

PLANNING STATEMENT

IN RELATION TO:

***‘Planning Application for the erection of 1 No.
single storey, self-build dwelling house, with new
access and parking on garden land to the east side
of ‘Twinham’***

**Land adjacent to ‘Twinham’, Hurst Road, Hassocks,
West Sussex BN6 9NL**

February 2025

1.0 INTRODUCTION

- 1.1 On behalf of our Clients, Mr John & Mrs Marina Bullivant, this application is submitted to the Local Authority for planning permission for the erection of 1 No. new dwelling house on garden land to the east side of 'Twinham', Hurst Road, Hassocks.
- 1.2 This Planning Statement is submitted in support of the above detailed planning application. The statement describes the site, its surroundings and the proposal itself. The Planning Policy background is considered along with an assessment of the proposal in light of the relevant policy and all other material planning considerations.
- 1.3 This statement should be read in conjunction with the package of application drawings, which have been prepared by Belmont Designs.
- 1.4 The application is also accompanied by the following technical reports:-
- Arboricultural Impact Assessment & Method Statement, prepared by Arbortrack Systems Ltd;
 - Ecological impact Assessment, prepared by Kent Sussex Ecology;
 - Sustainable Construction & Energy Efficiency Report;
 - Foul Sewage & Surface Water Assessment;
 - Historic Environment Record (HER) Consultation Report; and
 - Water Supply Confirmation from South-East Water.

2.0 SITE CIRCUMSTANCES

- 2.1 The application site comprises a 0.09 hectare parcel of garden land that is located adjacent to an existing residential property, 'Twinham', which is located on the north side of Hurst Road, Hassocks. The application site is primarily laid to grass, with close boarded fencing to the east and rear boundaries, with hedging behind. The front boundary has a mixture of shrubs and trees. The west boundary with 'Twinham' is currently open. The site slopes downwards from front to rear (south to north).



Fig 1. Aerial map showing the site and its surroundings
(Courtesy of Promap – red line for indication purposes only)

- 2.2 The host dwelling, 'Twinham', to the east, comprises a detached flat roofed property of modern design, which appears single storey at the front, but has two storeys at the rear, taking advantage of the natural fall in ground levels. Twinham and its curtilage (which the application site forms part) was previously part of the garden of 'The Ham' (No.24 Hurst Road), which is an existing dwelling that is located further to the east on the corner of Hurst Road and a side road that serves a handful of properties at 'Ham Farm'.
- 2.3 Hurst Road is residential in character, typified by detached houses of varied scale, form, siting and design. Plot sizes and shapes are varied. There is a continuous pavement that provides pedestrian links to Hassocks to the east, and Hurstpierpoint to the west. In addition there are nearby bus stops and regular bus services that run along Hurst Road, providing public transport links to other settlements.
- 2.4 The site is located outside of any defined built up area boundary, within designated countryside. The site is located within Flood Zone 1 as designated by the Environment Agency, meaning the site has the lowest risk of flooding. It is understood that there are no Listed Buildings located within the vicinity of the site. The South Downs National Park is located south of the site, with the boundary positioned some distance from the application site.
- 2.5 According to the Council's TPO map (see below), there are no TPOs on the site, or within the immediate vicinity, which would be affected by the planning proposals.



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Fig 2. Extract Mid Sussex District Councils Tree Preservation Order (Map)

3.0 PLANNING POLICY

(i) National Planning Policy Framework (NPPF)

- 3.1 The National Planning Policy Framework (NPPF) was originally published in 2012, and has been subject to a number of revisions subsequently, with the most recent version being published on 12th December 2024.
- 3.2 The NPPF confirms that planning law, as set out at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 3.3 The focus of the revised NPPF continues to be achieving sustainable development. The NPPF clarifies that *“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”* (taken from Resolution 42/187 of the United Nations). However, at paragraph 8 the Framework sets out that in planning terms, and in order to achieve sustainable development there are *“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 objectives are economic, social and environmental, which *“should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area”* (paragraph 9).
- 3.4 Paragraph 11 is an important element of the NPPF. It states that: *“Plans and decisions should apply a presumption in favour of sustainable development... For decision-*

taking this means: c) approving development proposals that accord with an up-to-date development plan without delay; or d) 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”.*

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

3.6 Paragraph 14 is relevant in this case. It states *“In situations where the presumption (at paragraph 11d) applies to applications involving the provision of 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:*

- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and*

b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70);

- 3.7 Section 4 of the Plan refers to Decision Making. At paragraph 39 of the Framework, it sets out that *“Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible”*.
- 3.8 The Framework also sets out that there are only limited circumstances where decision-makers should give weight to policies in emerging plans, and generally *“refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or – in the case of a neighbourhood plan – before the end of the local planning authority publicity period on the draft plan”* (paragraph 51).
- 3.9 Section 5 relates to delivering a sufficient supply of homes. It reiterates at paragraph 61 that the Government’s objective is to significantly boost the supply of new homes. Paragraph 65 confirms that the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.
- 3.10 Paragraph 72 states that *“strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should*

identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of:

- a) specific, deliverable sites for five years following the intended date of adoption;*

and

- b) specific, developable sites or broad locations for growth, for the subsequent years 6-10 and, where possible, for years 11-15 of the remaining plan period”.*

3.11 Paragraph 73 continues *“Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:*

- a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;*

- b) seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom-build housing;*

- c) use tools such as area-wide design assessments, permission in principle and Local Development Orders to help bring small and medium sized sites forward;*

- d) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and*

- e) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes”.*

3.12 Paragraph 74-75 note that *“neighbourhood planning groups should also give particular consideration to the opportunities for allocating small and medium-sized sites (of a size consistent with paragraph 73a) suitable for housing in their area....Where an allowance is to be made for windfall sites as part of anticipated*

supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area”.

- 3.13 With regard to housing supply, paragraph 78 states that *“Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. 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.³⁹ The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:*
- a) 5% to ensure choice and competition in the market for land; or*
 - b) 20% where there has been significant under delivery⁴⁰ of housing over the previous three years, to improve the prospect of achieving the planned supply; or*
 - c) From 1 July 2026, for the purposes of decision-making only, 20% where a local planning authority has a housing requirement adopted in the last five years examined against a previous version of this Framework⁴¹, and whose annual average housing requirement⁴² is 80% or less of the most up to date local housing need figure calculated using the standard method set out in national planning practice guidance”.*
- 3.14 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, including proposals for community-led development for housing”.*

- 3.15 it goes on to state at paragraph 83 that *“to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. 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”*.
- 3.16 Section 9 discusses promoting sustainable transport, including the need to support opportunities, and give priority to walking, cycling and public transport, in addition to creating places that are safe, accessible, address the needs of people with disabilities, and are designed to enable charging of plug-in and other ultra-low emission vehicles.
- 3.17 At paragraph 110 the Framework confirms that *“Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making”*.
- 3.18 Paragraph 113 sets out that *“Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport”*.
- 3.19 Paragraph 115 confirms that the main considerations in transport terms when determining specific planning applications is that proposals should provide:
“(a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;

(b) safe and suitable access to the site can be achieved for all users;
(c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code ⁴⁸; and
(d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach”.

