

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1195	Case Officer:	Andrew Horrell
Application Type:	Full Application		
Proposal:	Proposed detached 3 bedroom single storey dwelling with cycle storage and onsite parking for two vehicles.		
Site:	Land At Highfields, Grid Reference 52672 125278, Brighton Road, Warninglid, Haywards Heath, West Sussex, RH17 5SY,		
Validation Date	2 Jun 2026	Overall Expiry Date:	25 Aug 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	16 Sep 2026
Target Date:	28 Jul 2026	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	Stephen Ashdown	Date:	18 Sep 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1195

Land At Highfields, Grid Reference 52672 125278, Brighton Road, Warninglid, Haywards Heath, West Sussex, RH17 5SY

Proposed detached 3 bedroom single storey dwelling with cycle storage and onsite parking for two vehicles.

Mrs J Manthorpe

SUMMARY OF REPRESENTATIONS

No.11 Thorndean Drive commented on the application on the following grounds:

- Drainage

CONSULTEE COMMENTS

MSDC Flood Risk and Drainage: we have no objection on surface water grounds. Due to the site, size, location, and type of development we would recommend the approval of the application with conditions.

MSDC Tree Officer: we still seem to be missing a Tree Protection Plan. Also, the later plan advises that there will be no incursions into RPAs. There are significant incursions into the RPAs of a number of Cat B oaks and field maples, particularly T7. Whilst there are no figures provided, I would estimate that this is greater than the tolerance specified within BS 5837 for incursions into RPAs. Cat B trees also provide a constraint to development

I consider that the proximity of the trees would have a significant impact on the amenities of the property and the use of the relatively small garden area. There would be significant pressure placed on these trees to be removed/heavily reduced.

PARISH COUNCIL OBSERVATIONS

Object to this application as it is outside the built up area and in an AONB.

INTRODUCTION

Planning permission is sought for a Proposed detached 3-bedroom single storey dwelling with cycle storage and onsite parking for two vehicles

RELEVANT PLANNING HISTORY

None relevant

SITE AND SURROUNDINGS

The site is land to south-west of 10 Highfields. It is currently served by garden paraphilia (climbing frames etc) and is enclosed by post and rail fencing to south with fields beyond, woodland to the east with fields beyond and close boarded fencing to the west with neighbouring mobile home and close boarded fencing to No.10.

The site is within the countryside and the High Weald Area of Outstanding Natural Beauty.

APPLICATION DETAILS

The proposed dwelling measures some 14.6m in maximum depth, 13m in maximum width with a height to eaves of 2.5m and an overall height of 4.2m. The proposed porch measures some 2.2m in depth, 2.8m in width with a height to eaves of 2.5m and an overall height of 3.2m.

This serves 3 bedrooms, living room, bathroom, en-suite to bedroom 1 and kitchen/dining room.

The proposed cycle storage building measures 3.04m in depth, 2.04m in width with a height of 2.7m.

LEGAL FRAMEWORK AND LIST OF POLICIES

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

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

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

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

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

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

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

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

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocations Development Plan Document (DPD) and the Ansty and Staplefield Neighbourhood Plan (ASNP).

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

Mid Sussex District Plan

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

Relevant policies:

- DP4: Housing
- DP6: Settlement Hierarchy
- DP12: Protection and enhancement of the countryside
- DP16: High Weald Area of Outstanding natural Beauty (AONB)
- DP17: Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)
- DP21: Transport
- DP26: Character and Design
- DP27: Dwelling Space Standards

DP33: Gypsies, travellers and traveling show people
DP37: Trees, Woodland and Hedgerows
DP41: Flood Risk and Drainage

Site Allocations DPD

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

There are no relevant policies.

Neighbourhood Plan

The Neighbourhood Plan for Ansty, Staplefield and Brook Street was made in February 2017.

Relevant policies:

Policy AS1: New Housing Development
Policy AS3: High Weald Area of Outstanding Natural Beauty

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

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and hearings were concluded on the 19th March 2026. The District Plan remains at Examination until the Inspector has published his report, until that time only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant policies:

DPS2: Sustainable Design and Construction
DPS4: Flood Risk and Drainage
DPC1: Protection and Enhancement of the Countryside
DCP3: New homes in the Countryside
DPC4: High weald Area of Outstanding Natural Beauty
DPB1: Character and Design
DPT4: Parking and Electric Vehicle Charging Infrastructure
DPH1: Housing
DPH2: Sustainable Development - Outside of the Built up Area
DPH5: Gypsies, Travellers and Travelling Showpeople
DPH11: Dwelling Space Standards

