barn

7.9.9 The existing building within the site is concluded to be curtilage listed. However, despite the age of the outbuilding and its proximity to Cleavewater, its historic value is lessened by its current condition; not all of its built fabric appears to be original, and it is otherwise in a state of disrepair. The limited historic value of the outbuilding relative to the listed house is further impacted by the fact that it holds little architectural value.

7.9.10 The retention of the barn within the study site as part of the proposed development ensures the legibility of the significance of the listed house by preserving the historic fabric of a building which forms its curtilage. The proposal will also allow the building to be brought back into active use as it is of a form and scale that is no longer suitable for modern farming practices and could deteriorate into a state of disrepair. The sensitive conversion of the building into a modest commercial and/or community use will secure its long term retention as part of a sustainable residential development, meaning that the general public will be able to experience and appreciate the special interest of the building.

7.9.11 In addition, the proposed development includes a c. 50m buffer zone between the listed building and the barn, and the proposed new buildings. This buffer will also include limited natural screening along the edge of the new development, reducing the impact.

7.9.12 In line with Policy DP34, any external works to the building will utilise traditional building materials and construction techniques that aligns with the special interest of the building. Details will be proposed and agreed at reserved matters stage.

The Olde Cottage

7.9.13 The statement concluded that, owing to sufficient distance and intervening natural screening and modern development, there will be no visual connections between the application site and The Olde Cottage.

7.9.14 In light of the existing residential development in the local area, the buffer between the new homes and the landscaping scheme proposed, the Heritage Statement concludes that there will be low level of less than substantial harm to Cleavewater and the existing barn.

7.9.15 Paragraph 215 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The public benefits of the development are set out later in this section and are deemed to outweigh the low level of harm identified.

7.10 ENERGY AND SUSTAINABLE CONSTRUCTION

7.10.1 To demonstrate compliance with LPP1 Core Policy 14, MSDC Policy DP39 (Sustainable Design and Construction) and HHNP Policy E8 (Sustainable Development), a Sustainability and Energy Statement has been submitted with this application.

7.10.2 The proposed energy strategy is based upon the principles of the Energy Hierarchy on the basis that it is preferable to reduce carbon dioxide emissions through reduced energy consumption above decarbonisation through alternative energy sources.

7.10.3 It is proposed to incorporate high levels of passive and energy efficient design measures in order to reduce the development's energy consumption and associated CO₂ emissions, utilising a 'fabric first' approach to reduce energy demand. Details will be provided at reserved matters stage, however options are presented to demonstrate how this could be achieved.

7.10.4 The potential for the proposed development to incorporate a low carbon heating system has been reviewed for the scheme. It is not considered to be feasible at this stage to incorporate a District Heating Network as part of the proposed development. It is recommended that air source heat pump (ASHP) systems and rooftop photovoltaic (PV) panels are employed to serve the space and water heating demands of the proposed dwellings, and to generate carbon free electricity on-site. The incorporation of these technologies will aid the achievement of a significant reduction of carbon emissions in operation when compared to the Part L:2021 of the Building Regulations baseline, which is in line with the aspirations of the proposed scheme and both adopted (and emerging) plans.

7.10.5 In accordance with MSDC Policy DP23, the development can incorporate digital infrastructure to provide telephone and internet connection for the new dwellings, for personal use and to support home working.

7.10.6 The Sustainability Checklist for Major development has also been submitted to demonstrate compliance with LDC's Sustainability in Development TAN.

7.11 OTHER ENVIRONMENTAL MATTERS

Minerals

7.11.1 A review of the relevant Minerals Plans has revealed that the site does not fall within any Minerals Safeguarding Area. The nearest Safeguarding Area is the Brick Clay Resource Minerals Safeguarding Area which runs to the south of the site. A

review of British Geological Survey's online mapping system confirms that the site is not underlain by clay and falls outside of this Safeguarding Area.

Noise

- 7.11.2 LPP1 Policy DM23 (Noise) states that residential and other noise sensitive development will be only permitted where it can be demonstrated that users of the development will not be exposed to unacceptable noise disturbance from existing or future uses.
- 7.11.3 MSDC Policy DP29 (Noise, Air and Light Pollution) states that development should be designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area.
- 7.11.4 A Noise Impact Assessment has been prepared by RPS to demonstrate compliance with the above policies and MSDC's Planning Noise Advice Document (2023). The majority of the proposed development is expected to achieve the internal and external guideline noise levels with no mitigation in place. Only those dwellings closest to and facing Lunce's Hill are expected to require some limited mitigation. A 60 m standoff between Lunce's Hill and the closest proposed dwellings will provide some natural noise attenuation for the proposed development. With this in place, internal noise guideline levels, during the day and night-time, can be achieved at properties closest to the road using standard thermal glazing together with an alternative means of ventilation, so that windows can remain closed when the occupant so chooses.
- 7.11.5 For the dwellings located closest to Lunce's Hill, external amenity areas will be protected by locating garden areas on the screened side of the proposed dwellings, facing away from the road.

Lighting

- 7.11.6 MSDC Policy DP29 (Noise, Air and Light Pollution) states that the impact on local amenity, intrinsically dark landscapes and nature conservation areas of artificial lighting proposals should be minimised, in terms of intensity and number of fittings.
- 7.11.7 A Lighting Impact Assessment prepared by RPS has been submitted with the application which confirms that the development will result in a slight increase in sky glow, site aura and light presence, during both construction and occupation. This would be expected for any greenfield residential development.
- 7.11.8 The detailed lighting scheme for the site will be agreed at a later stage, however this lighting scheme will need to comply with the relevant regulations, standards and guidelines listed in Section 6.1 of the report.
- 7.11.9 Lighting solutions will be selected to avoid over-lighting thus reducing light pollution. Luminaires will be selected to minimise the upward spread of light and luminaire controllers will reduce spill light and glare. Glare will be kept to a minimum by ensuring the main beam angle of luminaires directed towards any potential observer is kept below 70. Higher mounting heights will allow for lower beam angles to be installed, which will assist in reducing glare.