- 3.20 At paragraph 116, the framework also confirms that *“development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios”.*
- 3.21 Section 11 is entitled ‘Making effective use of land’. Paragraph 119 confirms that *“”planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions”.*
- 3.22 Paragraph 125 sets out that decision makers are required to give regard to benefits of development, including environmental gains, and should *“(c) give substantial weight to the value of using suitable brownfield land within settlements for homes ...[and] (d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively...”.*
- 3.23 Paragraph 127 states that *“decisions need to reflect changes in the demand for land.... applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area”.*

- 3.24 Paragraph 129 discusses the need to achieve appropriate densities. Account needs to be given to the identified need for different types of housing and the availability of land suitable for accommodating it, local market conditions, sustainability, existing character and setting, and *“the importance of securing well-designed, attractive and healthy places.”*
- 3.25 Paragraph 130 states that *“Area-based character assessments, design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site...local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)”*.
- 3.26 Section 12 refers to achieving well-designed and beautiful places. Paragraph 131 states *“the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development...”*.
- 3.27 Paragraph 135 sets out that *“decisions should ensure that developments:*
(a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
(b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

(c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

(d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

(e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

(f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users ⁵¹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.

3.28 Paragraph 136 notes that *“trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users”.*

3.29 Paragraph 139 confirms that *“development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes”.*

- 3.30 Further parts of the Framework that are of particular note include Section 14, which relates to meeting the challenge of climate change, flooding and coastal change and section 16 which relates to conserving and enhancing the historic environment.
- (ii) The District Plan 2014 - 2031
- 3.31 The District Plan was adopted March 2018 and forms part of the Development Plan against which this application will be assessed and determined. However, the Plan is now in excess of 5 years old. Paragraph 34 of the NPPF states that “*policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every 5 years, and should then be updated as necessary. Reviews should be completed no later than 5 years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every 5 years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future*”.
- 3.32 The Council’s Policies Map (see **Fig 3** below) identifies the site as being outside of the planning boundary, with the Hassocks settlement boundary lying a short distance to the east, and the Hurstpierpoint settlement boundary lying a similar distance to the west. In planning policy terms it is understood that the site therefore lies within the countryside.

3.33 **Policy DP4** is the Council's general housing policy. It sets out that an average of 876 dwellings are required per annum until 2023/24, after which the need increases to 1,090 per annum until 2030/31.

3.34 **Policy DP6** of the District Plan relates to Settlement Hierarchy and designates Hassocks as a category 2 Settlement, which are described as *"larger villages acting as Local Service Centres providing key services in the rural area of Mid Sussex. These settlements serve the wider hinterland and benefit from a good range of services and facilities, including employment opportunities and access to public transport"*.

3.35 **Policy DP12** relates to the Protection and Enhancement of the Countryside. It states that *"the countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or*

where possible enhances the quality of the rural and landscape character of the District, and:

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

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

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

Built-up area boundaries are subject to review by Neighbourhood Plans or through a Site Allocations Development Plan Document, produced by the District Council...

3.36 Policy DP15 refers to New Homes in the Countryside. It states that *“provided that they would not be in conflict with Policy DP12: Protection and Enhancement of the Countryside, new homes in the countryside will be permitted where special justification exists. Special justification is defined as:*

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

- *The proposed development meets the requirements of Policy DP6: Settlement Hierarchy.*

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

- *The need cannot be fulfilled by another existing dwelling on or any other existing accommodation near the agricultural unit; and*
- *It can be proven that it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times; and*
- *It can be proven that the farming enterprise is economically viable; and*
- *It can be proven that the size of the dwelling is commensurate with the established functional requirement of the agricultural unit...”*

3.37 **Policy DP26** relates to Character and Design and states that “*all development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:*

- *is of high quality design and layout and includes appropriate landscaping and greenspace;*
- *contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- *creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *protects valued townscapes and the separate identity and character of towns and villages;*

- *does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29);*
- *creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- *incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- *positively addresses sustainability considerations in the layout and the building design;*
- *take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- *optimises the potential of the site to accommodate development”.*

3.38 The following policies are also considered of relevance:-

- **Policy DP13:** Preventing Coalescence
- **Policy DP18:** Setting of the South Downs
- **Policy DP21:** Transport Policy
- **Policy DP27:** Dwelling Space Standards
- **Policy DP37:** Trees, Woodland and Hedgerows Policy
- **Policy DP38:** Biodiversity
- **Policy DP39:** Sustainable Design and Construction Policy
- **Policy DP41:** Flood Risk and Drainage
- **Policy DP42:** Water Infrastructure and the Water Environment.

(iii) Neighbourhood Plan

3.39 The Hassocks Neighbourhood Plan was made on the 24th June 2020 and forms part of the development plan.

3.40 The relevant policies in this case are understood to be as follows:

- **Policy 1** (Local Gap),
- **Policy 4** (Managing Surface Water),
- **Policy 5** (Enabling Zero Carbon),
- **Policy 6** (Development Proposals Affecting the South Downs National Park),
- **Policy 9** (Character and Design),
- **Policy 14** (Residential Development Within and Adjoining the Built-Up Area Boundary of Hassocks).

(iv) Mid Sussex Design Guide Supplementary Planning Document (SPD)

3.41 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.

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

3.42 The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and stage 1 hearings were concluded on the 31st October 2024. **It is understood that there are unresolved objections to the majority of Policies in the draft District Plan and as such, only minimal weight can be given to the Plan and this planning application should therefore be assessed against the policies of the adopted District Plan.**

4.0 PLANNING HISTORY & PRE-APPLICATION DISCUSSIONS

(i) Application Site

- 4.1 According to the Councils online planning records, the application site does not have any planning history.