Mid Sussex Design Guide Supplementary Planning Document (SPD)

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

Mid Sussex Gypsy and Traveller and Travelling Showpeople Assessment, updated in 2022 (GTTA)

High Weald Management Plan 2024-2029'

National Planning Policy Framework (NPPF) (August 2026)

National Planning Policy Guidance

Planning Policy for Traveller Sites (December 2024)

In association with the previous NPPF the Government also published a document entitled Planning Policy for Traveller Sites (PPTS). This statement must be taken into account in the preparation of development plans and is a material planning consideration in planning decisions. For the purposes of the planning system, 'Gypsies and Travellers' means:

'1. For the purposes of this planning policy "gypsies and travellers" means:

Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

2. In determining whether persons are "gypsies and travellers" for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:

- a) whether they previously led a nomadic habit of life*
- b) the reasons for ceasing their nomadic habit of life*
- c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances'.*

ASSESSMENT

Principle of Development

DP12 of the Mid Sussex District Plan relates to dwellings outside of the built up area, in addition policy AS1 has no similar ethos. However, DP12 is considered to have very limited weight as it is materially inconsistent with the NPPF, and greater weight should be given to policies S3 and S5 of the NPPF.

Policy S3 of the NPPF in part states the following:

'Decisions on development proposals should apply a presumption in favour of sustainable development. This means:
b. Outside settlements, policy S5 should be applied'

Policy S5 of the NPPF in part states the following:

'Only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework:
e. Limited infilling within groups of houses;
g. Development which would address an evidenced unmet need for gypsy, traveller or travelling showpeople accommodation, provided it meets the criteria in policy HO12'

HO12 of the NPPF in part states:

'When considering proposals for traveller sites, including for the purposes of considering need under policies S5 and GB7, local planning authorities should take into account the existing level of local provision and need for additional sites and other personal circumstances which may be relevant. Applications from any traveller should be considered and not just those with local connections'.

The site is referred to in policy DP33 of the District Plan as being a safeguarded site for gypsies and travellers. 'Highfields, near Warninglid' is an identified existing safeguarded site for Gypsy and Traveller use. Such sites will be safeguarded from development, other than for Gypsy and Traveller use, unless suitable alternative replacement site is provided or there is no longer a need. The Application site falls

within the boundary of the safeguarded site and is an infill dwelling. It also clearly within a group of similar dwellings for gypsy/ traveller and relatives.

On the previously approved planning application for the existing dwelling on the site to the north-east (DM/23/0218) serving the parents of the applicant, information was provided regarding Gypsy heritage of the family at the site and a planning condition was imposed on the planning permission to ensure that the dwelling remained available for gypsies and travellers only. It is considered that it would be appropriate to include the same condition on this consent, thereby ensuring that the dwelling remains available for occupation by gypsies and travellers.

Therefore, the proposal is deemed to comply with DP33 of the Mid Sussex District Plan and policies S5 and HO12 of the NPPF.

Design and Impact upon High Weald AONB (now National Landscape)

Policy DP26 of the District Plan relates to character and design. In addition, policy 9 of the Neighbourhood Plan has a similar ethos. However, policy DP26 is considered to have very limited weight as it is materially inconsistent with the NPPF, and greater weight should be given to policy DP3 of the NPPF.

Policy DP3 in part states:

'To create well-designed places, development proposals should also reflect relevant aspects of the following principles, as appropriate to the nature of the development and its location.

e. Built Form: use the pattern of buildings to define the arrangement of streets, squares and other spaces, promote compact forms of development to optimise the site's potential, distinguish between public and private areas, create focal points and, where appropriate, enhance views into and out of the scheme;

g. Identity: create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting'.

The proposed dwelling would be sited to the rear of 10 Highfields, it would be sited well as not to appear overly prominent within the street scene. It should also be noted that the residential dwellings within the street scene are detached and of relatively significant scales similar to the proposal, and the scale of the proposed dwelling is considered to be commensurate to the scale of the site as the site is significant.

The design of the building is visually similar to the dwelling approved under DM/25/1514 at No.10 Highfields and it is not uncommon to see similar designed dwellings within the countryside. There is significant boundary treatment surrounding the site which are to be retained.

The proposed external materials to be used in the proposed dwelling are seen within the existing site and the surrounding area. It is therefore considered that the proposed development would be of an appropriate design, size and scale that addresses the character and scale of the surrounding buildings and landscape and would comply with the DP26 of the Mid Sussex District Plan and DP3 of the NPPF.

