

## Delegated Decision

### Sign off Sheet

|  |   |  |                    |
|--|---|--|--------------------|
| <b>Ref. No:</b>                              | DM/25/2616  | <b>Case Officer:</b>                   | Andrew Watt        |
| <b>Application Type:</b>                     | Full Application  |  |                    |
| <b>Proposal:</b>                             | Erection of four residential dwellings (2 no. two-bedroom and 2 no. three-bedroom staff accommodation units) with associated parking, landscaping, access improvements, and sustainable drainage measures, on land east of Malthouse Lane |  |                    |
| <b>Site:</b>                                 | Land At Hurstpierpoint College , Malthouse Lane, Hurstpierpoint, West Sussex,<br>, , ,  |  |                    |
| <b>Validation Date</b>                       | 14 Nov 2025   | <b>Overall Expiry Date:</b>            |                    |
| <b>Pre-Commencement Conditions Required:</b> | Yes   | <b>Pre-Com Conditions Date Agreed:</b> | 24 Dec 2025        |
| <b>Recommendation:</b>                       | Permission  | <b>Recommendation Date:</b>            | 24 Dec 2025        |
| <b>Target Date:</b>                          | 9 Jan 2026  | <b>Recommending Officer Signature:</b> | <i>Andrew Watt</i> |

|  |  |                               |   |
|--|--|-------------------------------|---|
| <b>Date Legal Agreement Completed: (if applicable)</b> |  | <b>No of Representations:</b> | 0 |
|--|--|-------------------------------|---|

|                              |                        |              |             |
|------------------------------|------------------------|--------------|-------------|
| <b>Signed and Agreed By:</b> | <i>Stephen Ashdown</i> | <b>Date:</b> | 24 Dec 2025 |
| <b>Comments:</b>             |                        |              |             |

## MID SUSSEX DISTRICT COUNCIL

**DM/25/2616**

**Land At Hurstpierpoint College , Malthouse Lane, Hurstpierpoint, West Sussex, , ,  
Erection of four residential dwellings (2 no. two-bedroom and 2 no. three-bedroom staff  
accommodation units) with associated parking, landscaping, access improvements, and  
sustainable drainage measures, on land east of Malthouse Lane  
Mr Barker**

### **SUMMARY OF REPRESENTATIONS**

None.

### **SUMMARY OF CONSULTEES**

#### **MSDC Conservation Officer**

Concerns remain, with the scheme resulting in a degree of less than substantial harm to the setting of nearby heritage assets, likely to be at the lower end of the scale.

#### **MSDC Consultant Ecologist**

No objection, subject to conditions.

#### **MSDC Drainage Engineer**

No objection, subject to condition.

#### **MSDC Street Naming and Numbering Officer**

Informative requested.

#### **MSDC Tree Officer**

The updated TPP and other details are now sufficient to protect the trees. Please condition adherence to the AIA, AMS and TPP.

#### **WSCC Highways**

No objection, subject to conditions.

#### **Southern Water**

Condition requested.

### **PARISH COUNCIL OBSERVATIONS**

The committee recommends that MSDC grant permission.

### **INTRODUCTION**

Full planning permission is sought for the erection of four residential dwellings (2 no. two-bedroom and 2 no. three-bedroom staff accommodation units) with associated parking, landscaping, access improvements, and sustainable drainage measures, on land east of Malthouse Lane.

## **RELEVANT PLANNING HISTORY**

There is a considerable history to the Hurstpierpoint College campus, including schemes for staff accommodation, but of most relevance in January 2003, a planning application was withdrawn for 2 x 2-storey, semi-detached houses on the site (02/02107/OUT).

## **SITE AND SURROUNDINGS**

The site consists of a small, enclosed parcel of land to the east of Malthouse Lane adjacent to two staff houses within the Hurstpierpoint College campus, Ruckford Three to the south and Ruckford House to the east. Access is shared with both. There are a number of trees within the site, of varying maturity. Land to the north is separated by a vegetated boundary and in use as sports pitches, mainly cricket and rugby, plus a pavilion building and gated access and informal track onto Malthouse Lane. Beyond these pitches are several residential dwellings, not part of the College, set along a public right of way (56\_2Hu) and including 3 Grade II listed buildings, Ruckford Mill Farmhouse and Ruckford Mill Farmhouse Cottage, and Ruckford Mill. Further to the east, immediately behind Ruckford House, are a number of tennis courts. Further south are rugby pitches. Opposite to the west are two independent dwellings, The Malthouse and Westfield, with The Headmaster's House (part of the College) beyond and more sports pitches (football) adjacent. The main grouping of College buildings is to the south-west along Chalkers Lane, centred around the Grade II listed main quadrangle and Star House.