(ii) Nearby Sites

'Twinham', No. 34 Hurst Road, Hassocks (*the host dwelling*)

- 4.2 Adjacent to the west is 'Twinham', which is a relatively new dwelling that was constructed in the garden of The Ham (which lies further to the east). 'Twinham' has the following planning history:-



Fig 4. Extract from submitted Block plan

- **Planning ref: DM/19/2078/:** Formation of fencing and gates to the front boundary. Provision of glazed porch canopy to the front elevation, along with minor external works to the front of the property. Approved 7th August 2019

- **Planning ref: DM/16/3868/:** Erection of new split level dwelling house, with accommodation on ground and lower ground floors. Creation of replacement vehicle access onto Hurst Road. This application seeks amendments to the application granted approval under ref. DM/16/2776, to include the construction of a garage over part of the already approved lower ground floor accommodation. Approved 16th December 2016
- **Planning ref: DM/16/2776/:** Erection of new split level dwelling house, with accommodation on ground and lower ground floors. Creation of replacement vehicle access onto Hurst Road. This application seeks amendments to the application granted approval under ref. DM/15/4993, to include a ground floor extension to form utility and office space. Approved 23rd August 2016
- **Planning ref: DM/15/4993/:** Erection of new split level dwelling house, with accommodation on ground and lower ground floors. Creation of replacement vehicle access onto Hurst Road. Approved 12th February 2016

No. 36 Hurst Road, Hassocks

- 4.3 According to the Council's online planning records, nearby No. 36 Hurst Road (to the west of Twinham) has the following planning history, which is of relevance to the current proposal.
- **Planning ref: DM/24/0957/:** Discharge of planning condition No. 8 relating to planning application DM/23/2126. Approved 7th June 2024.
 - **Planning ref: DM/24/0597/:** Discharge of planning condition No. 9 relating to planning application DM/23/2126. Approved 10th April 2024.
 - **Planning ref: DM/24/0272/:** Erection of 1 No. dwelling with car parking. Revision to DM/23/2126 comprising formation of new vehicular access to serve new dwelling. Existing access retained to serve No. 36 Hurst Road (amended plans received moving access 07.06.2024) (Amended plans for the driveway construction 24.07.2024). Approved 20th August 2024.
 - **Planning ref: DM/23/2126/:** Erection of 1 No. dwelling house with car parking (Amended plans 19/10/2023). Approved 8th December 2023.

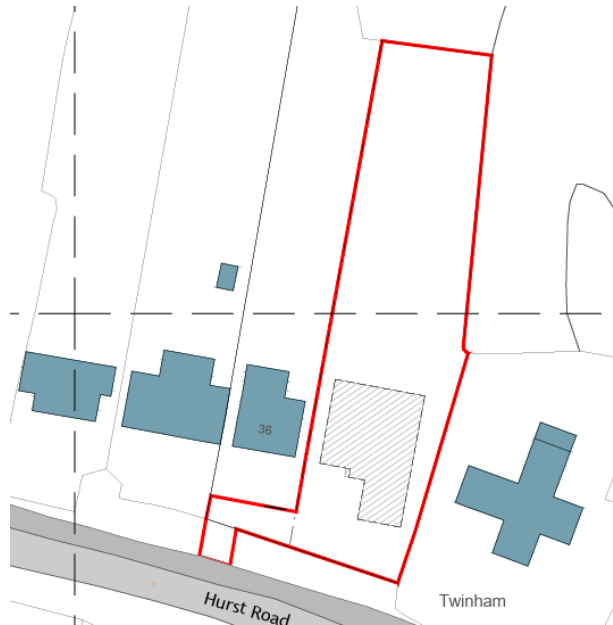


Fig 5. Approved Block Plan (ref: DM/23/2126)

- 4.4 At the time of planning ref: DM/23/2126 being considered, the Council's Committee Report drew the following conclusions:-

"The Council has an up to date District Plan and is able to demonstrate that it has a 5y-year housing land supply. Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

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

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

Weighing against the scheme is the fact that the proposal is not contiguous with the Built up area boundaries and as such the proposal is contrary to the development plan in principle and conflicts with the requirements of Mid Sussex District Plan Policies DP12 and DP15. However, upon a deeper analysis, the proposal is not

considered to conflict with the essential countryside protection and sustainability aims of these policies.

Policy 1 of the Hassocks Neighbourhood Plan seeks to safeguard local gaps between Hassocks and Hurstpierpoint, unless it is for the purpose of agriculture, is supported by DP6 and would not compromise individually or cumulatively the objectives and fundamental integrity of the gap. Due to the infill nature of the proposal between two existing dwellings, within the residential curtilage of the host dwelling, and within an otherwise linear development fronting Hurst Road, it is not considered that the proposal would compromise the character of the countryside or the local gap between Hassocks and Hurstpierpoint. The existing access would be used to serve the new dwelling, while the vegetation to the frontage of the site would be maintained.

Weighing in favour of the scheme is that the development will provide a single residential unit in a sustainable location at a time where there is a general need for Local Authorities to boost significantly the supply of housing and this should be given positive weight. If permitted, the proposal would result in the creation of construction jobs during the build period. The additional, albeit limited, population could help generate more local spending in the local community. These are all material considerations that weigh in favour of the development.

There would also be a new homes bonus.

The proposal is considered acceptable in relation to design size and scale, that is both in keeping with the varied character of the locality, while preserving the character of the wider countryside. The proposal is not considered to impact on the setting of the South Downs National Park, it is also considered acceptable in relation to neighbouring amenity, highways, access and parking, sustainably construction, drainage, ecology, dwelling space standards and the Ashdown Forest.

Taking all of the above into account, the proposal is considered to amount to a sustainable form of development within the overall meaning of the NPPF. It is considered that there are other material planning considerations that justify a decision that is not in full conformity with the development plan and that the overall

planning balance in this case favours approval”.

27 Hurst Road, Hassocks

4.5 27 Hurst Road has been granted planning permission for the erection of 3 No. new dwellings. The planning approvals are set out in detail below:-

- **Planning ref: DM/18/1285/:** Replacement of existing dwelling and garage with 3 No. 4-bedroom detached dwellings with attached double garages including relocation of existing access serving Plot 1 and formation of two new access points serving Plots 2 & 3. Approved 22nd May 2018.
- **Planning ref: DM/17/3412/:** Proposed replacement of existing dwelling and garage with 3 No. four bedroom detached dwellings with attached double garages including retention of existing access serving Plot 1 and formation of two new access points serving Plot 1 and formation of two new access points serving Plots 2 & 3. Approved 5th February 2018.

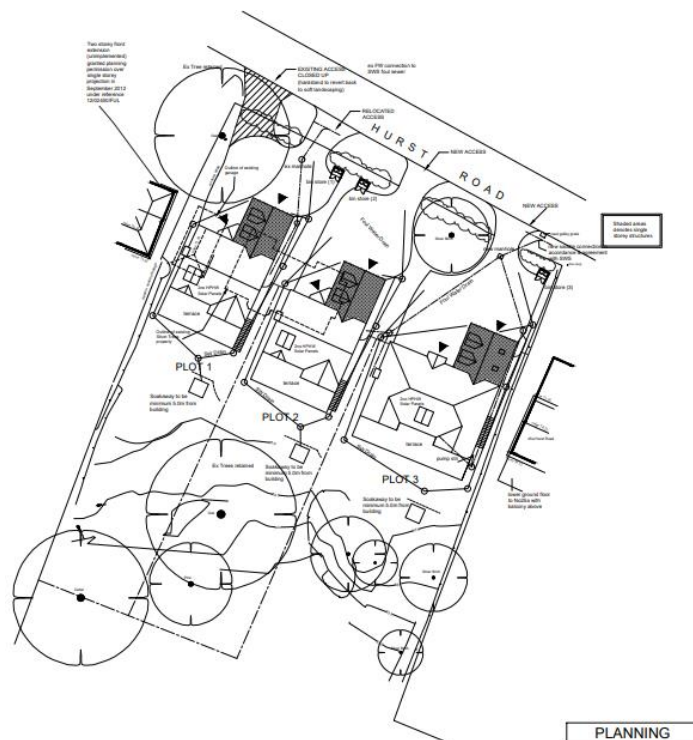


Fig 6. Approved Site Plan (ref: DM/18/1285)

