

PLANNING STATEMENT

**OUTLINE APPLICATION (APPEARANCE, LANDSCAPING,
LAYOUT AND SCALE RESERVED), FOR THE ERECTION
OF UP TO 200 DWELLINGS AND ASSOCIATED
INFRASTRUCTURE INCLUDING SPINE ROAD WITH
ACCESS FROM TURNERS HILL ROAD AND NETWORK OF
INTERNAL ROADS AND CAR AND CYCLE PARKING,
TOGETHER WITH PROVISION OF OPEN SPACE, PLAY
FACILITIES, UTILITIES INFRASTRUCTURE, SURFACE
WATER DRAINAGE FEATURES AND ASSOCIATED
WORKS.**

**LAND WEST OF TURNERS HILL ROAD AND
SOUTH OF HUNTSLAND,
CRAWLEY DOWN,
WEST SUSSEX**

January 2025

**APPLICATION SUBMITTED BY
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FOR
WATES DEVELOPMENTS LIMITED**

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Executive Summary

i) This Planning Statement is submitted in support of the planning application made by Wates Developments Limited for the development of Land West of Turners Hill Road and South of Huntsland, Crawley Down, West Sussex (the 'Site').

ii) The Land West of Turners Hill Road is identified as part of a wider allocation for development in the Reg 19 Submission Draft Mid Sussex Local Plan 2023 pursuant to Policy DPA9.

iii) The planning application seeks consent for a development of the site to deliver up to 200 dwellings and associated infrastructure including spine road with access from Turners Hill Road and network of internal roads and car and cycle parking, together with provision of open space, play facilities utilities infrastructure, surface water drainage features and associated works. A separate application has been submitted for 150 dwellings and associated facilities, including a 65 bed care home on land to the north of Huntsland.

iv) The proposed development has been designed to be in general conformity with Policy DPA9 of the Submission Draft Mid Sussex Local Plan, the only areas of variation being to reflect discussions with Worth Parish Council about the use of offsite contributions in lieu of the onsite provision of sports and community facilities, thus bolstering local facilities and removing any potential for conflict.

v) Whilst the Submission Draft Mid Sussex Local Plan is still at examination, the submission of this application now helps to demonstrate deliverability and bolster the councils five year housing land supply situation as set out in the submission draft local plan's trajectory, at a time when given recent changes to national government guidance the councils lack of a five year housing land supply under the adopted development plan leaves the council vulnerable to speculative applications for development in areas that have not been judged to be suitable through the allocation process.

vi) 30% of the proposed dwellings (60 homes) will be set aside as affordable housing to help meet the affordable housing requirements of the District. In addition, the unit mix will encompass a range of house types (terraced, semi-detached, detached and maisonettes) and sizes (1 and 2 bed flats and 2 – 5 bed houses), to meet local demand (both market and affordable).

vii) 69%¹ of the site will be set aside as green infrastructure and includes different forms of public open space, including two Local Equipped Areas of Play: one located along the southern edge close to the Worth Way Country Park and one within Field 5 within walking distance of Turners Hill Road, as well as three Local Areas of Play, and a number of trails promoting play on the way.

viii) It is acknowledged that the site is located outside of the current urban area of Crawley Down as identified in the adopted Mid Sussex District Plan (2018). Whilst policy DP12 of the adopted Mid Sussex District Plan indicates that the countryside will be protected in recognition of its intrinsic character and beauty, it does permit development in the area outside of built-up area boundaries on the Policies Map provided it maintains or where possible

¹ 13.92ha of the 20.05ha site i.e. 69% is green infrastructure

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. Thus, it would appear implicit that where a need can be demonstrated, there is no conflict with Policy DP12. That said, policy DP12 is in effect 'out of date' as the settlement boundary was defined having regard to the housing requirement for the District as set out in Policy DP4 of the Mid Sussex District which was adopted against the backdrop to the Objectively Assessed Housing Need established in the Mid Sussex Housing and Economic Development Needs Assessment (HEDNA) (February 2015), as updated in November 2015 and August 2016, and the NPPF 2012. The scale of the housing need as now identified by the new standard method and the NPPF 2024 is significantly higher than that advocated in the District Plan. As such and as the NPPF has been subject to a number of revisions since 2012, the approach adopted to the housing requirements in the Adopted District Plan is inconsistent with the NPPF 2024, and the weight to be attributed to policies DP4 and DP12 is significantly reduced and para 11d of the NPPF and the tilted balance engaged. A position which is exacerbated by the fact the Council have confirmed they do not have a five year housing land supply.

ix) In the context of the above, the site is situated immediately adjacent to the urban area and identified as part of a proposed allocation site in the Reg 19 Submission Draft Mid Sussex Local Plan 2023.

x) Given the above and as the application site is located adjacent to Crawley Down, one of the most sustainable settlements in the District, on one of the most sustainable greenfield sites in that settlement, and is not located within the South Downs National Park which constrains much of the district to the south, or the High Weald National Landscape which constrains much of the central portion of the district, it would in our opinion result in the delivery of sustainable development that would, we believe, accord with Paragraph 11 of the NPPF. As a result, it has been resolved to progress an application in advance of the adoption of the Local Plan Review.

xi) Having regard to the above, we note that the proposed development generates a significant number of benefits. These include:

a) The delivery of new homes in an area where such homes are needed. Mid Sussex District Council does not have a five-year Housing Land Supply, and these homes will assist in meeting the shortfall.

b) The provision of affordable housing. The proposed development will provide 30% affordable housing, which will help address the affordable housing issues in the area, which are dire.

c) The delivery of land for open space and recreational facilities that will be available not only for the future residents of the development but also for the existing residents of Crawley Down.

d) Additional employment provision during the construction period which will generate additional spending in the local area, thus assisting in the maintenance of the vitality and viability of local services.

e) Contributions to local services and facilities, such as health facilities, through a S106 agreement.

xii) Furthermore:

a) The development will not have a detrimental impact upon the residential amenity of any neighbouring properties.

- b) The development will not have a detrimental impact upon highway safety.
 - c) The development will improve public transport links between the site and the surrounding area and provide enhanced pedestrian and cycle links towards both Crawley Down and the surrounding area, including upgrades to the Public Rights of Way network.
 - d) The development will create and contribute towards an enhanced highways network within Crawley Down.
 - e) Adequate on-site parking would be provided to support the development.
 - f) The development will not increase flood risk on site or to third party land. Indeed, overall, the surface water drainage proposal will reduce the surface water runoff from the site, providing betterment.
 - g) The development will not have an unacceptable impact upon wildlife and ecology, rather it will provide for significant biodiversity net gains, in excess of the now mandatory 10%.
 - h) The development will not have an unacceptable impact upon existing landscape features.
 - i) The development will not have an unacceptable impact upon the archaeological and heritage interest of the area.
- xiii) In terms of adverse effects, it is recognised that there would be localised effects on the landscape character of the site. However, these would exist with the development of any greenfield site, and in this case the application site is not subject to any landscape designations, and the proposed development has been developed with stakeholders to ensure the development is respectful to local landscape and visual constraints. Furthermore, it also provides for a number of beneficial effects such as an increase in landscape assets, and an improved local network of ecological and recreational spaces. On this basis and as the Council accepts that not all its housing requirement can be accommodated on brownfield sites and have acknowledged that this site, as part of DPA9 is a potentially developable / deliverable site by virtue of its proposed allocation in the Submission Draft Local Plan, any localised landscape effects do not in our opinion weigh heavily against the grant of consent.
- xiv) Likewise, the impact on Best and Most Versatile Agricultural Land is limited on extent; the nature of the works within the 15m buffer of the areas of Ancient Woodland have been designed so as not to impact on root protection areas or the water table negatively thus avoiding any loss of Ancient Woodland habitat; and the works within the buffer zones of two veteran trees is minimal, and outside the root protection areas, so will not result in any adverse impact on the trees health or structure.
- xv) Specifically, the limited harm identified does not outweigh the significant benefits that have been identified; and certainly goes nowhere near the requirement to demonstrate significant and demonstrable harm as set out in the NPPF.
- xvi) As such, Wates consider that Mid Sussex District Council should support this and the adjacent application for the land north of Huntsland, as they help address the Councils five year Housing Land Supply deficit, whilst also reflecting the aims and objectives of the Submission Draft Local Plan, and grant planning consent subject to appropriate conditions and S106 obligations.

1.0 Introduction

- 1.1 This statement is submitted in support of an outline application (appearance, landscaping, layout and scale reserved), for the erection of up to 200 dwellings, associated infrastructure including spine road with access from Turners Hill Road and network of internal roads and car and cycle parking, together with provision of open space, play facilities, utilities infrastructure, surface water drainage features and associated works on land West of Turners Hill Road and South of Huntsland Crawley Down, West Sussex .
- 1.2 The site area is some 20.05 ha and is shown edged red on the site location plans (drawing CD-LCS-B-01). It forms part of a wider area that is allocated in the Submission Draft Mid Sussex Local Plan 2021- 2039 (December 2023). This wider area is referred to as the Study Area within this statement. A separate application has been submitted for the residual land for 150 dwellings and associated facilities, including a 65 bed care home on land to the north of Huntsland.
- 1.3 This statement seeks to comment upon how this application accords with the aims and objectives of national government guidance as set out in the NPPF and associated Planning Practice Guidance Notes; and the aims and objectives of the Mid Sussex District Plan 2014 – 2031 (March 2018), the Mid Sussex Site Allocations DPD (June 2022), and the Crawley Down Neighbourhood Plan (Jan 2016), as well as the aims and objectives of the Reg 19 Submission Draft Local Plan (2021 – 2039 (December 2023).
- 1.4 Whilst this statement sets out a range of planning considerations which should be taken into account in determining these applications, it should be read in conjunction with:
- The Design and Access Statement produced by Mosaic;
 - The Landscape and Visual Appraisal including Landscape Strategy produced by SLR;
 - The Arboricultural Implications Report produced by Simon Jones Associates;
 - The Ecological Appraisal, Shadow Habitat Regulations Assessment and Biodiversity Net Gain Assessment produced by Aspect Ecology;
 - The Cultural Heritage Desk Based Assessment produced by RPS;
 - The Transport Assessment and Framework Travel Plan produced by iTransport;
 - The Flood Risk Assessment produced by Ramboll;
 - The Drainage Strategy produced by Ramboll;
 - The Utilities Assessment produced by Ramboll;
 - The Desk top Geo Technical Assessment produced by Geo-Environmental Services Limited
 - The Sustainability and Energy Statement – produced by Icini;
 - The Agricultural Land Classification and Soil Resources Report produced by Reading Agriculture;
 - The Lighting Impact Assessment produced by Nature Positive (an RSK company);
 - The Statement of Community Involvement produced by Cratus
 - The Draft Heads of Terms of S106 Agreement produced by Judith Ashton Associates;

- 1.7 Mid Sussex District Council (MSDC) confirmed following an application for a screening opinion in October 2024 that whilst the then proposals for the development of the land north and south of Huntsland and west of Turners Hill Road for up to 400 residential dwellings with associated car parking, landscaping & community facilities including play areas and outdoor sports facilities; together with a community building, 50 bed (C2) care home and 13.41ha of countryside open space encompassing Suitable Alternative Natural Greenspace (SANG), comprised an infrastructure project falling within category 10b of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and exceeded the thresholds in column 2 of the table in the Schedule, for the reasons set out in their letter of 25th November 2024 an Environmental Impact Assessment was not required.
- 1.8 In their detailed letter of the 25th November 2024 MSDC also confirmed, in commenting upon the 'Characteristics of Development', that:
- (a) The site of the proposed development is on the edge of Crawley Down, which is categorised as a category 2 settlement in the District Plan (larger villages acting as local service centres, which serve the wider hinterland and benefit from a good range of services and facilities). There are no reasons why a well-designed scheme cannot come forward on the site, which would be appropriate to the character of the area. The size of the development would assimilate with the existing village and would not be an overly large addition to the village.*
 - (b) The development will change the character of part the site itself from a greenfield site to a housing development. Part of the site adjoins the existing built up area of Crawley Down to the northeast. Whilst the character of the site would change, given the extensive amount of space for landscaping that is proposed, it is not considered that the proposal would have a significant urbanising effect on the wider locality.*
 - (c) The proposal would use land that is currently laid to grass. The site does not contain important, high quality or scarce resources. The scheme will result in the consumption of water during the construction phase and subsequent occupation of the dwellings. There are no reasons to suggest that this would have significant environmental effects. There are no protected areas which are designated or classified for their terrestrial, avian and marine ecological value, or any non-designated / non-classified areas which are important or sensitive for reasons of their terrestrial, avian and marine ecological value, located on or around the location. Whilst there are both protected species on the site and trees and hedgerows, the impacts on these can be mitigated and compensated for as part of the overall masterplan for the site, which will include a significant area of land for open space/landscaping. It will be a requirement for the scheme to provide a minimum 10% gain in biodiversity. As such, no significant effect is likely.*
 - (d) The development would produce waste during the construction phase and then normal domestic refuse once the dwellings are occupied. No significant effect is likely from this.*
 - (e) Pollutants will be released to air from exhaust emissions from the vehicles moving to, from and within the application site during construction and there will be exhaust emissions from vehicles belonging to future occupiers of the dwellings and those visiting the dwellings. There are no Air Quality Management Areas in the locality of the site and no significant effect is likely.*

There will also be temporary noise impacts during the construction phase, possible dust emissions and possible pollution of the adjacent watercourse. However, these risks can be controlled by appropriate construction management procedures and no significant effects are likely. With regards to the operational phase, the proposed development would be subject to a Travel Plan to effect modal shift away from the private car. The new dwellings will also be required to provide EV charging points. With such mitigation in place there should be no significant cumulative effects in relation to air quality from this development.

(f) The risk of accidents during the construction phase can be managed through appropriate construction management procedures. No significant effect is likely

(g) The risks to water contamination can be managed through appropriate construction management procedures. There are no air quality management areas in the immediate locality of the site and no significant effect is likely.'

- 1.9 They also advised in terms of 'Location of Development' that
- '(a) The land is currently laid to grass. It is bounded by residential development to the northeast and is in close proximity to the village of Craley Down to the east. The land is not within a nationally designated landscape. As such whilst there will be a change on the site from a greenfield to a housing development, this would not have a significant urbanising effect given the close proximity of other urban development and the significant amount of land that would be given over to open space/landscaping within the development.*
- (b) The land and its surrounds are not subject to any national designation. There are no areas on or around the site which contain important high quality or scarce resources which could be affected by the project. The closest European designation is Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC), which is located approximately 6.8km southeast of the site. With appropriate mitigation the proposal should not have a significant effect, either alone or in combination with this European Protected site. This will be subject to a Habitats Regulation Assessment when a planning application is submitted.*
- (c) i) there is a watercourse located in the southern parcel of the site, but no significant effect is likely on this watercourse.*
- ii) The site is not in a Coastal zone, so this is not applicable.*
- iii) The site is not a Mountain or Forest area, so this is not applicable.*
- iv) The site does not include a Nature Reserve or Park so this is not applicable.*
- v) The closest European site is the Ashdown Forest, referred to above.*
- vi) The site is not within an area that has failed to meet environmental quality standards in Union legislation.*
- vii) The site is adjacent to the village of Crawley Down. The proposed development would be of a scale and proportion that would be appropriate to the surrounding urban development in the locality and no significant effect is likely.*
- viii) The site is not within a landscape of historical or cultural significance. The location of demolished 19thC modern farm buildings is recorded on the site; representing an asset of no more than local archaeological importance. There is a generally low to moderate potential for other yet-to-be-discovered archaeological assets on the site. The impact of this can be suitably managed through planning conditions'.*

- 1.10 And in terms of the 'Types and characteristics of the potential impact' that:
- a) *The impact of the development will be localised. During construction, the effect on the population will be limited to those that are close to the site and these construction impacts can be mitigated through a Construction Management Plan.*
 - b) *There should be no significant impacts as a result of the development on population and human health. The proposal for up to 400 dwellings and a care home on a site in close proximity to the village of Crawley Down would not result in a change to the size of the village that would have significant effects, with regards to the factors set out in section 4(2) of the Regulations.*

The site is not nationally designated in relation to its ecological value or landscape value and no significant effect is likely in relation to biodiversity or landscape. There is a requirement for biodiversity enhancements through the planning process, with a minimum 10% gain in biodiversity being a requirement in legislation. The site does not contain scarce resources in relation to water, air and climate and there are no likely significant effects.

There are two heritage assets adjoining the site to the southeast (the listed buildings of Lemon Meadow and Yew Tree Cottage). The low rise nature of the proposed development and separation distance and boundary screening means that there should be no significant impact in EIA terms on these heritage assets.
 - c) *The development will not lead to any transboundary effects.*
 - d) *The proposal is not a complex development. It is a normal residential development.*
 - e) *There are not likely to be significant effects from the development. During the construction phase there will be localised impacts, but these can be mitigated through a Construction Management Plan*
 - f) *Subject to a planning permission being granted, the development would need to commence within three years of the consent being granted. The scheme would take several years to build out, with the precise timings dependent on the developer and market conditions. Once constructed, the site would permanently change from a greenfield site to a residential development with surrounding open space/landscaping.*

The frequency of different construction works will depend on the stage of works within the site. The scheme will result in irreversible impacts as the site will change from being a greenfield site to a housing development.
 - g) *During the construction phase, the impact of the development with other schemes that could be approved in the locality could be mitigated through a Construction management Plan.*
 - h) *The scheme would need to obtain planning permission. There would be a requirement within the planning application for the development to provide infrastructure and/or make contributions towards infrastructure to mitigate the impact of the development (for example, contributions to provide infrastructure to serve the development, such as towards school places, library provision, leisure and play space facilities). There would also be a requirement to mitigate the impact on air quality, which can objectively be assessed and provided for by a damage cost calculation, with the monies generated going towards projects such as interventions to change behaviour, for example, cycle storage facilities, cycle route contributions, EV charging points. There would also be a requirement for a minimum 10% gain in biodiversity at the site.*

All of these mitigations can be secured by way of planning conditions or through a section 106 legal agreement attached to the planning permission.'

1.11 The EIA screening decision concluded:

'Whilst the area of the site is greater than 5 hectares, a significant proportion of the site would be landscaping rather than physical development. The number of units, together with the possible site allocation at Hurst Farm, would be significantly below the indicative threshold of 1,000 units in paragraph 57 of the PPG, which is provided as an example of a proposal that would have significant urbanising effects in a previously non-urbanised area.

Having regard to the selection criteria in Schedule 3 of the EIA Regulations, it is considered that the scale and nature of the development, both on its own and in combination with the proposed site allocation identified above at Hurst Farm (DPA10), the proposed development would not have significant effects on the environment within the meaning of the EIA Regulations. If site DPA10 was also to come forward, the scale of the combined development would be below the threshold identified in (iii) of paragraph 57 of the PPG guidance.

Accordingly, the Local Planning Authority directs that the development above for which planning permission is sought is not EIA development. Consequently, no Environmental Impact Assessment is required to be submitted with any subsequent planning application.'

2.0 The Site and Surrounding Area

a) The Application Site

- 2.1 The application site immediately abuts the western boundary of Crawley Down as defined on the Adopted District Plan proposals map. It extends to 20.05ha and whilst not allocated in the adopted Development Plan, forms part of a wider area that is identified as a proposed allocation in the Submission Draft Local Plan (Dec 2023) which is now at examination, as set out in the plan below.

Plan 1 - Extract from MSDC Submission Local Plan Dec 2023

Plan 2 – Site Location Plan

- 2.2 As indicated on the plan above the northern boundary of the application site abuts Huntsland which contains footpath AW33 and the grounds of Huntsland Barn, Primrose Lodge, the Coach House and Huntsland House. The eastern boundary extends to Turners Hill Road and abuts Front Wood (an area of Ancient Woodland) and the grounds of properties Winch Well and Minors at Turners Hill Road. The southern boundary extends to the Worth Way (containing the Sussex Border Path), and the western boundary abuts the southern arm of Huntsland where it connects with Wallage Lane. The lane provides access to the properties of Orchards, Orchards Cottage and Shenley whose boundaries abut the lane which is enclosed by a mature managed hedgerow with trees. The south western boundary abuts the boundary of the grounds of Wallage Lodge which are open to the lower reaches of the site, and Wallage Wood another area of Ancient Woodland.
- 2.3 The site itself comprises five fields (fields 3 – 7 on the plan below) which are distinctively undulating, dropping from 127m AOD (Above Ordnance Datum) along the eastern boundary with Turners Hill and 120m along the northern boundary with AW33 to 100m AOD within the central and south western low points adjacent to Wallage Wood and Wallage Lodge. These fields are of varied shapes and sizes, and bordered by hedgerows and hedgerow trees, and encompass five oak trees (nos. 1068, 5160, 5164,

5369 and 6023 in the tree survey schedule) which display attributes consistent with them being 'Veterans'. Within the site there are a number of ditches and streams that form part of the drainage of the land and naturally occurring hydrology of the landscape. In addition, footpaths AW33 and AW34 run alongside the northern and western boundaries of the site respectively and connect Turners Hill Road and Huntsland with the Worth Way which connects Crawley Down with Crawley to the west and East Grinstead to the east.

b) The Surrounding Area

- 2.4 Given the sites location on the western edge of Crawley Down, the character of both the site and surrounding area is influenced by the settlements. In this respect the area to the east of the application site is predominantly residential in nature with properties comprising a variety of different house types, ages, and styles, but predominantly 2 or 2½ stories. The accompanying Design and Access Statement provides a detailed assessment of character of the local area.
- 2.5 As set out in the Transport Assessment (TA), Crawley Down includes a number of local facilities and services including retail stores, post office, restaurants, primary school, medical centre and dentist. The village is within easy walking and cycling distance of the site. In addition, Crawley and East Grinstead are located circa 7km to the west/ 4km to the east of the site and offer a wider range of services and facilities.
- 2.9 The site is not located within a Conservation Area or a National Landscape or Area of High Landscape Value.

3 The Site's Former Planning History

- 3.1 Whilst there is no relevant planning history relating to the application site, there are a number of relevant planning applications adjacent to, or nearby the sites.

DM/15/3979 and DM/15/3614: Land West of Turners Hill Road, Crawley Down

- 3.2 In March 2018 Wates developments secured outline planning permission at appeal for the development of either 30 or 44 dwellings on land West of Turners Hill Road. The 44 dwellings consent has subsequently gained reserved matters approval and been built out, and now comprises the Wychwood Place site and abuts the eastern boundary of the land north of Huntsland.

DM/18/0591 Hurst Farm, Turners Hill Road, Crawley Down

- 3.3 In May 2018 permission was refused for outline consent to demolish the existing buildings at Hurst Farm and erect 45no. new dwellings with associated access. This was not appealed and the site is now a proposed allocation in the Submission Draft Local Plan (DPA10 refers), which abuts the northern boundary of the land north of Huntsland.

DM/15/4094 and DM/16/2330: Land south of Hazel Close, Crawley Down

- 3.5 In addition to the above we note that in March 2018 Gleeson Developments Ltd secured outline planning permission at appeal for the development of either 30 or 60 dwellings on land south of Hazel Close in Crawley Down and that the 60 dwellings consent has subsequently been built out.

4 The Proposed Development

- 4.1 The application is an outline application for erection of up to 200 dwellings, and associated infrastructure including new access points off of Turners Hill Road with associated spine roads and car and cycle parking; the provision of open space and associated play facilities; utilities infrastructure, surface water drainage features, and associated features.
- 4.2 The detailed elements of the scheme comprise the main points of access onto Turners Hill Road. All other matters (appearance, landscaping, layout, and scale) are reserved.

The Accessing Arrangements

- 4.3 The Transport Assessment (TA) provides the details of the proposed access arrangements. In simple terms, the site will be accessed via two points. The first, known as the southern access, will serve the southern portion of the site (fields 4 and 6) and will take the form of a priority junction, situated close to the junction with Vicarage Road. This access arrangement is presented on Drawing ITB9155-GA-29I which is extracted below

- 4.4 As set out in the TA the site access has the following geometric attributes:
- Expected to serve up to 150 homes.
 - Carriageway width of 6m.
 - Forms a slight left-right stagger with Vicarage Road (7m separation from centre line to centre line).
 - 3m footway / cycleway on southern side of access, with local widening.
 - Dropped kerb / tactile paving signal-controlled crossing on Turners Hill Road and uncontrolled crossing on Vicarage Road.
 - Visibility splays at new minor arm at a 2.4m set back of:
 - To the left: 61.7m (appropriate for observed 85th percentile speeds of 38.5 mph).
 - To the right: 49.9m (appropriate for observed 85th percentile speeds of 33.3mph).
- 4.5 The second point of access, known as the Central Access (south of Huntsland) will serve field 5, and also takes the form of a simple priority junction onto Turners Hill Road, as presented in Drawing ITB9155-GA-38G an extract of which is provided below.

- 4.6 Again, as set out in the TA the site access has the following geometric attributes:
- Expected to serve up to 50 homes.
 - Carriageway width of 5.5m.
 - 8m junction radii.

- 3.0m wide shared footway / cycleway adjacent to the northern side of the carriageway.
 - 0.5m margin on the southern side of the carriageway.
 - 2.4m x 59m visibility splays in both directions
 - Will allow refuse collection vehicles to enter and exit.
 - Cyclists rejoins the carriageway on approach to Turners Hill Road and footway reduces to 2m where it continues to an existing pedestrian crossing which is located on Turners Hill Road, to the south of Huntsland.
- 4.7 In addition to the main site access junctions, the proposed development, together with that to the north of Huntsland provides for multiple pedestrian and cycle connections into the application site and wider study area in accordance with Policy DPA9. The image below provides an overview of all the connections and Table 5.1 of the TA provides a summary of the type of connections which will be provided into both the northern and southern application sites of the development

The Masterplan

4.8 As explained in the DAS's and section 6 of this statement, the Masterplan for the proposed development is very much landscape led and seeks to respect the existing landscape features found on the site and create a softened transition between the proposed development and the wider landscape. A copy of the illustrative masterplan is set out below.

4.9 As set out in the DAS the illustrative masterplan encompasses the following features:

- 200 new homes, 30% of which are proposed as affordable and 2% self build;
- Two vehicular accesses from Turners Hill Road. One south of Huntsland Lodge and one north of the Worth Way Country Park;
- Retention and enhancement of the existing public footpath AW33 along Huntsland;
- A new pedestrian and cycle link north south, offering connectivity between the application site and the remainder of the allocation to the north of Huntsland;
- Countryside Open Space to the south and west adjacent to, and directly accessible from, the existing public rights of way network, including the Worth Way, containing woodland, recreation areas, children's play features and connected walking routes, as well as allotments – if a need is proven;
- Two Local Equipped Areas of Play;
- Local Areas of Play offering doorstep play provision;
- Native structure planting to reinforce the sense of enclosure along existing public rights of way both within, and adjacent to the site;

- The provision of landscape buffers, especially along the central ridge immediately south of public footpath AW33 (Huntsland), and along the site's boundaries where adjacent to the existing settlement edge and individual dwellings;
- The provision of around 2.88ha of of natural and semi-natural space to ensure retention, protection, and enhancement of existing (including ancient) woodland, trees, shrubs and hedgerows;
- Accommodation of sustainable drainage systems positively designed into the open spaces to support ecological and landscape quality and function;
and
- Provision of amenity green space within the built-up area and to provide recreational facilities for all age groups.

- 4.10 In the context of the above the proposed development also provides for:
- A range of market house types and sizes with policy compliant parking provision and spacious private amenity areas compliant with the Local Plan.
 - 30% affordable housing (up to 60 dwellings) comprising a mix of 1 and 2 bed maisonettes and 2 and 3 bedroom houses. These will be designed tenure blind and distributed throughout the development in clusters of 15-20 units.
 - Opportunity for significant biodiversity net gain on site - with reports indicating over 10% gains in onsite habitats and hedgerows, and 20% gains in onsite watercourses.

- 4.11 In land use terms the proposed development provides:

Land Use	HA	Average Density	Dwellings	% of site area
Residential Development Area	5.94	33.67	200	29.63%
Primary vehicular, pedestrian and cycle access roads	0.19			0.95%
Green infrastructure	13.92			69.42%
TOTAL	20.05			100%

Scale and Massing

- 4.12 The DAS explains that based on the built and landscape context, the majority of the site can support up to two storey dwellings (up to 10m to the ridgeline).

The Housing Mix, Type and Tenure

- 4.13 As set out in section 6 of this statement, the proposed development provides for a range of house types and sizes including maisonette apartments, terraced, linked semi-detached, and detached dwellings. Whilst the final mix has yet to be determined, with the affordable provision to be negotiated with officers of MSDC, the illustrative layout has sought to have regard to the mix proposed in policy DPH7 of the Submission Draft Local Plan and the variances allowed for therein, as set out below.

	1 Bed/ 2 person	2 Bed / 4 person	3 Bed / 5 person	4 Bed (+) / 6 person
Market Housing	5 - 10%	20 - 25%	40 - 45%	25 - 30%
Affordable Ownership	10- 15%	50 – 55%	25 – 30%	5 – 10%
Affordable Rent	30- 35%	40 – 45%	15 – 20%	5 – 10%

- 4.14 Parking proposals for the scheme will be confirmed as part of future Reserved Matters Applications. These will adhere to WSCC's latest parking standards at the time of the Reserved Matters Applications, unless otherwise agreed.