Air Quality

- 7.11.10 An Air Quality Assessment prepared by RPS has been submitted to demonstrate compliance with LPP1 Core Policy 9 (Air Quality), MSDC Policy DP29 (Noise, Air and Light Pollution) and MSDC Policy SA28. It also demonstrates compliance with the Air Quality and Emissions Mitigation Guidance for Sussex (2021).
- 7.11.11 These policies state that development should not cause unacceptable levels of air pollution, should be consistent with Air Quality Management Plans, and should provide appropriate mitigation where required. MSDC Policy SA28 adds that the Council will require applicants to demonstrate that there is not unacceptable impact on air quality. The development should minimise any air quality impacts, including cumulative impacts from committed developments, both during the construction process and lifetime of the completed development, either through a redesign of the development proposal or, where this is not possible or sufficient, through appropriate mitigation.
- 7.11.12 The report confirms that Mid Sussex District Council has designated one Air Quality Management Area (AQMA) located approximately 7.5 km to the southwest of the application site. Lewes District Council has designated two AQMAs, both over 12 km from the application site, suggesting that air quality at the site is good.
- 7.11.13 During the construction phase the most pertinent consideration is the generation of dust which will need to be mitigated through the Construction Management Plan which is expected to be agreed through a pre-commencement planning condition.
- 7.11.14 The operational impact of the Proposed Development on existing receptors is predicted to be 'negligible', taking into account the changes in pollutant concentrations and absolute levels. Pollutant concentrations are predicted to be well within the relevant health-based air quality objectives at the façades of both existing and proposed receptors.

Ground Conditions

- 7.11.15 In accordance with LPP2 Policy DM21, a Phase 1 Ground Study has been submitted as part of this application. The report concludes that the site is suitable for the proposed development.
- 7.11.16 The risk of ground contamination and ground gas is deemed to be very low, however for the avoidance of doubt a Phase 2 Ground Investigation is recommended and is expected to be submitted via condition.

7.12 SUSTAINABILITY AND THE TILTED BALANCE

Sustainable Development

- 7.12.1 At the heart of the NPPF is the presumption in favour of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

7.12.2 Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives) - these being economic, social and environmental objectives.

7.12.3 The development is assessed against these objectives below:

An Economic Objective

- The delivery of up to 130no. new homes will introduce new residents to the local area who will pay for goods and services, thereby contributing to the local economy and increasing demand that will help to secure the supply of additional facilities. Nevertheless the level of development is appropriate and proportionate in scale to the existing settlement.
- The construction phase of development will provide construction jobs on site, with associated benefits to local supply chains and other associated construction related services.
- The new dwellings will result in increased council tax income for the local authority and monies secured through Community Infrastructure Levy for the market homes (in Lewes).

A Social Objective

- The proposals include a significant number of new market and affordable homes in a high value market area where there are well recorded issues with affordability.
- The new residents within the development will form part of the new and emerging community south of Haywards Heath, enhancing and expanding community networks.
- The proposal includes a large area of amenity space which will help to support community cohesion, establish a sense of place and aid with natural surveillance. The retained barn will also provide an opportunity for a potential future community use in close proximity to the existing and new dwellings.

An Environmental Objective

- As noted previously, the Applicants' ecologist has provided input to the design team throughout the design process to ensure that the development layout reflects the measures required to avoid, mitigate or compensate for ecological impacts as well as other measures designed to provide long-term ecological enhancements. It is concluded that, in light of the embedded mitigation and enhancement measures proposed, the proposed development can deliver net benefits for wildlife and biodiversity.
- The proposals will also provide a large area of amenity space which provide ample opportunity for biodiversity enhancements, resulting in a greater than 10% net gain for biodiversity.

Tilted Balance

7.12.4 Taking the above assessment into consideration, the below matters are considered to be the most pertinent in determining whether the adverse impacts of the development would significantly and demonstrably outweigh the benefits.

ADVERSE IMPACTS	COMMENTARY
Conflict with LDC's and MSDC's spatial strategy.	<p>It has been established in this report that the conflict with MSDC's adopted strategy is only a partial conflict on the grounds that extensions to existing settlements is supported in principle under MSDC Policy DP6, subject to those extensions being allocated, contiguous with the defined built up area, and sustainable. It is concluded that the development only conflicts with the first part of this policy. The site is otherwise contiguous with the defined settlement of Haywards Heath and is demonstrated to be sustainable. This conflict is deemed to be outweighed by the significant shortfall in housing land supply in Lewes District which is partially a result of the constrained nature of the District and the limited number of larger towns. The principle of sustainable development is also engaged in both districts and the relevant housing policies in the adopted plans are out of date. Accordingly, it can be demonstrated that the development site aligns with LDC's Interim Housing Policy which seeks to direct speculative development to the most sustainable locations and broadly aligns with MSDC Policy DP6.</p>
Landscape impact and loss of agricultural land.	<p>Discussions on the emerging Mid Sussex District Plan have revealed that there are significant concerns regarding the extent to which Mid Sussex have accommodated unmet need from adjacent local authority areas. The application is well positioned to meet some of this unmet need being primarily within Lewes District but adjacent to a Category 1 settlement with a suite of shops, services, employment opportunities and education provision, including the new primary school to be delivered a short distance to the north of the site. MSDC has already concluded that this part of the town is suitable for development, having approved a development of 20 dwellings immediately west of the site.</p>
Less than substantial harm to the Grade II listed Cleavewater and adjacent curtilage listed buildings.	<p>This report has demonstrated that the site reads as the southern edge of Haywards Heath as a result of existing residential development to the north/west and the clear natural boundary to the south, beyond which land levels rise and the landscape appears more open and rural. As a result there would be no perception of settlement coalescence. The proposal has been designed appropriately for the edge-of-settlement context and is heavily landscaped to reduce visual impact. The site comprises Grade 3 agricultural land meaning that it is not the highest quality agricultural land. Its loss is outweighed by the significant need for housing in this location.</p>
	<p>The application site forms part of the setting of Cleavewater. However, existing modern residential development to the west of the site has already truncated the setting of Cleavewater, limiting the importance of the contribution made by setting to the significance of the listed house.</p> <p>While the listed building is located directly adjacent to the western boundary of the application site, the new buildings will be located at least 50m from the site boundary owing to the</p>

ADVERSE IMPACTS	COMMENTARY
	<p>inclusion of a landscape buffer. The proposed planting of trees in the vicinity of the proposed houses will bring a level of natural screening between the proposed development and Cleavewater, although they will still experience intervisibility. Where Cleavewater is experienced in views when travelling along Lunce's Hill, there will not be any discernible change to the legibility of Cleavewater's significance owing to the setting back of the proposed houses from Ditchling Road. The considered colour pallet of proposed facing materials that are to be used will also help to blend the massing of the new buildings within views of the landscape to the east of the study site.</p>
	<p>The existing building within the site is concluded to be curtilage listed. However, despite the age of the outbuilding and its proximity to Cleavewater, its historic value is lessened by its current condition; not all of its built fabric appears to be original and it is otherwise in a state of disrepair. The limited historic value of the outbuilding relative to the listed house is further impacted by the fact that it holds little architectural value.</p>
	<p>The retention of the barn within the study site as part of the proposed development ensures the legibility of the significance of the listed house by preserving the historic fabric of a building which forms its curtilage. The proposal will also allow the building to be brought back into active use as it is of a form and scale that is no longer suitable for modern farming practices and could deteriorate into a state of disrepair. The sensitive conversion of the building into a modest commercial and/or community use will secure its long term retention as part of a sustainable residential development, meaning that the general public will be able to experience and appreciate the special interest of the building.</p>
	<p>In addition, the proposed development includes a c. 50m buffer zone between the listed building and the barn, and the proposed new buildings. This buffer will also include limited natural screening along the edge of the new development, reducing the impact.</p>
	<p>Accordingly, the level of harm is deemed to be a low level of 'less than substantial' which is outweighed by the suite of public benefits outlined below.</p>

