

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1984	Case Officer:	Catherine Cardin
Application Type:	Full Application		
Proposal:	Frame with defibrillator and bleed kit cabinets for community use, in the vicinity of a Nationwide Building Society branch.		
Site:	Bus Stop Adj To Pure Gym, 59 - 63 South Road, Haywards Heath, West Sussex, RH16 4LQ, , ,		
Validation Date	10 Aug 2026	Overall Expiry Date:	17 Sep 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	28 Sep 2026
Target Date:	5 Oct 2026	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	<i>Joanne Fisher</i>	Date:	28 Sep 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1984

**Bus Stop Adj To Pure Gym, 59 - 63 South Road, Haywards Heath, West Sussex, RH16 4LQ, ,
Frame with defibrillator and bleed kit cabinets for community use, in the vicinity of a Nationwide
Building Society branch.
Nationwide Building Society**

SUMMARY OF REPRESENTATIONS

One letter of support was received, raising the following points:

- The proposal would provide a vital piece of life-saving equipment.
- It would be a welcome addition to Haywards Heath.

The representation also raised the need for effective directional signage.

SUMMARY OF CONSULTEES

WSCC Highways

No objection.

TOWN COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

The application seeks planning permission for the installation of a supporting frame housing a defibrillator cabinet and bleed control kit cabinet.

RELEVANT PLANNING HISTORY

No relevant planning history.

SITE AND SURROUNDINGS

The proposed development would be sited within the public highway beside the existing bus stop outside No. 19 South Road, Haywards Heath.

The application site lies within the built-up area boundary of Haywards Heath.

APPLICATION DETAILS

The proposal comprises the installation of a freestanding Automated External Defibrillator (AED) and bleed control kit housed within purpose-designed cabinets and a supporting frame. The structure would measure approximately 1.7 metres in height, 1.2 metres in width and 0.3 metres in depth and would be anchored to concrete foundations. The facility is intended to provide a publicly accessible defibrillator and bleed control kit for use in emergency situations.

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, and*
- b) Any local finance considerations, so far as material to the application, and*
- c) Any other material considerations.'*

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

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

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 Haywards Heath 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.

Mid Sussex District Plan

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

Relevant policies:

DP2 - Town Centre Development

DP21 - Transport

DP25 - Community Facilities and Local Services

DP26 - Character and Design

Site Allocations DPD

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

Relevant policies:

There are no relevant policies.

Haywards Heath Neighbourhood Plan

The Haywards Heath Neighbourhood Plan was made in 2016.

Relevant policy:

Policy E9 - Design

Other Material Considerations

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 is currently at Examination with initial hearings held in February/March 2026. The Council is consulting on Main Modifications which are required to ensure the plan is legally compliant and sound. 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:

DPB1 - Character and Design

DPS2 - Sustainable Design and Construction

DPT4 - Parking and Electric Vehicle Charging Infrastructure

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.

National Planning Policy Framework (NPPF) (August 2026)

The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 17 sets out the three overarching objectives of sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective.

Paragraph 2 of Appendix A advises that '*development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in this Framework should be given very limited weight. The only exception to this is where they have been examined and adopted or made against this Framework. Other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of this Framework.*'

ASSESSMENT

It is considered that the main issues that need to be considered in the determination of this application are as follows:

- o Principle of development
- o Design and Impact on the character and appearance of the area
- o Impact on Highways
- o Neighbouring Amenity
- o Biodiversity Net Gain
- o Planning Balance and Conclusion

Principle of development

The application seeks permission for the installation of a freestanding frame containing publicly accessible defibrillator and bleed control kit cabinets.

The site lies within the primary shopping frontage area. However, Policy DP2 of the District Plan is of limited relevance because the proposal is a freestanding structure within the public highway and would not involve the loss or change of use of a shopping unit. Given its modest scale and siting, the

installation would not interrupt the continuity of the shopping frontage or undermine the vitality and viability of the town centre.

Policy DP25 of the District Plan concerns Community Facilities and Local Services and states, in part, that developments that provide or improve community facilities and local services that contribute to creating sustainable communities will be supported. However, it is considered that this policy has very limited weight due to the publication of the NPPF and consideration should be given to policy HC4 of the NPPF. HC4 of the NPPF states that substantial weight should be given to the benefits where development proposals would make a demonstrable contribution towards promoting good health.