Open Space and Landscaping

- 4.15 Whilst a review of the form, layout and design of the development is set out in sections 6.3 and 6.4 of this statement and provided in greater detail in the relevant scheme DAS, the general principles adopted to the development are to maintain and strengthen the landscape features on the site and to ensure the proposed development integrates with rather than turns its back on the of the surrounding area. To this end, the proposed development includes a multilayered green infrastructure network, which delivers significant areas of amenity space², as set out in the table below.

Typology of Open Space	Quantity Standard (ha per 1000 pop) ³	Quantity Standard Required	Illustrative On Site Provision
Natural and Semi-Natural	0.0018 Ha/ 18sqm per person	0.864 Ha	2.88 Ha
Amenity Green Space (including green corridors)	0.0008 Ha / 8sqm per person	0.384 Ha	1.37 Ha
Parks and Gardens/ Countryside Open Space	0.0008 Ha / 8sqm per person	0.384 Ha	9.39 Ha ⁴
Play Facilities including:			
Fixed play areas with LAP and LEAP facilities	0.00025 Ha /2.5 sqm per person	0.12 Ha	0.13 Ha
NEAPs and destination play facilities	0.00025 Ha /2.5 sqm per person	0.12 Ha	Off site on land North or Huntsland
Outdoor Sports	0.0016 Ha /16 sqm per person	0.76 Ha	Off Site Financial Contribution
Allotments	0.0003 ha/ 0.3sqm per person	0.144 Ha	0.15 ⁵
TOTAL		4.67 Ha	13.92 Ha

² The overall level of amenity space is equivalent to circa 69% of the total site area.

³ See table 3 of appendix 5 of Submission Draft Local Plan

NB Assumes an average occupancy rate of 2.4 per household so 200 dwellings = 480 residents

⁴ NB if allotments are not provided this will increase to 9.54ha

⁵ Within the Countryside open space – if a need is proven.

The Design Approach

- 4.16 The DAS explains that to support the delivery of high quality environments at the RM design stages, a set of design instructions / principles to guide the design approach, supporting character and layout have been put forward. This starts with the parameter plans which look to address land use, density, building heights, access and movement, and landscape; and then goes on to consider the issue of liability, residential street 'character', and overarching urban design principles having regard to block structure, apartment design, tenure layout and design inclusivity, street trees, permeability, building design, the treatment of the public realm and parking. The DAS then looks at the three different character areas proposed within the site – the Village Avenue, Village Lanes and Green Lanes, and sets out the design principles to be followed in each having regard to building typologies, building heights, building density, building lines, materials and colour, street design, boundary treatments and setbacks, the planting strategy, and parking arrangements. The overall approach being to deliver a mix of new homes that are of an exemplar house design, which encompasses smart adaptable homes that are climate resilient and use sustainable materials; to enhance active travel options and encourage low carbon transport and infrastructure; to improve biodiversity, and address flood risk and surface water drainage.

Public Consultation

- 4.17 The manner in which the proposed development has evolved is a result of extensive discussions with key stakeholders, including representative of the residents on Wallage Lane, the Haven Centre, Worth Parish Council, and one of the local ward members and officers of MSDC; and following the public consultation that took place between 18th November to 6th December 2024 is summarised in the Statement of Community Involvement. In broad terms, the liaison with MSDC, WPC and the local community has resulted in:
- a. Removal of the sports pitches, multi-use games area, and community facility from the overall site in lieu of contributions being put towards improving existing facilities in the village.
 - b. There being no built development along / immediately adjacent to Huntsland.
 - c. A 'Play on the Way' facility being introduced within field F5 – close to Turners Hill Road to serve both the development and adjacent Peasantry site.
 - d. An increase in the size of the care home on the land north of Huntsland.
 - e. The introduction of the St Leonards Lookout, a community gathering and viewing space featuring a bandstand, picnic area, children's play area, and community orchards within the centre of the northern part of the overall site, on the land north of Huntsland.
 - f. The introduction of a traffic calming scheme within the village, incorporating visual narrowing's and repeater roundels, consistent with the aspirations of Worth Parish Council and Proposal 02 of the Neighbourhood Plan.
 - g. The introduction of an additional pedestrian connection into Wychwood Place to enhance permeability.

- h. A review of the masterplan – especially the schemes legibility and the relationship of key views, landmark buildings, corners, gateway spaces etc.

5 Planning Policy

5.1 The planning policy framework relevant to the determination of this application comprises National Government Guidance (the NPPF 2024 and related Planning Practice Guidance (PPG), and the aims and objectives of the Mid Sussex District Plan 2014 – 2031 (March 2018), the Mid Sussex Site Allocations DPD (June 2022), and the Crawley Down Neighbourhood Plan (Jan 2016), as well as the aims and objectives of the Reg 19 Submission Draft Local Plan (2021 – 2040 (December 2023). Each of these is examined below, together with the supplementary planning guidance issued by MSDC⁶.

a) National Government Guidance – The National Planning Policy Framework

5.2 In December 2024, the Government issued the latest revision of the National Planning Policy Framework (NPPF). Para 231 makes it clear that 'The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication'. The NPPF sets out the Governments planning policies for England and how these are expected to be applied. It provides a framework within which locally prepared plans for housing and other development can be produced.

5.3 Paragraph 7 explains that the purpose of the planning system is to contribute to the achievement of sustainable development. Sustainable development comprises social, economic, and environmental considerations as outlined at paragraph 8.

5.4 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. It makes it clear 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-date⁷, granting permission unless:

⁶ Whilst it is noted that the Development Plan for the application site comprises the following documents:

- The Saved policies from the Mid Sussex Local Plan (May 2004);
- The Saved policies from the Small Scale Housing Development Plan Document (April 2008);
- The Mid Sussex District Plan 2014-2031 (March 2018);
- The Mid Sussex Site Allocations DPD (June 2022);
- The Crawley Down Neighbourhood Plan (September 2016); and
- The West Sussex Joint Minerals Local Plan (2021)

none of the saved policies in the Mid Sussex Local Plan (May 2004) and the Small Scale Housing Development Plan Document (April 2008) are germane to this site.

Likewise, the application site does not fall within an area safeguarded in the West Sussex Joint Minerals Local Plan

⁷ Footnote 8 makes it clear that: *'This includes, for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites, (with the appropriate buffer as set out in paragraph 78) or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.'*

i. the application of policies in this Framework that protect areas or assets of particular importance⁸ 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.

5.5 As set out in this statement we do not believe that MSDC can demonstrate a five year Housing Land Supply (HLS). Thus, if it is considered that the proposed development does not accord with the development plan, a point we return to in section 6, in accordance with NPPF footnote 8, NPPF paragraph 11(d) and the tilted balance is engaged, and the presumption in favour of sustainable development applies.

5.6 Section 5 of the NPPF is concerned with the supply of homes. Paragraph 61 makes it clear that:

‘To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area’s identified housing need, including with an appropriate mix of housing types for the local community.’

5.7 Paragraph 69 makes it clear that strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need can be met over the plan period. Paragraph 72 continues:

‘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’

5.8 Paragraphs 78, 79 and 80 go on to advise that:

‘78. 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 either the housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer moved forward from later in the plan period of:

⁸ Footnote 7 makes it clear that:

‘The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change’

- a) 5% to ensure choice and competition in the market for land; or
- b) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply⁹; 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 Framework, and whose annual average housing requirement 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.’

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

- a) where delivery falls below 95% of the requirement over the previous three years, the authority should prepare an action plan to assess the causes of under-delivery and identify actions to increase delivery in future years;
- b) where delivery falls below 85% of the requirement over the previous three years, the authority should include a buffer of 20% to their identified supply of specific deliverable sites as set out in paragraph 78 of this framework, in addition to the requirement for an action plan;
- c) where delivery falls below 75% of the requirement over the previous three years, the presumption in favour of sustainable development applies, as set out in footnote 8 of this Framework, in addition to the requirements for an action plan and 20% buffer.

5.10 And Para 80 advises that ‘The Housing Delivery Test consequences set out above will apply the day following the annual publication of the Housing Delivery Test results, at which point they supersede previously published results. Until new Housing Delivery Test results are published, the previously published result should be used.’

5.11 Deliverable is defined in the NPPF as:

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

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.’

⁹ Footnote 40 advises that this will be measured against the Housing Delivery Test, where this indicates that delivery was below 85% of the housing requirement.

- 5.12 In the context of the above para 49 of the NPPF makes it clear that Local Planning Authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 5.13 As set out above the application site falls outside of the current built up area boundary (BUAB) of Crawley Down as identified in the Mid Sussex District Plan 2014 – 2031, and whilst policy DP12 seeks to protect the intrinsic character and beauty of the countryside, stating that new development will only be permitted provided it maintains or where possible enhances the quality of the rural and landscape character of the district, and is necessary for the purposes of agriculture; or is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan; it would appear implicit that where a need can be demonstrated, there is no conflict with Policy DP12. Furthermore, policy DP12 is in effect ‘out of date’ as the BUAB was defined having regard to the housing requirement for the District across the period 2014 – 2031 as defined in policy DP4 of the Plan which was adopted against the backdrop to the Objectively Assessed Housing Need established in the Mid Sussex Housing and Economic Development Needs Assessment (HEDNA) (February 2015), as updated in November 2015 and August 2016. The approach adopted to the housing requirements in the Adopted District Plan is inconsistent with the NPPF 2024. As a result, the weight to be attributed to policy DP12 is significantly reduced. and para 11d of the NPPF and the tilted balance engaged. A position which is exacerbated by the Council’s lack of a five year Housing Land Supply. Furthermore, the site is identified as a proposed allocation in the Reg 19 Submission Draft Local Plan (2021 – 2040 (December 2023).
- 5.14 Paragraph 49 goes on to advise that in the context of the Framework, and in particular the presumption in favour of sustainable development, that *‘arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:*
- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and*
 - b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.’*
- 5.15 The NPPF also places great importance upon the design of the built environment, with section 12 making it clear at para 131 that: *‘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, creates better places in which to live and work and helps make development acceptable to communities.’*

- 5.16 Para 135 continues:
'Planning policies and decisions should ensure that developments:
a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'
- 5.17 Para 136 highlights the importance of trees and the contribution they make to the character and quality of urban areas. It states: *'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'*
- 5.18 Para 139 continues:
'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design¹⁰, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:
a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings'
- 5.19 Section 11 of the NPPF highlights the need to 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.
- 5.20 In looking to achieve appropriate densities para 129 advises:
'Planning policies and decisions should support development that makes efficient use of land, taking into account:
a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

¹⁰ Contained in the National Design Guide and National Model Design Code.

- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places.’*

- 5.21 The NPPF also looks to promote sustainable transport. It makes it clear that transport issues should be considered from the earliest stages of plan-making and development proposals, 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. To this end para 115 states:
‘In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:
- 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;.... 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’*
- 5.22 In the context of the above paragraph 116 of the NPPF highlights the fact 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.’
- 5.23 As far as parking is concerned Paragraph 112 of the NPPF advises:
‘If setting local parking standards for residential and non-residential development, policies should take into account:
- a) the accessibility of the development;*
 - b) the type, mix and use of development;*
 - c) the availability of and opportunities for public transport;*
 - d) local car ownership levels; and*
 - e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.’*
- 5.24 The NPPF also looks to meet the challenge of climate change and flooding (section 14), and to conserve and enhance the natural environment (section 15). In this respect we note that para 164 looks to new developments to be planned in ways that avoid increased vulnerability to the range of impacts arising from climate change, and helps to reduce greenhouse gas emissions, such as through its location, orientation, and design. We also note that whilst there are areas considered to be at a high risk from surface water flooding present in the southwest of the site, and adjacent to the existing east to west watercourse in the centre of the site, approximately 75% of the site is

located in an area considered to be at a Very Low risk from surface water flooding, and that no built development is located in areas considered to be at risk of flooding from surface water, in accordance with the aims and objectives of para 175. We further note that the site is not located within a national landscape so is not subject to para 190 of the NPPF.

- 5.25 In terms of protecting and enhancing biodiversity we note that paragraph 193 of the NPPF makes it clear that:

'When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.'

- 5.26 The NPPF also looks to promote healthy and safe communities, with para 96 indicates that:

'Planning policies and decisions should aim to achieve healthy, inclusive and safe places which

a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other....;

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion....; and

c) enable and support healthy live through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs.....'

- 5.27 Para 98 continues:

'To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

a) plan positively for the provision and use of shared spaces, community facilities..... and other local services to enhance the sustainability of communities and residential environments;

b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;....

e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services

- 5.28 Paragraph 39 makes it clear 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'*
- 5.29 Para 103 also highlights the fact that: *Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.'*
- 5.30 We further note that the NPPF looks to promote pre application engagement and front loading (Paragraph's 40 - 47 refer), that in assessing and determining planning applications Paragraph 48 requires *'applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise'*, and para 56 highlights the fact that planning conditions *'should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects'*. Para 58 goes on to advise that planning obligations must: *'only be sought where they meet all of the following tests:*
- *necessary to make the development acceptable in planning terms;*
 - *directly related to the development; and*
 - *fairly and reasonably related in scale and kind to the development.'*
- 5.31 Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Planning Authorities should approach development management decisions positively, looking for solutions rather than problems so that applications can be approved wherever it is practical to do so.
- 5.32 This statement will demonstrate how the requirements of the NPPF are to be met.

b) The Mid Sussex District Plan 2014 – 2031

- 5.33 The Mid Sussex District Plan 2014 – 2031 was adopted by MSDC in March 2018 and sets out the long-term spatial vision for the District and MSDCs approach to development up to 2031.
- 5.34 Policy DP4: Housing explains that during the period between 2014 and 2031, a minimum of 16,390 net additional dwellings will be provided in the plan area. It also advises that an average of 876 dpa will be delivered until 2023/24, with an average of 1,090 dpa thereafter (between 2024/25 and 2030/31), subject to there being no further harm to the integrity of European Habitat Sites in Ashdown Forest; and that the Council will commence a review of the District Plan in 2021, with submission to the Secretary of State in 2023.

- 5.35 In the context of the above Policy DP4 indicates that having regard to completions and housing commitments (including sites with planning permission, strategic development at Kings Way, Burgess Hill (DP8) and Pease Pottage (DP10) and allocations in made Neighbourhood Plans), the District Plan looks to allocate two strategic developments one north and north-west of Burgess Hill (3,500 dwellings) and one on land north of Clayton Mills, Hassocks (500 Dwellings), the residual being addressed through the Windfall Allowance (450 dwellings) and future Neighbourhood Plans and the Site Allocations document (2,439 dwellings).
- 5.36 DP5 goes on to explain that the Council will continue to work under the 'Duty-to-Cooperate' with all other neighbouring local authorities on an ongoing basis to address the objectively assessed need for housing across the Housing Market Areas, prioritising the Northern West Sussex HMA as this is established as the primary HMA; and working jointly and proactively with the Gatwick Diamond and the West Sussex and Greater Brighton Strategic Planning Board to address unmet housing need in the sub region; so as to ensure that sites are considered and planned for in a timely manner and will be tested through a robust plan-making process, as part of a review of the Plan starting in 2021, with submission to the Secretary of State in 2023.
- 5.37 Policy DP6 sets out the settlement hierarchy and in doing so indicates that: The growth of settlements will be supported where this meets identified local housing, employment and community needs. Outside defined built-up area boundaries, the expansion of settlements will be supported where:
1. The site is allocated in the District Plan, a Neighbourhood Plan or subsequent Development Plan Document or where the proposed development is for fewer than 10 dwellings; and
 2. The site is contiguous with an existing built up area of the settlement; and
 3. The development is demonstrated to be sustainable, including by reference to the settlement hierarchy.
- 5.38 In addition, Policy DP6 indicates that the developer will need to satisfy the Council that:
- The proposal does not represent an underdevelopment of the site with regard to Policy DP26: Character and Design; or
 - A large site is not brought forward in phases that individually meet the threshold but cumulatively does not.
- 5.39 Crawley Down is identified as a Category 2 settlement i.e. a larger village acting as a Local Service Centre providing key services in the rural area of Mid Sussex. These settlements are said to serve the wider hinterland and benefit from a good range of services and facilities, including employment opportunities and access to public transport.
- 5.40 The table on p37 of the District Plan indicates that the Minimum Residual housing requirement in Crawley Down from 2017 onwards (accounting for commitments and completions) is 49 dwellings.
- 5.41 DP12 looks to Protect and Enhance the Countryside, in doing so it advises that the countryside will be protected in recognition of its intrinsic character and beauty; and that development will be permitted in the

countryside, defined as the area outside of BUAB 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.

- 5.42 Policy DP12 also indicates that Agricultural land of Grade 3a and above will be protected from non-agricultural development proposals; and that 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.
- 5.43 Furthermore, policy DP12 advises that 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.
- 5.44 Policy DP13 looks to prevent coalescence, whilst policy DP15 advises on those circumstances where new Homes will be appropriate in the Countryside. DP17 explains that in order to prevent adverse effects on the Ashdown Forest SPA and SAC, new development likely to have a significant effect, either alone or in combination with other development, will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. To this end residential development within a 7km zone of influence around the Ashdown Forest SPA, leading to a net increase in dwellings will be required to contribute to mitigation through:
- 1) The provision of Suitable Alternative Natural Greenspace (SANG) to the minimum level of 8Ha per 1,000 net increase in population; or a financial contribution to SANGs elsewhere; or the provision of bespoke mitigation; and
 - 2) A financial contribution to the Ashdown Forest Strategic Access Management and Monitoring (SAMM) Strategy.
- 5.45 Policy DP13 also indicates that large schemes proposed adjacent or close to the boundary of the 7km zone of influence may require mitigation for the SPA; and that where bespoke mitigation is provided, these measures will need to be in place before occupation of development and must be managed and maintained in perpetuity. The effectiveness of such mitigation will, policy DP13 indicates, need to be demonstrated prior to approval of the development; and bespoke mitigation will need to be discussed and agreed by the District Council as the competent authority following advice from Natural England.
- 5.46 Policy DP20 explains that the Council will expect developers to provide for, or contribute towards, the infrastructure and mitigation measures made necessary by their development proposals through:
- appropriate on-site mitigation and infrastructure provision;
 - the use of planning obligations (s106 legal agreements and unilateral undertakings);

- the Community Infrastructure Levy, when it is in place.
- 5.47 Policy DP21 requires development to support the objectives of the West Sussex Transport Plan 2011-2026, Transport Securing Infrastructure. Policy DP22 indicates that rights of way, Sustrans national cycle routes and recreational routes will be protected by ensuring development does not result in the loss of or does not adversely affect a right of way or other recreational routes unless a new route is provided which is of at least an equivalent value and which does not sever important routes; and at the same time looks to promote access to the countryside.
- 5.48 Policy DP24 indicates that development that provides new and/or enhanced leisure and cultural activities and facilities, including allotments, in accordance with the strategic aims of the Leisure and Cultural Strategy for Mid Sussex will be supported; and that the on-site provision of new leisure and cultural facilities, including the provision of play areas and equipment will be required for all new residential developments, where appropriate in scale and impact, including making land available for this purpose; and that planning conditions and/or planning obligations will be used to secure such facilities.
- 5.49 Policy DP25 advises that the provision or improvement of community facilities and local services that contribute to creating sustainable communities will be supported.
- 5.50 Policy DP26 in addressing Character and Design indicates 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.

5.51 Policy DP29 looks to address the issue of Noise, Air and Light Pollution; policy DP30, Housing Mix, and policy DP31, Affordable Housing (which is set at 30% for all residential developments providing 11 dwellings or more).

5.52 Policy DP34 requires developments to protect listed buildings and their settings, and to conserve other heritage assets in a manner appropriate to their significance.

5.53 Policy DP37 explains that the District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting; and that ancient woodland and aged or veteran trees will be protected. It goes on to advise that:

'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.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- *incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- *prevents damage to root systems and takes account of expected future growth; and*
- *where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
- *has appropriate protection measures throughout the development process; and*
- *takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*
- *does not sever ecological corridors created by these assets.*

.....
Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary'

5.54 Policy DP38 advises that:

'Biodiversity will be protected and enhanced by ensuring development:

- *Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and*
- *Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must*

be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances); and

- *Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and*
- *Promotes the restoration, management and expansion of priority habitats in the District; and*
- *Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.'*

- 5.55 Policy DP38 also advises that designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks; valued soils will be protected and enhanced, including the best and most versatile agricultural land, and development should not contribute to unacceptable levels of soil pollution; and that geodiversity will be protected by ensuring development prevents harm to geological conservation interests, and where possible, enhances such interests. Geological conservation interests include Regionally Important Geological and Geomorphological Sites.
- 5.56 Policy DP40 requires all development proposals to improve the sustainability of development and where appropriate and feasible according to the type and size of development and location, incorporate the following measures:
- Minimise energy use through the design and layout of the scheme including through the use of natural lighting and ventilation;
 - Explore opportunities for efficient energy supply through the use of communal heating networks where viable and feasible;
 - Use renewable sources of energy;
 - Maximise efficient use of resources, including minimising waste and maximising recycling/ re-use of materials through both construction and occupation;
 - Limit water use to 110 litres/person/day in accordance with Policy DP42: Water Infrastructure and the Water Environment;
 - Demonstrate how the risks associated with future climate change have been planned for as part of the layout of the scheme and design of its buildings to ensure its longer term resilience'
- 5.57 Policy DP41 indicates that development proposals will need to follow a sequential risk-based approach, ensure development is safe across its lifetime and does not increase the risk of flooding elsewhere; and that Sustainable Drainage Systems should be implemented in all new developments of 10 dwellings or more, unless demonstrated to be inappropriate, to avoid any increase in flood risk and protect surface and ground water quality; and that the arrangements for the long term maintenance and management of SuDS should also be identified. It also advises that SuDS should be sensitively designed and located to promote improved biodiversity, an enhanced landscape and good quality spaces that improve public amenities in the area, where possible; and that the

preferred hierarchy of managing surface water drainage from any development is:

1. Infiltration Measures
2. Attenuation and discharge to watercourses; and if these cannot be met,
3. Discharge to surface water only sewers.

5.58 Policy DP42 requires new development proposals to be in accordance with the objectives of the Water Framework Directive, and accord with the findings of the Gatwick Sub Region Water Cycle Study with respect to water quality, water supply and wastewater treatment and indicates that consequently the optional requirement under Building Regulations – Part G applies to all new residential development in the district; such that development must meet the following water consumption standards:

- Residential units should meet a water consumption standard of 110 litres per person per day (including external water use);
- Non-residential buildings should meet the equivalent of a ‘Good’ standard, as a minimum, with regard to the BREEAM water consumption targets for the development type.

5.59 As set out in section 6 of this statement, we believe the Mid Sussex District Plan 2014 – 2031 to be out of date as the housing requirement was defined having regard to the housing requirement for the District across the period 2014 – 2031 as defined in policy DP4 of the Plan which was adopted against the backdrop to the Objectively Assessed Housing Need established in the Mid Sussex Housing and Economic Development Needs Assessment (HEDNA) (February 2015), as updated in November 2015 and August 2016. This reflected the approach promoted in the NPPF 2012, which has been subject to a number of revisions since 2012 and is inconsistent with the NPPF 2024. As a result, the weight to be attributed to those policies of the Adopted Development Plan that relate to the scale and location of housing is in our opinion limited¹¹. That said this statement will demonstrate how the requirements of the Mid Sussex District Plan 2014 – 2031 have been met – where relevant.

c) The Mid Sussex Site Allocations DPD (June 2022)

5.60 The site allocations DPD looks to allocate employment and housing sites pursuant to the requirements of the Mid Sussex District Plan 2018. Seven employment sites delivering 17.45ha of employment land and twenty two housing sites delivering some 1,704 homes are allocated in the Site Allocations DPD, one of which, Land North of Burleigh Lane (SA22) (50 dwellings) is located in Crawley Down.

¹¹ Whilst we note that para 232 of the NPPF in commenting upon the implementation of the NPPF makes it clear that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework and that ‘*Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)*’. It also makes it clear that ‘*Where a local planning authority can demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78) and where the Housing Delivery Test indicates that the delivery of housing is more than 75% of the housing requirement over the previous three years, policies should not be regarded as out-of-date on the basis that the most up to date local housing need figure (calculated using the standard method set out in planning practice guidance) is greater than the housing requirement set out in adopted strategic policies, for a period of five years from the date of the plan’s adoption*’ the converse is in our opinion true where a LPA, such as MSDC, can not demonstrate a 5 year HLS and the HDT test results indicate that the delivery of housing is less than 75% of the housing requirement over the previous three years.

- 5.61 Policy SA10 of the Site Allocations DPD indicates that with completions to date, Total Housing Commitments (including sites with planning permission and allocations in made Neighbourhood Plans), windfalls and the proposed allocations there will be an over-supply within the District Plan period 2014 – 2031 of some 907 dwellings, circa 5% of the minimum requirement.
- 5.62 The Site Allocations DPD also includes additional policies covering the following areas:
- SA34: Existing Employment Sites
 - SA35: Safeguarding of Land for Strategic Highway Improvements
 - SA36: Wivelsfield Railway Station
 - SA37: Burgess Hill/ Haywards Heath Cycle Network
 - SA38: Air Quality
 - SA39: Specialist Accommodation for Older People and Care Homes
- 5.63 We note that SA35 refers to A264 Corridor upgrades at Copthorne Hotel Junction, that policy SA38 indicates that development should minimise any air quality impacts, including cumulative impacts from committed developments, both during the construction process and lifetime of the completed development, either through a redesign of the development proposal or where this is not possible or sufficient, through appropriate mitigation; and that SA39 advises that there is an identified need for specialist accommodation for older people, and that proposals for specialist accommodation for older people and care homes will be supported where the site is outside the Built-Up Area, it is contiguous with the Built-Up Area Boundary as defined on the Policies Map and the development is demonstrated to be sustainable, including by reference to the settlement hierarchy (policy DP4).
- 5.64 This statement looks to address the requirements of the Mid Sussex Site Allocations DPD were relevant, having regard to our position on the weight to be attributed to it given the fact it is predicted on Mid Sussex District Plan 2014 – 2031 which we believe to be out of date.

d) The Crawley Down Neighbourhood Plan 2016

- 5.65 The Crawley Down Neighbourhood Plan (CDNP) was ‘made’ on the 28th January 2016. It covers the period 2014 to 2031 and sets out a clear vision for the future of Crawley Down:
‘A thriving and attractive village community set in unspoilt and accessible countryside that provides an excellent quality of life for residents, visitors, and those who work in, or travel through, the area’
- 5.66 To this end the Plan sets out 11 policies which it states will, together with the NPPF and the Local Plan, ensure that new development in the Crawley Down Neighbourhood Plan Area will be sustainable and in accordance with the vision. These policies include:
Policies Promoting a Healthy Community;
Policies Promoting the Design and Delivery of High Quality Homes;
Policy Promoting a Prosperous Rural Economy;
Policies Promoting the Natural Environment;
Policy Promoting Sustainable Transport; and
A special Policy to reflect the areas proximity of Ashdown Forest

- 5.67 Having reviewed these policies and having regard to our comments in section 6 below about the weight to be attributed to the neighbourhood plan given its age and the basis upon which it was made, the following are considered relevant to the determination of this application.
- Policy CDNP01: Securing Sustainable Local Infrastructure
 Policy CDNP05: Control of New Developments
 Policy CDNP06: Sustainable Drainage Systems
 Policy CDNP08: Prevention of Coalescence
 Policy CDNP09: Protect and Enhance Biodiversity
 Policy CDNP10: Promoting Sustainable Transport
 Policy CDNP11: Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA)
- 5.68 This statement addresses policies CDNP01 and CDNP05. These state:
- 'Policy CDNP01: Development will be permitted where the necessary social, physical and green infrastructure needed to support the proposed development is in place, or can be provided in a timely manner through developer funded contributions*
- Policy CDNP05: Subject to the other policies of this Neighbourhood Plan; Within the Crawley Down Neighbourhood Plan Area, planning permission will be granted for residential development subject to the following criteria:*
- a) The scale height and form fit unobtrusively with the surrounding buildings and the character of the area or street scene and where appropriate, special regard should be had to sustaining and enhancing the setting and features of heritage assets and the Areas of Townscape Character.*
- b) Individual developments will not comprise more than 30 dwellings in total, with a maximum density of 25 per Ha and spacing between buildings to reflect the character of the area.*
- c) Amenities such as access, noise, privacy, daylight, sunlight and outlook of adjoining residents are safeguarded.*
- d) The individual plot sizes are proportionate to the scale of the dwelling.*
- e) Open green spaces are provided in accordance with the Local Plan standard provisions. Where practical open spaces should provide linkage/connection to elements of the local footpath network.*
- f) Construction materials are compatible with the materials of the general area and are locally sourced where practical.'*
- 5.69 The LVA addresses policy 08. This states: *'Development outside the village boundary will only be permitted if it can be demonstrated that:*
- a. It does not detract significantly from the openness and character of the landscape.*
- b. It does not contribute to 'ribbon development' along the roads or paths linking the village to neighbouring settlements of Copthorne, Felbridge, Turners Hill and Crawley.*
- c. It does not significantly reduce the gaps between the village and neighbouring settlements of Copthorne, Felbridge, Turners Hill and Crawley.'*
- 5.70 The Ecological Appraisal, together with Shadow Habitat Regulations Assessment and BNG calculation address policies CDNP09 and 11. These state: *'Proposals for new residential, employment and retail development will be expected to protect and enhance biodiversity and wildlife. In particular planning applications for these proposals will be*

- assessed against the following criteria:
- a. The safeguarding or protection of designated sites, protected species, ancient or species rich hedgerows, shaws, grasslands and woodlands;
 - b. The provision of appropriate buffer zones around designated sites or features and/or the implementation of appropriate mitigation features.
 - c. The safeguarding and preservation of ecological networks
 - d. The protection of trees of arboricultural or amenity value
 - e. The appropriate planting of new native trees and hedges'

CDNP11: In order to prevent adverse effects on the Ashdown Forest SPA and SAC, new residential development likely to have a significant effect, either alone or in combination with other development, will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects.