42 Hust Road, Hassocks

- 4.6 There is also a current application (**planning ref: DM/24/1748**) for a new dwelling adjacent to No.42. This is currently pending consideration according to the MSDC online file. The details are set out below:-
- **Planning ref: DM/24/1748/:** Erection of two storey dwellinghouse with basement, alongside replacement two storey rear extension to existing dwelling, relocation of rear swimming pool and enclosure within new pool house. Amended dwellings in addition to ecological appraisal and drainage statements received on 10.12.2024.



Fig 7. Proposed Block plan (ref: DM/24/1748)

- 4.7 At the time of writing, consultation responses had been received in relation to Ecology and Drainage and no Objections had been raised to the development in this regard.

(iii) Pre-application discussions

- 4.8 A pre-application enquiry was submitted to the Council to consider ‘*erection of split level dwelling on east side of Twinham*’ at the application site (ref: DM/21/0472). A written response was received from the Council, via letter dated 10th May 2021.
- 4.9 The Council raised a principle objection to the scheme, noting that “*the application site lies in countryside, outside the built up area, and thus would be contrary to policies DP6 and DP12 of the District Plan as general housing development is not one of the permitted exceptions to the policy of restraint in the countryside set out in DP15. The aim of the policy is to protect the countryside in recognition of its intrinsic character and beauty...As such it is considered that the proposal would be contrary to Policies DP6, DP12 and DP15 of the District Plan, Policies 1 and 14 of the Hassocks Neighbourhood Plan and the provisions of the NPPF...In light of the above, I am of the opinion that I would be unable to support such a scheme*”.
- 4.10 Notwithstanding the above comments, the Council gave a view regarding the design of the proposal; noting that “*due to the levels of the site, the dwelling would be split level. Two design options were suggested of either a traditional or modern flat roof designed dwelling. The modern dwelling would be similar to that recently constructed of Twinham...If you were to pursue an application, it is considered that a flat roof designed dwelling may be more appropriate and better screened from the highway compared to a traditional roof form which would be more prominent from the street scene. In addition, the dwelling should utilise the levels of the site to minimise its impact on the area*”.
- 4.11 The above pre application response was dated 10th May 2011, being issued over 2 years prior to the decision on 36 Hurst Road (planning ref: DM/23/2126), which was approved on 8th December 2023. The Council took a different approach to policy with each of these cases and it is clear that the most recent decision at No. 36 Hurst Road is of most relevance in this instance.

5.0 THE PROPOSAL

- 5.1 This proposal seeks full planning permission to erect 1 No. detached, single storey dwelling house on garden land located to the east side of 'Twinham', Hurst Road. The plot is on the north side of the road.



Fig 8. Extract from Proposed Site Layout Plan

- 5.2 The proposed development would be single storey in height. It would comprise an open plan kitchen/ living area, study, 2 no. bedrooms and 2 no. bathrooms.



Fig 9. Proposed Front Elevation

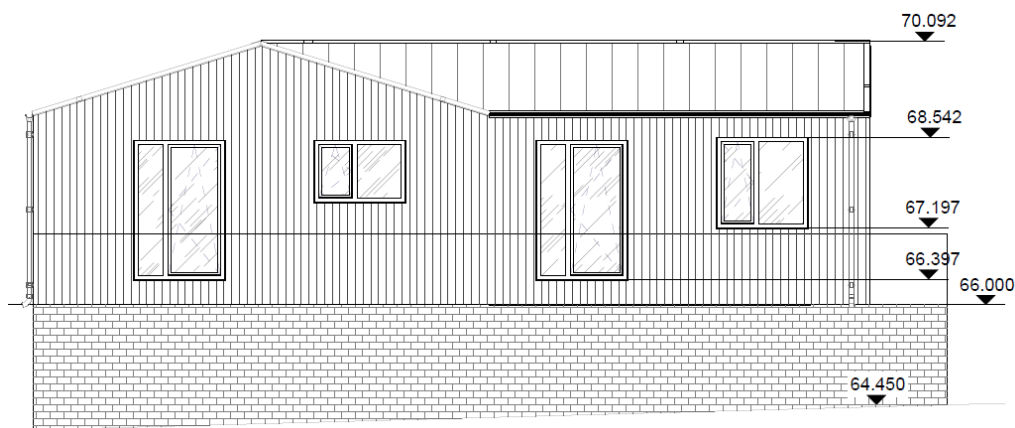


Fig 10. Proposed rear elevation

- 5.3 With regard to materials, the walls to be vertical natural timber boarding, with grey metal standing seam roof. Windows and doors to be grey aluminium. Finally, the plinth wall to be local stock brickwork.
- 5.4 The Applicant's intention is for the new house to be sustainable, and a number of intended energy efficiency measures are set out in the accompanying Sustainability/Energy Statement. In addition the intention is for the new house to be of a modular building method, which means that the house is prepared off-site rather than utilising a traditional construction process. This is a more sustainable building method, and also create less disturbance.

- 5.5 A new access is proposed off the north side of Hurst Road. It would provide ample space for on site turning and the parking of 2 No. vehicles.
- 5.6 The applicants have lived in Hurst Road for twenty-three years and have raised their family there. The new dwelling will be constructed as a self-build property, commissioned by the Applicants' daughter, who will live in the house with her family adjacent to her parent's who will continue to occupy neighbouring 'Twinham'.
- 5.7 The new dwelling house will be a smart, sustainable and attractive dwelling carefully designed for the future and in keeping with the local environment.