The proposed installation is considered to make a positive contribution to promoting good health within the local community, as encouraged by NPPF policy HC4. Given the modest scale of the proposal and its siting within the public realm, it would not result in a break in the continuity of shopping frontage nor prejudice the vitality and viability of the town centre.

The proposed frame and cabinets are therefore considered acceptable in principle and complies with Policy DP25 of the District Plan and Policy HC4 of the NPPF.

Design and Impact on the character and appearance of the area

Policy DP26 of the District Plan relates to character and design. Policy E9 of the Neighbourhood Plan contains a similar ethos. However, these policies are considered to have very limited weight due to the publication of the NPPF, and consideration should be given to policy DP3 of the NPPF.

Policy DP3 of the NPPF sets out the key principles for well-designed places. This sets out in part that proposals should respond to their context, so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.

The proposal comprises a freestanding defibrillator station consisting of an AED cabinet and a bleed control kit cabinet, both housed within a metal support frame fixed to concrete foundations. The structure would measure approximately 1.7m in height, 1.2m in width and 0.3m in depth.

By virtue of its modest scale and functional design, the proposed structure would have a limited visual presence within the street scene. The development would not appear visually intrusive or incongruous within its surroundings and would not detract from the character or appearance of the area.

Accordingly, the proposal is considered to accord with the objectives of District Plan Policy DP26, Neighbourhood Plan Policy E9 and the design principles of the NPPF.

Impact on Highways

Policy DP21 of the District Plan seeks to ensure that development protects the safety of road users and pedestrians. However, it is considered that this policy has very limited weight due to the publication of the NPPF and consideration should be given to policy TR6 of the NPPF.

Policy TR6 of the NPPF relates to assessing transport impacts. Policy TR6(4) 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 Local Highways Authority was consulted on the application and has provided a response. It has advised that the siting of the defibrillator and bleed control kit is not in a location that will obstruct the free flow of pedestrian movements in this area due to the presence of the existing bus shelters. It further advises that the location also does not restrict visibility for any nearby junctions or access points on the highway. The Local Highways Authority does not consider that the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, and as such, that there are no transport grounds to resist the proposal.

Accordingly, the proposal would not have an unacceptable impact on highway safety and is considered to accord with Policy TR6 of the NPPF and Policy DP21 of the District Plan.

Neighbouring Amenity

Policy DP26, in part, seeks to ensure that new development does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings. However, it is considered that this policy has very limited weight due to the publication of the NPPF and consideration should be given to policies L2 and P3 of the NPPF.

Policy L2 of the NPPF relates to making effective use of land. Part L2(1dii) requires proposals to have '*acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space*'.

Policy P3 of the NPPF relates to living conditions and pollution. Part 2(b) of this policy requires proposals '*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*'.

The proposed development comprises a small freestanding frame housing a defibrillator and bleed control kit cabinets. Given its modest scale and siting within the public highway, its presence and use would not be expected to result in unacceptable noise or disturbance to nearby occupiers.

The cabinets would incorporate limited internal LED lighting for operational purposes. Given its contained nature and limited extent, this would not result in an unacceptable level of artificial light affecting neighbouring occupiers.

Accordingly, the proposal would not result in significant harm to neighbouring amenity and would accord with the relevant requirements of Policies L2 and P3 of the NPPF. The proposal may also be assessed against, and is consistent with, the relevant amenity requirements of District Plan Policy DP26.

Other matters

A letter of support raised the matter of effective directional signage. Whilst this is noted, the provision of additional signage does not form part of the submitted application and is not necessary to make the development acceptable in planning terms. As such, it is not a matter that weighs materially in favour of or against the proposal.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. The development falls below the de minimis threshold and is therefore exempt from the statutory biodiversity gain requirement.

PLANNING BALANCE AND CONCLUSION

The proposed development would provide a public health and community safety benefit through the provision of publicly accessible emergency medical equipment. It would be of an appropriate scale and appearance and would not give rise to adverse impacts on highway safety or neighbouring amenity.

The proposed development therefore accords with Policies DP2, DP21, DP25 and DP26 of the District Plan, Policy E9 of the Haywards Heath Neighbourhood Plan and the relevant policies of the NPPF.

Decision: Permission

Case Officer: Catherine Cardin