Within a 7km zone of influence around the Ashdown Forest SPA, residential development leading to a net increase in dwellings will be required to contribute to mitigation through:

- 1) The provision of Suitable Alternative Natural Greenspace (SANG) to the minimum level of 8Ha per 1,000 net increase in population; or a financial contribution to SANGs elsewhere; or the provision of bespoke mitigation; and
- 2) A financial contribution to the Ashdown Forest Strategic Access Management and Monitoring (SAMM) Strategy.

Large schemes proposed adjacent or close to the boundary of the 7km zone of influence may require mitigation.

Such proposals for development will be dealt with on a case-by-case basis. Where bespoke mitigation is provided, these measures will need to be in place before occupation of development and must be managed and maintained in perpetuity. The effectiveness of such mitigation will need to be demonstrated prior to approval of the development. Bespoke mitigation will need to be discussed and agreed by the District Council as the competent authority following advice from Natural England.'

- 5.71 The TA addresses policy CDNP10, which states that:
- 'Development that does not conflict with other Policies will be permitted provided that it promotes sustainable transport within the Neighbourhood Area by:*
- a) *Providing safely located vehicular and pedestrian access with adequate visibility.*
 - b) *Demonstrating that adequate sustainable transport links to the principal village facilities including the village centre, the primary school, Health Centre and recreation open space already exist or will be provided.*
 - c) *Identifying and undertaking appropriate measures, such as highway improvements, to address any transport infrastructure inadequacies.*
 - d) *Where development would add to traffic congestion in the village or inappropriate traffic on rural lanes, proposals should be brought forward to mitigate any traffic impact or contribute funding towards local transport schemes.*
 - e) *Development proposals for new developments should include secure cycle storage and ideally storage for children's buggies and mobility scooters where appropriate.*
 - f) *Development proposals would maintain or enhance the existing public footpaths, rights of way, bridle paths and twittens.*
 - g) *A full transport assessment is provided using current data and identified issues addressed developments of more than 50 houses'*

- 5.72 And the FRA addresses policy CDNP06. This states: *‘Development proposals will be expected to demonstrate that they include sustainable drainage systems designed to manage the risk of surface water flooding within their boundaries, and that they will not increase flood risk elsewhere in the Parish. Examples of sustainable drainage systems include permeable driveways and parking areas, water harvesting and storage features (rain/grey), green roofs and soakaways. The preferred hierarchy of managing surface water drainage from any development is:*
- 1) *infiltration measures;*
 - 2) *attenuation and discharge to watercourses;*
 - 3) *discharge to surface water only sewers.*
- Such measures should protect the amenity and security of other properties and should not adversely affect the water table and associated aquifers or ancient woodland. Arrangements for the maintenance of drainage systems shall be required as a condition of planning permissions and these arrangements shall include details of who will manage and fund the maintenance for the lifetime of the development.’*
- 5.73 We also note that the Crawley Down Neighbourhood Plan encompasses 5 ‘proposals’ which look to address the key issues identified during the community consultation on the NP. These are:
- Proposal 01 : Protection for Assets of Community Value
 - Proposal 02 : Traffic Management and Sustainable Transport
 - Proposal 03 : Enhancement of Green Infrastructure
 - Proposal 04 : Primary Education for Village Children
 - Proposal 05 : Affordable Housing for Local Needs
- 5.74 Whilst Proposals 1 and 4 are not directly related to this application, Proposals 2, 3 and 5 are and are addressed in the TA, LVA and this statement respectively. They advise:
- Proposal 02 ‘The Parish Council will promote proposals for improvements, including:*
- a) *To manage traffic speeds on the B2028 Turners Hill Rd;*
 - b) *To manage traffic speeds within the village, including, but not limited to, Burleigh Way, Sandy Lane, Vicarage Road/Hophurst Lane, Hazel Way, and Grange Road.*
 - c) *To improve the junction at Sandy Lane and B2028 Turners Hill Rd*
 - d) *To improve the junction at Grange Rd and B2028 Turners Hill Rd*
 - e) *To improve the junction at Vicarage Rd and B2028 Turners Hill Rd*
 - f) *To improve and expand public, private and voluntary transport services to Crawley, Gatwick, East Grinstead, out of town shopping centres, local hospitals and other medical centres.*
 - g) *To protect and improve car parking at the village centre’*
- Proposal 03: ‘The Parish Council proposes the implementation over the plan period of a green infrastructure strategy that will deliver a combination of new and improved assets as follows, to be secured through the development and improvement of land and support to village organisations:*
- a) *Additional varied sports facilities*
 - b) *Natural open spaces*
 - c) *Informal recreational areas*
 - d) *Street tree planting*
 - e) *Sites of interest for nature conservation*

- f) *Further Allotments or community gardens*
- g) *Additional Play areas*
- h) *The management of all new assets will be integrated with those currently existing in the ownership of the Parish Council.*
The use of site-specific management arrangements will be discouraged.'

Proposal 05: This proposal recognises the need to identify and work with partners to deliver affordable housing for local needs as identified in the 2014 Housing Survey.

- 5.75 This statement looks to address the requirements of the Crawley Down Neighbourhood Plan where relevant, having regard to our position on the weight to be attributed to it given the fact it is predicated on Mid Sussex District Plan 2014 – 2031 which we believe to be out of date.

e) The Submission Draft Mid Sussex Local Plan 2021 – 2039 (Dec 2023)

- 5.76 The Mid Sussex District Council is currently in the process of reviewing and updating the District Plan. The Mid Sussex District Plan 2014-2031 was submitted for independent examination on the 8th July 2024, and the first stage of the examination took place between 22nd and 31st October 2024.
- 5.77 The plans vision remains the same as that of the adopted plan i.e. to create “*A thriving, attractive and resilient District, which is a highly sustainable and desirable place to live, work and visit. Our aim is to maintain, and where possible, improve the social, economic and environmental well-being of our District and the quality of life for all, now and in the future.*”
- 5.78 This the plan looks to do through its three priority themes of protecting and enhancing the natural, built and historic environment; protecting economic vitality; and ensuring social cohesion, safe and healthy communities. These three themes are supported by 15 strategic objectives which help guide the strategy and policies within the Plan. The spatial strategy thus looks to protect the natural landscape, make effective use of land, promote the growth of existing sustainable settlements where it continues to be sustainable to do so, and to identify opportunities for the extension of existing settlements to improve their sustainability.
- 5.79 In the context of the above, having identified the Local Housing Need (LHN), and identified completions to date, proposed windfalls and the current sources of supply, (existing allocations and permission), the submission draft plan indicates at policy DPH1 that there is a need to allocate sites to accommodate 6,687¹² dwellings if the plan is to meet its LHN in full and have an oversupply to provide for resilience/ address the unmet needs of neighbouring authorities.
- 5.80 Given the local housing need, the spatial strategy and settlement hierarchy, the plan, having regard to the findings of the Urban Capacity Study, Housing Land Availability Assessment, Settlement Sustainability

¹² The sustainable communities (DPSC1 – 7) and other housing sites (DPA1-17) between then are according to policy DPH1 due to deliver 5,243 and 1,444 dwellings respectively.

Review Study, Habitat Regulation Assessment, Strategic Flood Risk Assessment, Strategic Transport Study, the Site Selection Process, and Sustainability Appraisal looks to allocate 3 sustainable communities (on land west of Burgess Hill, at Crabtree Park and at Sayers Common) along with 17 smaller housing sites, including the land west of Turners Hill Road. (Policy DPA9) to meet its LHN¹³.

- 5.81 Policy DPA9 indicates that the land west of Turners Hill Road will provide for 350 dwellings, and the following infrastructure on-site:
- Community building
 - Allotments
 - 50 bed (C2) care home
 - Play area
 - Other outdoor provision
 - Outdoor sports
 - Informal outdoor space
- 5.82 It also requires the developers of the site to make financial contributions towards the provision of:
- Sustainable Transport
 - Education
 - Library
 - Local Community Infrastructure
 - Emergency services
 - Ashdown Forest SPA and SAC mitigation measures
 - Health
- 5.83 And to make provision for the following off site:
- Sustainable transport measures
 - Highway works
 - Sewerage network upgrades
- 5.84 In addition, policy DPA9 also contains the following policy requirements:
1. Assess the areas of archaeological interest – Crest of Sandstone Ridge and the stream running through the High Weald that has a potential pre-historic bank.
 2. Follow a sequential approach by directing development away from areas of flood risk and mitigate impacts through integration of SUDS to deliver biodiversity/environmental improvements and flood resilience.
 3. Address any impacts associated with Ancient Woodland (on and adjacent to the site) including Front Wood, Wallage Wood, Wallage Lodge Shaw, Bushy Wood, Pescotts Wood (east and west parcels), which will be excluded from development.
 4. Provide a woodland buffer to existing vegetation along the southern boundary and set development back from the Worth Way to mitigate potential visual impact to the route and help enhance its setting.
 5. Provide a 5m landscape buffer to existing hedgerows.
 6. Integrate and enhance the existing PRoWs within the site and retain the character of PRoWs that border the site.
 7. Provide suitable pedestrian and cycle connections to Crawley Down, including via the Worth Way.
 8. Integrate development with the site to the north (DPA10) such as through the design of the site layout and by providing pedestrian and

¹³ Policy DPH1 refers

cycling connections between the developments, green infrastructure and ecological corridors.

9. Provide suitable access to Turners Hill Road to each of the three areas of the site. The northern access is to be via Wychwood Place and the middle access and route through site is to be separate from Huntsland which will remain a no through road and public right of way.

10. Avoid development in the most sensitive areas, including the central ridge.

11. Provide a country park in southern part of site and along western boundary linking the north and south parts of the site. It meets the requirements of other relevant development plan policies.

12. Meet the requirements of other relevant development plan policies.

- 5.85 This statement along with the other statements submitted in support of this application look to demonstrate how policy DPA9 is addressed.
- 5.86 In addition to the above we also note that policy DPS1 looks to address the matter of climate change through a series of proposals looking to reduce carbon emissions, maximise carbon sequestration and promote climate change adaptation and mitigation. Policy DPS2 looks to promote sustainable design and construction via proposals to promote carbon zero development, adopting the energy hierarchy when addressing energy use, addressing embodied carbon and looking at measures to prevent overheating, address water resources and water efficiency and minimising waste. And policies DPS4 and DPS6 looks to address the issue of flood risk and sustainable drainage, and support health and wellbeing respectively. The Sustainability and Energy Statement, and FRA and Drainage Statement look to address these policies.
- 5.87 Likewise, we note that Policy DPN1 looks to protect Biodiversity, and Geodiversity and promote Nature Recovery, whilst policy DPN2 addresses the issue of Biodiversity Net Gain. That policy DPN3 looks to protect existing and support the provision of new Green and Blue Infrastructure, whilst policy DPN4 addresses the protection of Trees, Woodland and Hedgerows, what is appropriate within buffer zones and the Councils' requirements when assessing proposals for new tree, woodland and hedgerow planting. Policy DPN6 comments upon Pollution prevention, policy DPN7 on how to address Noise Impacts and policy DPN8 Light Impacts and Dark Skies. Policies DPN9 and DPN10, addressing Air Quality and Land Stability and Contaminated Land respectively. The Ecological Appraisal and associated BNG report and Shadow Habitat Regulations Assessment, together with the AIR, LVA and Geotech report look to address these policies.
- 5.88 Policies DPC2 and DPC6 address the issue of Coalescence, and development within the 7KM zone of the Ashdown Forest SPA and SAC. Policy DPB1 goes on to address the issue of the character and design of new development. In doing so it highlights the need to understand the context, how to address the layout, streets and spaces, how to establish the structure, high quality building design, residential amenity, and 20 - minute neighbourhoods. The LVA, Shadow Habitat Regulations Assessment, and DAS look to address these policies.
- 5.89 Policies DPT1, DPT 2, DPT 3 and DPT 4 look to address the issue of Placemaking and Connectivity, the protection and enhancement of rights

of way and other recreational routes, the promotion of active and sustainable travel, and parking and electric vehicle charging infrastructure respectively, and are addressed in the DAS and TA.

- 5.90 Whilst, as set out above, policy DPH1 sets the minimum housing need, policy DPH4 establishes the Council's approach to older persons housing and specialist accommodation and reiterates the fact the wider site is identified as suitable to accommodate older persons accommodation. DPH6 goes on to establish the need for all sites of 100 (+) dwellings to make provision for self and custom build housing, and policy DPH7 explains the Council's approach to housing mix for market and affordable dwellings. Policy DPH8 goes on to explain that all residential and mixed use sites will be required to provide 30% affordable housing, that these should be in clusters of no more than 10 units, the tenure split, the minimum floor area to be provided, and that 4% should be M4(3) compliant. Whilst not relevant to this application as it is in outline only, we also note that policy DPH11 addresses dwelling space standards and policy DPH12 accessibility requirements. This statement, together with the DAS look to address these policies.
- 5.91 Finally, we note that chapter 17 of the Submission Local Plan addresses infrastructure, with policy DPI1 commenting on infrastructure provision, policy DPI2 on planning obligations, policy DPI4 on communications infrastructure, policy DPI5 on open space, sport and recreational facilities, policy DPI6 on community and cultural facilities and local services, policy DPI7 on water and wastewater infrastructure and policy DPI8 on viability. This statement, together with the LVA and FRA/ DS look to address these policies.
- 5.92 Whilst we accept that the weight to be attributed to the Submission Draft Local Plan is limited as it has still to be independently examined, this statement will demonstrate how the policy approach promoted in Submission Local Plan has been met – where relevant.

f) Relevant MSDC Supplementary Planning Documents (SPDs) & guidance

- 5.93 MSDC has a number of relevant SPDs, technical advice notes and guidance documents, including:
 Affordable Housing SPD (July 2018)
 Design Guide SPD (Nov 2020)
 Development Infrastructure and Contributions SPD as updated (Oct 2019)
 West Sussex LLFA Policy for the Management of Surface Water (2018)
 West Sussex County Council Guidance on Parking at New Developments (September 2020) and car parking demand calculator.
- 5.94 This statement, together with the DAS, FRA and TA will demonstrate how this application looks to address the requirements of these documents – where relevant.

h) Other Material Considerations**MSDC Five Year Housing Land Supply Statement (April 2023)**

- 5.95 The Councils Housing Land Supply statement for the position as at 1st April 2023, as updated October 2023 suggests, on the Councils' own evidence that at the time they had 5.04 yrs supply (a surplus of just 47 dwellings).
- 5.96 The updated Statement of Common Ground on Housing Land Supply signed by the Council on the 19th December 2024 for the Gladman appeal¹⁴ acknowledges that as of 1st April 2024 the Council only had 3.38 yrs worth of supply, a deficit of 2,304 dwellings against the 5 year requirement. They also acknowledge that the housing land supply deficit is significant and that the tilted balance contained in para 11 of the NPPF was thus engaged.
- 5.97 This statement comments upon the implications of the five year housing land supply situation in section 6 below.

¹⁴ Appeal ref APP/D3830/W/24/3350075, MSDC ref DM/24/0446 – land off Scamps Hill Lindfield

6 Planning Appraisal

6.1 The Issues

6.1.1 This outline application provides for the development of the land West of Turners Hill Road and South of Huntsland Crawley Down, West Sussex so as to accommodate the erection of up to 200 dwellings, and associated infrastructure including spine road with access from Turners Hill Road and network of internal roads and car and cycle parking, together with provision of open space, play facilities, utilities infrastructure, surface water drainage features and associated works.

6.1.2 All matters bar access are reserved for future determination. The principal point of access is via two new priority junctions onto Turners Hill Road. One located opposite Vicarage Road which will serve up to 150 homes, and the other to the south of Huntsland which will serve a maximum of 50 homes, there being no through route between the two.

6.1.3 Having regard to the aims and objectives of national and local government guidance, we consider that the key issues to be considered in determining this application are:

- the principle of development in terms of the aims and objectives of the Mid Sussex District Plan 2014 – 2031 (March 2018), and the Crawley Down Neighbourhood Plan (January 2016); as well as the aims and objectives of the Reg 19 Submission Draft Local Plan (December 2023), the housing land supply situation in Mid Sussex, the affordable housing needs of the District, the site's suitability for development, the presumption in favour of sustainable development, and the applicant's ability to start to deliver the site within the next 5 years;
- the landscape and visual impact of the proposed development on the area;
- the effect of the proposed development on existing landscape features;
- the impact of the proposed development on areas of ecological interest/protected species;
- the impact of the form, layout, and design of the proposed development on the amenities of adjacent residents;
- the sites ability to accommodate this level of development, the nature of the residential accommodation and the level of affordable provision;
- the effect of the proposed development in transportation and highway terms;
- the sites suitability for development in terms of flood risk and foul water drainage;
- the impact of the proposed development on the cultural heritage of the site and surrounding area;
- the impact of the proposed development in terms of the loss of agricultural land; and
- the effect of the proposed development in terms of energy consumption, lighting, amenity space, contamination and remediation, the capacity of service providers and impact on local infrastructure.

6.2 The Principle of Development

- 6.2.1 MSDC have in their Updated Statement of Common Ground on Housing Land Supply on the Gladman appeal, which is dated 18th December 2024, accepted that as at 1st April 2024 they did not have a five year housing land supply.
- 6.2.2 The Land West of Turners Hill Road is identified as part of a wider allocation for development in the Reg 19 Submission Draft Mid Sussex Local Plan 2023 pursuant to Policy DPA9. The proposed development has been designed to be in general conformity with Policy DPA9, the only areas of variation being to reflect discussions with Worth Parish Council about the use of offsite contributions in lieu of the onsite provision of sports and community facilities, thus bolstering local facilities and removing any potential for conflict.
- 6.2.3 Whilst the Submission Draft Mid Sussex Local Plan is still at examination, the submission of this application now helps to demonstrate deliverability and bolster the councils five year housing land supply situation as set out in the Submission Draft Local Plan's trajectory, at a time when given recent changes to national government guidance the councils lack of a five year housing land supply under the adopted development plan leaves the council vulnerable to speculative applications for development in areas that have not been judged to be suitable through the allocation process.
- 6.2.4 It is on this premise that we have made these applications.

a) Policies DP4 and DP12 of the Mid Sussex District Plan 2014 – 2031

- 6.2.5 The application site is located outside of the current urban area of Crawley Down as identified in the adopted Mid Sussex District Plan, and policy DP12 of the adopted District Plan seeks to protect the distinctiveness character and quality of the countryside, stating that development will only be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, where 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.
- 6.2.6 Whilst it would appear implicit that where a need can be demonstrated, there is no conflict with policy DP12, policy DP12 is in effect 'out of date' given the housing land supply situation, and the fact the settlement boundary was defined having regard to the housing requirement for the District as set out in policy DP4 of the Adopted District Plan which looked to deliver an average of 876 dpa until 2023/24 and an average of 1,090 dpa until 2030/31, and was adopted against the backdrop to the Objectively Assessed Housing Need established in the Mid Sussex Housing and Economic Development Needs Assessment (HEDNA) (February 2015), as updated in November 2015 and August 2016, and the NPPF 2012.

6.2.7 Para 10 of the NPPF makes it clear that *‘So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development’*. Paragraph 11 then makes it clear that plans and decisions should apply a presumption in favour of sustainable development, and that 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.’

6.2.8 Footnote 8 makes it clear that ‘out of date’ includes: for applications involving the provision of housing, situations where:

‘the local planning authority cannot demonstrate a five year supply of deliverable housing sites, (with the appropriate buffer as set out in paragraph 78) or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.’

6.2.9 The Council have openly admitted in the recent Gladman appeal that they do not have a five year housing land supply¹⁵. As a result, the weight to be attributed to policies DP4 and DP12 is significantly reduced, and para 11d of the NPPF and the tilted balance engaged.

6.2.10 Given the above it is necessary to consider the housing land supply situation as well as the age and the premise behind the policies that go to the heart of housing delivery in the Adopted Development Plan i.e. policies DP4 and DP12.

i) The Housing Land Supply Situation

6.2.11 Para 78 of the NPPF makes it clear that local planning authorities are now required to *‘identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should 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

¹⁵ MSDC position as of 18th Dec 2024 was that for the period 1st April 2024 to 31st March 2029 they had a supply of 4,815 dwellings equating to 3.38 years’ worth of supply (-2,304 dwellings) and the Appellant’s position was that the council had a supply of 3,427 dwellings equating to 2.41 years’ worth of supply (-3,692 dwellings).

b) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.....

- 6.2.12 As the Mid Sussex District Plan 2014 – 2031 which set the housing target in policy DP4 was adopted in 2018 it is over 5 years old, and whilst the Site Allocations DPD which seeks to enact the requirements of the Mid Sussex District Plan 2014 – 2031 was only adopted in 2022 we would submit that as a 'daughter' document it is the Mid Sussex District Plan 2014 – 2031 which para 78 relates to. As para 78 makes it clear that 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, and the Council have openly acknowledged they do not have a five year housing land supply, the fact the application site is located outside of the current urban area of Crawley Down where policy DP12 applies whilst a material consideration, is of limited weight given the fact MSDC cannot demonstrate a five-year housing land supply.
- 6.2.13 Given the above, paragraph 11 (d) of the NPPF (December 2024) is engaged for the purposes of decision making, to which we return below.
- ii) The Weight to be attached to the Mid Sussex District Plan 2014 – 2031
- 6.2.14 Para 232 of the NPPF is clear in that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the NPPF, the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.
- 6.2.15 In the context of the above we note that policy DP12 of the Mid Sussex District Plan 2014 – 2031 indicates that the countryside will be protected in recognition of its intrinsic character and beauty and that 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
- The planning boundaries in the plan having been defined by the housing requirements set out in policy DP4.
- 6.2.16 In considering the weight to be attributed to policies DP4 and DP12, we note that these policies were prepared in a policy and housing need context that is now out-of-date (see Paragraph 6.2.5 above) such that the urban areas identified in the Mid Sussex District Plan are also out-of-date. As a result, the weight to be attributed to spatial policies DP4 and DP12 is significantly reduced and para 11d of the NPPF and the tilted balance engaged. A position which is exacerbated by the Council's lack of a five year housing land supply.
- 6.2.17 The fact that these policies are out of date does not mean that they must be disregarded in the planning assessment. However, any breach of

these policies would be afforded reduced (limited) weight in the planning balance.

b) The Crawley Down Neighbourhood Plan

6.2.18 The CDNP does not look to allocate housing sites. Rather policy CDNP04.2 sets out those criteria against which infill housing schemes should be assessed and policy CDNP05 sets out those criteria that seek to control new developments, including the maximum number of dwellings to be permitted (30) and densities (25dph). As a result of the above and given the age of the CDNP (Made Jan 2016) para 14 of the NPPF does not apply and the weight to be attributed to the CDNP is significantly reduced and para 11d of the NPPF and the tilted balance engaged. A position which is exacerbated by the District Council's lack of a five year housing land supply. That said we accept that the fact that these policies are out of date does not mean that they must be disregarded in the planning assessment. However, any breach of these policies would be afforded reduced (limited) weight in the planning balance

c) The Submission Draft Local Plan December 2023

6.2.19 The Mid Sussex District Plan 2014-2031 was submitted for independent examination on the 8th July 2024.

6.2.20 Having identified the Local Housing Need, and identified completions to date, proposed windfalls and the current sources of supply, (existing allocations and permission), the Submission Draft Local Plan indicates that there is a need to allocate sites to accommodate 6,687 dwellings if the plan is to meet its Local Housing Need in full and have an oversupply to provide for resilience/ address the unmet needs of neighbouring authorities.

6.2.21 As a result of its housing need and having regard to the findings of the Urban Capacity Study, Housing Land Availability Assessment, Settlement Sustainability Review Study, Habitat Regulation Assessment, Strategic Flood Risk Assessment, Strategic Transport Study, the Site Selection Process, and Sustainability Appraisal the plan looks to allocate 3 sustainable communities (on land west of Burgess Hill, at Crabbet Park east of Crawley, and south of Reeds Lane, Sayers Common) along with 17 smaller housing sites, including the land west of Turners Hill Road.

6.2.22 Policy DPA9 indicates that the land west of Turners Hill Road will provide for 350 dwellings, and the following infrastructure on-site:

- Community building
- Allotments
- 50 bed (C2) care home
- Play area
- Other outdoor provision
- Outdoor sports
- Informal outdoor space

6.2.23 It also requires the developers of the site to make financial contributions towards the provision of:

- Sustainable Transport
- Education

- Library
- Local Community Infrastructure
- Emergency services
- Ashdown Forest SPA and SAC mitigation measures
- Health

6.2.24 And to make provision for the following off site:

- Sustainable transport measures
- Highway works
- Sewerage network upgrades

6.2.25 In addition, policy DPA9 also contains the following policy requirements:

1. Assess the areas of archaeological interest – Crest of Sandstone Ridge and the stream running through the High Weald that has a potential pre-historic bank.
2. Follow a sequential approach by directing development away from areas of flood risk and mitigate impacts through integration of SUDS to deliver biodiversity/environmental improvements and flood resilience.
3. Address any impacts associated with Ancient Woodland (on and adjacent to the site) including Front Wood, Wallage Wood, Wallage Lodge Shaw, Bushy Wood, Pescotts Wood (east and west parcels), which will be excluded from development.
4. Provide a woodland buffer to existing vegetation along the southern boundary and set development back from the Worth Way to mitigate potential visual impact to the route and help enhance its setting.
5. Provide a 5m landscape buffer to existing hedgerows.
6. Integrate and enhance the existing PRoWs within the site and retain the character of PRoWs that border the site.
7. Provide suitable pedestrian and cycle connections to Crawley Down, including via the Worth Way.
8. Integrate development with the site to the north (DPA10) such as through the design of the site layout and by providing pedestrian and cycling connections between the developments, green infrastructure and ecological corridors.
9. Provide suitable access to Turners Hill Road to each of the three areas of the site. The northern access is to be via Wychwood Place and the middle access and route through site is to be separate from Huntsland which will remain a no through road and public right of way.
10. Avoid development in the most sensitive areas, including the central ridge.
11. Provide a country park in southern part of site and along western boundary linking the north and south parts of the site.
12. Meet the requirements of other relevant development plan policies.

6.2.26 We also note that Appendix 6 of the Councils Housing Supply and Trajectory Topic Paper July 2024 (Trajectory of Proposed District Plan Allocations) actually shows the application site delivering in 2027/28 i.e. the next five years.

6.2.27 Para 49 of the NPPF makes it clear that:

- ‘Local planning authorities may give weight to relevant policies in emerging plans according to:*
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*

- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).'*

6.2.28 Para 50 continues:

'However, in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and*
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.'*

6.2.29 Having regard to the above, whilst the application site is a proposed allocation in the Submission Draft Local Plan it is not so substantial/ its cumulative effect would not be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to the Submission Draft Local Plan. The application site is in effect a small, self-contained part of the wider policy DPA9 site, located on the edge of the urban area that is not fettered by any land use designations and is capable of delivering a sustainable development that helps address the Council's five year housing land supply deficit and accommodates the requirements of the Submission Draft Local Plan without creating an undesirable precedent / being premature to the adoption of the Local Plan.

6.2.30 The NPPF is clear that applications can only be refused on grounds of prematurity in limited circumstances. The proposed development at 200 dwellings is not for a significant quantum of development, being just 1% of the overall Local Housing Need and 3% of the proposed allocations, and is not reliant on any other allocations to come forward itself. Furthermore, the Council have through their evidence base deemed the site a sustainable one, suitable for development. To this end given the level of development proposed in Crawley Down – some 387 dwellings, the proposed development cannot be said to equate to development that has such a significant cumulative impact that it would undermine the plan making process.