7.12.5 The proposed development offers a number of public benefits that are concluded to outweigh the above adverse impacts. These are listed below:

- The provision of up to 130 market and affordable homes in an area with significant identified housing need. The approval of such development would time well with the emerging District Plan and the updated Lewes Local Plan, assisting with MSDC's duty to cooperate and meeting a considerable unmet need in Lewes District.
- The opportunity to set aside a large part of the site for public open space which can be enjoyed by the residents of the development and existing residents in the local area. While there are recreational opportunities in the

vicinity, there are no public rights of way currently through or adjacent to the site, meaning that residents are likely to travel further afield for dog walking and leisure opportunities. The open space will also include a children's play area.

- A significant proportion of the site will be given over to green infrastructure and the creation of high-quality habitats, resulting in a 10.08% net gain for area habitat and a 12.39% net gain for linear habitat. Due to the presence of the Pellingford Brook, a 11.62% for watercourse habitat will also be secured.
- The sensitive reuse of a vacant traditional building which is no longer suitable for modern farming practices. The use of this building will ensure its long-term retention and enjoyment for the local community. The expected small-scale commercial and/or community use will be suitable for this edge of settlement location and result in a localised provision which is not currently available.

7.12.6 For the reasons summarised above it is clear that the adverse impacts of permitting the proposed development will not significantly and demonstrably outweigh the benefits.

Site Assessment

7.12.7 As noted in Section 5, the site has been assessed for potential allocation in the emerging District Plan and a summary of the site's scoring in MSDC's Site Selection Report has been outlined in the table below. Alongside this, our own assessment of the site against MSDC's is provided in reflection of the technical reports submitted with the application and as outlined above.

7.12.8 This table utilises the same 'traffic light' system set out in the MSDC's Site Selection Methodology report (October 2023), summarised below.

Very Positive	Negative
Positive	Very Negative
Neutral	

7.12.9 The application of the traffic light system differs depending on the criteria, as defined in MSDC's Methodology Report. It should be noted that the assessment methodology has been changed from the Site Selection Report in respect of accessibility. The Site Selection methodology grades accessibility based on a 20 minute walking distance, however this does not reflect the 20 minute neighbourhood concept that the emerging District Plan seeks to promote which includes the use of public transport.

CRITERIA	MSDC ASSESSMENT	OUR ASSESSMENT
Landscape	Low/medium potential in landscape terms.	As noted previously in this section, the Landscape and Visual Impact Assessment concludes that will be a minor to moderate short-term effect on landscape character during the construction phase which would be unavoidable for any greenfield site.

CRITERIA	MSDC ASSESSMENT	OUR ASSESSMENT
		However, once the development is occupied and the landscaping scheme established, the impact on landscape character will reduce to minor/moderate to minor/negligible with the higher level of effect resulting from the introduction of built development and landscaped open space from currently agricultural land.
Flood Risk	The site lies within Flood Zone 1, the area of lowest fluvial risk.	The site lies within Flood Zone 1, the area of lowest fluvial risk. The identified surface water flood risk can be mitigated and improved as a result of the proposed drainage strategy.
Trees	Site is within a 15m buffer from an Ancient Woodland (within Lewes DC).	The indicative proposal submitted with this application demonstrates that this buffer can easily be accommodated as part of the proposed landscape strategy.
Biodiversity	Site is not adjacent to a SSSI/Local Wildlife Site/LNR	No comment.
Listed Buildings	As set out in Section 6.9.	This report concludes that while there will be a low level of less than substantial harm resulting from the development, this harm is outweighed by the considerable public benefit of the development as outlined in paragraph 6.12.5.
Conservation Areas	There are no conservation areas near the site.	No comment.
Archaeology	No archaeological designations on / adjacent to the site. No impact on archaeological asset.	No comment.
Availability	The site will become available for development during the plan period. No option agreement in place.	The site can be delivered within the plan period. The joint applicant includes a land promoter who has a proven track record of delivering housing and is entered into an option agreement with the landowner.
Access	Access does not exist but can be achieved within landholding adjacent to highway.	Formal access does not exist but can be achieved through upgrades to field access taken from highway land.
Bus Service	Good	Bus stops are within close proximity of the site.
Train Service	Poor	15 minute bus journey (Haywards Heath)
Public Transport	Neutral	Footways and bus stops are within close proximity of the site.
Main Service Centre	Neutral	High Street is within a 10 minute bus journey.
Primary School	Over 20 minutes' walk	Less than 5 minute walk from site access to new Hurst Farm Primary School or a 7 minute bus journey to two primary schools in Haywards Heath.
Health	Over 20 minutes' walk	Less than 5 minute bus journey.

CRITERIA	MSDC ASSESSMENT	OUR ASSESSMENT
Retail	Over 20 minutes' walk	Local shops and the High Street are within a 5 – 10 minute bus journey.

7.12.10 For the reasons set out above, the proposed development is considered to score considerably more positively than MSDC's Site Selection Report and measures appropriately for an edge of settlement site.

7.12.11 LDC have also assessed the site as part of their emerging Local Plan process and a summary of the site's scoring has been outlined in the table below. As above, this, our own assessment of the site is provided alongside this, although it should be noted that LDC is earlier in their plan making process and so the assessment is not graded.

CRITERIA	MSDC ASSESSMENT	OUR ASSESSMENT
Adopted Local Plan Policies	Site is outside existing planning boundaries, adjacent to the district boundary with Mid Sussex. Site in Mid Sussex would be partially adjacent to the Haywards Heath boundary.	As noted previously, the site is contiguous with the Haywards Heath boundary and the principle of development in this location is deemed acceptable for the reasons set out previously in this report.
Minerals and Waste Designations	There are no minerals or waste constraints identified in the adopted Minerals and Waste Plans.	No comment.
Flood Zone	Flood Risk Zone 1, however there is a watercourse running through the site.	The site lies within Flood Zone 1, the area of lowest fluvial risk. The identified surface water flood risk can be mitigated and improved as a result of the proposed drainage strategy.
Land Contamination	Partially within 250m buffer of historic landfill.	A Phase 1 Ground Study has been submitted with this application which confirms that the risk of ground contamination and ground gas is deemed to be very low.
Topography	Flat. No onsite physical constraints identified.	No comment.
Environmental Constraints	The site is not located within or adjacent to any identified environmental designations.	No comment.
Ecological Constraints	Adjacent to ancient woodland, requiring buffer.	The requisite buffer has been provided for in the indicative layout.
Air Quality Management Area	Outside	No comment.
Agricultural Land Classification	Grade 3.	No comment.
Distance from Ashdown Forest SAC	Greater than 7km.	No comment.