6. PLANNING ASSESSMENT

a. Principle of Development

- 6.1 Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 states that *"in dealing with such an application the authority shall have regard to:*
- a) The provisions of the development plan, so far as material to application,*
 - b) Any local finance considerations, so far as material to the application, and*
 - c) Any other material considerations."*
- 6.2 Section 38(6) Planning and Compulsory Purchase Act 2004 states that *"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."*
- 6.3 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.
- 6.4 Using this as the starting point, the development plan in this part of Mid Sussex consists of the Mid Sussex District Plan and the Hassocks Neighbourhood Plan.
- 6.5 We are aware of a housing scheme currently at Appeal (Public Inquiry scheduled for the last week in January 2025), for a site at Scamps Hill in Lindfield. Ahead of the Inquiry, the Appellant (Gladman) and MSDC have signed a 5-year housing land supply Statement of Common Ground in December 2024 (Refer to **Appendix A**). **This confirms MSDC's position is that, based on current housing requirements, the Authority can only demonstrate a 3.38 year housing land supply.**

- 6.6 The presumption in favour of sustainable development is therefore engaged, and paragraph 11(d) of the NPPF applies. The policies most relevant to new housing are out of date, and permission should be granted for new housing 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”.*
- 6.7 The application site lies outside the settlement boundary of Hassocks, within designated countryside. The Neighbourhood Plan indicates that the site is within a local gap.
- 6.8 **Policy DP12** of the District Plan relates to protection and enhancement of countryside and states that *“the countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District...”*
- 6.9 **Policy DP15** specifically relates to new homes in the countryside and states in part that: *“Provided that they would not be in conflict with Policy DP12: Protection and Enhancement of the Countryside, new homes in the countryside will be permitted where special justification exists.*
Special justification is defined as:
- *Where accommodation is essential to enable agricultural, forestry and certain other full time rural workers to live at, or in the immediate vicinity of, their place of work; or*

- *In the case of new isolated homes in the countryside, where the design of the dwelling is of exceptional quality and it enhances its immediate setting and is sensitive to the character of the area; or*
- *Affordable housing in accordance with Policy DP32: Rural Exception Sites; or*
- *The proposed development meets the requirements of Policy DP6: Settlement Hierarchy”.*

- 6.10 **Policy DP6** of the District Plan relates to settlement hierarchy. Whilst encouraging development within defined built up area boundaries, it allows for development outside settlement boundaries, subject to certain criteria, including that “3. *The development is demonstrated to be sustainable, including by reference to the settlement hierarchy*”.
- 6.11 At local level **Policy 14** of the Neighbourhood Plan in part sets out:
“Development proposals for residential development outside of the built up area of Hassocks will be supported where they are in accordance with Policy DP6 of the Mid Sussex District Plan, Policy SD25 of the South Downs Local Plan and Policy 1 of this Plan”.
- 6.12 **Policy DP6** identifies Hassocks as a category 2 settlement, the second largest settlement category in Mid Sussex after the main towns of Burgess Hill, East Grinstead and Haywards Heath.
- 6.13 We consider that the Site is sustainably located, with residents in this area being able to comfortably walk to a large number of facilities and services. Residents do not rely on the private vehicle. The closest railway station is at Hassocks (0.6 miles). There are also a number of bus stops within a short walk from the site, many of which are along Hurst Road and Wickham Hill to the west (13 bus stops within 1km of the application site). The site is within easy reach of a number of services and facilities as follows:-

Primary Schools

Hassocks Infant School	0.7 miles
The Windmills junior School	1 mile
St. Lawrence CofE Primary School	1.1 miles
London Mead Community Primary School	2 miles

Secondary Schools

Downlands Community School	0.9 miles
Hurstpierpoint College	1.2 miles
The Burgess Hill Academy	2.1 miles

Doctors

Hassocks Health Centre	0.9 miles
Hurstpierpoint Health Centre	0.9 miles
Ditchling Health Centre	2 miles

Hospitals

Princess Royal Hospital	5.4 miles
Mill View Hospital	5.9 miles

- 6.14 The proposed development meets with criterion 1 of **Policy DP6** in that the proposal is for fewer than 10 dwellings; although we accept that the proposal does not meet with criterion 2 as the site is not contiguous with the built up area boundary of Hassocks or Hurstpierpoint. With regards to criterion 3, the site is considered to be sustainable, and therefore the conflict with criterion 2 is considered to only be a minor breach of policy. The Council reiterated this view when determining No. 36 Hurst Road, noting that *“the proposal is for fewer than 10 dwellings and is considered to be within a sustainable location with well lit footpaths to both Hurstpierpoint and Hassocks, within walking distance of the Hassocks train station*

and a number of bus stops. However, it is not contiguous with the built up area boundaries” (planning ref: DM/23/2126).

- 6.15 The proposal is appropriately located and would not result in future occupiers becoming reliant on the private car to meet their daily needs. Indeed, when considering the host dwelling at ‘Twinham’ (No.34) to the immediate west of the application site, the Planning Officer confirmed that *“While the application site is not within the built up area boundaries of Hassocks, it is within close proximity to the boundary and it is considered to satisfy the social, economic and environmental elements of sustainable development”* (Application ref: **DM/15/4993** refers). The proposal would be compliant with policy **DP21** of the District Plan, which requires development to be sustainably located.
- 6.16 It is our opinion that when considering the principle of development in countryside areas, it is important to consider the intention behind the aforementioned policies. The supporting text for policy **DP12** sets this out as follows: *“The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there. At the same time, it seeks to enhance the countryside, support the rural economy by accommodating well-designed, appropriate new forms of development and changes in land use where a countryside location is required and where it does not adversely affect the rural environment. It is therefore necessary that all development in the countryside, defined as the area outside of built up area boundaries, must seek to maintain or enhance the intrinsic beauty and tranquillity of the countryside”.*
- 6.17 Thus, the principle aim of the policy is to maintain or enhance the quality of the rural character of the area. In this case, the proposed development will be sited as an infill development between No.34 (‘Twinham’) and ‘The Ham’ (No. 24) to the east. Residential properties lie continuously along both the north and south sides of Hurst

Road. Properties and plot sizes are varied. Although the proposed plot size has a reduced depth compared to many of those that immediately surround, this would not be appreciated from any public viewpoint, and further the plot would be wholly proportionate to the size of the dwelling, with an appropriate amount of amenity space provided. As such it will not appear incongruous or out of keeping. It is not considered that the proposed development would have a tangible impact on the appearance of the open countryside, comprising an infill development, surrounded by residential properties. Consequently, it is considered that the proposal would not conflict with the principal aim of **policy DP12**.

- 6.18 In addition when considering the settlement hierarchy as required by **policy DP6**, Hassocks is defined as a category 2 settlement in the District Plan. As such it is considered a suitable location for new development.
- 6.19 It is our view that given the sites position, in-between existing residential development, as well as close to Category 2 settlements, the principle of development is acceptable in this location. Further, as set out in detail above, a planning precedent for this form of development within countryside locations has been clearly established within the surrounding area.
- 6.20 Further, the Application proposals are shown below to be compliant with the 3 objectives of paragraph 8 of the Framework, and given this context it must also be found that the proposals comply with the District Council's development strategy as set out in the Mid Sussex District Plan. Justice Sullivan in dealing with the case of Regina v Rochdale Metropolitan Borough Council, ex parte Tew [2000] confirmed that the Development Plan should be taken as a whole, and the fact that a proposal is in breach of one or more policies of the Development Plan, should not mean that the development does not comply with the Plan when considered in its entirety. Therefore we contend that the minor breach of **DP6** (i.e. the site is not contiguous with the settlement boundary) is insufficient to warrant refusal of the application,

given that in all other respects the development proposals are acceptable and do not breach any other up-to-date development plan policy.