6.2.31 The grant of planning permission here would not therefore result in an undesirable precedent being set. Whilst every application should be assessed on its own individual merits, the fact is that the circumstances here are quite unique to this site. The site forms part of a wider area identified as a potential allocation in the Submission Draft Local Plan, and as such is already seen as helping to meet the Council's Local Housing Need. It's well contained in landscape terms, and its well connected to Crawley Down, a highly sustainable settlement.

6.2.32 The documents submitted in support of this application look to demonstrate how the proposed development accords with policy DPA9 of the Submission Draft Local Plan. A summary position is set out in **appendix 1**.

d) Affordable Housing Need

6.2.33 The Strategic Housing Assessment (SHA) Oct 2021 produced to support the Submission Draft Local Plan indicates that the estimated annual need for 470 rented affordable homes and 455 affordable home ownership homes in Mid Sussex District. Together this equates to circa 85% of the annual Local Housing Need as advocated in the Submission Draft Local Plan¹⁶ and 68% of the Local Housing Need proposed under the new standard method set out in the Dec 2024 NPPF¹⁷ Even if one takes into account the fact the Council are proposing an affordable housing policy requirement of 30%, its clear that as not all sites provide affordable housing, the Submission Draft Local Plan will not address the districts affordable housing needs. In order to meet 100% of the affordable requirement the plan would need to deliver a minimum of 2,312dpa¹⁸ over the plan period i.e. more than double that currently planned for, and 71% more than the Local Housing Need calculated under the new standard methodology.

6.2.34 In the context of the above we note that according to table 11 of MSDC Authority Monitoring Report (AMR) (April 2022 – May 2032) (published Dec 2023) the Council have, over the past 9 years only delivered 1,878 affordable homes¹⁹. An average of 208 affordable completions per annum, significantly less than the annual need.

6.2.35 The above would suggest that not only is the affordable housing need acute, but it remains high, with completions falling woefully short of the requirement set out in the SHA.

6.2.36 The above is exacerbated by the ONS affordability ratios published in March 2024. The ratio of median house price to median gross annual workplace-based earnings by local authority district, England and Wales, 1997 to 2023 indicates that the ratio of median house price to median gross annual workplace-based earnings in MSDC has increased significantly over the past 10 years from 9.71 to 12.09²⁰.

¹⁶ $925/1090 \times 100 = 85\%$

¹⁷ $925/1356 \times 100 = 68\%$

¹⁸ $100/40 \times 925 = 2,312.5$

¹⁹

Table 7: Affordable Housing Completions

	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	Cumulative Total
Affordable Housing Completions	221	113	168	97	102	214	245	349	369	1,878

²⁰ ONS House price to workplace-based earnings ratio – March 2024 – table 5c
<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian>

JAA table 1 – Extracts from ONS median house price to median gross annual workplace-based earnings across West Sussex - 1997 to 2023

Authority	2012	2014	2016	2018	2020	2021	2023
Crawley	6.57	7.24	8.10	8.9	9.05	9.03	8.91
Horsham	10.46	12.11	13.09	13.87	12.57	14.17	13.64
Mid Sussex	9.71	11.38	12.61	12.68	12.48	13.5	12.09
Lewes	9.06	9.46	10.03	9.88	11.39	11.82	11.81
Wealden	10.07	11.71	11.45	11.82	11.66	13.70	12.15

6.2.37 The affordability situation in MSDC is thus worsening year on year, and significantly greater than the average for England (8.26), and the South East (10.39).

6.2.38 As set out below, the proposed development will provide for up to 60 affordable dwellings. This is a highly significant material consideration and should carry substantial weight in the context of the NPPF.

6.2.39 As this is an outline application the affordable housing mix and tenure split has yet to be agreed with the Council's housing department. That said, it would, as set out in the DAS, comprise a mix of 1 and 2 bed apartments and 2, 3 and 4 bed houses, providing affordable or social rent and affordable home ownership. These dwellings will be secured through a S106 Agreement, and as the DAS demonstrates will be designed to be tenure blind and distributed throughout the development in clusters of 15 – 25 dwellings.

6.2.40 On the basis of the above the proposed development of the application site would actively assist in addressing the affordable housing requirements of the Council in a real and valuable way. Furthermore, as set out in section 6.18 of this statement it is Wates intention that the nomination rights for the affordable housing units are such that the affordable units are in the first instance made available to people in housing need with appropriate connections to Crawley Down. Thereafter the nomination rights will, if necessary, cascade down to those in need in the neighbouring parishes and then those in need in the rest of the District.

e) Land at Turners Hill Road, Crawley Down - A Sustainable Location for New Development

6.2.41 Paragraph 8 of the NPPF sets out the three dimensions to sustainable development: economic, social, and environmental. Paragraph 9 of the NPPF advises that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in the Framework; *'they are not criteria against which every decision can or should be judged'* it continues: *'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.'* Having regard to the advice in the NPPF it should be noted that: -

i) The Economic Role

6.2.42 The application site is not located within a National Park, a National Landscape or area of Area of High Landscape Value, nor is it located within a conservation area, or proposing development within flood zones 2 and 3. Rather it is situated close to Crawley Down (see below), in an area unfettered by any policy designations.

6.2.43 The application site would thus constitute the right type of land, in the right place at the right time to support growth. In addition, the proposed development would result in the creation of both construction jobs and additional indirect and induced construction-related jobs during the build period. The Socio-Economic Benefits infographic prepared by Icini and enclosed at **appendix 2** provides an overview of the socio-economic benefits that could be delivered from the development. This includes:

- a) Construction Phase:
 £39m Construction Value
 127 Direct Jobs (per annum)
 43 Indirect / Induced Jobs (per annum)
 £78m Total Gross Value Added (over build period)
 Apprenticeships, Training and Local Supply Chain Opportunities
 and
 S106 contributions towards social infrastructure
- b) Operational Phase
 £6.4m Total Residential Spend (per annum)
 £1.4m First Occupation Expenditure
 232 Economically Active Residents
 £9.3m Resident Income (per annum)
 £448k Council Tax (per annum)
 £413k New Homes Bonus (per qualifying year)
 Stamp Duty Land Tax
- c) Wider Benefits including:
 Significant contribution towards meeting housing needs and economic growth (particularly affordable housing), which best serves the needs of the local community

6.2.44 Given the above it is considered that the proposed development satisfies the economic dimension of sustainable development.

ii) Social Role

6.2.45 The provision of up to 200 new dwellings will make a contribution to the Districts housing land supply and will help meet the identified need, particularly in respect of affordable homes (up to 60 dwellings) in a significant way. In addition, the range of house types proposed will help to meet the needs of present and future generations.

6.2.46 The proposed development, in providing over 14ha of land to be used for formal as well as informal recreational areas, children's play areas, allotments (if required) and community orchards, will actively help address the recreational needs of the area.

6.2.47 In addition to the above, the proposed development also provides an opportunity to expand/consolidate/introduce new services and infrastructure, through S106 contributions towards transport improvements, library services, community facilities etc.

6.2.48 In accordance with para 8 of the NPPF the application site will be accessible to local services that reflect the community's needs and will support the existing and future communities' health, social and cultural well-being. The NPPF seeks to promote a strong vibrant and healthy community by providing the supply of housing required to meet the needs of present and future generations, and by creating a high quality built environment, with accessible local services that reflect the community's needs and supports its health, social and cultural wellbeing. It can be considered that the proposed development satisfies the social dimension of sustainable development.

iii) Environmental Role

6.2.49 The proposed development is on land that is free from any national environmental designations, i.e. Area of Outstanding Natural Beauty or National Park. Albeit we note that the far south eastern corner of the site falls within the 7km zone of influence of the Ashdown Forest SPA/SAC and the High Weald National Landscape is located approximately 1.5km to the south of the site.

6.2.50 In the context of the above it is acknowledged that there is an overriding need to ensure that the intrinsic character and beauty of the countryside is recognised, and that development should contribute to protecting and enhancing the natural, built, and historic environment.

6.2.51 In accordance with para 8 of the NPPF the proposed development provides an opportunity to enhance and actively increase the biodiversity on the site. As set out in the LVA and AIR, the proposed development has been designed to ensure the majority of the existing landscape features are retained and incorporated within the development; and where existing features are lost, their loss will be mitigated by substantial new tree planting, reinforcing the site's landscape character. In addition, as set out in the Ecological Impact Assessment the large swaths of informal open space, and community orchard, along with the proposed SuDS features and ecological enhancement works will ensure BNG in excess of 10%, whilst the Shadow HRA has concluded that, in view of the fact the site falls partly within the 7km zone of the Ashdown Forest SPA/SAC and in light of the designations' conservation objectives, following the implementation of mitigation measures (in the form of alternative greenspace provision and contributions to SAMM), the proposed development would have no effect on the integrity of the Ashdown Forest SPA/SAC either alone or in-combination with other plans and project.

6.2.52 In addition, the proposed development will look to make the most efficient use of the site, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change. The Energy Statement explains how significant improvements above Building Regulations are proposed in this instance to reduce energy demand and CO2 emissions thus helping to address the council's climate emergency.

- 6.2.53 Given the above it is considered that the proposed development satisfies the environmental dimension of sustainable development.
- 6.2.54 It is also noteworthy that the application site is located immediately adjacent to the built confines of Crawley Down and is identified as a proposed allocation in the Submission Draft Local Plan, which demonstrates that MSDC recognise that the site is situated in a sustainable location for development, thus satisfying relevant national and local policy on this matter.
- 6.2.55 As set out in the Transport Assessment, the application site is located within reasonable walking and cycling distance of a range of facilities in Crawley Down. In addition, there is access to existing bus stops within easy walking distance that provide regular services to Haywards Heath, Burgess Hill, Three Bridges, and Crawley, as well as East Grinstead, Lingfield and Tunbridge Wells; and easy access to Three Bridges, Crawley, and East Grinstead train station which provide regular services to East Croydon, Clapham Junction and London as well as Haywards Heath, Burgess Hill and Brighton.
- 6.2.56 Table 4.2 of the TA provides a summary of the local facilities, amenities, educational and employment opportunities accessible within a comfortable or reasonable walking and cycling distance of the site.
- 6.2.57 Given the above we consider the application site is ideally situated to accommodate further growth in a sustainable manner as defined by para 8 of the NPPF.
- 6.2.58 Thus, the presumption in favour of sustainable development applies and consideration needs to be given to the application in the context of paragraph 11 of the NPPF i.e. it should only be refused if any adverse impacts would significantly and demonstrably outweigh the benefits of the development, when assessed against the NPPF as a whole, or specific NPPF policies indicate development should be restricted.

f) A summary of the Social, Economic and Environmental Benefits Generated by the Proposed Development

- 6.2.59 We believe there are a number of material planning benefits generated by the proposed development, as set out below:

Table 6.5 – Social, Economic and Environmental Benefits Generated by the Proposed Development

	Benefit	Type
1	Provision of up to 200 market dwellings	Social/Economic
2	Provision of up to 60 affordable dwellings (30%)	Social
3	An appropriate dwelling mix.	Social
4	Provision of 0.13ha of formal play space together with potential for allotments	Social/Environmental
5	Provision of over 13.5ha of publicly accessible incidental open space/ amenity space/ natural and semi natural space	Social/Environmental

6	Developing in a highly sustainable location	Social/Environmental/ Economic
7	Avoiding designated landscapes such as the High Weald National Landscape and South Downs National Park	Environmental
8	Landscape enhancement with new tree and hedgerow planting	Environmental
9	Avoiding impacts on protected areas/ species & ecological enhancements resulting in a BNG of 10% (+)	Environmental
10	Improved pedestrian, and cycle links between the site and the wider area	Environmental
11	Enhanced bus services between the site and the wider area	Economic/ Environmental and Social
12	Contributions towards off site highway works, including works to the Worth Way and traffic calming of Turners Hill Road	Economic/ Environmental and Social
13	Contributions towards improvements to existing community and sports facilities	Social
14	Managed positive surface water drainage strategy	Environmental
15	No harm to local heritage assets	Environmental
16	Provision of energy efficient homes exceeding current policy requirements	Environmental
17	In accordance with spatial strategy of the Reg 19 Submission Draft Local Plan – especially policy DPA9	Social/Economic/Environmental
18	Short-term economic benefits from construction	Economic
19	Long-term economic benefits from new residents spending in the local area, S106, New Homes Bonus and Council Tax revenues	Economic/ Social

6.2.60 Cumulatively the proposed development will deliver and provide significant benefits which demand very substantial weight.

g) Deliverability

6.2.61 There are, as will be set out later in this statement, no impediments to development on this site. Furthermore, despite the scale of development proposed on this site, there are no significant advanced infrastructure requirements. On this basis and as the site is already under contract to the applicants, it is anticipated the development of this site will start as soon as is practically possible after the grant of planning permission.

6.2.62 To this end it should be noted that if consent is granted locally in summer 2025 first occupations of the proposed dwellings would be expected in winter 2027, and the development could be completed by the winter of 2031, dependent on market conditions.

6.2.63 Given the above we consider a realistic trajectory to be as follows:

26/27	27/28	28/29	29/30	30/31	31/32	Total
5	50	50	50	45		200

6.2.64 The above reflects the position promoted by the Council in Appendix 6 of the Council's Housing Supply and Trajectory Topic Paper July 2024 (Trajectory of Proposed District Plan Allocations) produced in support of the Submission Local Plan, which shows the application site delivering in the next five years.

6.2.65 The site is available for development, is suitable for development, and can start to deliver new homes for local residents within the next 5 years. The development of this site would in our opinion meet the tests of deliverability set out in the NPPF and would contribute towards the overall housing land supply.

h) Conclusions on the Issue of the Principle of Development update

6.2.66 The development of the application site for residential purposes would not, given the need to provide for additional housing land in accordance with the requirements of the NPPF, prejudice the aims and objectives of Policies DP4 and DP12 of the District Plan. As set out above the weight to be attributed to these policies is now limited in the light of the five year housing land supply situation. Furthermore, in the light of the fact that the Council cannot demonstrate a five year housing land supply, paragraph 11d of the NPPF is engaged and the tilted balance applies.

6.2.67 The application site is located on the edge of Crawley Down, which is defined in the Settlement Hierarchy Review as a category 2 settlement, as a rural service centre i.e. a Local Service Centres providing key services and serving the wider hinterland and benefiting from a good range of services and facilities, including employment opportunities and access to public transport.

6.2.68 The proposed development also complies with the aims and objectives of policy DPA9 of the Submission Draft Local Plan.

6.2.69 In determining this application, the Council should do what the government encourages where there is a 5 year housing land supply deficit - look at sustainable sites and apply the tilted balance. In doing so and approving this application they would be facilitating delivery in accordance with the Councils Housing Supply and Trajectory Topic Paper July 2024 produced in support of the Submission Draft Local Plan.

6.2.70 In this context, the benefits of the proposed development are, as set out in this statement, substantial and far outweigh the limited harm the development may cause.

6.2.71 The development proposals meet the three overarching objectives of sustainable development as set out in paragraph 8 of the NPPF. Prospective occupiers would help to support the range of local facilities and services in Crawley Down including public transport and would contribute to the vitality of the locality and social cohesion. The development itself would also provide short term construction jobs – economic benefits. There would also be benefits from S106 contributions, and the new Homes Bonus, that should be acknowledged in the planning balance.

6.2.72 As well as being an acceptable 'sustainable' location, the development would provide a relevant and valuable contribution to the Council's five year housing land supply.

6.2.73 The sites suitability for development and the associated principle of the site's development is thus established and there is no justifiable reason to oppose the release of this site.

6.3 The Nature of the Residential Accommodation

i The Unit Mix

6.3.1 The proposed development provides for up to 200 dwellings and would encompass a mix of 1 and 2 bed maisonettes and 2, 3, 4 and 5 bed houses; 30% of which would be affordable and 2% of which would be self and custom build plots. Thus, the proposed development looks to provide for a range of different house types, sizes and tenures so as to reflect the character of the area, the aims and objectives of policies DP30 and DP31 of the Adopted District Plan and policies DPH6, DPH7 and DPH8 of the Submission Draft Local Plan

6.3.2 In the context of the above we note that policy CDNP05 of the Crawley Down Neighbourhood Plan advises that larger developments (6 dwellings or more) should provide a mix of dwelling sizes (market and affordable) that fall within the following ranges:

Market Housing At least 75% 2-3 bedroom houses and up to 25% other sizes

Affordable Housing At least 80% 2-3 bedroom houses and Up to 20% other sizes¹³

6.3.3 As the above does not reflect the position advocated in the latest SHMA (2021) upon which policy DPH7 of the Submission Draft Local Plan is based, which promotes a more varied mix within both market and affordable housing to reflect market demand and affordability issues, as set out below, we feel it should be given limited weight.

	1 Bed/ 2 person	2 Bed / 4 person	3 Bed / 5 person	4 Bed (+) / 6 person
Market Housing	5 - 10%	20 - 25%	40 - 45%	25 - 30%
Affordable Ownership	10- 15%	50 – 55%	25 – 30%	5 – 10%
Affordable Rent	30- 35%	40 – 45%	15 – 20%	5 – 10%

6.3.4 Furthermore, as set out in the DAS, the affordable housing units will be designed to be tenure blind and will be distributed throughout the proposed development.

6.3.5 In addition, all houses will be designed to be M4(2) compliant, and 4% of the affordable dwellings will be designed to be M4(3)(2)(b), with 5% of the market dwellings designed to be M4(3)(2)(a) compliant in accordance with policy DPH12 of the Submission Draft Local Plan.

ii The Density of Development

6.3.6 The proposed development will result in the provision of 200 dwellings on a site of circa 20.05 ha i.e. a density of 9.97dph. As however 13.92ha is set aside for green infrastructure, and 0.19ha encompasses highway land/highways, the net residential area is only circa 5.94ha. 200 dwellings on an area of circa 5.94ha would generate a density of 33.67dph net. Whilst neither the Adopted District Plan nor Submission Draft Local Plan contain policies related to the density of new development, other than in conservation areas, the above reflects the desire in the NPPF to optimise the use of land whilst preserving the character and appearance of the surrounding area, policy CDNP05 of the CDNP being of limited weight given its age.

6.4 The Form, Layout and Design of Development

6.4.1 The form, layout and design of the proposed development has, as set out in the Design and Access Statement (DAS) been predicated on a detailed understanding of the whole of the site and its surroundings and adherence to the draft site allocation policy DPA9. This has led to an appreciation of the site wide constraints, which as summarised in the DAS include:

- i. The sites topography and its ridgeline features.
- ii. The various hedgerows, trees and woodland that lie within and adjacent to the site, including the areas of Ancient Woodland and its associated buffer zones, and the veteran trees and their buffer zones.
- iii. The surrounding highway network and proposed means of access to the site and adjacent land.
- iv. The location of the formal PRoW that traverses the site and the PRoW that abut the site.
- v. The important existing ecological features present including areas of grassland, hedgerows, veteran trees and woodland.
- vi. The wildlife that exists on site including roosting, foraging and commuting Bats, Grass Snakes, Badgers, Great Crested Newt, and Birds
- vii. Visually sensitive areas and viewing corridors into and out of the site.
- viii. The setting of local heritage assets.
- ix. Areas of surface water flood risk.
- x. Existing low voltage overhead lines.
- xi. Existing foul water sewer crossing the site and associated easement.
- xii. The location and orientation of adjacent properties

6.4.2 The DAS explains the design evolution having regard to the above and the design policy approach advocated in the Adopted Development Plan as well as supporting Supplementary Planning Guidance and the Reg 19 Submission Draft Local Plan. To this end it reviews the sites connectivity and undertakes a detailed character assessment of Crawley Down to establish its historic evolution, what makes the area unique, and how this can be reflected in the design proposals for the application site. This assessment concludes that the following lessons are key for the design and planning of the application site:

- *Respect for Historical and Architectural Context:*
Crawley Down's architectural style is a blend of Victorian, Edwardian, and mid-20th-century housing. The traditional design, evident in buildings such as those along Bowers Place and the large manor houses like The Grange, gives the village a sense of historical depth. Land west of Turners Hill Road should complement these existing architectural styles by considering the scale, materials, and façade treatments, ensuring new homes sit comfortably within the existing village fabric.
- *Maintaining Village Scale and Density:*
Crawley Down's village character is defined by its organic, low-density layout. Land west of Turners Hill Road should aim to reflect this informal settlement pattern, avoiding overly dense or urban-style housing layouts that could disrupt the village's intimate and rural feel. The use of varied plot sizes, irregular street patterns, and green buffers will help maintain the village's charm.
- *Integration with the Landscape:*
The pastoral quality of Crawley Down's surroundings, with its rolling fields, woodlands, and hedgerows, is central to the village's identity. Land west of Turners Hill Road and south of Huntsland should enhance this relationship with the countryside by preserving natural features such as existing hedgerows and mature trees, creating green corridors, and ensuring views of the surrounding landscape are maintained. Landscaping should blend new planting with the existing environment, using native species where possible.
- *Sustainable and Sensitive Growth:*
As a growing village, it is crucial that new developments balance the need for housing with sustainability. In Crawley Down, the Worth Way linear park serves as an important wildlife corridor and recreational space. Lessons from this green infrastructure suggest that Land west of Turners Hill Road and south of Huntsland should integrate sustainable travel options, such as footpaths and cycle routes, and protect local biodiversity by providing habitats that connect with surrounding wildlife networks.
- *Community-Centred Design:*
Crawley Down's sense of community is bolstered by its village centre, green spaces, and local facilities such as the Haven Sports field. Land west of Turners Hill Road should encourage community interaction by including well designed public spaces, local amenities, and community facilities. Integrating these features within easy walking distances and ensuring they are accessible to all residents so as to foster a strong, cohesive community spirit.'

6.4.3 The DAS character assessment concludes that: 'By learning from Crawley Down's historical development and relationship with the surrounding landscape, any new design for the land west of Turners Hill Road can enhance the village's character, promote sustainability, and contribute positively to its ongoing evolution'

- 6.4.4 Having established the site constraints, undertaken the character assessment and noted the issues arising from public consultation and discussions with key stakeholders including statutory providers, the Parish Council and officers of the District Council through the pre application process; the DAS sets out a vision for the site: '*A thoughtfully designed extension to Crawley Down that integrates seamlessly with the village and its surrounding landscape.*' This the DAS explains will provide an inclusive and sustainable community based on the principles of 20-minute neighbourhoods and reinforce Crawley Down's village character by featuring a network of connected neighbourhoods set within a spectacular pastoral setting, framed by woodland and offering views of the surrounding countryside. It also advises that the study area vision seeks to reflect Crawley Down's organic settlement pattern and semi-rural charm by blending traditional and contemporary architectural styles, adhering to prevailing densities with informal street patterns, and preserving key natural features. To this end the masterplan aims to deliver high-quality homes that integrate seamlessly with the village's built fabric and surrounding countryside, while prioritising sustainable living and fostering a sense of community through the provision of new spaces, including St Leonards Lookout on the land to the north of Huntsland.
- 6.4.5 The key themes to delivering this are seen to be:
1. Reflecting Crawley Down's architectural character
 2. Maintaining a rural village scale and layout
 3. Integration with the landscape
 4. Supporting sustainability and active lifestyles
 5. Fostering community and a sense of place
- 6.4.6 These key themes are explored further through design principles which are considered to be the key organising principles for the comprehensive masterplanning of the study area including the land south of Huntsland. These include:
- 1 Retaining and enhancing existing landscape features to help form a green infrastructure network
 - 2 Maintaining public rights of way within green landscape corridors
 - 3 Creating landscape buffers to mitigate views
 - 4 Creating a significant amount of countryside open space
 - 5 Creating a comprehensive green infrastructure network
 - 6 Creating a network of safe and attractive streets
 - 7 Creating a comprehensive network of footpaths and cycle routes, including a trim trail
 - 8 Creating a new community heart
- 6.4.7 Having established the key themes and design principles the DAS arrives at an illustrative (comprehensive) masterplan for the whole of the study area, before focusing in on the application site.
- 6.4.8 Thereafter the DAS explains that to support the delivery of high quality environments at the reserved matters stages, a set of design instructions / principles to guide the design approach, supporting character and layout have been put forward. This starts with the parameter plans which look to address land use, density, building heights, access and movement, and landscape; and then through the DAS goes on to consider the issue of liability, residential street 'character', and overarching urban design principles having regard to block structure, apartment design, tenure

layout and design inclusivity, street trees, permeability, building design, the treatment of the public realm and parking. The DAS then looks at the three different character area proposed within the site – the Village Avenue, Village Lanes and Green Lanes, and sets out the design principles to be followed in each having regard to building typologies, building heights, building density, building lines, materials and colour, street design, boundary treatments and setbacks, the planting strategy and parking arrangements. The overall approach being to deliver a mix of new homes that are of an exemplar house design, which encompasses smart adaptable homes that are climate resilient and use sustainable materials; to enhance active travel options and encourage low carbon transport and infrastructure; to improve biodiversity, and address flood risk and surface water drainage.

6.4.9 Overall the DAS demonstrates that the development of the land west of Turners Hill Road and South of Huntsland can be accommodated on the site in a way which delivers a high quality development respectful of Crawley Downs character and landscape setting, whilst also promoting enhanced sustainability.

6.4.10 Given the above the proposed development would in our opinion accord with the aims and objectives of policy DP26 of the Adopted District Plan, the MSDC Design Guide SPD, Policy CDNP05 (where still relevant) of the Crawley Down Neighbourhood Plan, and policy DPB1 of the Submission Draft Local Plan.

6.5 Landscape and Amenity Space

6.5.1 The proposed development looks to deliver significant areas of amenity space, which as set out below will exceed that required by the Councils Development Infrastructure and Contributions SPD (October 2019) and the updated requirements set out at appendix 5 of the Submission Draft Local Plan (December 2023).

Typology of Open Space	Quantity Standard (ha per 1000 pop) ²¹	Quantity Standard Required	Illustrative On Site Provision
Natural and Semi-Natural	0.0018 Ha/ 18sqm per person	0.864 Ha	2.88 Ha
Amenity Green Space (including green corridors)	0.0008 Ha / 8sqm per person	0.384 Ha	1.37 Ha
Parks and Gardens/ Countryside Open Space	0.0008 Ha / 8sqm per person	0.384 Ha	9.39 Ha ²²
Play Facilities including:			
Fixed play areas with LAP and LEAP facilities	0.00025 Ha /2.5 sqm per person	0.12 Ha	0.13 Ha

²¹ See table 3 of appendix 5 of Submission Draft Local Plan

NB Assumes an average occupancy rate of 2.4 per household so 200 dwellings = 480 residents

²² NB of allotments are not provided this will increase to 9.54ha

NEAPs and play destination facilities	0.00025 Ha /2.5 sqm per person	0.12 Ha	Off site on land North or Huntsland
Outdoor Sports	0.0016 Ha /16 sqm per person	0.76 Ha	Off Site Financial Contribution
Allotments	0.0003 ha/ 0.3sqm per person	0.144 Ha	0.15
TOTAL		4.67 Ha	13.92 Ha

6.5.2 Overall, the land set aside for formal and informal recreational open space, encompasses 69% of the overall site area and is over 300% more than the policy requirement. It has the ability to provide for the following types of play:

- Inclusive / Accessible Play;
- Adventurous Play;
- Sensory Play;
- Imaginative Play; and
- Social Play.

6.5.3 In addition to the above, the proposed development provides for private amenity space for each of the proposed new houses which is comparable to that found elsewhere within the locality, and the proposed maisonettes /apartments will all benefit from their own private balconies / ground floor terraces thus creating their own private amenity space.

6.5.4 The proposed arrangements for the maintenance and management of the areas of amenity space would be addressed by a Landscape & Ecology Management Plan (LEMP) that can be a condition of any planning consent, and through the draft Heads of Terms of the S106. The outline strategy is that a Management Company will be responsible for the management of the common areas beyond the ownership boundaries of individual properties; this will be funded via a Commuted Maintenance Sum, financed by an annual maintenance charge on each residential property.

6.5.5 Allied to the proposed landscape and open space strategy are the proposed enhancement of the PRoW that traverse the site and the introduction of new routes which will enhance local residents access to the site and surrounding area.

6.5.6 Given the above we believe the proposed development would provide future residents with more than sufficient amenity space to meet their needs and therefore accords with the aims and objectives of the Councils Development Infrastructure and Contributions SPD (October 2019) and the updated requirements set out at appendix 5 of the Submission Draft Local Plan (December 2023).

6.5.7 In the context of the above whilst policy DPA9 also suggests the site provides outdoor sports provision, it acknowledges that this is subject to further discussions regarding the overall provision within the settlement, as referenced in the IDP; and as set out in section 4 above it is proposed to provide for contributions towards improving existing facilities within Crawley Down rather than look to introduce new competing facilities on

site. The nature, extent and location of the proposed facilities has yet to be agreed, but as set out in section 6.18 below, could include

- New Cricket Pavilion on Sandy Lane with facilities for ladies teams.
- The enhancement of the facilities at the King George V Recreation Ground.
- Improvement to the Haven Centre and its sports facilities.