CRITERIA	MSDC ASSESSMENT	OUR ASSESSMENT
Availability of Utilities	Available adjacent to site.	No comment.
Bad Neighbours	No bad neighbours identified.	No comment, the development is compatible with surrounding land uses.
Within Setting of SDNP	No.	No comment.
Landscape Sensitivity	<p>[The site is] assessed as having a medium sensitivity to small and medium scale residential development dependent on avoiding removing mature vegetation within the parcel and that is consistent with the settlement edge of Haywards Heath.</p> <p>The site falls within Landscape Character Area C3 Ditching Common Western Low Weald of the Landscape Character Assessment, where development should be limited and designed to retain the rural character of the majority of the area. The existing vegetation at the edge of settlement areas should be protected and retained, with new development set within a robust landscape framework.</p>	As demonstrated previously within this report, the character of the site is heavily influenced by the presence of existing and emerging residential development which reads very much of an edge of settlement location which differs in character from the more open rural landscape beyond the southern boundary. The existing trees and hedgerow boundaries have been retained within a heavily landscaped residential scheme, set back from the road frontage by a considerable distance. The submitted Landscape and Visual Impact Assessment demonstrates that the development is acceptable in landscape terms.
Historic Built Environment Constraints	Adjacent Cleavewater a Grade II listed former farmhouse (in Mid Sussex). MSDC SHELA appraisal states that proposal could be harmful to the original farmlands which were fundamental to its original function and purpose. Also listed buildings opposite, Rogers Farmhouse and the Old Cottage, both Grade II listed buildings.	See above response to MSDC assessment.
Impacts on Highway Network	See LDC Shared Transport Evidence Base (STEB) 2023.	The submitted Transport Assessment demonstrates that the proposal would have an acceptable impact on the local highway network.
Public Transport	Within walking distance of bus stops on Lunce's Hill with services to Haywards Heath, Crawley and Lewes.	No further comment, although the nearest train station is Haywards Heath (2.68km north) which can be accessed by the local bus service.

CRITERIA	MSDC ASSESSMENT	OUR ASSESSMENT
	Nearest train station would be Wivelsfield approximately 4.5km south.	
Active Travel	Footpaths on Lunce's Hill, albeit only on the western side. No dedicated cycle path.	The application proposes to create a pedestrian connection to the existing footway west of Lunce's Hill.
Public Rights of Way	None.	No comment.
Site Access	Access is shown from Lunce's Hill in submitted vision document. This would be reliant on land in Mid Sussex.	No comment.

8 CONCLUSIONS

8.1.1 This Planning and Affordable Housing Statement has been prepared by DHA Planning on behalf of Catesby Strategic Land Limited and Rurban Estates Limited ("the Applicant"), in support of an outline planning application in respect of land to the east of Lunce's Hill, Haywards Heath, West Sussex, RH16 4QT.

8.1.2 The full description of the development is as follows:

"Outline planning application for the erection of up to 130 dwellings, together with the change of use of an existing barn for a flexible community and/or commercial use, along with associated outdoor space and landscaping, drainage infrastructure, hard and soft landscaping, parking, access and associated works (all matters reserved except for access)."

8.1.3 This application relates to a site located on the boundary of Mid Sussex (West Sussex) and Lewes District (East Sussex). In accordance with National Planning Practice Guidance (NPPG), an identical planning application is submitted to each Local Planning Authority for consideration and the policies assessed herein relate to the adopted (and where relevant, emerging) Local Development Plan for each authority area. A greater proportion of the site lies within Lewes District.

8.1.4 It has been concluded that the presumption in favour of sustainable development currently applies by virtue of a lack of five year housing land supply in both Lewes and Mid Sussex Districts. In such circumstances the National Planning Policy Framework states that planning permission must be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

8.1.5 This Statement provides a full assessment of the proposal within this context and following conclusions can be made:

- The site lies immediately adjacent to the defined settlement of Haywards Heath, which is identified in the Mid Sussex District Plan as Category 1 settlement where a range of services and facilities are available and accessible by existing footways and the local bus service. Other residential development has been permitted nearby, including the Spring Bank development immediately west, demonstrating that the southern edge of Haywards Heath is sustainable. The application site also complies with LDC's Interim Housing Policy which seeks to guide speculative development in the most sustainable locations and broadly aligns with MSDC Policy DP6.
- The proposed development would result in a context-appropriate extension to the built-up area and would not be perceived as an inappropriate encroachment of development into the countryside or coalescence of settlements due to the existing natural boundaries and local topography. The proposal is compatible with the immediate landscape character which is heavily influenced by existing residential development, before the landscape becomes more rural as the land rises to the south.

- The proposed development contains a supply of up 130 new family homes which can be delivered quickly and efficiently to meet short term housing requirements, including policy compliant affordable housing.
- The indicative proposal is set within a heavily landscaped site which is appropriate to its edge of settlement location, offering amenity opportunities for new and existing residents and permanent habitat creation. It is also possible to demonstrate a 10.08% net gain for area habitat and a 12.39% net gain for linear habitat. Due to the presence of the Pellingford Brook, a 11.62% for watercourse habitat will also be secured.
- The proposal will result in an improvement to the management of surface water within the site.
- The proposal will result in the sensitive reuse of a vacant traditional building which is no longer suitable for modern farming practices. The use of this building will ensure its long-term retention and enjoyment for the local community. The expected small-scale commercial and/or community use will be suitable for this edge of settlement location and result in a localised provision which is not currently available.