DP16 of the Mid Sussex District Plan relates to the High Weald Area of Outstanding Natural Beauty (National Landscape), in addition policy AS3 has a similar ethos. However, DP16 is considered to have very limited weight as it is materially inconsistent with the NPPF, and greater weight should be given to policy N4 of the NPPF.

N4 of the NPPF states in part the following:

'Development proposals within Protected Landscapes should be limited in scale and extent and sensitively located and designed to avoid harm to the statutory purposes and special qualities of the Protected Landscape. Substantial weight should be placed on the importance of conserving and enhancing the natural beauty of these areas, and to conserving and enhancing wildlife and cultural heritage in National Parks and the Broads'.

In relation to the impact upon the wider High Weald AONB (National Landscape), the proposed development would be viewed in the context of surrounding dwellings.

It is a matter of fact that new development takes place within the AONB that, as a minimum, causes changes to the natural beauty of the landscape, but which might comply with the Management Plan in terms of its overall impacts. Housing lies to the north and west of the site which lies within the AONB and it is considered that appropriate development can take place within the AONB without causing harm to the wider character and appearance. This demonstrates that such development can be accommodated in the AONB.

This development does not comprise major development in the AONB, but a relatively minor scheme. The site itself is of no significant natural beauty and nor is it widely visible from outside the site due to surrounding trees and land levels. The scheme would nevertheless be visible from some surrounding plots.

The High Weald Management Plan 2024-2029 refers to the High Weald AONB Design Guide for guidance on new housing in the High Weald. Whilst this provides much helpful design guidance it is of limited use on the Highfield site and in this particular application: providing guidance generally aimed at larger developments and not aimed at works providing mobile homes. It is advised to refer to the existing local style to inform any new development.

In this instance the housing to the north and west is of a relatively modest scale within a gated community larger two storey detached houses set within a well landscaped streetscene. These two areas have wholly different characters with no clear single character for this site and the surrounding area.

The proposal is for a modest development and given the surrounding land uses, it is felt that the overall character of this part of the AONB would be conserved by this proposal.

Coupled with this, due to the existing boundary treatment there would be limited views of a single storey dwelling is of this type from the surrounding area. Therefore, the proposal is deemed to comply with policy DP16 of the Mid Sussex District Plan, AS3 of the Ansty and Staplefield Neighbourhood Plan and policy N4 of the NPPF.

Neighbour Amenity

In assessing the potential impact of the proposed development works upon the neighbouring amenities consideration needs to be given to District Plan Policy DP26.

However, policy DP26 is considered to have very limited weight as it is materially inconsistent with the NPPF, and greater weight should be given to policies L2 and P3 of the NPPF.

Policy L2 of the NPPF in part states:

'Maintain safe access and egress for occupiers and users, and acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space'

Policy P3 of the NPPF states in part that:

'Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree. Where possible, opportunities should be taken to reduce pollution affecting the wider area (such as through traffic and travel management or improved external lighting)'

Given the single storey nature of the proposal, the impact on overlooking and privacy is not deemed unacceptable given the screening on site. Given the distance to neighbouring properties, the impact on sunlight and daylight is not deemed unacceptable.

Therefore, in terms of neighbouring amenities, the proposal complies with DP26 of the Mid Sussex District Plan, L2 and P3 of the NPPF.

Drainage

In assessing the potential impact of the proposed development works upon the flood risk consideration needs to be given to District Plan Policy DP41.

However, this policy is considered to have very limited weight as they are materially inconsistent with the NPPF, and greater weight should be given to policy F7 of the NPPF.

F7 of the NPPF states in part that:

'Development proposals should not present a risk from flooding to potential occupiers, users, or visitors, and should not increase flood risk elsewhere.'

2. Where development is proposed in a location known to be at risk from any form of flooding, now or in the future, it should be refused unless:

- a. Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons which justify a different arrangement;*
- b. The development will be safe throughout its lifetime taking account of the vulnerability of its users;*
- c. Any residual risk can be safely managed, and safe access and escape routes are included where appropriate, as part of an agreed emergency plan;*
- d. The development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; and*
- e. It can be demonstrated that flood risk will not be increased elsewhere'.*

As noted above, our drainage consultants are content that the proposal is acceptable in surface water flood risk and drainage terms subject to conditions. The planning officer has no reason to disagree.

Therefore, the proposal is deemed to comply with DP41 of the Mid Sussex District Plan and Policy F7 of the NPPF.

Transport

Policy DP21 of the Mid Sussex District Plan relates to transport. However, this policy is considered to have very limited weight as they are materially inconsistent with the NPPF, and greater weight should be given to policies TR3, TR4 and TR6 of the NPPF.