6.6 The Potential Landscape and Visual Effects of the Proposed Development on the Area

6.6.1 The Landscape and Visual Appraisal (LVA) prepared by SLR is based upon a desk top assessment of all relevant character assessments, maps and policies, several site assessments carried out since May 2019, during both the winter and summer months, and a computer-generated Zone of Theoretical Visibility (ZTV) which has assisted in determining the potential landscape and visual effects of the proposed development. In this context the LVA explains that the proposed masterplan has been prepared with regular guidance and input from SLR on landscape and visual matters, and that the assessment assumes that the baseline for the site remains the site in its existing condition i.e. the fact the site is a draft allocation for residential development has not been factored in (other than considering the Council's own assessment of its capacity to accommodate change). Thus, the LVA represents a worst-case scenario.

6.6.2 In terms of its planning policy context the LVA explains that the site is not located within any national, landscape or landscape-related designations; rather it falls within the countryside west of Crawley Down, and is not allocated for development within the current Local Plan but forms part of a wider area allocated as a housing site within the Submission Draft Local Plan for 350 dwellings under draft policy DPA9. It goes on to note that public footpaths run adjacent to the sites northern and western boundaries and connect to the surrounding PRoW network; and that a long distance route and Country Park (Worth Way) is located to the south of the sit, and that there are areas of Ancient Woodland within the site and on its boundaries.

6.6.3 The LVA goes on to advise that the High Weald National Landscape is located approximately 1.5km to the south and south-west of the site; and that whilst views to the site are possible from the ridge forming the National Landscape's northern boundary, there is no visibility to the site (or the proposed development) from within the designated landscape itself. The LVA also advises that the site would not affect physical or ecological connections to this National Landscape and that the site does not form part of the setting of this National Landscape.

6.6.4 In terms of landscape designations, the LVA explains that at a national level the site has been classified as forming part of NCA 122, High Weald; and that both West Sussex County Council and Mid Sussex District Council also identify the site as being within the High Weald – the largest of the character areas extending across the district. The LVA also explains that Mid-Sussex District Council have carried out a Landscape Capacity Study for the district and that this has identified the site as falling within the Crawley Down Northern Fringes – an area with a medium capacity for change. It also highlights the fact that in allocating the site in the Submission Draft Local Plan for 350 houses, the Council have identified the key landscape sensitivities (which align with the findings of the

Capacity Study) within its draft policy wording. Furthermore, the LVA advises that the relevant land management guidelines for the High Weald have been adhered to when progressing the proposal alongside the draft policy for site allocation DPA9.

- 6.6.5 The LVA also acknowledges that the Mid Sussex District Council (Regulation 19) Sustainability Appraisal (November 2023) in considering the landscape impact of Policy Option DPA9 states: *'A minor negative effect would be likely to remain in relation to natural resources (SA Objective 6) owing to the loss of undeveloped land as a result of the development'*.
- 6.6.6 In addition, the LVA highlights the fact that in selecting sites for housing Mid Sussex District Council has prepared Site Selection Paper 3 – Housing Appendix B Housing Site Proformas. This identifies the site as falling within Site ID 688, and states that landscape is a neutral planning constraint, with trees being a negative planning constraint with reference to the ancient woodland areas within and along the site's boundaries. It acknowledges that mitigation is required and that the size of site ID 688 enables affected areas to be avoided.
- 6.6.7 Having regard to the above the LVA advises that an assessment of the sites landscape value has concluded that the application site and its immediate setting is of Community / Local Authority value due to those features within and adjacent to it which are valued by Mid-Sussex District Council in their landscape capacity study and in drafting the allocation for the site. The site is not considered to form part of the setting of the High Weald National Landscape (which lies 1.5km to the south); and is not considered a valued landscape in the sense of paragraph 187(a) of the NPPF.
- 6.6.8 Within the context of the above, the LVA acknowledges that whilst the introduction of built form on a green field site will always result in negative landscape effects; the landscape effects resulting from the proposed development would be highly localised as the proposed built form would be located in areas outside of buffers to valued features within and adjacent to the site. Furthermore, the provision of Countryside Open Space would the LVA advises ensure the extended settlement edge is successfully integrated into the Crawley Down Northern Fringe, whilst the new built form will be enclosed by well-established vegetation.
- 6.6.9 That said the LVA indicates that there would be major/ moderate and negative effects on the fields which form the application site, and moderate and negative landscape effects for the aesthetic and perceptual aspect of a simple still landscape. All other effects on landscape receptors would the LVA concludes be moderate/ minor and negative at most. It also concludes that there would be no effects on the High Weald National Landscape.
- 6.6.10 In terms of visual impacts, the LVA explains that the visual assessment considers all of the visual receptor groups that have potential to obtain views of the proposed development, including those that are not publicly accessible, albeit for these views no representative photography was obtained. The LVA goes on to advise that 14 viewpoint locations were visited and photographed to represent the range of views and receptors likely to be affected by the proposed development.

- 6.6.11 As with landscape impacts the LVA advises that whilst the introduction of built form in a green field is likely to result in negative visual effects, the appraisal found that visual effects of the proposed development would be highly localised and primarily limited to the site's immediate context (see viewpoints 1-12 in the LVA), due to the site and its immediate context being largely enclosed by the site's mature boundaries and the wooded undulating landscape to the west of Turners Hill.
- 6.6.12 Within the context of the above the LVA advises that whilst walkers using the footpath connecting Turners Hill Road to the Worth Way will see a Major and Negative effect for a short stretch of the route where adjacent to the boundary of Field 6, these effects will be reduced in time to Major/Moderate by the introduction of native planting along the site's south eastern boundary. Similarly, whilst Major/Moderate and Negative effects are identified for residents at Wallage Lodge (view 6), the LVA indicates that the visual effects would reduce to Moderate and Negative by Year 15 as the proposed native planting within the Countryside Open Space would mature to soften views of the proposed dwellings.
- 6.6.13 The LVA goes on to advise that from further afield, views of the proposed development would be predominantly screened by the combination of the landscape's well-established vegetation and undulating landform; and that there would no visual effects experienced from either the High Weald National Landscape or any other designated landscape.
- 6.6.14 In terms of coalescence the LVA concludes that the landscape and visual appraisal demonstrates that the proposals will retain the undulating wooded character of the landscape which separates and defines the settlements and that there will be limited visual effects which would reduce the sense of separation between the built up areas. It goes on to advise that when travelling between the built up areas the sense of leaving one place and arriving at another will not be affected by the proposed development, such that overall, the proposed development will not contribute to the coalescence of the settlements listed in policy CDNP 08 and has the ability to accord with policy DPC2 of the Submission Draft Local Plan.
- 6.6.15 The LVA concludes:
'This Landscape and Visual Appraisal concludes that land West of Turners Hill Road does have the ability to accommodate the proposed change without any residual negative effects which would be deemed important in planning terms. The provision of buffers to existing valued landscape features and the introduction of the Countryside Open Space ensures that the new housing will be successfully integrated into the countryside and that any landscape and visual effects above moderate will be reduced in the long term.
The scheme proposals have the ability to comply with planning policy at a National, Local and Neighbourhood level by presenting an attractive extension to Crawley Down which is well designed and reflects the distinctive character of the village within its High Weald setting.
The scheme proposals have the ability to respond to the objectives of the 2024 NPPF and policies within the adopted Mid Sussex District Plan, Crawley Down Neighbourhood Plan and Submission Draft (Regulation 19) of the emerging Mid Sussex District Plan 2021-2039, in particular DPC1: Protection and Enhancement of the Countryside. Landscape features which are valued by the local community and by Mid Sussex District

Council through their own Landscape Capacity Study and draft allocation wording will be respected and celebrated through the provision of new public open space areas which will offer a range of benefits to existing and future residents and allow for a greater appreciation of, and access to, the countryside which forms the village's setting'

6.6.16 Given the above, the proposed development would in our opinion accord with the aims and objectives of policies DP12, 13, 16, and 22 of the Adopted District Plan, Policy CDNP08 and Proposal 03 of the Crawley Down Neighbourhood Plan, and policies DPN3, DPC1, DPC2 and DPC4 of the Submission Draft Local Plan.

6.7 The Effect of the Proposed Development on Trees and Hedgerows

6.7.1 The Arboricultural Implications Report (AIR) prepared by Simon Jones Associates describes the tree surveys undertaken on the application site in accordance with the requirements of BS 5837:2012: Trees in Relation to Design, Demolition and Construction – Recommendations.

6.7.2 It indicates that there are a total of 706 individual trees, 36 groups of trees, 7 hedges/hedgerows and 8 areas of woodland growing within or adjacent to the study area. The surveyed trees and tree groups are shown on the Tree Survey Schedule (TSS) and Tree Protection plan (TPP) at appendix 2 of the SJA tree report.

6.7.3 Of the 706 individual trees, there are 5 category 'A' trees (nos. 1068, 3583, 4720, 5369 and 6023) and 179 category 'B' specimens. The remaining 472 trees are assessed as category 'C' trees, being either of low quality, very limited merit, only low landscape benefits, no material cultural or conservation value, or only limited or short-term potential; or young trees with trunk diameters below 150mm; or a combination of these. Of the 36 groups of trees, hedges, hedgerows and woodlands, 6 have been assessed as category 'A', 7 as category 'B', and the remaining 23 as category 'C'.

6.7.4 In addition to the above the AIR advises that a number of individual trees and groups of trees within or adjacent to the application site are trees of "landscape, historic or wildlife importance." Including

- Front Wood (W1) along the north-eastern boundary of the site;
- Wallage Wood (W4) along the western boundary of the site;
- the large individual oak trees (nos. 858, 1068, 5345 and 5369) within the existing fields; and
- the off-site woodland (W2) growing adjacent to the south boundary along the Worth Way public right of way.

6.7.5 The AIR also explains that whilst none of the trees within the site are covered by a TPO, 8 trees adjacent to the northern boundary are covered by TPO no. 13/0013. And that there are 5 veteran trees on site; tree nos. 1068, 5160, 5164, 5369 and 6023).

6.7.6 The AIR goes on to indicate that 59 individual trees, 4 groups of trees (G1, G2, G4, G10) and 1 hedge (H7) will potentially be removed or partially removed to accommodate the proposed development. None of these are veterans, category A trees or subject to a TPO. Whilst 1 of the trees to be removed is a category B tree (wild cherry no. 4982), the AR explains that

this tree is of a species of small-ultimate size and is of limited quality, such that its loss will not result in any detrimental impact on the site's arboricultural character. The AIR goes on to explain that 50 of the 59 individual trees to be removed are category 'C' i.e. trees of low quality, low value, or short-term potential; such that their removal will have no significant impact on the character or appearance of the area. The remaining 8 trees to be removed being category 'U' trees (nos. 3819, 4769, 5162, 5311, 5325 and 5402), which the AIR explains are unsuitable for retention, irrespective of the proposed development, in that they cannot realistically be retained for longer than 10 years.

- 6.7.7 The AIR also explains that the proposed swales associated with the SuDS strategy, a surface water drain, and a new emergency, cycle and pedestrian link encroach within the ancient woodland and buffer zone of Front Wood (W1), and the buffer zones of two veteran trees (nos. 5160 and 5164); whilst part of a proposed footpath network encroaches within the buffer zone of Wallage Wood (W4). The AIR goes on to explain that the swales that will fall within the ancient woodland buffer zone of Front Wood on the eastern boundary of Field 5, have been shaped so as to avoid encroaching within the RPAs of the individual trees which comprise the woodland's edge. That is, with the exception of one minor incursion within the outer edge of the RPA of one oak tree (no. 5215) which the AIR advises will not result in any significant adverse impacts on this individual. As Natural England's standing advice does not prohibit drainage features within buffer zones, it merely seeks to ensure that their implementation and use do not harm RPAs or alter the water table, and as the proposed swales do not harm any of the RPAs within this area of AW or alter the water table, they are considered to comply with the standing advice. Furthermore, as they have been designed to be as wide and shallow as possible, they have the potential to become a semi-natural habitat that will enhance and protect the ancient woodland; whilst the proposed connections between the swales and the existing ditch will be made as compact and narrow as possible to minimise any potential impacts on the RPAs of trees within the woodlands.
- 6.7.8 Turning to the proposed surface water drain, the AIR explains that the installation of a proposed surface water drain and its potential impacts on irreplaceable habitats is an unavoidable necessity which is part of a broader design strategy to minimise arboricultural impacts on the woodlands, this is discussed in detail in the 'Field 5 Technical Note' prepared by RAMBOLL (reference: 1620011691-014). As set out in the AIR the topography of Field 5 does not allow for the SUDs to outfall to the north and avoid this potential impact. As a result, to avoid all but the very smallest of impacts immediately adjacent to the stream within the woodland, the new drain will be installed via directional drilling at a depth of 2m and at the periphery of the RPAs of any significant trees. In this way the only impact will be where the new drain meets the existing ditch where the new drain will align with the flow of the stream (east to west) and a small headwall type structure constructed using 'bagwork' to avoid a hard concrete structure within the woodland, to be constructed.
- 6.7.9 Likewise the AIR explains that the encroachment by the proposed emergency, cycle and pedestrian link within Front Wood and irreplaceable habitat buffer zones, is located entirely within an existing compacted earth track which is currently used for access between fields 5 and 6; and that

the proposed link will comprise nothing more than the upgrading of the existing track with a porous wearing course constructed entirely above the existing soil level, and will incorporate a cellular confinement system to minimise potential soil compaction (beyond the soil compaction already present). As such, it will have no significant impact on the individual woodland trees and the proposed link will represent little material difference to the current situation.

- 6.7.10 Finally the proposed footpath within the buffer zone of Wallage Wood is, as set out in the AIR required to provide pedestrian access to the existing public right of way located off-site along the west boundary of Field 7. Whilst the exact details of the footpath will be subject to confirmation at the reserved matters stage, it is expected to comprise a lightly loaded, porous surface constructed above soil and with a cellular confinement system base to minimise potential soil compaction. As such, the proposed footpath will not, the AIR advises, result in any significant alteration to the buffer zone's semi-natural habitat.
- 6.7.11 Given the above the AIR concludes that overall, there will be no loss or deterioration of the adjacent ancient woodland.
- 6.7.12 The AIR also explains that the proposed development incorporates considerable replacement tree planting which will mitigate the proposed removals, improve the age class balance of the trees on site, enhance the local landscape, and re-establish a framework for the ongoing and long term wooded character of the site. As a result of the above the AIR concludes that taking account of the numbers, sizes and locations of the trees to be retained, including those that are off-site, the felling of the trees and groups identified for removal will represent no alteration to the main arboricultural features of the site and have very limited impact on the arboricultural character and appearance of the site and local landscape.
- 6.7.13 The AIR also confirms that none of the trees to be retained require pruning to facilitate development; the incursions into the Root Protection Areas of trees to be retained are minor, and subject to implementation of the measures recommended on the Tree Protection Plan no significant or long-term damage to their root systems or rooting environments will occur. In addition none of the proposed dwellings are likely to be shaded by retained trees to the extent that this will interfere with their reasonable use or enjoyment by incoming occupiers, which might otherwise lead to pressure on the Local Planning Authority to permit felling or severe pruning that it could not reasonably resist; and the sizes and dispositions of the proposed private gardens are such that in SJA opinion they will not be unduly shaded and will receive reasonable sunlight and daylight. Their use is thus unlikely to lead to future demands for felling or severe pruning of trees.
- 6.7.14 Overall the AIR concludes that:
- *'As the proposals will retain all the main arboricultural features of the site, its arboricultural attractiveness, history and landscape character and setting will be maintained, thereby complying with Paragraph 130 of the National Planning Policy Framework.*
 - *Whilst some trees are to be removed, there is no duty in planning policy to retain all existing trees in all circumstances. Paragraph 136 of the NPPF states (italics added for emphasis): "**Planning policies and***

decisions should ensure... that existing trees are retained wherever possible"; and thereby recognises circumstances in which it might not be possible to retain every tree. Accordingly, the proposed removal of trees does not mean that this application must thereby be refused; and does not mean it conflicts with Paragraph 131 of the NPPF.

- The proposals do not necessitate the removal of any mature trees of large ultimate size and long-term potential, which make the greatest contribution to carbon sequestration and storage, surface water run-off, biodiversity and landscape and air temperature and cleanliness; for all of which, appropriate space for their retention is provided. Accordingly, insofar as this relates to existing trees, the scheme can be seen to have taken a proactive approach to mitigating climate change and thereby complies with Paragraph 161 of the National Planning Policy Framework.
- The retention of all the main arboricultural features of the site recognises and will maintain the local landscape, its countryside character, and the wider benefits of the existing trees and woodlands, and thereby complies with Paragraph 194 of the NPPF.
- As the proposals will not result in the loss or deterioration of any ancient woodland or any ancient or veteran trees, they comply with paragraph 193 (c) of the NPPF
- As the proposed development will not result in the removal of trees which are of landscape, historic or wildlife importance, it complies with Policy DP37 of the Mid Sussex District Council Local Plan.
- As it adheres to the recommendations of BS5837, respecting trees, woodlands, ancient and veteran trees and hedgerows, affording them appropriate protection, the proposals adhere to Policy DPN4 of the Regulation 19 Draft Local Plan.
- The proposals have had particular regard to the ancient woodlands, and affords them appropriate buffers, provides a woodland buffer to the southern boundary and provides buffers for the protection of hedgerows, they comply with Policy DPA9 of the Regulation 19 Draft Local Plan
- As the proposed development safeguards ancient woodlands and will not result in the removal of trees of arboricultural or amenity value, it complies with Policy CDNP09 of the Crawley Down Neighbourhood Plan 2014-2031.
- On the basis of our assessment, we conclude that the arboricultural impact of this scheme is of low magnitude, as defined according to the categories set out in Table 1 of this report.'

6.8 The Effects of the Proposed Development on the Areas of Ecological Interest/Protected Species

- 6.8.1 Aspect Ecology has carried out an Ecological Appraisal of the proposed development, based on the results of a desktop study, Phase 1 habitat survey and detailed protected species surveys in respect of roosting, foraging and commuting Bats, Badger, Dormouse, Wate Vole and Otter, Reptiles, Amphibians Birds and Invertebrates.
- 6.8.2 The Ecological Appraisal indicates that there are no statutory or non-statutory nature conservation designations present within or adjacent to the site. The nearest statutory designation is Turner's Hill Site of Special

Scientific Interest (SSSI), located approximately 1.7km to the south, and designated for its geological importance. The next nearest statutory nature conservation designation is Hedgecourt SSSI which is located approximately 2.5km to the north-east and designated as an important wetland site.

- 6.8.3 The nearest non-statutory designation to the survey area is Worth Way Country Park cycle route, which is directly adjacent to the southern boundary of the survey area, formed by a disused railway line and designated for its nature conservation interest, although parts of the Worth Way are designated as a Local Wildlife Site (LWS) approximately 1.2km to the east, supporting woodland, scrub and open grassland habitats of importance as semi-natural habitat and a wildlife corridor within an urban environment. The next nearest non-statutory nature conservation designation to the survey area is Lobbs Wood and Furnace Pond LWS, which is located approximately 0.7km north-east of the site.
- 6.8.4 As all these areas are well separated from the survey area, and given the nature and scale of the proposals, the Ecological Appraisal concludes that they are unlikely to be affected by the proposed development.
- 6.8.5 The Ecological Appraisal also indicates that the site lies within 6.8km of the Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA), designated for its wet and dry heaths that support wide assemblages of rare and notable species including nationally important numbers of breeding Nightjar and Dartford Warbler. A separate Report to Inform a Habitats Regulations Assessment advises that a screening exercise has been undertaken to identify whether the proposed development could result in a likely significant effect on European designations, both alone and in-combination with other plans and projects (Stage 1). The screening exercise has concluded that in the absence of mitigation, potential for a likely significant effect is predicted in relation to recreational disturbance at Ashdown Forest SPA/SAC. Therefore, an Appropriate Assessment is required. It goes on to advise that the Appropriate Assessment (Stage 2) has concluded that, in view of the designations' conservation objectives, following the implementation of mitigation measures (in the form of alternative greenspace provision and contributions to SAMM), the proposed development would have no effect on the integrity of the surrounding European designations either alone or in-combination with other plans and projects.
- 6.8.6 The Ecological Appraisal goes on to advise that the Phase 1 habitat survey area is dominated by modified grassland not forming an important ecological feature; and that the features of ecological importance include Ancient Woodland, veteran trees, other lowland mixed deciduous woodland, native hedgerows and lines of trees and offsite ponds.
- 6.8.7 As set out in the Ecological Appraisal there is no loss of Ancient Woodland under the proposals, with all areas of ASNW present within and adjacent to the application boundary being safeguarded through the provision of ancient woodland buffers. Furthermore, whilst residential development is proposed adjacent to the western boundary of W1 and to the north and south of W2, a minimum 15m buffer will be maintained between built development and the woodland edge (in accordance with Policy DP37 under the Adopted District Plan and emerging policy DPN4),

and where practical, housing areas will be designed to face out onto these buffers, providing visual surveillance and avoiding gardens backing onto habitat, preventing issues such as informal garden extensions and flytipping. As set out in the Ecological Appraisal this will be further reinforced by the provision of a hard edge to the built development where practical, in the form of roads or footpaths; with additional planting provided within the buffers to strengthen the woodland edge, and the use of thorny species such as Hawthorn, Blackthorn and Holly to discourage informal access to the woodland. This will, as set out in the Ecological Appraisal, be reinforced where necessary with fencing and signage, albeit the existing watercourse and ditch at the boundary of W1 already forms a natural barrier to the woodland edge.

- 6.8.8 As with the AIR, the Ecological Appraisal explains that an emergency, cycle and pedestrian link is proposed through W2 (forming ASNW), utilising an existing farm access across a raised bund over the watercourse. As set out in the Ecological Appraisal this will be installed using a no-dig approach, with a cellular confinement system laid across the existing track filled with granular fill, permitting water and air flow to the soil; and a post and rail fence erected at the edges to prevent encroachment into the woodland. As such, construction would be limited to the existing trackway, with adjacent trees and associated root protection areas safeguarded, avoiding any impacts on Ancient Woodland trees, flora or soils. Similarly the Ecological Appraisal explains that the drainage strategy will have specific regard to the Ancient Woodlands, with drainage features designed to maintain greenfield runoff rates and good water quality to avoid hydrological effects on the woodlands; and that whilst, in a number of locations, drainage basins and swales are proposed within the ancient woodland buffers, the design of these will ensure that root protection areas are fully maintained and the water table is not negatively affected; with discharge points to the existing watercourse provided at the woodland edge or via directional drilling, thus avoiding any loss of Ancient Woodland habitat
- 6.8.9 The Ecological Appraisal also advises that the majority of other woodlands are unaffected by the proposals, with woodlands W3, W4, W5, W11 and W12 retained in full within open space or at the boundaries of residential areas; and that whilst road access is proposed through W13 linking to Turners Hill Road, entailing a small loss of woodland habitat (approximately 300m²), the route has been designed to minimise loss of larger trees, with vegetation along the route largely comprising young Cherry and Birch trees together with Hazel coppice and Holly undergrowth. Thus, the Ecological Appraisal concludes that the area of loss is of relatively low importance in the context of the wider woodland and noting that the road access is also adjacent to existing development along Turners Hill Road, such that the road will not significantly impact on connectivity between the network of wooded areas.
- 6.8.10 In addition to the above the Ecological Appraisal notes that a pedestrian link is proposed through woodland W8 and at the eastern end of W14. In doing so it advises that the proposed routing minimises loss of larger trees, whilst impacts on adjacent trees and woodland soils will be minimised through use of permeable surfacing. To this end the Ecological Appraisal highlights the fact that new woodland planting will be provided

as part of the landscaping scheme to compensate for any woodland losses.

- 6.8.11 Turning to veteran trees the Ecological Appraisal notes that Veteran trees T30 (5164) and T31 (5160) are located at the edge of Ancient Woodlands W1 and W2, and accordingly will be fully retained and safeguarded through the implementation of woodland buffers; and that whilst these trees are located near to the proposed emergency, cycle and pedestrian link through woodland W2, this will, as outlined above, be designed to avoid impacts on adjacent trees and associated root protection areas, ensuring the veteran trees are safeguarded. This aside the Ecological Appraisal notes that Veteran trees T12 (5369) and T14 (1068) are retained within proposed areas of Countryside Open Space, and full buffers will be maintained from built development in accordance with relevant guidance (at least 15 times larger than the diameter of the tree).
- 6.8.12 Finally the Ecological Appraisal explains that hedgerows and lines of trees have formed a key consideration in the development layout, with these to be largely retained under the proposals. The only sizeable hedgerow loss is along hedgerow H3 where a break is to be provided for road access between the development parcels. Elsewhere, pedestrian accesses will be provided within hedgerows H3, H5 and H7, although these will be designed to utilise existing gaps where practical to minimise losses of vegetation. The Ecological Appraisal also notes that new hedgerow planting will be provided under the landscaping scheme to compensate for any hedgerow losses.
- 6.8.13 The Ecological Appraisal goes on to advise that habitats within the survey area are suitable to support protected and notable fauna including roosting, foraging and commuting bats, Badger, Hedgehog, Great Crested Newt, Grass Snake and birds. The bat assemblage is noted to be of district importances, with individual species, Common Pipistrelle and Soprano Pipistrelle considered to form ecologically important features at the local level. As set out in the Ecological Appraisal trees with roosting potential are mostly retained and where they may be required to be removed appropriate safeguards are recommended. Similarly, the main features of importance for commuting bats are to be maintained, whilst habitat creation and enhancement within the proposed countryside open space should increase the value of these areas for bats; and a sensitive lighting scheme will be implemented to ensure that these areas remain suitable for more light sensitive bat species.
- 6.8.14 Whilst survey results and an evaluation in respect of Badger are set out in a Confidential Appendix to the Ecological Appraisal, the Ecological Appraisal advises that habitat losses arising from the proposals are not considered likely to have significant effects on Badgers.
- 6.8.15 Turning to Great Crested Newts (GCN's), the Ecological Appraisal advises that based on a review of OS mapping and survey work, 8 ponds were identified for survey within 250m of the survey area. These ponds were subject to eDNA surveys during June 2024 to confirm presence or absence of GCN. Two of the ponds, P2 and P5, recorded a positive result from the eDNA testing, indicating presence of GCN. The results were negative from the remaining ponds. The Ecological Appraisal goes on to explain that Ponds P2 and P5 lie offsite and will not be directly affected by

the proposals. However, given the presence of suitable terrestrial habitat within the application boundary and within 250m of these ponds the Ecological Appraisal advises that it is possible that GCN could be present within the survey area; the most suitable terrestrial habitat comprising rank grassland, woodland, hedgerows and scrub, which is largely retained within the proposals as open space. Accordingly, subject to appropriate protection of this habitat during construction and its long-term favourable management, the Ecological Appraisal concludes that the conservation status of the GCN population will be maintained.

6.8.16 The Ecological Appraisal also advises that the reptiles surveys identified a low population of Grass Snakes, and that whilst areas suitable for reptiles can be maintained and enhanced along woodland and hedgerow margins under the proposals, ensuring the population of Grass Snake can be retained, with more diverse grassland and scrub mosaics and new wetland areas proposed as part of the drainage scheme actively benefiting this species, as areas where Grass Snakes have been recorded will be affected by construction works posing the potential risk of injury or disturbance to this species, appropriate safeguards need to be factored into the construction phase of the development.

6.8.17 The Ecological Appraisal also advises that:

- No evidence of Dormouse was recorded during the Phase 1 survey work.
- No evidence of Water Vole was recorded during the Phase 1 survey work.
- No evidence of Otter was recorded during the Phase 1 survey work.
- A total of 38 species of bird were recorded at the site during the breeding bird surveys, of which 26 were considered to be breeding. The remaining 12 species were recorded either flying over, breeding in adjacent habitats, or were represented only by non-breeding individuals. The site thus supports a reasonably diverse assemblage of breeding birds that is entirely typical of the woodland habitats that are present.²³ The vast majority of breeding activity is associated with the woodland, and there is almost no breeding activity in the open fields, with no declining farmland species present. Given the above the Ecological Appraisal advises that whilst the survey area is considered to support a reasonably diverse bird assemblage, the species are largely associated with the woodland areas, with almost no breeding activity in the open fields that would be directly impacted under the proposals, such that the bird assemblage is unlikely to be significantly impacted by the proposed development.
- No evidence of any protected, rare or notable invertebrate species was recorded within the survey area

6.8.18 As set out above, a number of mitigation measures have been proposed to minimise the risk of harm to protected species, with compensatory measures proposed, where appropriate. In addition, ecological

²³ The Ecological Appraisal indicates that the most notable species recorded was Firecrest, with one singing just offsite to the south in April. Firecrest is protected under Schedule 1 of the 1981 Wildlife and Countryside Act (as amended), although it has enjoyed a huge increase in population in southern England in recent years, and is now common in suitable woodland habitat in the Crawley area

enhancements are also proposed, including new tree and hedgerow planting, the introduction of wildflower grassland and flowering lawn meadows, new scrub planting, the introduction of wetland features, the management and enhancement of the existing woodland, and the introduction of bat boxes, bird boxes, habitat piles and refugia, and bee bricks and insect boxes in order to maintain the conservation status of local populations.