- 6.21 When determining No. 36 Hurst Road, the Council considered the above issues, noting that *“the site is an infill plot, an existing area of garden between two existing dwellings, within a linear development of houses along this section of Hurst Road. It is not seeking a new access onto Hurst Road and will instead utilise the existing highways access for No. 36 Hurst Road, while at the same time retaining the established screening to the frontage of the site. Consequently, the proposal would fit in with the existing pattern of development within this location and would therefore not impact on the wider countryside character.*

As such the principle of the proposal conflicts with Policies DP12 and DP15 of the District Plan Policies 1 and 14 of the Hassocks Neighbourhood Plan and is not supported by DP6 the proposal is thus contrary in principle to the development Plan. However, in accordance with the law, it is necessary to take into account other material considerations in the overall planning balance”.

- 6.22 it is noteworthy that a subsequent application for a new vehicular access to No. 36 was approved under planning ref: **DM/24/0272/**.

- 6.23 Finally, at paragraph 11(d)(i) the word “clear” in the previous NPPF has been replaced with the word “strong” – see below:

“where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, [LPAs should apply the presumption and grant planning permission] unless: i. 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 [..].”

This is clearly a deliberate change, which we consider provides greater weight to the presumption of sustainable development against conflict with other NPPF policies.

- 6.24 At paragraph 11(d)(ii), following the statement that if adverse impacts of applying the presumption are “*significantly and demonstrably*” outweighed by the benefits of development when taken against the NPPF “as a whole”, there is now the phrase “*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*”. Therefore the revised NPPF broadens the circumstances under which the “tilted balance” applies for the Presumption in Favour of Sustainable Development. It is pertinent to note that the proposed development is located in a ‘sustainable location,’ it does make ‘effective use of land,’ and it is also ‘well-designed’.
- 6.25 With regard to the “Tilted Balance” ‘Limb 2’ “*Would adverse impacts of approval SIGNIFICANTLY and DEMONSTRABLY outweigh the benefits?*”, in this case the answer must be ‘no’, as there is no demonstrable harm arising from development, and the benefits associated with the scheme are multiple, which include economic, high quality design, and making a valuable contribution to the Council’s housing requirements (which we consider is a significant material consideration that weighs heavily in favour of the proposed sustainable development). The application proposals are therefore sustainable development and the principle of a new house in this location should be accepted.
- b. Coalescence
- 6.26 The application site is defined within the Hassocks Neighbourhood Plan as being within the Local Gap between Hassocks and Hurstpierpoint.
- 6.27 **Policy 1** of the Neighbourhood Plan (‘Local Gaps’) refers to land between Hassocks and Hurstpierpoint, and states that its objective is to prevent “*coalescence and retaining the separate identity and amenity of settlement*”. The supporting text to this policy says at paragraph 4.5 that “*The main built-up area of Hassocks and Keymer is separated from... Hurstpierpoint to the west by generally undeveloped*

land." In this case, the Application Site is not 'undeveloped', indeed as garden land, it meets the NPPF definition of 'previously developed land'.

- 6.28 **Policy DP13** of the District Plan adds in part that: *"Provided it is not in conflict with Policy DP12: Protection and Enhancement of the Countryside, 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 settlements"*.
- 6.29 At the time of No. 36 (ref: **DM/24/0272**) being determined, the Council considered the issue of the Local Gap. They stated that *"as outlined above, the proposal would be contrary to countryside policies in principle. However, it is not considered to compromise the local gap between Hassocks and Hurstpierpoint which is the main concern of the Parish Council. This site is an infill plot, an existing area of garden between two existing dwellings, within a linear development of houses along this section of Hurst Road. It is not seeking a new access onto Hurst Road and will instead utilise the existing highways access for No. 36 Hurst Road, while at the same time retaining the established screening to the frontage of the site. The proposal would fit in with the existing pattern of development within this location and would therefore not impact on the local gap between Hassocks and Hurstpierpoint"*.
- 6.30 It is considered that the same approach should be applied in relation to the current proposal. The site is an infill plot, an existing area of garden between two existing dwellings. A new access is proposed as part of the development, however this is not uncharacteristic of the surrounding area. The single storey development would be low level, and due to a combination of site levels and dense screening to the site frontage, would be well screened from the road level. The proposal would fit in with the existing pattern of development within this location and would therefore not impact on the local gap between Hassocks and Hurstpierpoint.

c. Design and Character

- 6.31 As the proposed development is located within the countryside the principle aim of

Policy DP12 of the District Plan states: *'The countryside will be protected in recognition of its intrinsic character and beauty.'*

- 6.32 **Policy DP26** of the District Plan and NP **policy 9** combine to seek a high standard of design in all new developments via the protection and enhancement of the natural, built and historic environment. This is consistent with the aims of the NPPF. Principle **DG11** of the Mid Sussex Design Guide states in part: *"new development should generally reflect the scale of adjacent areas and the settlement context within which it is located to deliver a coherent and consistent urban fabric."* Principle DG38 is also considered to be relevant and states: *"Applicants should establish an architectural approach and identity in the design of building that is borne from the place. The facade and elevational treatment, roofscape fenestration and materials used in existing buildings within the locality should be a starting point for the consideration of architectural design of new buildings. However, this should not result in pastiche replicas of traditional buildings. Instead a re-interpretation of key aspects of their form should be demonstrated."*
- 6.33 As detailed above, this proposal seeks planning permission for the erection of 1 No. new dwelling house. The dwelling would be of a modern design, comprising vertical natural timber boarding to the walls and a grey metal standing seam roof. The development will be well related to existing development, and would not represent an isolated form of development in the countryside. In landscape character terms the proposals will be in keeping, and would not result in a jarring or alien feature within the locality; quite the contrary, the proposal represents an efficient use of a currently vacant area of land set within existing residential development within a sustainable location that is not subject to any special landscape character constraints. In this context it must be agreed that the development proposals are entirely compliant with development plan policies and the NPPF, which seek to focus new housing to locations exactly like this.

- 6.34 The proposed dwelling would comprise a low level single storey dwelling house. It would not be visible from the street scene, due to its low level and existing frontage planting.
- 6.35 it is acknowledged that the proposed plot size would have a reduced depth when compared with those that surround; however the surrounding area is mixed in character, with the proposed dwelling size being wholly proportionate to the plot size. Further, an appropriate amount of amenity space would be provided as part of the development.