TR3 of the NPPF in part states:

'In rural areas, opportunities to improve walking, wheeling, cycling and public transport and enhance the connectivity of an area should be taken where they exist and can be supported by the development proposed'

TR4 of the NPPF in part states:

'Provide a suitable number of parking spaces for a range of transport modes where appropriate, reflecting the location and nature of the development (including its connectivity), any locally-set standards in the development plan, and including adequate provision of spaces and infrastructure that allow for the charging of electric vehicles in safe, accessible and convenient locations'.

TR6 of the NPPF in part states:

'Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion'.

The proposal does not seek to alter the existing vehicular entrance to the site and due to the nature of the application it is considered that only a modest increase of vehicular movements will occur at the site. As such it is not considered to adversely impact the wider road network.

In terms of parking standards, at least two off street parking spaces are proposed, in this locality WSCC Parking Standards (September 2020) suggests 2.2 off street parking spaces should be provided. Therefore, the proposal is deemed to provide sufficient off street parking provision. Therefore, the proposal is deemed to comply with DP21 of the Mid Sussex District Plan and TR3, TR4 and TR6 of the NPPF.

Trees and Woodland

Policy DP37 of the Mid Sussex District Plan relates to the impact on trees and woodland. However, this policy is considered to have very limited weight as they are materially inconsistent with the NPPF, and greater weight should be given to policies N2 and N3 of the NPPF.

N2 of the NPPF in part states:

*'To contribute positively to the natural environment, and support nature's recovery, development proposals should:
Conserve and enhance existing natural features of visual, historic or nature conservation value (such as established trees and hedgerows) where possible; and use appropriate landscaping to help create a well-designed place and integrate the development into its surroundings'*

N3 of the NPPF in part states:

'In recognition of the benefits which trees can provide for biodiversity, climate change mitigation and adaptation, and the character and quality of the built environment, development proposals should:

Make provision for the long-term maintenance of both existing and newly-planted trees which form part of the development'.

As outlined above the tree officer stated that there are significant incursions into the RPAs of a number of Cat B oaks and field maples, particularly T7. The proximity of the trees would have a significant impact on the amenities of the property and the use of the relatively small garden area. There would be significant pressure placed on these trees to be removed/heavily reduced.

It is noted however that the trees are not protected and could be removed without the need for consent. Notwithstanding the objection, replacement trees could be secured via condition requiring a suitable landscaping scheme and a tree protection plan will be conditioned. Therefore, subject to these conditions the proposal is considered to comply with DP37 of the Mid Sussex District Plan and policies N2 and N3 of the NPPF.

Sustainability

Policy DP39 of the Mid Sussex District Plan relates to the sustainability. However, this policy is considered to have very limited weight as they are materially inconsistent with the NPPF, and greater weight should be given to policy CC2 of the NPPF.

CC2 of the NPPF in part states:

'In order to contribute to climate change mitigation and the transition to net zero, development proposals should, where relevant to the proposal:

a. Accord with policies TR3 and TR4 so that sustainable patterns of movement are prioritised, opportunities are taken to improve walking, wheeling, cycling and public transport, and infrastructure is provided to support the transition to zero-emission vehicles

c. Use design approaches which conserve energy and other resources in accordance with policy DP3

2. Substantial weight should be given to the benefits of improving the energy efficiency of existing buildings and/or drawing energy from district heat networks, renewable and low carbon sources (including through the installation of heat pumps and solar panels where these do not already benefit from permitted development rights) where this would be achieved through proposals for development'.

The application has been supported by a sustainability statement which has set out that the proposal would include the following measures:

- PV Panels
- Water Conservation Measures

The proposal will have to comply with the sustainability parts of building regulations.

Details of which can be secured by condition, consequently, the proposal is deemed to comply with Policy DP39 of the District Plan and the policy CC2 of the NPPF.

Self -Build

The proposal has been submitted to be a self-build dwelling as defined under the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016). The Act does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals.

The Local Planning Authority must now grant 'suitable development permissions' in respect of enough serviced plots of land to meet the demand for self-build and custom housing building in the authority's area.