6.8.19 Overall the Ecological Appraisal concludes that:
'proposals have sought to minimise impacts and subject to the implementation of appropriate avoidance, mitigation and compensation measures, the proposals will not result in significant harm to biodiversity.'

6.8.20 The separate Biodiversity Net Gain Assessment having measured the habitats that currently exist on site, and that proposed, indicates that the data from the baseline habitat survey work and the proposed habitat enhancement and creation works indicates that the development will result in a circa 10% net gain in habitats units, a circa 10% net gain in hedgerow units and a circa 20% net gain in watercourse units.

Table 4.5. Anticipated change in biodiversity

	Change in Units	% Change
Onsite Habitats	+8.87	+10.58%
Onsite Hedgerows	+1.22	+10.91%
Onsite Watercourses	+1.84	+20.08%

6.8.21 Having regard to the above it is clear that the development proposals will realise significant qualitative enhancements to on-site habitats, providing a mechanism whereby the nature conservation value of the application site can be significantly enhanced in the long term. With reference to faunal species, the recommendations set out within the Ecological Appraisal will fully mitigate potential impacts and will realise significant enhancements to the range of protected and notable species recorded on site or considered to have potential to colonise in future years. This will ensure the Favourable Conservation Status of on-site species is retained and enhanced, ensuring betterment relative to the current situation.

6.8.22 On this basis, the development proposals accord with all legislation and planning policy of relevance to ecology and nature conservation and indeed should be viewed as an opportunity to secure significant ecological enhancements at a wider level.

6.8.23 On the basis of the above, the proposed development would in our opinion accord with the aims and objectives of policies DP17, 37 and 38 of the Adopted District Plan, Policies CDNP09 and 11 of the Crawley Down Neighbourhood Plan, and policies DPN1, DPN2, DPN3 and DPN4 of the Submission Draft Local Plan.

6.9 The Impact of the Proposed Development on the Privacy and Amenity of Adjacent Residents

6.9.1 The proposed development has, as set out in the DAS, been designed to ensure that it does not adversely impact upon the privacy and amenity of the existing residents located in properties adjacent to the site.

6.9.2 In the context of the above, it is fair to say that most of the properties that abut the site are situated quite some distance from the site boundaries and separated by intervening vegetation, such that any impacts will be minimal. To this end we note, as set out below, that the properties proposed along the western side of field 5 are at the narrowest point some 28m from the site boundary and 79m from the flank elevation of Kilnwood; that the most north eastern dwelling shown in field 5 is circa 43m from the boundary and 61m from the rear elevation of 13 The Peasantry; and the most eastern dwelling shown in field 6 is 19m from the boundary and over 80 from the rear elevation of Minors, such that there will be no adverse impact on the privacy and amenity of the occupants of these properties.





6.9.3 Whilst a number of existing properties will abut the proposed countryside open space, especial Huntsland House, Huntsland Barn and Wallage Lodge, the former will be separated from this by some distance, and, as set out in the LVA it is intended to supplement the boundary vegetation near Wallage Lodge to help protect the privacy and amenities of the occupants of this property.

6.9.4 Whilst we also acknowledge that during the construction phase, the proposed development will have an impact upon the amenities of local residents in terms of general noise and disturbance, we can confirm that the applicant is prepared to agree to a condition that prevents any development being carried out except between the hours of 8am and 6pm Monday to Friday and 8am – 1pm on Saturdays, with no construction work taking place on site on Sundays and Public Holidays, and to submit a Construction Environmental Management Plan (CEMP) prior to any development commencing.

6.9.5 On the basis of the above we do not consider that the effects of the proposed development during the construction period or when completed will be adversely detrimental to the privacy and amenity of those living in the surrounding area, and as such consider that the proposed development would accord with the aims and objectives of policy DP26 of the Adopted District Plan, Policy CDNP05 (c) of the Crawley Down Neighbourhood Plan, and policy DPB1 of the Submission Draft Local Plan.

6.10 The Effects of the Proposed Development in Transportation and Highway Terms

6.10.1 The application is accompanied by a detailed Transport Assessment (TA). The TA advises that the NPPF identifies four key transport tests for development, and thereafter assesses the development proposal against these tests:

- a) Will sustainable transport modes be prioritised taking account of the vision for the site, type of development and location?

- 6.10.2 The TA explains that the principle that the application site and wider study area provide a sustainable location for development has been established by their proposed allocation in the Mid Sussex District Plan for residential led development (ref: Policy DPA9). The TA goes on to advise that the study area is well located with many existing connections to Crawley Down, with Turners Hill Road, Sandy Lane and Vicarage Road all featuring continuous footways adjacent to at least one side of the carriageway; and that there are signalised crossings in place on Turners Hill Road, connecting the site location to these continuous footways.
- 6.10.3 The TA also explains that the study area features a number of PRowS, with 33W / 32W Footpath route, known as 'Huntsland', running east-west within the study area, and Footpath 34W running adjacent to the western side of the study area, in a north-south orientation; and the Worth Way bridleway running east-west to the south of the application site boundary.
- 6.10.4 In addition to the above the TA advises that the majority of the roads in the vicinity of the site are residential in nature, wide with noncontinuous traffic and feature 30mph speed limits, such that they will be seen as cyclable by many; and that the Worth Way bridleway also acts as a traffic free cycle route connecting East Grinstead, Crawley Down and Crawley.
- 6.10.5 The TA also indicates that the nearest bus stops are provided on Turners Hill Road south of Grange Road, approximately 600m from the application site; and that further bus stops are located in the north of the village. These provide good services towards key destinations from Monday to Saturday; whilst the closest rail station to the site is Three Bridges, approximately 5km to the west, providing connections to London, Horsham, Haywards Heath, Brighton and Gatwick Airport.
- 6.10.6 The TA also highlights the fact that a comprehensive sustainable transport strategy has been prepared for the study area; and this includes the provision of car clubs in the study area, internal cycle connections, as well as off-site improvements, including surface improvements to rights of way; and that a traffic calming scheme has been developed following feedback from MSDC and also supports Neighbourhood Plan Proposal 02. The TA also explains that the sustainable transport strategy also includes material improvements to local bus services and measures associated with the Framework Travel Plan (see below); and that collectively, these provide an extensive package of improvements that will provide genuine opportunities to secure the use of sustainable transport.
- b) Will safe and suitable access be provided?
- 6.10.7 The TA explains that there are two vehicular accesses proposed to serve the application site. As set out in section 4 above, the first access will be a new priority junction opposite Vicarage Road which will serve up to 150 homes. The second access will take the form of a simple priority junction onto Turners Hill Road, to the south of Huntsland. This access will serve a maximum of 50 homes. The TA also explains that there are no through routes proposed for vehicular traffic between field 5 and the development parcels on fields 4, 6 and 7. However, a pedestrian / cycle /emergency vehicular access will be provided between fields 5 and 6.
- 6.10.8 The TA also explains that both of the proposed accesses have been designed in accordance with appropriate standards, have been subject to

a safety audit, and have been agreed in principle with West Sussex County Council.

6.10.9 In addition, the TA advises that multiple additional pedestrian / cycle routes are proposed, connecting to a network of pedestrian / cycle routes within the application site and wider study area.

c) Will the design be acceptable?

6.10.10 As set out in the TA the reserved matters application(s) will demonstrate that the site can come forward in accordance with design guidance on car parking, cycle parking, electric vehicle charging, street geometry and servicing.

d) Will there be a 'severe' traffic impact

6.10.11 As set out in the TA a detailed Traffic Impact Assessment has been carried out in respect of the local highway network. The scope of this Traffic Impact Assessment has been agreed with West Sussex County Council, and the modelling undertaken has been based upon the delivery of 350 homes across the study area (200 at the application site and 150 and a 65-bed care home at the site immediately north). The results are the TA advises consistent with the modelling in the Mid Sussex Transport Study (MSTS), which forms part of the Submission Draft Local Plan evidence base. As explained in the TA, the models show that whilst some junctions are sensitive to additional traffic, the development proposals will not result in a magnitude of impact that breaches the very high 'severe' bar set by the NPPF. Junction capacity testing which looks at the operation in detail and considers the impact in the context of strategic modelling in the MSTS has been provided to WSCC from an early stage. It is agreed that traffic impacts arising from development will not be 'severe'. The TA also explains that as the local highway network can accommodate the traffic flows of the wider study area, then it follows that the traffic impact of this planning application site in isolation is acceptable.

6.10.12 In addition, the TA explains that the MSTS has developed one mitigation scheme at the five arm Copthorne Way roundabout; and that the improvements there, which incorporate localised widening, will address the traffic impacts of the Local Plan at that junction although development at the application site / wider study area will not trigger the need for mitigation. Nevertheless, the applicant is willing to make a proportionate financial contribution towards mitigation measures at this junction.

6.10.13 Having regard to the above the TA concludes:

'The proposal prioritises sustainable transport. The principle of developing the site has been established by the site's proposed allocation for residential development in the District Plan. An extensive package of off-site highways works aimed at improving access by active and public transport, has been developed and agreed with WSCC.

• Safe and suitable access will be provided through two new accesses on Turners Hill Road. These accord with design standards, will operate acceptably, have been subject to a Stage 1 safety audit and agreed in principle with WSCC.

- *Future reserved matters applications will ensure that the proposals will come forward in accordance with design standards.*

The MSTs includes modelling which has found the local highway network to be capable of accommodating development traffic. Notwithstanding this, a further assessment of the local highway network has been undertaken and does not identify any impacts that would breach the high bar set by the 'severe' test. The traffic analysis has been shared and agreed with WSCC prior to submission of the planning application.

The development proposal is acceptable in highways and transport terms'

- 6.10.14 Given the above it is considered that based on the findings of the TA and in the context of the guidelines within para. 115 of the NPPF, that there are no residual cumulative impacts in terms of highway safety or the operational capacity of the surrounding road network and therefore planning permission should not be withheld on transport grounds. The proposed development effectively accords with the aims and objectives of policies DP21 and DP22 of the Adopted District Plan, Policy CDNP05 (h and k), CDNP10 and Proposal 02 of the Crawley Down Neighbourhood Plan, and policies DPT1, DPT2, DPT 3 and DPT 4 of the Submission Draft Local Plan.

The Framework Travel Plan

- 6.10.15 The Framework Travel Plan (FTP) explains that a TP is a term used for a package of measures aimed at promoting sustainable transport, with the main aim of reducing travel by single occupancy vehicles. It goes on to explain that TPs are site specific and are dependent upon not only the location of the site, but the size and type of development located there. They also require continuous monitoring and refinement in order to be successful.
- 6.10.16 In the context of the above the TP advises that in order to implement the TP, a TP Co-ordinator (TPC) will be appointed by the developer of the site, and that as the TP develops it is likely that the time commitment required from the TPC will vary considerably with periods of limited activity between monitoring periods. As such the Co-ordinator role may be undertaken by an external consultant in order to achieve greater flexibility. The TP also explains that a budget will be allocated for the TPC to implement the TP.
- 6.10.17 The TP measures include:
- a) On Site Infrastructure Measures including providing two car club vehicles within the study area for three years, with three years free membership for new residents of the site.
 - b) Off Site highway improvements including
 - Tactile paving and dropped kerbs at all side roads of Vicarage Road / Turners Hill Road (Glebelands, Sunny Avenue (east and west), Squires Close, Buckley Place and Sunnyhill Close
 - Northwards extension of footway on Wychwood Place as far as shared surface leading to pedestrian / cycle access.

- Dropped kerb / tactile paving crossing on Vicarage Road (already proposed as part of the vehicular access and shown separately in access drawing).
 - Signal controlled crossing on Turners Hill Road.
 - New facilities, including shelters (cantilever for the southbound bus stop) and raised kerbs at bus stops north of the village.
 - An improved type 1 surface along Worth Way between the site and Old Station Close on land owned by WSCC.
 - Widening of the footway on the eastern side of Turners Hill Road south of Grange Road using the overgrown highway verge to the east to ease access to the southern bus stop.
 - Dropped kerb tactile paving crossing to northbound bus stop and across Grange Road at Turners Hill Road junction.
 - Bus shelter, raised kerbs and seating (cantilever for southbound bus stop) south of the village.
 - The introduction of a Traffic calming scheme incorporating visual narrowing's and repeater roundels along Turners Hill Road.
- c) Improvements to the local bus service by way of increased service frequency on service 272 on Saturday evenings and Sundays.
- d) Measures to encourage residents to walk and cycle such as all homes being provided with cycle parking in line with current local parking standards and the Welcome Pack to inform residents of the potential discounts on cycle purchases.
- e) Measures to encourage residents to use public transport such as residents being made aware of public transport routes, facilities and timetables serving the new development and being WSCC's multi-modal journey planning tools.
- f) Measures to encourage residents to car share such as providing residents with information about car sharing via the LiftShare car share website and how to register to join the website; and being made aware of HomeRun; an online app-based platform which facilities and promotes sustainable transport measures to parents of school aged children and advocates a range of travel planning measures within the app to reduce car journeys to school.
- g) The provision of Electric Vehicle Charging facilities for all homes.
- h) A travel voucher worth £150 being provided to the initial occupants of each residential dwelling which can be used for / towards:
- Season ticket for the local bus service.
 - A contribution towards the purchase of a new bicycle and/or equipment

6.10.18 As set out in the FTP it is important that all parties are clear from the outset as to the objectives being sought through the FTP. These requirements will drive the form and content of the FTP, including the targets chosen.

6.10.19 In the context of the above the TP indicates that the proposed objectives are:

- 1) Reduce the need for unnecessary travel to and from the development and assist those who need to travel to do so by sustainable modes.
- 2) Achieve a minimum number of additional single occupancy car traffic movements to and from the development.
- 3) Encourage those travelling to and from the development to use public transport, cycle, walk and car share; and

- 4) Provide adequately for those with mobility difficulties.
- 5) Monitor Travel Patterns and identify further opportunities to encourage travel by walking, cycling and public transport.

6.10.20 The draft target is to achieve a 10% modal shift over the 5 year monitoring period following completion of the development. In order to be able to monitor this the TP indicates that travel surveys will be undertaken 12 months after 1st occupation has taken place to determine the baseline modal split, and thereafter to undertake travel surveys in years 3 and 5 (two and four years respectively following the undertaking of the baseline/year one questionnaire), to monitor progress towards the draft targets.

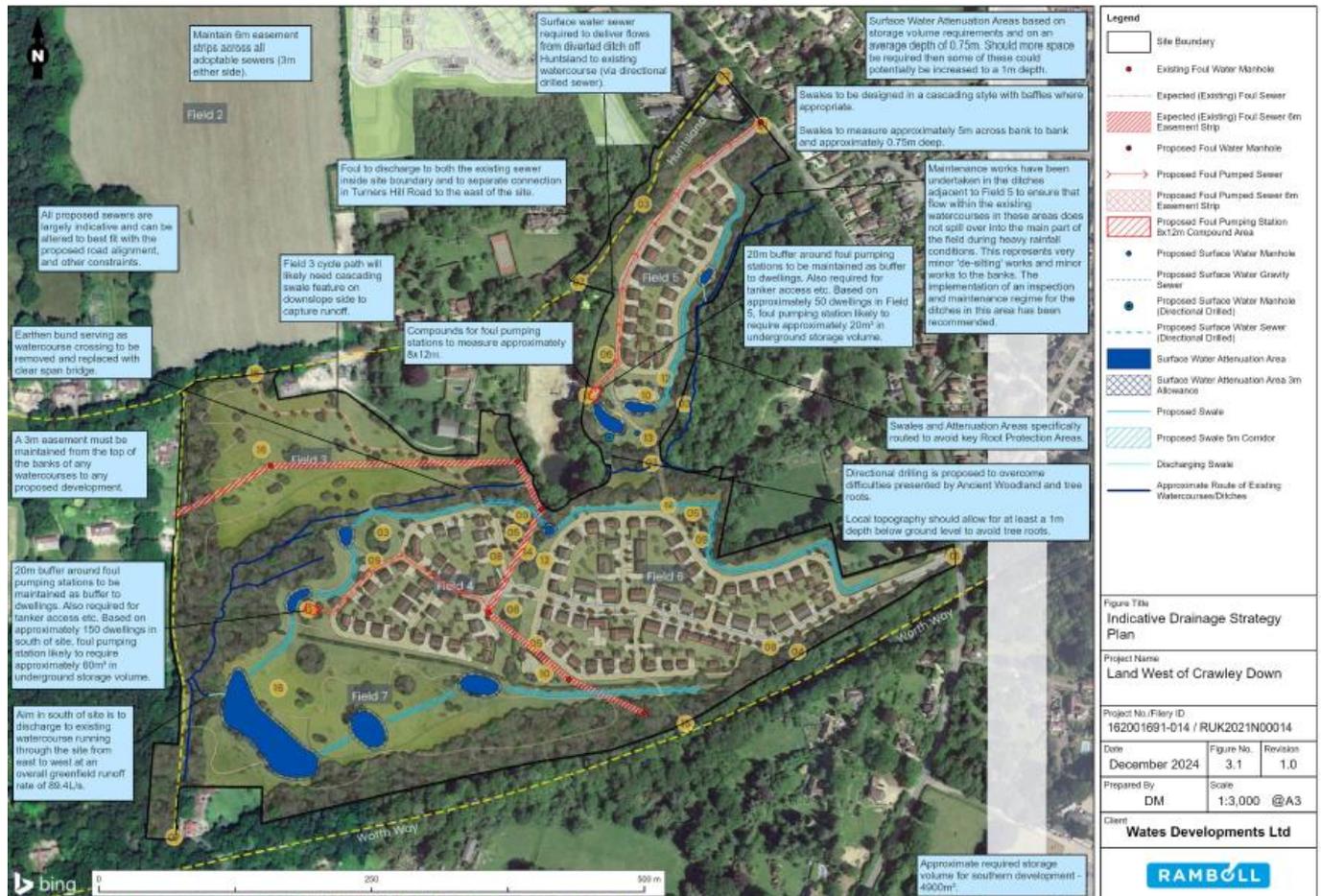
6.11 Site Suitability for Residential Development in Terms of Flood Risk

6.11.1 The application is accompanied by a detailed Flood Risk Assessment (FRA). This explains that in terms of Fluvial/Tidal flood risk the site is located in Flood Zone 1, and as such there is a low risk from fluvial/tidal flooding. The FRA also advises that whilst there are areas present in the southwest of the site, and adjacent to the existing east to west watercourse in the centre of the site that are considered to be at a high risk from surface water flooding, approximately 75% of the site is located in an area considered to be at a very low risk from surface water flooding. The FRA also highlights the fact that no built development is located in areas considered to be at risk of flooding from surface water; and that the areas of the site designated at high to low risk across the site were typically observed to be inaccurately plotted during the March 2024 site visit. That said the FRA advises that areas of high risk are nevertheless expected to be managed as part of the surface water drainage strategy. In addition to the above the FRA indicates that whilst a review of baseline site conditions indicates a moderate groundwater flood risk at the site, upon review of the proposed layout and the proposed surface water drainage strategy, the overall risk to the proposed development is considered to be low.

6.11.2 Given the site's location in Flood Zone 1 the FRA advises that the site is considered to have passed the Sequential Test and that an Exception Test is therefore not required.

6.11.3 Tuning to the impacts of the proposed development the FRA acknowledges that the increase in impermeable area resulting from the proposed development over existing permeable surfaces will increase the surface water discharge generated at the site. In managing this risk, the FRA explains that a surface water drainage strategy has been prepared and is presented in the Drainage Strategy report. The Drainage Strategy report advises that the proposed surface water drainage strategy consists of a series of swales and surface water attenuation areas that have been strategically located across the site; and that across Fields 4, 6 and 7, a connecting network of swales, surface water attenuation areas, and gravity driven surface water sewers where necessary, have been located adjacent to the proposed area of development to the north and south, to be subsequently directed toward the west and southwest and ultimately into the main watercourse running approximately east to west across the southern part of the site. In Field 5 in the east of the site, runoff is proposed to discharge to two separate locations: to the main east to west

watercourse to the south, and to a tributary watercourse to the east. A copy of the Indicative Drainage Strategy Plan (Figure 3.1 in the drainage Strategy) is reproduced below.



6.11.4 The Drainage Strategy report also advises that surface water features have been sized appropriately to accommodate the additional runoff expected from the proposed development; and that discharge rates out of the attenuation features will be limited to the 1 in 1 year greenfield runoff rate, thereby considerably reducing the peak flows presently emanating from the site area, such that the strategy will improve upon the current situation with regard to surface water management and flood risk. In addition, the Drainage Strategy report also recommends specific mitigation and maintenance works for existing ditches in the wooded area adjacent to Field 5, as well as along roadside ditches adjacent to Huntsland.

6.11.5 In addition to the above the FRA advises that it is proposed to engineer site levels, where possible, so that external areas fall away from building entrances; and that should this not be feasible, linear interceptor drains are proposed to be located at all building entrances towards which there is a positive gradient for surface water to flow.

6.11.6 Overall the FRA concludes that subject to the inclusion of the proposed mitigation measures, and adherence to the proposed surface water drainage strategy, it is expected that flood risk at the site can be managed in a safe and sustainable manner.

6.11.7 Given the above the development can be satisfactorily drained in accordance with the aims and objectives of the NPPF and the aims and objectives of policy DP41 of the Adopted District Plan, Policy CDNP06 of the Crawley Down Neighbourhood Plan, and policy DPS4 of the Submission Draft Local Plan.

6.12 Foul Water Drainage

6.12.1 The Drainage Strategy report explains that the intended foul strategy for the site proposes to connect the majority of the site into the existing 225 mm diameter Thames Water gravity sewer crossing the site; and that for development proposed within Field 6, drainage is proposed to connect into the existing Thames sewer via conventional gravity sewers. In Field 4, development is proposed to connect into the first of two foul pumping stations proposed for the site, located in the west of Field 4. This pumping station would deliver flows into the existing sewer via a proposed rising main. In Field 5, foul water is proposed to connect into the second foul pumping station, located in the southwest of the field. The pumping station would deliver flows into an existing Thames sewer in Turners Hill Road. Whilst Thames Water have confirmed that there is capacity in the existing sewer that crosses the site for the entire development, it was concluded that due to ecological considerations, it would not be possible to cross the existing east to west watercourse at the southern end of field 5 with a new connection. Thames Water have confirmed capacity in the sewer network for the strategy proposed above and a letter of confirmation is presented in Appendix D of the Drainage Strategy report.

6.12.2 Given the above the development can be satisfactorily drained in accordance with the aims and objectives of the NPPF and the aims and objectives of policy DP42 of the Adopted District Plan, and policy DPI7 of the Submission Draft Local Plan.

6.13 The potential effects of the proposed development upon the Historic Environment

6.13.1 The Cultural Heritage Desk Based Assessment (CHDBA) produced by RPS draws together the available archaeological, historic, topographic, and land-use information in order to clarify the heritage significance and archaeological potential of the study site.

6.13.2 In terms of Archaeological assets the CHDBA indicates that no World Heritage Sites, Scheduled Monuments, Historic Battlefield sites or Historic Wreck sites lie within the study site or its vicinity and none would be impacted by the proposed development. In terms of relevant local designations, the CHDBA indicates that the study site is not located in an Archaeological Notification Area, as defined by West Sussex County Council, and that the data available for the desk-based assessment shows no clear evidence of a particular focus of archaeological activity within the study site, or that any extant embankments can be identified as Prehistoric in origin, as suggested in the draft policy requirements of policy DPA9 in the Submission Draft Mid Sussex Local Plan 2021-2039.

6.13.3 Based on current evidence the CHDBA indicates that a low to moderate archaeological potential can be assigned to the study site for Iron Age and

Roman remains, and a generally low potential for all other past periods of human activity. It also advises that there is a localised raised potential for modern farm outbuilding remains shown on 19th century mapping at the northeast and southern extents of the site.

- 6.13.4 Given the above the CHDBA advises that it would appear that any archaeological remains within the study site boundary would, in the context of the Secretary of State's non-statutory criteria for Scheduled Monuments (DCMS2013), most likely be of overall low/local importance. As a result, the CHDBA concludes that the development proposals are considered unlikely to have such a widespread or significant negative archaeological impact that would result in unacceptable harm to the archaeological resource of the site; and that the potential impact of development could be appropriately mitigated through a programme of archaeological investigation and recording undertaken in advance of construction, if so required by the Local Planning Authority.
- 6.13.5 In terms of Built Heritage assets the CHDBA indicates that the Study Site does not contain any designated or non-designated built heritage assets. However, due to proximity to the site, six Grade II listed buildings within the vicinity were assessed for any potential effects of the future development of the site on their settings or significance. This included Lemon Meadow Yew Tree Cottage (NHLE Ref: 1182671). The Wallage (1025538) both located beyond the south-east boundary of the Site; Heatherwood South and Heatherwood West (Formerly Oaklawn) (NHLE Ref: 1393329); East Cottage Farthings (NHLE Ref: 1025533); and Leigh Wood (NHLE Ref: 1182619), located beyond the east boundary of the Site and Westlands (NHLE ref: 1284416) located beyond the Site's northern boundary line.
- 6.13.6 The CHDBA advises that all six built heritage assets comprise residential dwellings with private gardens of variable size with vegetation. It also indicates that:
- There is no intervisibility between the Study Site and any of the relevant built heritage assets; they are all either distanced or separated by substantial vegetation and/or built development; and
 - The Study Site presents no opportunity to appreciate the architectural and historical interest of the six Grade II listed buildings outlined above and makes a very limited contribution to their significance as part of their wider historical setting only.
- 6.13.7 As a result of the above the CHDBA advises that the Study Site is not considered to make any contribution to the significance of the built heritage assets and does not enhance or contribute to their intrinsic architectural and historical interest. It goes on to advise that there will be minimal change to the wider historical setting of the six listed buildings only, and no loss of any existing opportunity to understand or appreciate their significance. And that there will be no change to the intrinsic architectural and historic interest of their built fabric.
- 6.13.8 The CHDBA concludes that no potential impacts to the significance of any designated built heritage asset have been identified by the assessment; and that the proposed development is considered to accord with the provisions of Section 66(1) of the 1990 Planning (Listed Buildings and Conservation Areas) Act; there being '*no built heritage or archaeological*

constraints that would preclude the suitability of the site for residential development, associated infrastructure and access'.

6.13.9 Given the above proposed development would in our opinion accord with the aims and objectives of objectives of the NPPF and the aims and objectives of policy DP34 of the Adopted District Plan, policy CDNP05 (a) of the Crawley Down Neighbourhood Plan, and policy DPB2 of the Submission Draft Local Plan.

6.14 Lighting

6.14.1 A Lighting Assessment has been prepared to evaluate the potential effects of lighting associated with the proposed development. It reviews the existing / baseline artificial lighting levels in the area of the development and the predicted effects of new artificial lighting installed as part of the proposed scheme on the existing potentially sensitive receptors (e.g. residential properties and wildlife) present in the locality. It confirms that the site is mostly unlit with only lighting associated with the existing buildings present, No other sources of artificial light were present, and no light spill into the site was observed from adjacent properties or street lighting.

6.14.2 In the absence of a detailed lighting design for the development, the lighting assessment adopts broad assumptions on the likely lighting design and locations of luminaires. In doing so it assume the indicative design uses lighting with 0% upward light to minimise Sky Glow and promotes a Dark Skies policy; that a column height of 5m is used and that the general recommendations for the detailed lighting scheme will provide for:

- The use of controlled light distribution, optimised optics, and considered luminaire positioning.
- Modern LED luminaires to minimise the obtrusive light spill and be as energy efficient as possible.
- Lighting throughout the site is designed to minimise horizontal spill of light to hedgerows.
- Dimmed and reactive lighting will be used where appropriate.
- Lighting will be directed away from the site boundaries.
- Lighting will be designed in accordance with ILP Guidance Notes for Reduction of Obtrusive Light and CIE 126 (1997) Guidelines for Minimising Sky Glow.

6.14.3 The Lighting Assessment also assumes the indicative lighting design includes column mounted luminaires selected to have no upward light as well as sharp cut off characteristics, the lighting has been selected to provide adequate illumination of footpaths and roads without polluting the site boundary and also reducing upward light to minimise Sky Glow, that smart controls will be used including time clocks and photocells. It also highlights the fact that for the purpose of the assessment all lighting was assumed to be on to show the worst-case effect.

6.14.4 On the basis of the above the Lighting Assessment advises that there will only be a relatively small increase predicted in illuminance across the site, with a maximum increase of 0.77 Lux at measuring position 3, which is located at the south eastern end of field 6, near to the Worth Way and Turners Hill Road.

6.14.5 The Lighting Assessment concludes that the proposed development will have a negligible impact on the area surrounding the site; and that although light spill from the site will increase in some locations the impact of the new development will be negligible in these locations.

6.14.6 Given the above, the proposed development would in our opinion accord with the aims and objectives of the NPPF and the aims and objectives of policy DP29 of the Adopted District Plan, and policy DPN8 of the Submission Draft Local Plan.