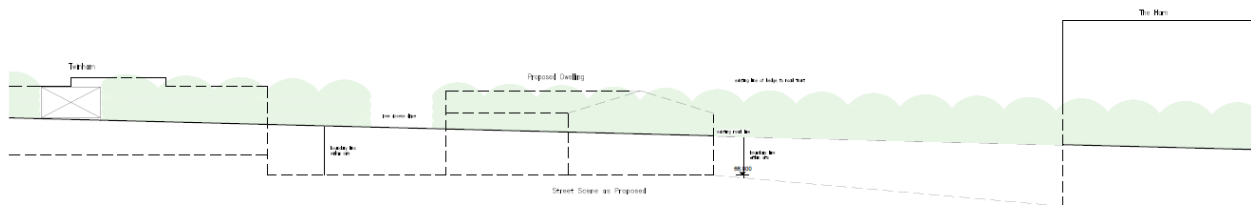


Fig 11. Proposed Street Scene

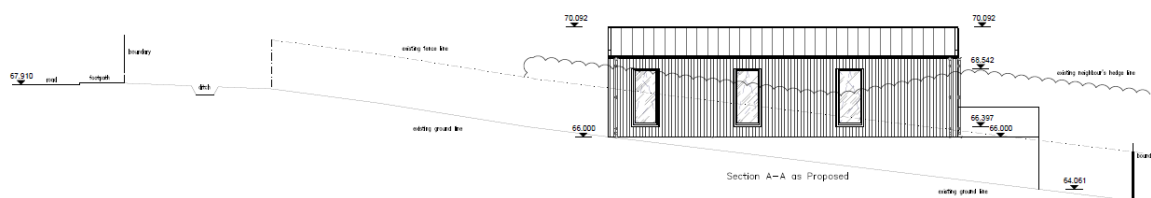


Fig 12. Section A-A as Proposed

- 6.36 At the time of the Pre-application enquiry being considered, the Council noted that *“if you were to pursue an application, it is considered that a flat roof designed dwelling may be more appropriate and better screened from the highway compared to a traditional roof form which would be more prominent from the street scene. In addition, the dwelling should utilise the levels of the site to minimise its impact on the area”*. In a response to these comments, the proposal has taken a modern design approach to complement the host dwelling, ‘Twinham’. Further, although not a flat

roof design, the clients have opted for a single storey dwelling, with a low pitched roof. Furthermore, the design has considered the land levels and would be positioned at a low level, resulting in the development being well screened from the street scene. Established planting would further screen the dwelling from view, as demonstrated by the submitted street scenes (refer to **fig 11** and 12).

- 6.37 The site is not within any ‘valued landscape’ for the purposes of Paragraph 187 of the revised NPPF. The Framework goes on to confirm that the level of protection afforded to the landscape should be commensurate with its recognised value; *“Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan...”*.
- 6.38 **Policy DP18** refers to the setting of the South Downs National Park. It states, in part, that: *‘development within land that contributes to the setting of the South Downs National Park will only be permitted where it does not detract from, or cause detriment to, the visual and special qualities (including dark skies), tranquillity and essential characteristics of the National Park, and in particular should not adversely affect transitional open green spaces between the site and the boundary of the South Downs National Park, and the views, outlook and aspect, into and out of the National Park by virtue of its location, scale, form or design.’*
- 6.39 **Policy 6** of the Neighbourhood Plan states that: *‘Development proposals on land outside of, but contributing to, the setting of the South Downs National Park will be supported where proposals: Do not detract from, or cause detriment to, the special qualities and tranquillity of the South Downs National Park; and Do not unacceptably harm the South Downs National Park or its setting.’*

- 6.40 Paragraph 189 of the NPPF is also relevant. This states that *“great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues”*.
- 6.41 At the time of the new house adjacent to No. 36 being determined, the Council’s committee report stated that *“the South Downs National Park boundary is located some 200 metres to the south of the application site, with dwellings between. The proposal would be viewed in context of the existing dwelling while also being set down in the landscape as Hurst Road to the north is in a raised position in relation to the application site. In light of the above the proposals not considered to detract from the setting of the South Downs National Park and would comply with the above mentioned policies”*. An identical view should be reached in respect of this new planning application to the east of Twinham.
- 6.42 In summary, we are of the opinion that the proposed development **would not** represent an inappropriate incursion into the countryside. The proposal would be generally compliant with **Policy DP6** of the District Plan that relates to Settlement Hierarchy in that it is for fewer than 10 dwellings (1), and although not directly contiguous with the existing built up area of Hassocks (2) the site is sustainable (3). We are of the view that the development proposals would make an efficient use of a plot, which would otherwise be under-used, within an existing street scene of continuous built form. The proposed dwelling would be of a design that would sympathetically relate to the surrounding area; which although located within the countryside in planning policy terms, does not have a particularly rural character. Indeed, it is our view that this high-quality development of 1 No. dwelling, which will use a sensitive pallet of materials, would in fact enhance the character of this semi-rural locale and represent a visual improvement.

d. Residential Amenity

- 6.43 Great Care and consideration has been paid to the siting and orientation of the proposed dwelling. It is our view that the proposed dwelling would be appropriately positioned an acceptable distance away from all neighbouring properties to ensure that no demonstrable harm would occur by way of overlooking effect, loss of privacy or loss of light. Side facing windows to the new dwelling have been minimised, and where appropriate have incorporated obscure glazing to non-habitable rooms.
- 6.44 In addition, the site is well screened by tree and hedgerow planting to site boundaries, which further minimises any impacts arising from the positioning of a new dwelling on this area of existing garden land.
- 6.45 As part of the development, it is proposed to create a new access to the site. It is accepted that the creation of 1 No. unit and a driveway on the site would result in increased comings and goings; however it is our opinion that the associated noise and disturbance generated would be negligible and the minimal impact caused as a result of this development would not outweigh the benefits of this scheme.
- 6.46 We would conclude that the proposal would represent an acceptable form of development, which would be compliant with **Policy DP26** of the District Plan, and principles DG45 – DG48 of the Mid Sussex Design Guide.

e. Highways/ Access

- 6.47 It is noted that the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. As outlined above, the development proposals would involve the creation of a proposed new access and driveway onto the north side of Hurst Road.

- 6.48 It will be noted from a site visit, that properties along Hurst Road all have separate accesses and driveways. Further, No. 36 Hurst Road was granted planning permission for an access as part of a later application for ‘the erection of 1 No. dwellinghouse with car parking, together with the formation of a new access to serve the new dwelling and the existing access retained to serve the host dwelling at 36 Hurst Road, Hassocks’ (ref: DM/24/0272). At the time of this application being considered, WSCC Highways noted that *“from a safety perspective, at planning stage there would be no Highways Safety reasons to refuse the proposal, in line with Paragraph 115 of the NPPF”*.
- 6.49 Given that the site frontage is wide with good views in both directions along Hurst Road, it is considered that ample visibility splays are available to serve the new access. Details of these splays can be sought by condition, if deemed necessary.
- 6.50 Ample turning space and parking provision will be provided for the proposed residential unit. It is our opinion that there would be no conflict with MSDP Policy DP21 or the NPPF.

f. Trees

- 6.51 **Policy DP37** of the MSDP states: *“Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted”*.
- 6.52 The Planning Application is accompanied by an Arboricultural Report. The report confirms the following:-
“Low-quality trees 8, 9, 11-16, 27 & 28 will be removed to allow or facilitate development. The loss of these low quality (‘C’ category) trees is a low and acceptable impact and is likely to have minimal amenity impact on the street scene and little to

no amenity impact on the surrounding properties. The new dwelling will be very well screened from Hurst Road by retained trees.