Policy DP30 of the District Plan relates to housing mix and states:

'To support sustainable communities, housing development will:

- o provide a mix of dwelling types and sizes from new development (including affordable housing) that reflects current and future local housing needs;*
- o meet the current and future needs of different groups in the community including older people, vulnerable groups and those wishing to build their own homes. This could include the provision of bungalows and other forms of suitable accommodation, and the provision of serviced self-build plots; and*
- o on strategic sites, provide permanent pitches for Gypsies and Travellers and Travelling Showpeople, as evidenced by the Mid Sussex District Gypsy and Traveller and Travelling Showpeople Accommodation Assessment or such other evidence as is available at the time; or the provision of an equivalent financial contribution towards off-site provision (or part thereof if some on-site provision is made) if it can be demonstrated that a suitable, available and achievable site (or sites) can be provided and made operational within an appropriate timescale, commensurate with the overall scale of residential development proposed by the strategic development; and serviced plots for self-build homes where a need for such accommodation is identified.*

Evidence of housing need will be based on the best available evidence (including local evidence provided to support Neighbourhood Plans)'.

The proposal to provide a self-build home is a material consideration in the determination of the application which is supported by planning policy. This provides a positive benefit to the proposed development.

Dwelling Space Standards

The Government's Technical Housing Standards - Nationally Described Space Standards document was published in March 2015. It sets out space standards for all new residential dwellings, including minimum floor areas and room widths for bedrooms and minimum floor areas for storage, to secure a satisfactory standard of accommodation for future residents. Policy DP27 of the District Plan and PM13 of the NPPF supports this.

A 3-bedroom 5-person, single storey dwelling is required to provide a minimum gross internal floor area of 86 square metres and 3sqm of built-in storage. The proposed dwelling provides a gross internal floor area significantly greater than this.

Therefore, the proposed dwelling would comply with the above standards. Taking into account the above the proposed standard of living for future occupiers would be acceptable and the proposal complies with policy DP27 of the Mid Sussex District Plan, PM13 of the NPPF and the Government's Technical Housing Standards - Nationally Described Space Standards document.

Ashdown Forest

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

The potential effects of development on Ashdown Forest were assessed during the Habitats Regulations Assessment (HRA) process for the Mid Sussex District Plan 2014-2031. This process identified likely significant effects on the Ashdown Forest SPA from recreational disturbance and on the Ashdown Forest SAC from atmospheric pollution.

An overall Habitats Regulations Assessment has been undertaken for the planning application which includes the type of development proposed.

Recreational disturbance

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

In accordance with advice from Natural England, the HRA for the Mid Sussex District Plan 2014-2031, and as detailed in District Plan Policy DP17, mitigation measures are necessary to counteract the effects of a potential increase in recreational pressure and are required for developments resulting in a net increase in dwellings within a 7km zone of influence around the Ashdown Forest SPA. A Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) mitigation approach has been developed. This mitigation approach has been agreed with Natural England.

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

Atmospheric pollution

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

It is considered that the proposed development will not lead to a significant increase in traffic across Ashdown Forest. There is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

Conclusion of the Habitats Regulations Assessment

The Habitats Regulations Assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the types of development identified which includes this proposed development.

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

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

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain this application is deemed to have been granted subject to the biodiversity net gain condition for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

The biodiversity net gain condition is set out in the Town and Country Planning Act 1990, Schedule 7A, Part 2, 13 (2). It states:

'The condition is that the development may not be begun unless—

- (a) a biodiversity gain plan has been submitted to the planning authority (see paragraph 14), and*
- (b) the planning authority has approved the plan (see paragraph 15)'.*

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain this application comprises development which was submitted prior to 6th August 2026 and is to be self build meaning that this development is exempt from providing biodiversity net gain.

CONCLUSION

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

The site is reserved in policy DP33 as a Traveller site, and it is considered that the applicants meet the definition of a gypsy and traveller as defined in the PPFTS. As such the principle of the development is considered to be acceptable in terms of S5 and HO12 of the NPPF.

Whilst the site is within the AONB, it is a reserved Travellers Site and as a consequence, it has been accepted in the development plan that there will be caravans and associated structures on the site. The site is also close to the A23 and other sporadic residential development. In light of this, it is considered that this development would conserve this part of the High weald AONB and is therefore acceptable in landscape terms.

The design of the dwelling is in keeping with the surrounding properties.

It is considered the applicants have demonstrated that the site is capable of being satisfactorily drained. The final details of this can be secured by a planning condition.

It is not considered that the proposal would cause significant harm to the amenities of any of the residential properties that adjoin the site.

Whilst not in a wholly sustainable location, there are no highway capacity issues or safety issues associated with the proposal. As this is a safeguarded traveller site, it is not felt that the site should be resisted on sustainability grounds.

Overall, the planning balance is considered to fall significantly in favour of granting planning permission.

To conclude, subject to appropriate conditions, the scheme is considered acceptable.

Decision: Permission

Case Officer: Andrew Horrell