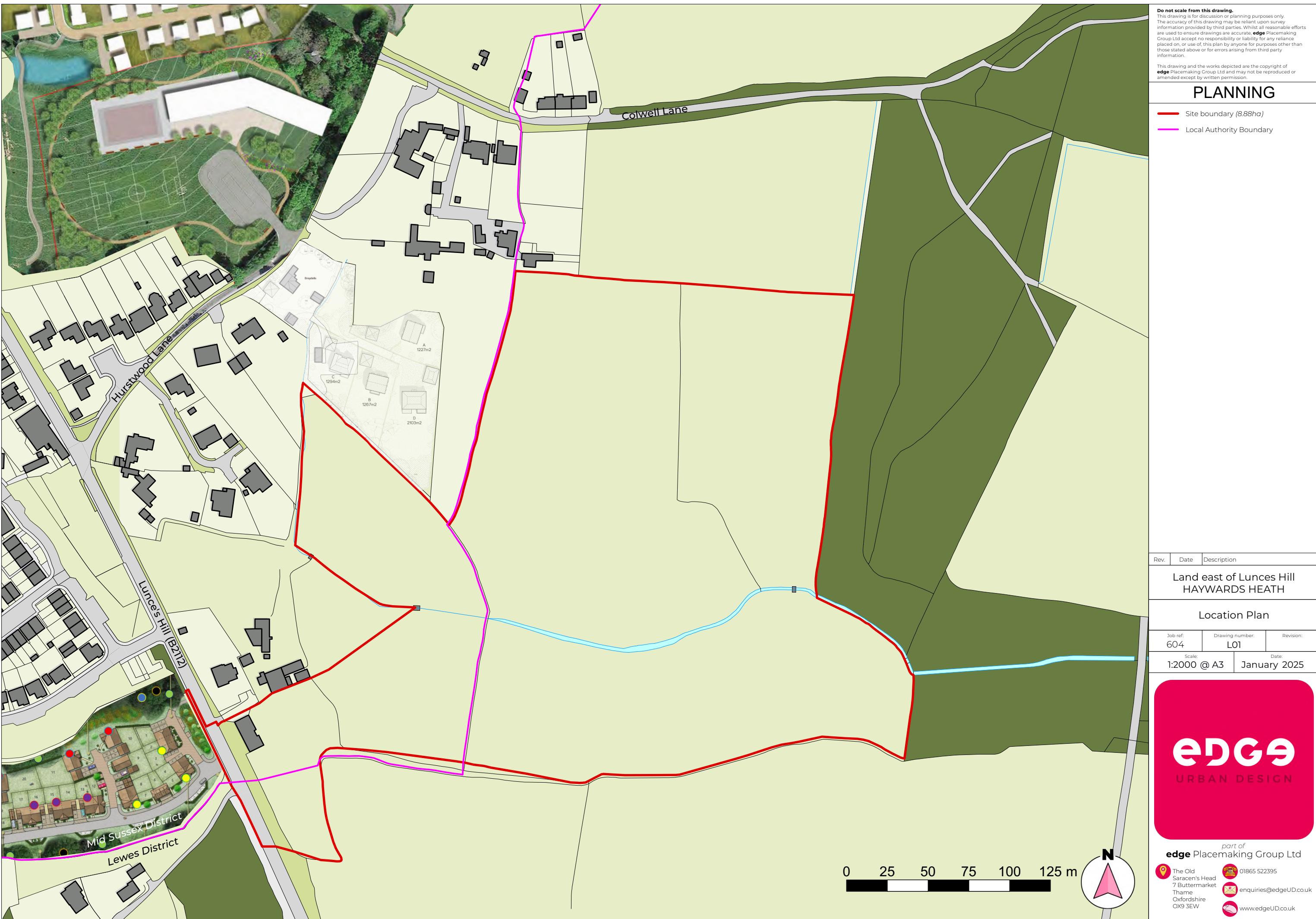
8.1.6 The site is contiguous with the defined settlement of Haywards Heath and is demonstrated to be sustainable. Discussions on the emerging Mid Sussex District Plan have revealed that there are significant concerns regarding the extent to which Mid Sussex have accommodated unmet need from adjacent local authority areas. In accordance with MSDC's duty to cooperate, the application is well positioned to meet some of this unmet need being primarily within Lewes District but adjacent to a Category 1 settlement with a suite of shops, services, employment opportunities and education provision, including the new primary school to be delivered a short distance to the north of the site.

8.1.7 For these reasons, the proposed development is deemed to be acceptable in the current planning context and will result in the sustainable development of a well-placed site in close proximity to well established community networks and services.

APPENDIX

1

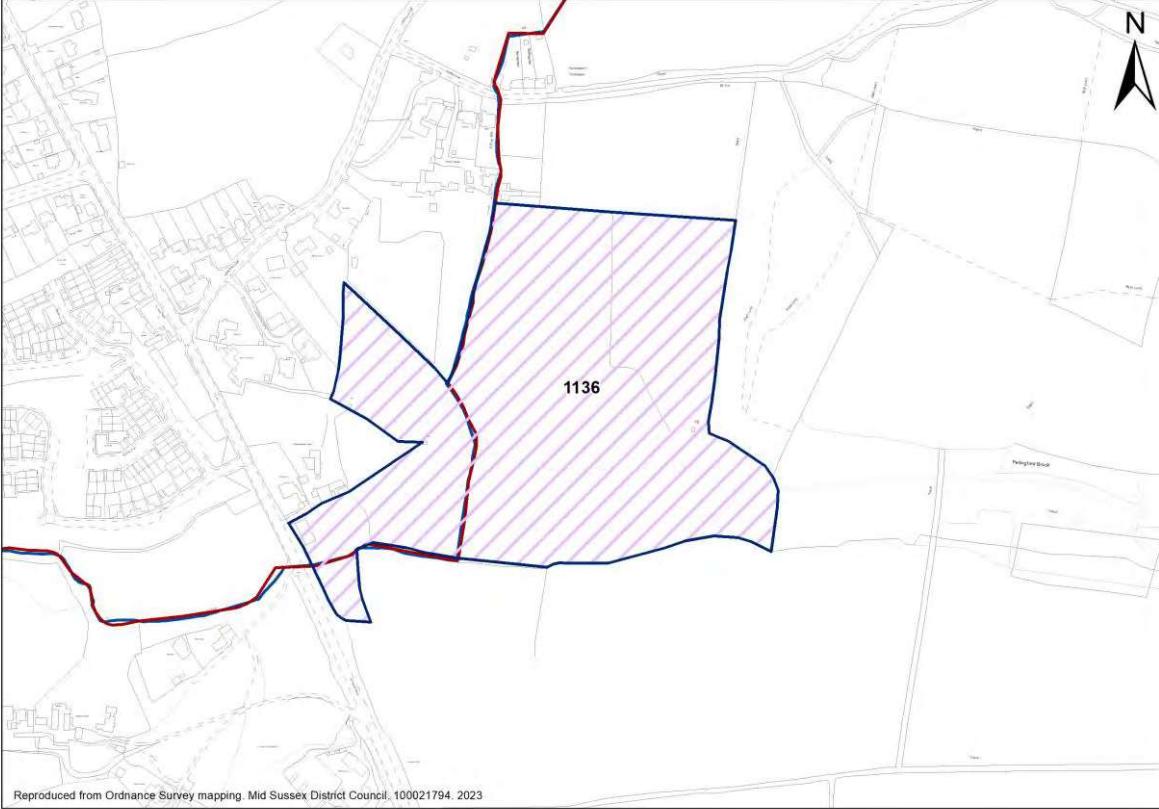




APPENDIX 2



Stage 1 Site Pro-Forma – All Sites

SHELAA Ref	1136	Parish	Haywards Heath			
Site Location	Land at Lunce's Hill, Fox Hill					
						