6.15 Renewable Energy

6.15.1 A Sustainability and Energy Statement has been produced to provide an overview as to how the development of the land west of Turners Hill Road and south of Huntsland, can contribute to sustainable development in the context of design and construction considerations. It explains that sustainability was a core consideration of the design process and has been incorporated into the project from the outset. To this end, energy and water efficiency have been maximised, whilst the production of waste and pollution is to be minimised, thus ensuring the impact of the proposals on its immediate surroundings and the environment as a whole is minimised.

6.15.2 The Sustainability and Energy Statement goes on to explain that there are two key elements proposed for the approach to the scheme's sustainability proposals:

- The overall development has been assessed using the Mid Sussex District Plan 2014 – 2031, as well as the Mid Sussex Design Guide Supplementary Planning Document, the Crawley Down Neighbourhood Plan, and the Mid Sussex District Plan 2021 – 2039 (Regulation 19; with Main Modifications), to demonstrate that the proposed dwellings will maximise resource efficiency, minimise the generation of waste and impacts on biodiversity, and ensure the risk of flooding on-site is mitigated during both construction and in operation, to provide dwellings that meet the recommended standards for well-being of future occupants; and
- The carbon dioxide (CO₂) emissions reduction strategy for the proposals is based on the energy hierarchy to provide a rigorous methodology, which aims to reduce the carbon dioxide emissions from the development as far as possible. This is intended to be achieved through the employment of highly efficient building fabric components to reduce energy demand, and the potential inclusion of renewable and low carbon energy technologies to deliver further carbon dioxide emissions reductions. It is anticipated that the proposed carbon dioxide emissions reduction strategy will facilitate significant carbon dioxide emissions savings compared to the Part L:2021 baseline, aiming to significantly exceed the current requirements of Mid Sussex District Council and to align with the draft policies set out within the Mid Sussex District Plan 2021 – 2039 (Regulation 19; with Main Modifications).

6.15.3 The Sustainability and Energy Statement demonstrate that based on this strategy, the proposed development will;

- make efficient use of land;

- promote the use of sustainable and active modes of transport;
- reduce the risk of flooding on-site and in the surrounding area;
- minimise internal water consumption to 85 litres per person per day;
- incorporate low-impact materials, according to the BRE Green Guide to Specification;
- minimise waste production during construction and maximise the proportion of waste to be diverted from landfill;
- mitigate the risk of overheating;
- incorporate measures to improve site biodiversity, including biodiverse planting;
- minimise energy demand through the specification of low U-values, low air permeability and low thermal bridging to reduce heat loss;
- be fossil fuel free, utilising electric-only systems, such as air source heat pumps (ASHPs) to serve the space and water heating demands of the proposed dwellings;
- utilise renewable technology, such as rooftop photovoltaic panels, to provide renewable electricity; and
- achieve a significant reduction in CO2 emissions for the proposed dwellings, following the Energy Hierarchy methodology.

6.15.4 Given the above the Sustainability and Energy Statement concludes that: *‘Overall, the proposals constitute sustainable development in accordance with national and local policy requirements and will provide a development that seeks to promote these principles in operation’.*

6.15.5 Having regard to the above the proposed development reflects the aims and objective of the NPPF and the aims and objectives of policy DP39 of the Adopted District Plan, and policy DPS2 of the Submission Draft Local Plan.

6.16 Agricultural Land

6.16.1 An Agricultural Land Classification and Soil Resources report has been undertaken of the wider study area. When set against the site area, it is noted that just 0.32ha of built development within field F4 comprises Grade 2 land, and 2.97ha of built development within part of the southern portion of field 5, the eastern and southern part of field 6 and the southern part of field 4, as identified on the plan below comprises Grade 3a land. There being no grade 1 land within the application site. The percentage of best and most versatile agricultural land (grades 1, 2 and 3a) is thus small comprising just 16% of the overall site²⁴

²⁴ $3.29/20.05 \times 100 = 16.40$



6.16.2 The majority of the site is therefore not defined as BMVAL. Furthermore, that which does exist is not contained within one area but scattered across the site in odd areas that are separated from one another by areas of grade 3b land and ancient woodland meaning that their management is compromised rather than optimised. On this basis and as the Council has indicated that in meeting their housing need, it is likely that greenfield sites (which would include agricultural land) will have to be developed we do not believe that this site should be afforded the same level of protection in planning policy terms as BMVAL. To this end we also note that the scale of loss at just 3.29ha in total is significantly less than the 20ha threshold that would require consultations with Natural England when considering mineral working or waste disposal²⁵

6.16.3 Having regard to the above the proposed development does not in our opinion conflict with the aims and objectives of para 187 (b) of the NPPF or the aims and objective of policies DP12 and DP38 of the Adopted District Plan, and policies DPN1 and DPC1 of the Submission Draft Local Plan.

6.17 Other Material Considerations

i) Contamination and Remediation

6.17.1 A Phase I Site Appraisal (desk study) has been undertaken. The objective of the risk assessment was to evaluate plausible pollutant linkages with respect to the proposed development, adjacent land uses, and the wider

²⁵ See Natural England Technical Information Note TIN049

environment, in the context of planning, immediate liabilities under the Environmental Protection Act 1990, and risks posed to Controlled Waters under the Water Resources Act 1991.

6.17.2 A Preliminary Risk Assessment (PRA) and Conceptual Site Model (CSM) was developed from the information gathered. It advises that as part of the desk study process Geo-Environmental Services Limited have identified several plausible pollutant linkages that exist in relation to the proposed development of the site; albeit the preliminary risk rating for the majority of pollution linkages have been classified as low or very low. As a result, the potential pollutant linkages established within the desk study are not considered to prevent development on the site, but could require remediation or the employment of risk mitigation measures to reduce the risks to key receptors.

6.17.3 Given the above the desk study advises that in order to progress the assessment in line with the NPPF, to provide further characterisation of the site and refinement of the PRA and CSM, intrusive investigation and associated testing should be undertaken to confirm the findings of the desk study report and to provide a robust risk assessment for the site and proposed development. This would include geochemical and geotechnical investigation, to include analysis of soil samples for the range of potential contaminants identified within the desk study. It also advises that confirmatory ground gas monitoring will also be required.

6.17.4 The Preliminary Geotechnical Assessment Summary goes on to advise that with reference to British Geological Survey (BGS) mapping, the underlying geology is anticipated to comprise the Upper Tunbridge Wells Sand Formation, albeit there remains the possibility that there may be areas of reworked, disturbed or Made Ground on the site. As a result, the desk study indicates that it is possible that conventional strip or pad foundations could be suitable for the proposed development where natural ground is encountered at shallow depth, although this would be dependent on the groundwater depth. It also advises that where foundations are required in any areas of Made Ground or infilled ground, which may be present to depth beneath areas of the site, a deeper or piled foundation solution may be required; and that localised deepening of foundations may be required in the vicinity of trees and piled foundations may be required in proximity to trees (subject to tree type and ground conditions). In line with a SuDS approach, the desk study also indicates that storm water should be discharged to the ground wherever possible; and that although the permeability of the Tunbridge Wells Sand is likely to be low the potential for shallow soakaways should be confirmed by soakage testing.

6.17.5 At this stage and based on the findings of the desk study and preliminary risk assessment, the desk study recommends the following scope of works for the intrusive investigation on the site.

- Intrusive investigation works should be carried out in order to clarify the geotechnical and geoenvironmental issues pertaining to redevelopment of the site.
- Full scale soakage testing in accordance with BRE Digest 360.
- Soil sampling and analysis should be undertaken to inform subsequent geotechnical and geo-environmental risk assessment.

- Laboratory analysis, on soil samples recovered from the exploratory holes for a range of geotechnical parameters to support foundation design.
- Laboratory analysis on soil samples recovered from the exploratory holes, for an analytical suite to include the potential contaminants identified within the desk study and encountered during any intrusive investigation. The suite should include commonly occurring metals, non-metals, asbestos, TPH, and PAH.
- Ground gas and groundwater monitoring of the site to determine the ground gas regime.
- Groundwater monitoring over a winter period may be required to inform the emerging drainage strategy for the site. A winter period is typically defined as early October/November to the end of the following March or early April.

6.17.6 The desk study also advises that it may be necessary to undertake remediation/risk mitigation measures on site to break pollutant linkages and thus protect key receptors such as human health, controlled waters, built environment, soft landscaping and the like; but that the requirement and extent of any such remediation cannot be determined until such time as an intrusive investigation and associated testing has been completed.

6.17.7 Given the findings of the Phase I Desk Studies a suitable worded condition requiring further investigation prior to development commencing is thought to be prudent.

6.17.8 Having regard to the above the proposed development does not in our opinion conflict with the aims and objectives of the NPPF or the aims and objective of policies DPN1 and DPN10 of the Submission Draft Local Plan

i) Utilities and Services Appraisal

6.17.8 The Utilities Assessment prepared by RSK assess the existing utilities infrastructure in and around the site, to determine if the proposed development can be accommodated with the existing infrastructure, identifies utility strategies, and produces technical documentation based on the utility companies' records and documents to support the planning application.

6.17.9 The Utilities Assessment thus reviews the electricity supply in consultation with UK Power Networks, the potable water supply with South East Water, the foul water drainage and surface water drainage situation with Thames Water, and telecommunications with BT Openreach. It being assumed no gas will be supplied to this site

6.17.10 Having assessed the various utilities services in and around the proposed development site, and provided cost estimations, where received, for work that will need to be carried out to ensure the site will have the necessary connections/ provide for the necessary diversion of the existing HV overhead lines that cross the site; the Utilities Assessment concludes that there are suitable utilities services in the surrounding area to service the proposed development/ these can be addressed through the introduction of a new water main plus branch connections, the installation of 2 new substations and new HV cables on site and new foul and surface water pumping stations.

6.17.11 Having regard to the above the proposed development does not in our opinion conflict with the aims and objectives of the NPPF or the aims and objective of policy DP20 of the Adopted District Plan, and policies DPI1 and DPI7 of the Submission Draft Local Plan

6.18 Infrastructure Provision

6.18.1 As set out in the draft Heads of Terms for the Section 106 Agreement, a planning obligations list has been prepared in the light of Policy DP20 of the Mid Sussex District Plan 2014 – 2031, Policy CDNP01 of the Crawley Down Neighbourhood Plan January 2016 and policy DPI2 of the Submission Draft Mid Sussex Local Plan 2021 – 2039 (Dec 2023). The substance of the draft Heads of Terms also reflects initial advice received from officers at Mid Sussex District Council and the comments received from Worth Parish Council, Natural England and WSCC Highways during pre-application discussions.

6.18.2 The draft planning obligations set out below will only be included in the Section 106 Agreement to the extent justifiable in planning policy terms, in particular paragraph 58 of the NPPF and regulation 122 of the Community Infrastructure Levy Regulations 2010. This will be established following further discussions with officers. This draft assumes that the site will not be subject to Community Infrastructure Levy or any other similar charge. If this is not the case the applicant reserves the right to withdraw or amend any of the planning obligations listed below:

- The provision of up to 60 affordable units²⁶ (30%) – to be 75% social and affordable rent and 25% affordable ownership products.
- The nomination rights for the affordable housing units will be such that the affordable units will in the first instance be made available to people in housing need with an appropriate connection to Crawley Down/ Worth Parish. Thereafter the nomination rights will, if necessary, cascade down to those in need in the neighbouring parishes in Mid Sussex.
- A minimum of 4% of the affordable units to be identified as M4(3) (2) (b) dwellings.
- All dwellings to meet M4(2) standards.
- 2% of all dwellings will be set aside for Self Build.
- The provision of up to a minimum of 13.5ha of formal and informal recreational open space across the site as a whole including 2 x Local Equipped Areas of Play and 3 x Local Areas or 'Play on the Way' which together equate to 0.13ha.
- Contributions towards improvements to/ provision of new sports and leisure facilities in Crawley Down, which could include, but are not limited to:

²⁶ Assuming 200 dwellings are accommodated on site – if not then 30% of the number of dwellings that are accommodated on the site.

- New Cricket Pavilion on Sandy Lane with facilities for ladies teams.
- The enhancement of the facilities at the King George V Recreation Ground.
- Improvement to the Haven Centre and its sports facilities.
- Contributions towards improvements to/ provision of community facilities in Crawley Down, which could include, but are not limited to:
 - New Cricket Pavilion on Sandy Lane with facilities for ladies teams.
 - The enhancement of the facilities at the King George V Recreation Ground.
 - Improvement to the Haven Centre and its sports facilities.
- Contributions towards improvements to existing cycle and pedestrian routes linking the proposed development to Crawley Down and surrounding countryside, including:
 - improved surface treatment of the Worth Way and shared cycleways adjacent to both of the proposed vehicular accesses serving land south of Huntsland.
 - A new signal controlled crossing on Turners Hill Road adjacent to the southern access point as well as provision of dropped kerb / tactile paving crossings on Turners Hill Road and Vicarage Road.
 - A traffic calming scheme on Turners Hill Road incorporating visual narrowing's and repeater roundels displaying the speed limit on the carriageway - aimed at reducing speeds and improving safety (and the feeling for safety) for pedestrians and cyclists.
- Contributions to support and enhance existing bus accessibility, including but not limited to:
 - Bus stop improvements including bus shelters, raised kerbs and seating.
 - Increased service frequency on service 272 on Saturday evenings and Sundays, noting that there is currently no service at these times.
- The provision of one car club vehicle for three years, with three years free membership for new residents of the site.
- The implementation of a Travel Plan to encourage use of sustainable transport modes.
- A contribution towards highway improvements and mitigation measures arising as a result of the proposed development, including but not limited to:
 - A new signal controlled crossing on Turners Hill Road adjacent to the southern access point as well as provision of dropped kerb / tactile paving crossings on Turners Hill Road and Vicarage Road.

- A traffic calming scheme on Turners Hill Road incorporating visual narrowing's and repeater roundels displaying the speed limit on the carriageway - aimed at reducing speeds and improving safety (and the feeling for safety) for pedestrians and cyclists.
- Various works to adjacent roads as presented in Drawings ITB9155-GA-056A and 059.
- Either the provision on site of allotments or a contribution towards the enhancement of the existing off site facilities in Crawley Down.
- A contribution towards Strategic Access Management and Monitoring (SAMM).
- Contributions towards nursery, primary, secondary and sixth form educational facilities within Crawley Down / 5km of the site.
- Contributions towards Library Services within Crawley Down / 5km of the site.
- Contributions towards Youth services within Crawley Down / 5km of the site.
- Contributions towards Community Learning within Crawley Down / 5km of the site.
- Contributions towards Social Care within Crawley Down / 5km of the site.
- Contributions towards Waste and Recycling facilities.
- Contributions towards the Local Primary Care Trust for use at the Crawley Down Health Centre or within 5km of the site

6.18.3 We believe the draft HoT of the S106 look to secure the mitigation that is necessary to satisfactorily meet the additional infrastructure impacts and needs that would be generated by the development as set out in Policy DP20 of the Mid Sussex District Plan 2014 – 2031, Policy CDNP01 of the Crawley Down Neighbourhood Plan January 2016 and policy DPI2 of the Submission Draft Mid Sussex Local Plan 2021 – 2039 (Dec 2023).

7 The Planning Balance

- 7.1 Given the detailed information provided with this application we believe that the planning balance rests firmly in favour of granting planning permission, particularly in the light of the engagement of the 'tilted balance'.
- 7.2 In the context of the above, we note that the Mid Sussex District Plan 2018, in policy DP4 looks to meet a minimum District housing requirement of 16,390 dwellings between 2014 – 2031; and that policy DP4 explains how this will be achieved through a combination of completions, extant permissions and proposed allocations.
- 7.3 The application site was not allocated during the adoption of the Mid Sussex District and thus remains outside the urban area of Crawley Down as identified on the Proposals Map and does not fall within one of the 'exceptions' criteria listed in policy DP12 for new dwellings in the 'countryside'. However as set out above these policies are out of date in as much as they were adopted against the backdrop to the Objectively Assessed Housing Need established in the Mid Sussex Housing and Economic Development Needs Assessment (HEDNA) (February 2015), as updated in November 2015 and August 2016, and the NPPF 2012. As the NPPF has been subject to a number of revisions since 2012 the approach adopted to the housing requirements in the Adopted Development Plan is inconsistent with the NPPF 2024. As a result, the weight to be attributed to policies DP4 and DP12 is significantly reduced. and para 11d of the NPPF and the tilted balance engaged. A position which is exacerbated by the fact the Council openly admit they do not have a five year housing land supply.
- 7.4 Before commenting upon the tilted balance it should also be noted that not only is the site situated immediately adjacent to the urban area boundary of Crawley Down, one of the most sustainable settlements in the District, on a greenfield site that is unfettered by any landscape or ecology designations; but has been identified as forming part of the proposed allocation pursuant to policy DPA9 of the Submission Draft Local Plan (December 2023). As set out within this statement the proposed development has been designed to be in general conformity with the aims and objectives of DPA9 of the Submission Draft Local Plan, the form and quantum of development proposed being appropriate for the context of the site; such that it would create a high quality development on the edge of the existing built up boundary of Crawley Down.
- 7.5 Given the lack of a 5 year supply and the fact large swaths of the District between Crawley Down and Hayward Heath are constrained by the High Weald National Landscape, and land to the south of Burgess Hill and Hassocks falls within the South Downs National Park, the proposed development provides an ideal opportunity to accommodate the housing needs of the District on what is a relatively unconstrained site, thus addressing the housing land supply deficit in a policy compliant manner.
- 7.6 Furthermore, the proposed development provides for 30% affordable housing, which accords with the adopted and emerging policy requirement.

- 7.7 The site also enjoys good access to local services and facilities and has good access to public transport that would enable future residents to access services and facilities by means other than the private car. In addition, it will contribute towards new / enhanced pedestrian and cycle links to the village centre, new and improved bus links to the wider area, and off site highway improvements; the scale of development proposed reflecting that accepted by the Council as being suitable for the site in policy DPA9 of the Submission Draft Local Plan.
- 7.8 The site is not designated for its landscape value, or any landscape related attributes, and whilst views to the site are possible from the ridge forming the National Landscape's northern boundary (some 1.5km to the south and south-west of the site), there is no visibility to the site (or the proposed development) from within the designated landscape itself; such that the site cannot be said to fall within "an area of high landscape sensitivity".
- 7.9 In the context of the above, whilst it is recognised that there would be localised effects on the landscape character of the site, these would exist with the development of any greenfield site, and in this case not only is the application site free from any landscape designations, but the proposed development has been developed with stakeholders to ensure the development is respectful to local landscape and visual constraints. Furthermore, it provides for a number of beneficial effects such as an increase in landscape assets and an improved local network of ecological and recreational spaces. On this basis and as the Council accepts that not all its housing requirement can be accommodated on brownfield sites and have sought to identify this site as part of a wider strategic allocation in the Submission Draft Local Plan, any localised landscape effects do not in our opinion weigh heavily against the grant of consent. Indeed, having regard to the LVA, it is considered that the proposed development sits sympathetically within the wider landscape, having minimal effects on surrounding landscape and visual receptors. Thus, it respects the aims and objectives of para 187 of the NPPF and footnote 7 of para 11 in terms of the tilted balance.
- 7.10 Whilst the proposed development would result in the permanent loss of 0.32ha of Grade 2 BMVAL and 2.97ha of Grade 3 BMVA this comprises just 16% of the overall site area and is scattered across the site in odd areas that are separated from one another by areas of grade 3b land and ancient woodland meaning that their management is compromised rather than optimised. On this basis and as the Council has indicated that in meeting their housing need, it is likely that greenfield sites (which would include agricultural land) will have to be developed we do not believe that this site should be afforded the same level of protection in planning policy terms as BMVAL. To this end we also note that the scale of loss at just 3.29ha in total is significantly less than the 20ha threshold that would require consultations with Natural England when considering mineral working or waste disposal.
- 7.11 Similarly, whilst some drainage basins and swales are proposed within the ancient woodland buffers, the design of these will ensure that root protection areas are fully maintained and the water table is not negatively affected, and discharge points to the existing watercourse will be provided at the woodland edge or installed with directional drilling, avoiding any

loss of Ancient Woodland habitat. Likewise the emergency, cycle and pedestrian link proposed through W2 (forming ASNW), utilises an existing farm access across a raised bund over the watercourse, and will be installed using a no-dig approach, with a cellular confinement system laid across the existing track filled with granular fill, permitting water and air flow to the soil and will have a post and rail fence erected at the edges to prevent encroachment into the woodland. As such, construction would be limited to the existing trackway, with adjacent trees and associated root protection areas safeguarded, avoiding any impacts on Ancient Woodland trees, flora or soils.

- 7.12 The above directional drilling to install the proposed drain within the ancient woodland of Front Wood will necessitate excavation of a drilling pit within the buffer zone of the veteran English oak tree no. 5160; whilst the works to form the emergency, pedestrian and cycle link between Fields 5 and 6 encroaches within the buffer zone of veteran tree no. 5160, and within the RPA of veteran English oak tree no. 5164. As set out in the AIR the use of directional drilling to install the drain (as opposed to a traditional strip trench) significantly minimises the extent of encroachment within the buffer zone of veteran oak no. 5160 to a single drilling pit necessary to enable directional drilling. At its closest point the drilling pit will be 21m from the trunk and therefore outside the RPA of the tree and encroaches within the buffer zone by no more than 1.2m², the equivalent of <1% of the total area of the buffer. Consequently, the extent of the encroachment is negligible and will not result in any adverse impacts on the tree's health or structure. Likewise, whilst the proposed emergency link encroaches within the veteran buffer zone and RPA of oak trees nos.5160 and 5164, the AIR advises that it will not result in any adverse impacts on either tree as the incursions by the new link within the RPAs of the veteran trees equate to no more than 7.3% and as such do not exceed the 20% maximum incursion into currently unsurfaced ground recommended in BS 58378; the proposed link is located entirely within the footprint of an existing compacted earth track and footbridge which is currently used for access between fields 5 and 6, and comprises nothing greater than the upgrading of this existing track with a porous wearing course constructed entirely above existing ground level and incorporating an appropriate cellular confinement system, filled and finished with suitable porous materials, to minimise further soil compaction. On this basis and as the link will be located entirely within the footprint of the existing track; will be used by pedestrians and cyclists only (with vehicular access being reserved for emergency access only); will not necessitate any excavation within the buffer zones; and will incorporate a cellular confinement system, the AIR concludes that it will not result in any arboricultural impacts on either veteran tree (nos. 5160 and 5164) or on the ancient woodland floor, beyond what already pertains and essentially represents a continuation of the status quo.
- 7.13 The site does not contain any known nationally or locally built designated heritage assets. Whilst six listed buildings lie within the vicinity of the application site, the Historic Environment Desk Based Assessment indicates that there will be minimal change to the wider historical setting of the six listed buildings and there will be no loss of any existing opportunity to understand or appreciate their significance. Furthermore, no changes will be evidenced to the intrinsic architectural and historic interest of their built fabric. The proposed development is thus considered to accord with

the provisions of Section 66(1) of the 1990 Planning (Listed Buildings and Conservation Areas) Act.

- 7.14 Not only has the proposed development looked to minimise ecological impacts, but maximise benefits, with the development predicted to deliver in excess of 10% Biodiversity Net Gain (BNG).
- 7.15 In addition, the proposed development is also wholly in flood zone 1 and will encompass a surface water drainage strategy that limits discharge rates to the 1 in 1 year greenfield runoff rate, thereby considerably reducing the peak flows presently emanating from the site area. The strategy will therefore improve upon the current situation with regard to surface water management and flood risk.
- 7.16 Given the above it is considered that the site is acceptable in principle for residential development.
- 7.17 In addition, as set out in section 6 of this statement the proposed development would meet the three overarching objectives of sustainable development as described in paragraph 8 of the NPPF. Prospective occupiers would help to support the range of local facilities and services in Crawley Down, including public transport, and would contribute to the vitality of the locality and social cohesion. The development itself would also provide short term construction jobs – economic benefits. There would also be benefits from S106 contributions to local services and facilities such as health facilities, sports and leisure facilities, community learning, youth services, social care and library services. The proposed development would also generate New Homes Bonus. All of the above should be acknowledged in the planning balance.
- 7.18 The weight to be given to those policies restricting development in this area in the District Plan should be limited given the basis upon which they were conceived and the housing land supply situation. Furthermore, whilst the weight that can be given to the Submission Draft Local Plan is limited, it should nonetheless be noted that the application site has been identified as part of a proposed allocation in the Submission Draft Local Plan and that the proposed development looks to comply with the aims and objectives of the Submission Draft Local Plan. There are in addition, other material considerations which also weigh heavily in favour of the development such as the housing need, and the fact that the Council is unable to substantiate a five year supply of deliverable housing land. The proposal would assist in the provision of housing and help meet the affordable housing needs of the area. This is a highly significant material consideration and carries substantial weight in the context of the NPPF. The proposals also provide over 14ha of public open space which is also a highly significant material consideration which carries substantial weight in the context of the NPPF.
- 7.19 The proposed development is considered to represent sustainable development in accordance with the NPPF and the Submission Draft Local Plan. The limited harm identified does not outweigh the significant benefits that have been identified. It certainly goes nowhere near the requirement to demonstrate significant and demonstrable harm.

- 7.20 As a result of the above we consider the proposed development is ideally situated to accommodate further growth in a sustainable manner as defined by para 8 of the NPPF.
- 7.21 The overall planning balance, encompassing the various benefits and limited disbenefits and the weight that should be afforded to them is set out in the table below:

JAA Table 7.1 – The Planning Balance

	Issue	Benefit/ Harm	Weight
1	Provision of up to 200 market dwellings	Benefit	Very Substantial
2	Provision of up to 60 affordable dwellings (30%)	Benefit	Very Substantial
3	An appropriate dwelling mix	Benefit	Moderate
4	Provision of 0.13ha of formal play space together with potential for allotments	Benefit	Moderate
5	Provision of over 13.5ha of publicly accessible incidental open space/ amenity space/ natural and semi natural space	Benefit	Substantial
6	Developing in a highly sustainable location		
7	In accordance with spatial strategy of the Reg 19 Submission Draft Local Plan – especially policy DPA9	Benefit	Moderate
8	Avoiding designated landscapes such as the High Weald National Landscape and South Downs National Park	Benefit	Substantial
9	Landscape enhancements with new tree and hedgerow planting	Benefit	Moderate
10	Avoiding impacts on protected areas/ species & Ecological enhancements resulting in a BNG of 10% (+)	Benefit	Moderate
11	Improved pedestrian and cycle links between the site and the wider area	Benefit	Moderate
12	Enhanced bus services between the site and the wider area	Benefit	Moderate
13	Contributions towards off site highway works, including works to the Worth Way and traffic calming of Turners Hill Road	Benefit	Substantial
14	Contributions towards improvements to existing community and sports facilities in Crawley Down	Benefit	Moderate
15	Managed positive surface water drainage strategy	Benefit	Substantial
16	No harm to local heritage assets	Benefit	Moderate
17	Provision of energy efficient homes exceeding current policy requirements	Benefit	Moderate
18	Short-term economic benefits from construction and employment spending	Benefit	Moderate
19	Long-term economic benefits from new residents spending in the local area, S106 and New Homes Bonus and Council Tax revenues	Benefit	Moderate
20	Localised Impact on landscape character of area	Harm	Very Limited
21	Localised impact on views experienced by walkers using a short stretch of the footpath connecting Turners Hill Road to the Worth Way, as well as views from residents at Wallage Lodge.	Harm	Very Limited
22	The loss at 3.29ha of BMVAL	Harm	Very Limited
23	Works within 15m buffer of Ancient woodland	Harm	Very Limited
24	Works within RPA and Buffer zone of Veteran trees	Harm	Very Limited

- 7.21 Having regard to the above and paragraph 11 of the NPPF we consider the planning balance to be in favour of development and that planning permission should be granted accordingly.

8.0 Summary and Conclusions

- 8.1 This application provides for the development of the land West of Turners Hill Road and South of Huntsland Crawley Down, West Sussex so as to accommodate the erection of up to 200 dwellings, associated infrastructure including spine road with access from Turners Hill Road and network of internal roads and car and cycle parking, together with provision of open space, play facilities, utilities infrastructure, surface water drainage features and associated works.
- 8.2 All matters bar access are reserved for future determination. The principal points of access will be via two new priority junctions off Turners Hill Road. One located opposite Vicarage Road which will serve up to 150 homes, and the other to the south of Huntsland which will serve a maximum of 50 homes, there being no through route between the two
- 8.3 The starting point for the determination of this application is the Adopted Development Plan. The application site is located outside, but adjacent to, the urban area of Crawley Down as defined in the Mid Sussex District Plan 2014 – 2031 (March 2018).
- 8.4 Policy DP12 of the Mid Sussex District Plan looks to restrict development outside the urban area to that falling within certain criteria. Whilst it would appear implicit that where a need can be demonstrated, there is no conflict with policy DP12, policy DP12 is in our opinion out of date in as much as the confines of the urban areas were defined against the backdrop to the Objectively Assessed Housing Need established in the Mid Sussex Housing and Economic Development Needs Assessment (HEDNA) (February 2015), as updated in November 2015 and August 2016, and the NPPF 2012. As the NPPF has been subject to a number of revisions since 2012, the approach adopted to the housing requirements in the Adopted Development Plan is inconsistent with the NPPF 2021. Furthermore, the Council do not have a five year Housing Land Supply (housing land supply²⁷). As a result, the weight to be attributed to policy DP12 is significantly reduced and para 11d of the NPPF and the tilted balance engaged. This means there is a presumption in favour of sustainable development i.e. that planning permission should be granted unless the adverse effects of doing so would significantly and demonstrably outweigh the benefits.
- 8.5 Given the lack of a five year housing land supply the Council need to find alternative (new) sites to meet the shortfall. The only way this can be achieved is by revisiting the planning strategy set out in the Adopted Development Plan and finding new sites in appropriate locations.
- 8.6 In the context of the above we note that the Reg 19 Submission Draft Local Plan (2021 – 2039 (December 2023)) in reviewing the development needs of the District resolved to identify the application site as forming part of the strategic development area proposed West of Turners Hill Road pursuant to Policy DPA9.
- 8.7 The proposed development has been designed to be in general conformity with Policy DPA9 of the Submission Draft Mid Sussex Local

²⁷ Please refer to para 5.96/ 5.97 re the implications of the proposed changes to the NPPF

Plan. The only areas of variation being to reflect discussions with Worth Parish Council about the use of offsite contributions in lieu of the onsite provision of sports and community facilities, thus bolstering local facilities and removing any potential for conflict.