Site levels will be unaltered for the new driveway. The construction of the new driveway to a porous 'No Dig' specification (where indicated in blue hatch) is readily achievable. The impacts of the driveway on the root protection areas (RPA) of nearby trees are within guidelines, i.e. less than 20% of the overall RPA for any given tree, with mitigation provided. Full details of the 'No Dig' specification driveway can be agreed via the discharge of a condition of the approved development.

Site levels do not allow the construction of the forecourt to a 'No Dig' specification within the RPA of tree 4 and on this basis, no mitigation is possible. However, the extent of the encroachment is very low (#3% of the RPA) and extremely unlikely to compromise the health and useful life expectancy of this tree, in our opinion.

A new feature tree is proposed where indicated on the plan at Appendix A, to compensate for the loss of the contorted hazel (T27). New screening will also be planted between the existing property (Twinham) and the proposed new dwelling.

The great majority of site works will take place beyond the RPAs of retained trees and canopies.

Retained trees will be protected throughout the course of development by fencing to the specification recommended by BS5837:2012 - see Appendix C for details".

- 6.53 The report includes an Arboricultural Method Statement. Retained trees will be protected through the course of development, where appropriate, by fencing and ground protection to the specifications recommended by BS5837:2012. Given the above, the proposals are in compliance with MSDC **Policy DP37**.

g. Ecology

- 6.54 The application is accompanied by an Ecological impact Assessment, which has been prepared by Kent Sussex Ecology. The report provided the following summary:-
"The site is primarily composed of maintained amenity grassland with scattered shrubs and trees, with the main habitat type being low-ecological-value grassland.

Protected species are considered unlikely to be present or impacted by the development; however, precautionary measures have been recommended for both the construction and operational phases of the development. This includes avoiding disturbance to nesting birds and the implementation of a sensitive lighting design. Overall, the proposed development is likely to have minor ecological impacts. With the implementation of the recommended mitigation measures, any impacts on biodiversity can be effectively minimised and breaches of the associated legislation can be avoided”.

- 6.55 Our client is committed to carrying out the suggested mitigation measures and would be happy for these to be ensured via a condition.

h. Dwelling Space Standards

- 6.56 It should be noted that the proposed dwelling have been designed internally to meet the requirements laid out in the Governments ‘Technical Housing Standards – nationally described space standard’ document.
- 6.57 The proposal would comprise a single storey, two bedroom dwelling house. Internally the house has been designed to comfortably meet the requirements laid out in the Governments ‘Technical Housing Standards – nationally described space standard’ document. The property would have Gross internal Area of 127.34m², well in excess of the requirement for a 2 bed; 4 person; 1 storey dwelling (70m²).
- 6.58 We can confirm that all room sizes will also be compatible or in excess of the previous Mid Sussex District Council supplementary guidelines regarding space standards. Storage space would be provided within the dwellings and their garages, in excess of the specified guidelines. They are also designed to meet Secured by Design standards.

i. Drainage

6.59 The Application Site lies within Flood Zone 1, which means that it has a low probability of flooding from rivers and the sea. Further the Gov.uk online resource indicates that the Site is at very low risk of flooding from surface water.

6.60 Please refer to the drainage statement, that accompanies the planning application.

j. Biodiversity Net Gain (BNG)

6.61 No BNG is required in this case as the proposed development is a self-build dwelling, and it is therefore exempt.

7. CONCLUSIONS

- 7.1 The development seeks full planning permission for the provision of 1 No. single storey, self-build dwelling with new access and parking, on garden land to the east side of 'Twinham'.
- 7.2 In terms of site designations and constraints, and for the purposes of planning, the application site is located outside of the defined built up area boundary for Hassocks, within a Countryside Area of Development Restraint (CADR).
- 7.3 A clear planning precedent for this form of development in this location has been set with the approval of the host dwelling, 'Twinham' and No. 36 Hurst Road (ref: **DM/15/4993** and **DM/23/2126** respectively).
- 7.4 We are of the opinion that the proposed development **would not** represent an inappropriate incursion into the countryside. We are of the view that the development proposals would make an efficient use of a plot, which would otherwise be under-used, within a semi-rural locale on the edge of the existing settlement of Hassocks. The proposed dwelling would be of a design that would sympathetically relate to the surrounding area. Indeed, it is our view that this high-quality development of 1 No. dwelling, which will use a sensitive pallet of materials would in fact enhance the character of this semi-rural locale and represent a visual improvement. It is not considered that the proposed development would significantly harm the amenities of any neighbouring property in terms of overlooking or being overbearing, due to distance, site levels and vegetation screening, as well as property orientation. Nor would the proposal cause demonstrable harm through the creation of noise and disturbance. The development will serve to both preserve and enhance the character of the countryside. The proposal would be in accordance with the development plan, when taken as whole.

- 7.5 **Policy DP6** identifies Hassocks as a category 2 settlement, the second largest settlement category in Mid Sussex after the main towns of Burgess Hill, East Grinstead and Haywards Heath. Category 2 settlements are defined as *“larger villages acting as Local Service Centres providing key services in the rural area of Mid Sussex. These settlements serve the wider hinterland and benefit from a good range of services and facilities, including employment opportunities and access to public transport”*.
- 7.6 The proposal meets with criterion 1 of **Policy DP6** in that the proposal is for fewer than 10 dwellings; although we accept that the proposal does not meet with criterion 2 as the site is not contiguous with the built up area boundary of Hurstpierpoint or Hassocks. With regards to criterion 3, the site is considered to be sustainable. Importantly, the proposal complies in full with the overarching aim of **Policy DP12** which seeks to *“maintains or where possible enhances the quality of the rural and landscape character of the District”*.
- 7.7 It is our view that the proposal is appropriately located and would not result in future occupiers becoming heavily reliant on the private car to meet their daily needs. The proposal would be compliant with **policy DP21** of the District Plan and the NPPF.
- 7.8 In addition the District Plan is in excess of 5 years old, and the District Council do not have a 5-year housing land supply. Therefore the presumption in favour of sustainable development is engaged. We contend that there are no adverse impacts arising from the development, but even if there are these would be significantly and demonstrably outweighed by the benefits of providing a new dwelling in a sustainable locations, that is well designed and makes effective use of land. It therefore follows that planning permission should be granted without delay.

February 2025