<p>Reproduced from Ordnance Survey mapping. Mid Sussex District Council. 100021794. 2023</p>						
Site uses	Agriculture					
Gross Site Area (ha)	1.9					
Potential Yield	57					
Site History						
Absolute Constraint	Flood Zone 2 or 3	x				
	Site of Special Scientific Interest	x				
Other Constraints	Ancient Woodland	✓				
	Area of Outstanding Natural Beauty	x				
	Local Nature Reserve	x				
	Conservation Area	Development would not have a negative impact on Conservation area and/or Area of Townscape Character				
	Scheduled Monument	x				
	Listed Buildings	Development may potentially affect listed building/s - mitigation may be necessary				
	Access	Safe access already exists				
	Suitable	Relatively Unconstrained - Include within SHELAA				
Availability	Site submitted by site proponent to the SHELAA for assessment - considered available					
Achievability	There is a reasonable prospect that site could be developed within the Plan period					
Timescale	Medium-Long Term					

APPENDIX

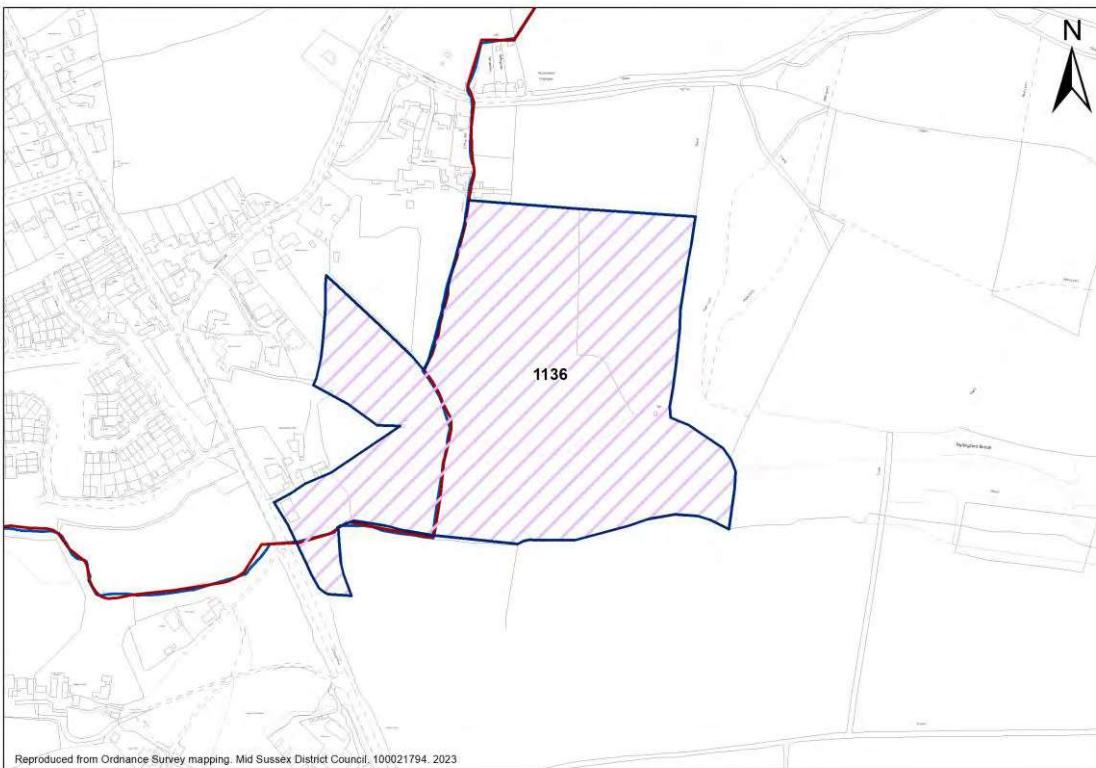
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District Plan: Site Selection - Housing

Haywards Heath

ID 1136 Land at Lunce's Hill, Fox Hill



Site Details

Units: 38

Site Area (ha): 1.9

Part 1 - Planning Constraints

1. Landscape	Negative	Low/Medium potential in landscape terms.
2. Flood Risk	Very Positive	The site lies entirely within Flood Zone 1, the area of lowest fluvial
3. Trees	Neutral	Site is within a 15m buffer from an area of Ancient Woodland (within Lewes DC).
4. Biodiversity	Very Positive	Site is not adjacent to a SSSI/Local Wildlife Site/LNR
5. Listed Buildings	Negative	<p>Grade II Cleavewater adjacent to the site. Cleavewater (formerly Cleavewater's Farm) is a Grade II listed former farmhouse dating from the 16th century or earlier. There is a surviving historic barn to the south of the house which is within the application site. An assessment would need to be made as to whether this would be regarded as curtilage listed, for which further information would be required. If not curtilage listed, it would certainly be regarded as an NDHA. Cleavewater's Farm is recorded in the West Sussex Historic Farmsteads and Landscape Character assessment as a historic farmstead of the postmedieval period. The impact on the farmstead, which should be viewed as cumulative with the existing and approved new residential developments to the opposite side of the road, will be to surround it almost entirely with suburbia, save one small retained area of open land to the east and north of the house.</p> <p>The current proposal will be particularly harmful in that it appears to affect the original farmlands of the farmstead, which were fundamental to its original function and purpose, and continue to</p>

inform an understanding of this- this relationship is suggested by both the proximity of the fields concerned and by the pattern of tracks etc. shown by historical map regression, but could be confirmed by a study of the historical ownership or tenancy of the site as part of a detailed heritage statement. Less than substantial Harm – High.

The Old Cottage and Roger's Farmhouse, both Grade II listed buildings, are on the opposite side of the road. Both are considered likely to possess historical illustrative value as a good example of a rural Sussex cottage of its period. The surviving rural setting of the listed buildings would be considered to make a strong positive contribution to their special interests and the manner in which these are appreciated. The proposed development site forms part of the wider rural setting and where it abuts Fox Hill will influence the character of the approach to the listed buildings from the north. LSH: Low- Mid.