- 8.8 The proposed development would help meet the Districts housing needs in what is a highly sustainable location, on the edge of Crawley Down, at a time when the Council have a five year housing land supply deficit. Not only would the proposed development comply with the criteria set out in policy DPA9 of the Reg 19 Submission Draft Local Plan, but facilitate a number of economic, social, and environmental benefits. As such, whilst it is recognised that there would be localised effects on the landscape character of the site these do not in our opinion weigh heavily against the grant of consent.
- 8.9 Likewise, the impact on Best and Most Versatile Agricultural Land is limited on extent; the nature of the works within the 15m buffer of the areas of Ancient Woodland have been designed so as not to impact on root protection areas or the water table negatively thus avoiding any loss of Ancient Woodland habitat; and the works within the buffer zones of two veteran trees is minimal, and outside the root protection areas, so will not result in any adverse impact on the trees health or structure.
- 8.10 The limited harm identified does not significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole, as would be required to be demonstrated pursuant to para 11(d) (ii) of the NPPF if looking to refuse this development. Nor, having regard to para 11(d) (i) are there any policies that look to protect areas or assets of particular importance that provide a clear reason for refusing the proposed development. Rather, the balance is firmly in favour of the proposed development and permission should be granted without delay.
- 8.11 Aside from the principle of development, we have also sought to address a number of other issues which are in our opinion material to the determination of this application. These include the nature of the residential accommodation and overall scale of development including the level of affordable provision; the form, layout and design of the proposed development; the landscape and visual impact of the proposed development; the effect of the proposed development on existing landscape features; the impact of the proposed development on areas of ecological interest/protected species; the impact of the proposed development on the privacy and amenity of adjacent residents; the effect of the proposed development in transportation and highway terms; the sites suitability for development in terms of flood risk and foul water drainage; the potential impact of the proposed development upon the cultural heritage of the site and surrounding area; and the effect of the proposed development on energy consumption, lighting, amenity space provision, contamination and remediation, the capacity of the service providers and impact on local infrastructure.
- 8.12 Having regard to the above, and given the aims and objectives of national and local planning policies we would submit that: -
- a. The proposed development will contribute to the Council's five year housing land supply requirements/ housing need;

- b. The proposed development will contribute to the Council's affordable housing requirements – overall it will provide up to 60 affordable units (30% of the units to be provided on site (assuming 200 dwellings are bought forward)), in accordance with the requirements set out in both the adopted and Reg 19 Submission Draft Local Plan;
- c. The unit mix reflects the aims and objectives of the development plan, with the scheme providing a range of house types (terraced, semi-detached, detached and apartments) and sizes (1 and 2 bed flats and 2 – 5 bed houses), to meet local demand (both market and affordable). The affordable units being evenly distributed across the site;
- d. The proposed development will contribute to the Council's recreational needs, with 13.92ha of publicly accessible / incidental open space/ amenity space being provided across the development as a whole, which is over 69% of the site area and 300% more than the policy requirement;
- e. The proposed development will contribute to the public realm, providing formal recreation opportunities, such as the proposed LEAPs and LAPs, as well as flexible play space, connected via a series of footpath networks; these features together with the introduction of an effective management regime, the creation and conservation of wildlife habitat and natural corridors, and provision of SuDS will contribute to local amenity;
- f. The illustrative layout looks to respect the existing landscape, topographical, drainage and ecological features found on the site/ site boundaries, to respect the setting of nearby heritage assets and respect the privacy and amenity of adjacent residents;
- g. At a density of circa 9.97dph gross/ 33.67ph net the proposed development seeks to make the most effective use of the application site without detracting from the character and appearance of the area,
- h. The scale and nature of the proposed development is proportionate to the size of Crawley Down and the level of day to day services found in the village and respects the spatial strategy advocated in the Reg 19 Submission Draft Local Plan;
- i. The landscape and visual effects would be localised and would not significantly affect sensitive landscape and visual receptors further from the site;
- j. None of the main arboricultural features of the site are to be removed. No ancient, veteran, category A trees or trees subject to TPO's need to be removed to accommodate the proposals. Only 59 individual trees, 4 groups and 1 hedgerow will potentially be removed/ partially removed to accommodate the proposed development, i.e. circa 8% of the sites tree cover. All, bar one of the trees to be removed are category C specimens, are young, semi-mature or of small ultimate size: or of low quality, low value, or short-term potential. As a result, the arboricultural impact of this scheme is of negligible magnitude. Furthermore, as the proposed development will provide the opportunity to plant more trees/hedgerows on the site through the landscape strategy plan, it will actively enhance the landscape character of the site and surrounding area;
- k. The incursions by parts of the proposed development within the ancient woodlands Front Wood and Wallage Wood are minor and

are mostly confined to their 15m minimum buffer zones; where parts of the proposed drainage and footpath encroach within Front Wood itself, these represent unavoidable incursions informed by the existing natural features within Front Wood and any potential arboricultural impacts will be minimised through the use of directional drilling and above-soil surfacing, respectively; consequently, the proposals will not result in any loss of ancient woodland, will avoid any potentially harmful effects on the woodland, and will comply with current UK Planning and development guidance.

- l. The encroachment into the buffer zone of two veteran trees to accommodate the proposed drainage works is negligible and will not result in any adverse impacts on the tree's health or structure. Likewise, whilst the proposed emergency link between F5 and F6 will encroach into the buffer zone of the same two veteran trees, the works are such that they will not result in any arboricultural impacts on either veteran tree.
- m. Following detailed ecological survey work, it has been found that the site and surrounding study area is home to roosting, foraging and commuting Bats, Grass Snakes, Badgers, and Great Crested Newts, as well as breeding birds and hedgehogs. As a result, the proposed development has been designed to avoid impacts on as many ecologically sensitive areas and accommodate a number of ecological mitigation and enhancement works, all of which will ensure the protection of these species and provide biodiversity net gains in excess of 10%;
- n. The proposed development provides for a significant amount of publicly accessible amenity space that will form an integral part of the development, with all residents having access to an appropriate level of private/communal amenity space. Overall, circa 69% of the site will be publicly accessible green space;
- o. The application site is located in a highly sustainable location, that is within walking distance of day to day services and facilities, and able to maximise the use of public transport, cycling and walking;
- p. The proposed accessing arrangements have been designed to accommodate all types of predicted traffic movements. The internal road network provides for a hierarchy of different streets, all of which have been designed to ensure the car does not dominate;
- q. The proposed development looks to provide for a series of new / enhanced pedestrian and cycle links that would improve access to/ from the site to the village centre/ the surrounding area;
- r. The level of traffic generation associated with the proposed development would not, with the proposed mitigation works, result in an unacceptable traffic impact to the local highway network;
- s. The level of car and cycle parking provision will accord with WSCC standards and is appropriate for this location given the site's proximity to Crawley Down and its associated facilities, including public transport facilities;
- t. A Framework Travel Plan has been provided to demonstrate how the developer intends to try and reduce the use of the private motor car;
- u. The FRA and Drainage Strategy submitted with this application demonstrates that the proposed development is wholly in Flood Zone 1 and can encompass a surface water drainage strategy that

- can accommodate up to and including the 1% AP storm event with an appropriate allowance for climate change (of 40%), without any onsite flooding or increasing the extent of any offsite flood risk. Indeed, as set out in the FRA the proposed surface water drainage strategy will improve upon the current situation with regard to surface water management and flood risk;
- v. The Cultural Heritage Desk-Based Assessment (CHDBA) advises that a review of the available evidence has shown that a low to moderate archaeological potential can be assigned to the study site for Iron Age and Roman remains, and a generally low potential for all other past periods of human activity. It also advises that there is a localised raised potential for modern farm outbuilding remains shown on 19th century mapping at the northeast and southern extents of the site. As a result, the CHDBA concludes that the development proposals are considered unlikely to have a widespread or significant negative archaeological impact that would result in unacceptable harm to the archaeological resource of the site; and that the potential impact of development could be appropriately mitigated through a programme of archaeological investigation and recordings undertaken in advance of construction, if so required by the Local Planning Authority.
 - w. The CHDBA also advises that the Study Site does not contain any designated or non-designated built heritage assets; and that whilst six Grade II listed buildings have been identified in the vicinity of the site there is no intervisibility between the Study Site and any of these listed buildings; and the Study Site presents no opportunity to appreciate the architectural and historical interest of these listed buildings and makes a very limited contribution to their significance as part of their wider historical setting only. As a result of the above the CHDBA advises that the Study Site is not considered to make any contribution to the significance of the built heritage assets and does not enhance or contribute to their intrinsic architectural and historical interest. It goes on to advise that there will be minimal change to the wider historical setting of the six listed buildings only and no loss of any existing opportunity to understand or appreciate their significance. And that there will be no change to the intrinsic architectural and historic interest of their built fabric.
 - x. The Sustainability and Energy Statement indicates that the carbon dioxide (CO₂) emissions reduction strategy for the proposals is based on the energy hierarchy to provide a rigorous methodology, which aims to reduce the carbon dioxide emissions from the development as far as possible. This is intended to be achieved through the employment of highly efficient building fabric components to reduce energy demand, and the potential inclusion of renewable and low carbon energy technologies such as air source heat pumps to serve the space and water heating demands of the proposed dwellings and deliver further carbon dioxide emissions reductions. It is anticipated that the proposed carbon dioxide emissions reduction strategy will facilitate significant carbon dioxide emissions savings compared to the Part L:2021 baseline, aiming to significantly exceed the current requirements of Mid Sussex District Council and to align with the draft policies set out within the Reg 19 Submission Draft Local Plan (Dec 2023).

- y. The proposed development will meet its infrastructure needs via a S106 Agreement, as long as the contributions sought are fairly and reasonable related to the scale of development proposed, such that there will be no adverse impact on day to day services;
 - z. The proposed development generates significant economic, social and environmental benefits.
- 8.13 The application site is highly sustainable. Development on this site is capable of being assimilated with the wider area without detriment to the character of the area, or amenities of local residents. The landscape strategy, drainage strategy and ecological strategy will all enhance the sites' nature conservation value.
- 8.14 On the basis of the above we believe the case for granting planning permission to be compelling, and that consent should be granted without delay. We trust that planning permission will be granted accordingly.

Planning Statement

Appendix A

Policy DPA9 Assessment

Appendix a – JAA Planning Statement

A Review of compliance with Policy DPA9 of the Reg 19 Submission Draft Local Plan 2021 - 2039

Policy DPA9	Compliance
<p><i>The land west of Turners Hill Road will provide for 350 dwellings, and the following infrastructure on-site:</i></p> <ul style="list-style-type: none"> • <i>Community building</i> • <i>Allotments</i> • <i>50 bed (C2) care home</i> • <i>Play area</i> • <i>Other outdoor provision</i> • <i>Outdoor sports¹</i> • <i>Informal outdoor space</i> 	<p>The proposed development is for 200 dwellings on land to the south of Huntsland. Together with the application for 150 dwellings and a 65 bed care home on land to the north of Huntsland the proposed development will provide for the 350 dwellings advocated in policy DPA9.</p> <p>In addition, cumulatively the proposed developments provide for:</p> <p>A 65 bed (C2) Care Home on land to the north of Huntsland. The increased size reflecting market demand and operator specifications</p> <p>A significant number of Play Areas:</p> <ul style="list-style-type: none"> • 2 x Local Equipped Areas of Play: one located along the southern edge close to the Worth Way Country Park and one within Field 5 within walking distance of Turners Hill Road, as well as 3 Local Areas of Play, and a number of trails promoting play on the way are proposed on land to the south of Huntsland <p>And</p> <ul style="list-style-type: none"> • 1 x Neighbourhood Equipped Area of Play, 1 x Local Equipped Area of Play located centrally within the northern site, 2 x Local Areas of Play, and a number of trails promoting play on the way are proposed on land to the north of Huntsland <p>In addition to the above MSDC has identified a financial contribution of £66,0000 towards expansion/ enhancement of play areas within the vicinity of the site.</p>

¹ Subject to further discussion regarding overall provision within settlement, refer to IDP for most up to date position

	<p>A significant amount of informal outdoor space including an area of Countryside Open Space</p> <ul style="list-style-type: none"> • 9.39ha on the land south of Huntsland and • 1.58ha on land to the north of Huntsland <p>Significant areas of Amenity Green Space</p> <ul style="list-style-type: none"> • 1.37ha on the land south of Huntsland and • 1.11ha on land to the north of Huntsland <p>Significant areas of Natural and Semi-Natural Space</p> <ul style="list-style-type: none"> • 2.88ha on the land south of Huntsland and • 3.18ha on land to the north of Huntsland <p>The opportunity to deliver some allotments if a need is identified – indicative locations are identified on the parameter plans within the Countryside Open Space on land to the north and south of Huntsland²</p> <p>Whilst it has been agreed with both the District and Parish Councils that rather than provide a Community Building contributions are made in accordance with the IDP as follows</p> <ul style="list-style-type: none"> • New Cricket Pavilion on Sandy Lane with facilities for ladies teams
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² It should be noted that Worth Parish Council have advised that they currently have 101 allotment plots in Crawley Down off Station Road. This is currently only 75% occupied and the occupancy is expected to drop again from October 2025, as existing tenants have already given prior notice this will be their last year. The PC advise that much of this is due to the fact many of the existing tenants are over the age of 75 and unable to keep up with the cultivation of their plots or have health issues preventing them from doing so. To this end we also understand that out of the 75 plots currently being cultivated 46 tenants receive an OAP discounted rate. We further understand that have recently advertised the allotments to neighbouring parishes there has been no up take, and that in order to reduce vacant plots the parish council have recently changed their tenancy agreement to enable good tenants to take on multiple plots. As a result, we understand the Parish Council would not want to see more allotments placed in Crawley Down when their existing site is low on occupancy. The need to provide any such provision on this site is thus a matter for further consideration during the planning process

	<ul style="list-style-type: none"> • Enhancement of the facilities at the King George V Recreation Ground • Improvement to the existing community building (The Haven Centre) and its sports facilities <p>The IDP currently identifies site DPA9 contributing £389,000.00 towards the provision of local community infrastructure and £491,000.00 towards the expansion/ enhancement of outdoor sports within the vicinity of the site.</p> <p>In addition to the above the proposed development for the land North of Huntsland does encompass the St Leonards Lookout, a community gathering and viewing space featuring a bandstand, picnic area, children’s play area, and community orchards.</p>
<p><i>Financial contributions towards the provision of:</i></p> <ul style="list-style-type: none"> • Sustainable Transport • Education • Library • Local Community Infrastructure • Emergency services • Ashdown Forest SPA and SAC mitigation measures • Health 	<p>As set out in the draft HoT in chapter 6.18 of the Planning Statement the proposed development will make financial contributions towards the provision of:</p> <ul style="list-style-type: none"> • Sustainable Transport • Education • Library • Local Community Infrastructure • Emergency services • Ashdown Forest SPA and SAC mitigation measures; and • Health <p>As long as they are fairly and reasonably related to the proposed development</p> <p>The nature of the Sustainable Transport Contribution is set out in the Transport Assessment</p> <p>The nature of the contributions to Local Community Infrastructure are set out above</p> <p>And the nature of the contributions to Ashdown Forest SPA and SAC mitigation measures are set out in the Ecological Appraisal and Report to inform a Habitat Regulation Assessment</p>

<p><i>And to make provision for the following off site:</i></p> <ul style="list-style-type: none"> • <i>Sustainable transport measures</i> • <i>Highway works</i> • <i>Sewerage network upgrades</i> 	<p>The Transport Assessment explains the proposed off site sustainable transport measures and proposed off site highway works. And the Drainage Statement explains the sewerage network upgrades</p>
<p><i>In addition, policy DP9 also contains the following policy requirements:</i></p>	
<p><i>1. Assess the areas of archaeological interest – Crest of Sandstone Ridge and the stream running through the High Weald that has a potential pre-historic bank.</i></p>	<p>As set out in the Heritage Assessment whilst localised low banking is visible at field boundaries, without intrusive investigation their date and origin is currently unknown. No obvious potential pre-historic bank has thus been identified on site</p>
<p><i>2. Follow a sequential approach by directing development away from areas of flood risk and mitigate impacts through integration of SUDS to deliver biodiversity/environmental improvements and flood resilience</i></p>	<p>As set out on both the Flood Risk Assessment and Drainage Strategy the proposed development does follow a sequential approach by directing development away from areas of flood risk and mitigate impacts through integration of SUDS to deliver biodiversity/environmental improvements and flood resilience. Indeed, as set out in the FRA not only is no built development proposed in areas deemed to be at risk of flooding, but discharge rates for the proposed surface water drainage strategy will be limited to the 1 in 1 year greenfield runoff rate, thereby considerably reducing the peak flows presently emanating from the site. The strategy will therefore improve upon the current situation with regard to surface water management and flood risk</p>
<p><i>3. Address any impacts associated with Ancient Woodland (on and adjacent to the site) including Front Wood, Wallage Wood, Wallage Lodge Shaw, Bushy Wood, Pescotts Wood (east and west parcels), which will be excluded from development.</i></p>	<p>As set out in the Ecological Appraisal there is no loss of Ancient Woodland under the proposals, with all areas of ASNW present within and adjacent to the application boundary being safeguarded through the provision of ancient woodland buffers. Where residential development is proposed adjacent to the western boundary of Front Wood (W1) and to the north and south of the wooded strip located between fields 5 and 6 (W2 on the habitats plan), as well as Winns Wood (W9) and Pescotts Wood (W10), a minimum 15m buffer will be maintained between built development and the woodland edge.</p>

	<p>In addition, where practical, housing areas will be designed to face out onto these buffers, providing visual surveillance and avoiding gardens backing onto habitat, preventing issues such as informal garden extensions and fly tipping.</p> <p>This will be further reinforced by provision of a hard edge to the built development where practical, in the form of roads or footpaths. This is currently shown within the illustrative masterplan.</p> <p>Woodlands W6 and W7 are retained within proposed open space, whilst footpath routes will be designed to guide users around, rather than through, the woodlands.</p> <p>Additional planting will be provided within the buffers to strengthen the woodland edge, with the use of thorny species such as Hawthorn, Blackthorn and Holly to discourage informal access to the woodland. This will be reinforced where necessary with fencing and signage, albeit the existing watercourse and ditch at the boundary of W1 already forms a natural barrier to the woodland edge.</p> <p>An emergency, cycle and pedestrian link is proposed through W2, utilising an existing farm access across a raised bund over the watercourse. This will be installed using a no-dig approach, with a cellular confinement system laid across the existing track filled with granular fill, permitting water and air flow to the soil. A post and rail fence would be erected at the edges to prevent encroachment into the woodland. As such, construction would be limited to the existing trackway, with adjacent trees and associated root protection areas safeguarded, avoiding any impacts on Ancient Woodland trees, flora or soils.</p> <p>As also set out in the Ecological Appraisals the drainage strategy will have specific regard to the Ancient Woodlands, with drainage features designed to maintain greenfield runoff rates and good water quality to avoid hydrological effects on the woodlands. In a number of locations, drainage basins and swales are proposed within the ancient woodland buffers, although the design of these will ensure that root protection areas are fully maintained and the water table is not negatively affected. Discharge points to the existing watercourse</p>
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	will be provided at the woodland edge or will be installed with directional drilling, avoiding any loss of Ancient Woodland habitat.
<i>4. Provide a woodland buffer to existing vegetation along the southern boundary and set development back from the Worth Way to mitigate potential visual impact to the route and help enhance its setting.</i>	As is clear from the Illustrative Masterplan, Design and Access Statement, Landscape and Visual Appraisal and Landscape Strategy Plans the proposed development of the land to the south of Huntsland does provide a woodland buffer to existing vegetation along the southern boundary of the site and set development back from the Worth Way to mitigate any potential visual impact to the route and help enhance its setting.
<i>5. Provide a 5m landscape buffer to existing hedgerows.</i>	As set out in the LVIA and AIR the proposed development does provide a 5m landscape buffer to existing hedgerows
<i>6. Integrate and enhance the existing PRowS within the site and retain the character of PRowS that border the site</i>	<p>Footpath 33W, known as Huntsland, crosses the study area from east to west, providing a connection in the east to Turners Hill Road and a signal controlled crossing of the road and in the west to footpaths 32W westwards and 34W southwards.</p> <p>Footpath 32W provides a connection from north to south, at the western end of land south of Huntsland leading to Wallage Lane. In accordance with criterion 6, these connections will be retained in their present form.</p> <p>To integrate the footpaths with the site:</p> <ol style="list-style-type: none"> 1. pedestrian connections will be provided from footpath 32W into the Countryside open space (in fields 3 and 7), providing recreational walking routes and a means to access the homes at land south of Huntsland. 2. A further short connection is proposed into field 5 from Huntsland. This is in addition to an existing connection to Wychwood Green, which will in turn lead to the vehicular access into land north of Huntsland. 3. A north-south cycle route will connect Worth Way south of the site and Hurst Farm in the north, crossing, and enabling pedestrian access to, Huntsland. <p>The paths will be sensitively designed so as to preserve the rural feel of the rights of way.</p>

	<p>The sense of enclosure from adjacent woodland edges, hedgerows and trees belts will be reinforced through new native structure planting both within the Countryside Open Space and within the Natural and Semi-Natural Space. Thus, enhancing the existing PRowS within the site and retaining the character of PRowS that border the site.</p>
<p><i>7. Provide suitable pedestrian and cycle connections to Crawley Down, including via the Worth Way.</i></p>	<p>As set out in the Transport Assessment the proposed development provides for a series of pedestrian and cycle connections to Crawley Down, including via the Worth Way.</p> <p>The pedestrian and cycling connections include:</p> <ol style="list-style-type: none"> 1. A 3m north-south cycling route through the site between Hurst Farm in the north (see criterion 8 below) and Worth Way. 2. An improved surface treatment of Worth Way between the site access onto the Worth Way bridleway and Old Station Close in the village centre. 3. A network of cycling routes within the application sites. 4. Shared cycleways adjacent to both of the proposed vehicular accesses serving land south of Huntsland. 5. A new signal controlled crossing on Turners Hill Road adjacent to the southern access point as well as provision of dropped kerb / tactile paving crossings on Turners Hil Road and Vicarage Road. 6. A traffic calming scheme on Turners Hill Road incorporating visual narrowing's and repeater roundels displaying the speed limit on the carriageway - aimed at reducing speeds and improving safety (and the feeling for safety) for pedestrians and cyclists. <p>The cycle network and off-site improvements accord with criterion 7 and has been discussed and agreed in principle with the highway authority.</p>
<p><i>8. Integrate development with the site to the north (DPA10) such as through the design of the site layout and by providing pedestrian and</i></p>	<p>As set out in various reports including the Design and Access Statement and Transport Assessment a north south pedestrian cycle</p>

<p><i>cycling connections between the developments, green infrastructure and ecological corridors</i></p>	<p>link is proposed from the boundary with the land to the north (DPA10) to the Worth Way. The principle of this link has also been discussed with the developer of the Hurst Farm site. Said link would be a minimum of 3m wide with native parkland trees planted along one site to reinforce it as purpose ad a priority movement corridor, which would also as per criterion 8 facilitate the introduction of green infrastructure links and ecological corridors. Whilst Officers have in pre app discussions suggested that there is nothing within criterion 8 to preclude the provision of a vehicular link to the site to the north, there are commercial issues associated with doing this that fall outside the planning remit. The proposed development of the land North of Huntsland does provide the route for any suchlike – but any connections beyond the site boundary would be a matter for discussion with the adjacent land owner. As things stand the proposed vehicular access strategy via Wychwood Place is, as set out below, in accordance with criterion 9 and has the support of the highway authority</p>
<p><i>9. Provide suitable access to Turners Hill Road to each of the three areas of the site. The northern access is to be via Wychwood Place and the middle access and route through site is to be separate from Huntsland which will remain a no through road and public right of way.</i></p>	<p>As set out in the Transport Assessment the proposed developments do cumulatively provide suitable access to Turners Hill Road to each of the three areas of the site. The northern access is via Wychwood Place in accordance with criterion 9 and the middle access and route through site is separate from Huntsland which will remain a no through road and public right of way, again in accordance with criterion 9. A third, southern point of access is to be provided opposite Vicarage Road Each of the proposed junctions have been discussed and developed fully in consultation with WSCC and are therefore agreed in principle. The three junctions:</p> <ol style="list-style-type: none"> 1. Are agreed as being the appropriate form of junction design. 2. Fully accord with design standards. 3. Provide appropriately for pedestrians and cyclists. 4. Provide appropriate visibility for prevailing vehicle speeds.

	5. Take on board the comments of a road safety auditor.
<i>10. Avoid development in the most sensitive areas, including the central ridge.</i>	As is clear from the Illustrative Masterplan, Design and Access Statement and Landscape strategy plans the proposed development does avoid development in the most sensitive areas, including the central ridge.
<i>11. Provide a country park in southern part of site and along western boundary linking the north and south parts of the site.</i>	As is clear from the Illustrative Masterplan, Design and Access Statement and Landscape strategy plans the proposed development of the land to the south of Huntsland does provide a country park in the southern part of site and along the western boundary linking the north and south parts of the site, as is also evident from the plans for the land north of Huntsland.
<i>12. Meet the requirements of other relevant development plan policies.:</i>	The proposed development does, as summarised in the Planning statement and expanded upon in the supporting statement meet the requirements of other relevant development plan policies.

Planning Statement

Appendix B

Socio-Economic Benefits Infographic

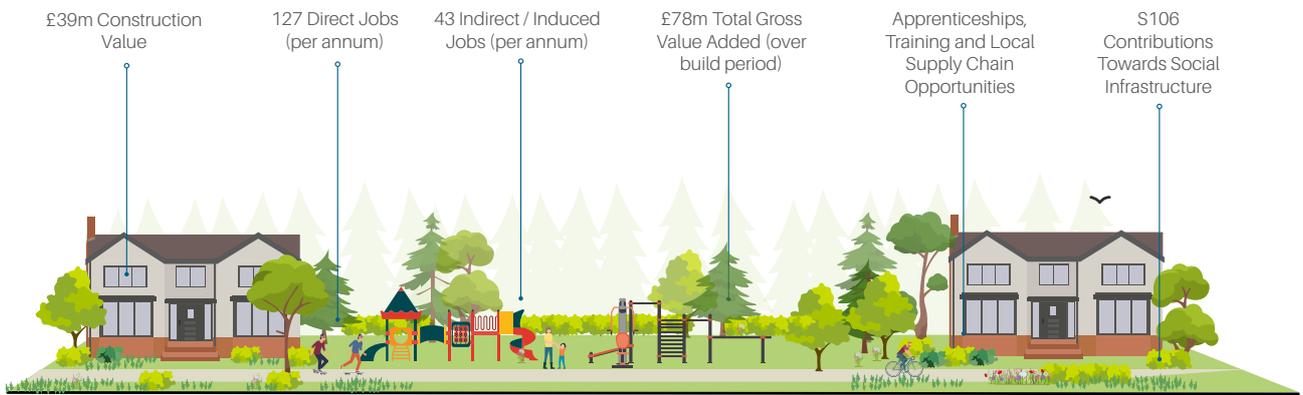
Socio-Economic Benefits of Development at Land west of Turners Hill Road and south of Huntslands, Crawley Down



This infographic provides an overview of the socio-economic benefits that could be delivered from the development of land at Crawley Down (south of Huntslands). The proposal includes a new sustainable development of 200 homes, which will make a significant contribution towards meeting a range of local housing needs, including family homes and 30% affordable housing. It includes new open space and associated play facilities. A new community orchard, as well as active travel opportunities, will encourage healthy lifestyles.

Overall, the delivery of new housing will provide benefits for the local economy during the construction period and further benefits for the community once occupied, which are captured and summarised here (n.b. figures are approximate and rounded).

Construction Phase



Operational Phase



Wider Benefits