6. Conservation Areas	Very Positive	There are no conservation areas near the site
7. Archaeology	Very Positive	No archaeological designations on/ adjacent to site. No impact on archaeological asset

Part 2 - Deliverability Considerations

8. Availability	Negative	The site will become available for development during the plan period. No option agreement in place.
9. Access	Neutral	Access does not exist but can be achieved within landholding to adjacent highway

Part 3 - Sustainability / Access to Services

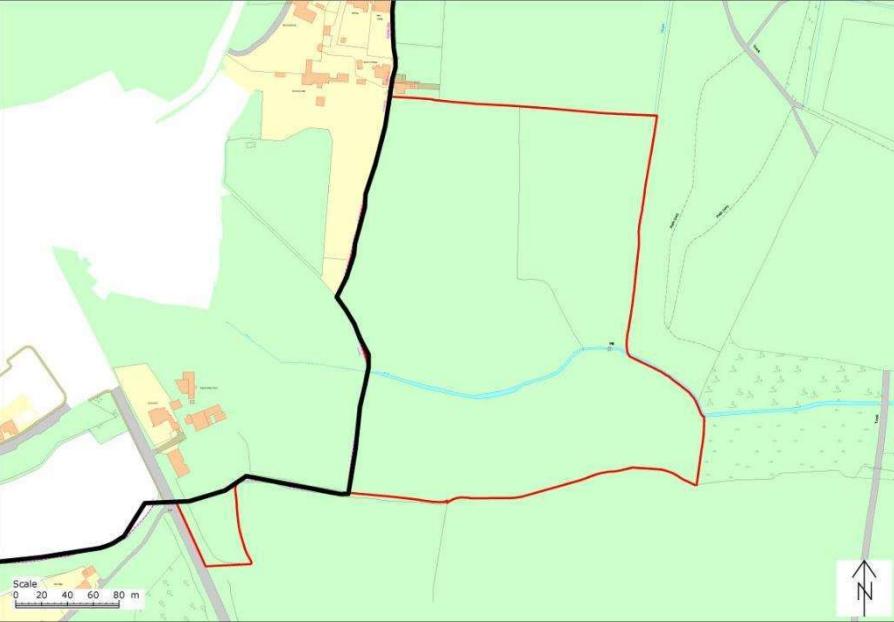
10. Bus Service	Good	Access to Public Transport and/or frequency of Public Transport in this location is fair
10. Train Service	Poor	
10. Public Transport	Neutral	
11. Main Service Centre	Neutral	Within 20 minutes walk / 30 minutes public transport
12. Primary School	Negative	Over 20 minutes walk
13. Health	Negative	Over 20 minutes walk
14. Retail	Negative	Over 20 minutes walk

APPENDIX 4



Site Reference: 41WV

Land adjacent to Cleavewater Barn, Lunce's Hill, Haywards Heath Not Deliverable or Developable

	Parish or Town Wivelsfield		
Site Area	Ha		
Greenfield or Previously Developed:	Greenfield		
Proposed Development			
Residential			
Site Source			
2023			
Current or Last Use	Agricultural		
Recent and Relevant Planning History	No recent or relevant planning history.		
Theoretical Residential Capacity	143 homes	Indicative Density	50 dph
LAA Indicative Residential Capacity	0 homes		
LAA Indicative Employment Capacity	0 Ha		

Suitability Assessment

Residential Suitability: Not suitable

Employment Suitability: Not Assessed

Part of the site is located outside of the Plan Area within Mid Sussex. The site based on the submitted vision would require land in Mid Sussex to provide access from Lunce's Hill. Site not taken forward for allocation in Mid Sussex District Plan 2021-2039 which is currently at Reg 19 stage. The site itself is not assessed individually or within a parcel identified within the Landscape Sensitivity Study 2023. The site falls within Landscape Character Area C3 Ditchling Common Western Low Weald of the Landscape Character Assessment, where development

should be limited and designed to retain the rural character of the majority of the area. The existing vegetation at the edge of settlement areas should be protected and retained, with new development set within a robust landscape framework. Some services within walking distance including convenience store and GP surgery. The site is not contiguous with the existing settlement nor an application or allocation site and is therefore separated from the existing settlement.

Suitability Issue	Suitability Assessment Comments
Adopted Local Plan Policies	Site is outside the existing planning boundaries, adjacent to the district boundary with Mid Sussex, site in Mid Sussex would be partially adjacent the Haywards Heath Planning boundary.
Minerals and Waste Designations	There are no minerals or waste constraints identified in the adopted Minerals and Waste Plans.
Flood Zone	Flood Risk Zone 1, however there is a watercourse running through the site.
Land Contamination	Partially within 250m buffer of historic landfill.
Topography	Flat. No onsite physical constraints identified.
Environmental Constraints	The site is not located within or adjacent to any identified environmental designations.
Ecological Constraints	Adjacent to ancient woodland, requiring buffer.
Within Air Quality Management Area?	Outside
Agricultural Land Classification	Grade 3
Distance from Ashdown Forest SAC	Greater than 7km
Availability of Utilities	Available adjacent to site.
Bad Neighbours?	No bad neighbours identified.
Within Setting of SDNP?	No
Landscape Sensitivity	<p>The site itself is not assessed individually or within a parcel identified within the draft Landscape Sensitivity Study. The site falls to the south of Parcel Edge of Haywards Heath B of the Landscape Sensitivity Assessment, assessed as having a medium sensitivity to small and medium-scale residential development dependent on avoiding removing mature vegetation within the parcel and that is consistent with the settlement edge of Haywards Heath.</p> <p>The site falls within Landscape Character Area C3 Ditchling Common Western Low Weald of the Landscape Character Assessment, where development should be limited and designed to retain the rural character of the majority of the area. The existing vegetation at the edge of settlement areas should be protected and retained, with new development set within a robust landscape framework.</p>

Suitability Issue	Suitability Assessment Comments
Historic Built Environment Constraints	Adjacent Cleavewater a grade II listed former farmhouse (in Mid Sussex). MSDC SHELA appraisal states that proposal could be harmful to the original farmlands which were fundamental to its original function and purpose. Also listed buildings opposite, Rogers farmhouse and The Old Cottage both grade II listed buildings.
Impacts on Highways Network	See LDC Shared Transport Evidence Base (STEB) 2023
Public Transport	Within walking distance of bus stops on Lunces Hill with services to Haywards Heath, Crawley and Lewes. Nearest train station would be Wivelsfield approximately 4.5km.
Active Travel	Footpaths on Lunces Hill, albeit only on the western side, no dedicated cycle path.
Public Rights of Way	None
Site Access	Access is shown from Lunces Hill in submitted vision document. This would be reliant on land in Mid Sussex.

Availability Assessment: Available

The site is confirmed as available for residential development within the plan period.

Availability Issue	Availability Assessment Comments
Ownership	The site is believed to be within single ownership.
Ransom Strips	If no access from land in Mid Sussex then access over third party land within the plan area required.
Most Recent Evidence of Intention to Develop	Proponent states that site would be available within 5 years. Being promoted for residential use.
Phasing Requirements	Single Phase

Achievability Assessment: Potentially Achievable

To be considered in LDC Whole Plan Viability Assessment. Haywards Heath is considered to be a relatively buoyant and stable housing market.

Achievability Issue	Achievability Assessment Comments
Attractiveness to the Market	The area benefits from a relatively strong and buoyant housing market with good demand and viability.
Within a Regeneration Priority Area	No
Cumulative or Abnormal Delivery Costs	No abnormal costs identified.

APPENDIX

5



Appeal ref: APP/D3830/W/24/3350075

LPA ref: DM/24/0446

Land off Scamps Hill, Lindfield, West Sussex

Updated Statement of Common Ground on Housing Land Supply

at 1st April 2024

between

Mid Sussex District Council

&

Gladman Developments Ltd

Signed

Date 18/12/2024

Gareth Giles – Director, Whaleback Planning

On behalf of Mid Sussex District Council

Signed

Date 18/12/2024

Ben Pycroft – Director, Emery Planning

On behalf of Gladman Developments Ltd

Updated Statement of Common Ground on Housing Land Supply

I. Introduction

- I.1. This Updated Statement of Common Ground on Housing Land Supply supersedes and replaces an earlier version signed and dated 19th November 2024. It has been produced in light of the revised National Planning Policy Framework published in December 2024 which materially affects the calculations included in the previous Statement of Common Ground.
- I.2. It relates to the appeal by Gladman Developments Ltd (“the Appellant”) against the failure of Mid Sussex District Council’s (“the Council”) to determine within the relevant timescales an outline planning application (Application Reference: DM/24/0446) for up to 90 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point. All matters reserved except for means of access (“the Application”) at land off Scamps Hill, Lindfield (“the appeal site”).
- I.3. This SoCG deals with matters relating to the Council’s five year housing land supply (5YHLS) and details areas of agreement and disagreement between the Appellant and the Council.

2. Matters of agreement

The following points are agreed between the Appellant and the Council:

The base date for the 5 year housing land supply calculation

- 2.1. Both parties agree that the relevant 5-year period for the determination of this appeal is 1st April 2024 to 31st March 2029.

Housing requirement for the 5 year housing land supply calculation

- 2.2. Both parties agree that the strategic policies in the Mid Sussex District Plan (adopted 2018) are more than five years old and have not been reviewed and found to be up to date for the purposes of footnote 39 of the Framework. Therefore, both parties agree that the 5YHLS should be measured against the local housing need calculated using the standard method set out in the PPG. Both parties agree that at 1st April 2024 the standard method results in an annual local housing need of 1,356 dwellings per annum.

The buffer

- 2.3. The latest Housing Delivery (HDT) Test result for Mid Sussex was the 2023 HDT result (published 12th December 2024). This was 142% and as it is above 85%, the 20% buffer does not apply.
- 2.4. It is agreed that a 5% buffer applies in accordance with paragraph 78 of the Framework.

The five year requirement

2.5. It is agreed that the 5YHLS requirement is 7,119 dwellings as shown in the following table.

Table I – Agreed 5YHLS requirement at 1st April 2024 (December 2024 Framework and revised standard method)

	Requirement	
A	Annual local housing need	1,356
B	5YHLS requirement without buffer (A X 5 years)	6,780
C	5YHLS requirement plus 5% buffer (B + 5%)	7,119
D	Annual 5YHLS requirement including 5% buffer (C / 5 years)	1,424

A five year housing land supply cannot be demonstrated

2.6. Both parties agree that the Council cannot demonstrate a 5YHLS as it is required to under paragraph 78 of the Framework. Against the local housing need of 1,356 dwellings (calculated by the December 2024 revised Standard Method) and a 5% buffer (as now required by the updated Framework), the Council's deliverable supply of 4,815 dwellings equates to 3.38 years. The extent of the deliverable supply is disputed by the Appellant.

Definition of deliverable

2.7. It is agreed that sites included in the five year supply must meet the definition of “deliverable” set out on page 72 in the Annex to the Framework, as follows:

“To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years”

3. Matters of disagreement

The extent of the deliverable Five Year Housing Land Supply

3.1. The Council considers that the deliverable 5YHLS at 1st April 2024 is 4,815 dwellings.

3.2. The Appellant considers that the deliverable 5YHLS at 1st April 2024 is 3,427 dwellings.

3.3. 1,388 dwellings are disputed on 13 sites¹ set out in the following table. It is agreed that these sites are within category b) of the definition of deliverable as identified above. The dispute is because the Appellant does not consider the Council has provided “clear evidence” for their inclusion.

Table 2 – Disputed Sites at 1st April 2024

Ref:	Address	No. of dwellings disputed
1125	Brookleigh, care element, Hill, 1C	60
493	Brookleigh, Burgess Hill (remainder)	635
832	Land west of Selsfield Road, Ardingly	35
1113	Linden House, Southdowns Park, Haywards Heath	14
827	Land south of 96 Folders Lane, Burgess Hill (SA12)	40
840	Woodfield House, Isaacs Lane, Burgess Hill (SA17)	29
479	Land at Hanlye Lane, east of Ardingly Road, Cuckfield (SA23)	55
196	Land south of Crawley Down Road, Felbridge	170
770	Land south and west of Imberhorne Upper School, East Grinstead (SA20)	75
246	Hurst Farm, Hurstwood Lane, Haywards Heath	215
807	Land south of the Old Police House, Birchgrove Road, Horsted Keynes (SA28)	25
477	Land adjacent to Cookhams, south of Top Road, Sharphorne	13
847	Former East Grinstead Police Station, East Grinstead (SA18)	22
	Total	1,388

1.1. _____

¹ The appellant's position has been updated from a difference of 1,438 dwellings on 14 sites as stated in the 19th November Statement of Common Ground, due to site #470 (Wealden House, Lewes Road, Ashurst Wood) securing planning permission on 19th November 2024.

3.4. The following table sets out the respective parties' position on 5YHLS at 1st April 2024.

Table 3 – 5YHLS positions at 1st April 2024

		Council	Appellant
	Requirement		
A	Annual local housing need	1,356	
B	5YHLS requirement without buffer (A X 5 years)	6,780	
C	5YHLS requirement plus 5% buffer (B + 5%)	7,119	
D	Annual 5YHLS requirement including 5% buffer (C / 5 years)	1,424	
	Supply		
E	5YHLS at 1 st April 2024	4,815	3,427
F	Supply in years (E / D)	3.38	2.41
G	Shortfall in 5YHLS (E – C)	-2,304	-3,692

[ENDS]