The site (and the wider College campus) is located within the countryside to the north of Hurstpierpoint and within a designated Great Crested Newt - Impact Risk Zone (Red). The site is located within a Geology Safeguarding Zone. A very small strip of land to the NW frontage of the site is at risk of surface water flooding (1 in 1000 year). Adjoining land to the north and west (along the road frontage) is covered by an area Tree Preservation Order TP/14/0003.

## **APPLICATION DETAILS**

Full planning permission is sought for the erection of four residential dwellings (2 no. two-bedroom and 2 no. three-bedroom staff accommodation units) with associated parking, landscaping, access improvements, and sustainable drainage measures, on land east of Malthouse Lane.

The dwellings will be set perpendicular with Malthouse Lane directly north of Ruckford Three and west of Ruckford House. They will be arranged over 2-storeys as semi-detached buildings, with the wider pair closer to the highway. Both will have feature Sussex hips to the roofs and projecting bay windows to the front. Elevations will be of clay red/orange multi-stock bricks, with clay hanging tiles on the first floor and clay roof tiles above (all to match Ruckford House), together with black aluminium rainwater goods (RAL colour 9005), timber windows (RAL colour 9016) and alu-clad timber doors coloured black (RAL 9005).

The existing access will be utilised and widened, with the driveway extended along the far north boundary and to the north of Ruckford House, providing a turning head and 11 car parking spaces in total. Rear gardens will be provided to each dwelling, with bike and bin storage and a shed within each. The front of each house will be accessed via a shared path with planting and grass.

## **LEGAL FRAMEWORK AND LIST OF POLICIES**

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

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

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

### **Mid Sussex District Plan (Mar 2018)**

The Mid Sussex District Plan 2014-2031 was adopted at Full Council on 28 March 2018.

Relevant policies:

Policy DP4: Housing  
Policy DP6: Settlement Hierarchy  
Policy DP12: Protection and Enhancement of Countryside  
Policy DP14: Sustainable Rural Development and the Rural Economy  
Policy DP17: Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)  
Policy DP21: Transport  
Policy DP25: Community Facilities and Local Services  
Policy DP26: Character and Design  
Policy DP27: Dwelling Space Standards  
Policy DP28: Accessibility  
Policy DP29: Noise, Air and Light Pollution  
Policy DP34: Listed Buildings and Other Heritage Assets  
Policy DP37: Trees, Woodland and Hedgerows  
Policy DP38: Biodiversity  
Policy DP39: Sustainable Design and Construction  
Policy DP41: Flood Risk and Drainage  
Policy DP42: Water Infrastructure and the Water Environment

### **Site Allocations DPD**

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

There are no relevant policies.

### **Hurstpierpoint and Sayers Common Neighbourhood Plan (Mar 2015)**

Mid Sussex District Council formally 'made' the Hurstpierpoint and Sayers Common Neighbourhood Plan part of the Local Development Plan for the Parish of Hurstpierpoint and Sayers Common as of 18 March 2015. The policies contained therein carry full weight as part of the Development Plan for planning decisions within Hurstpierpoint and Sayers Common.

Relevant policies:

Policy HurstC1: Conserving and Enhancing Character  
Policy HurstC5: Hurstpierpoint College  
Policy HurstH5: Development Principles

### **Other Legislation**

Countryside and Rights of Way (CROW) Act 2000

Planning (Listed Buildings and Conservation Areas) Act 1990

### **Other Material Considerations**

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

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021-2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and the Stage 1

hearings were concluded on 31 October 2024. There are unresolved objections to some of the Policies in the draft District Plan and as such, only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant policies:

DPS1: Climate Change  
DPS2: Sustainable Design and Construction  
DPS4: Flood Risk and Sustainable Drainage  
DPS6: Health and Wellbeing  
DPN1: Biodiversity, Geodiversity and Nature Recovery  
DPN2: Biodiversity Net Gain  
DPN4: Trees, Woodland and Hedgerows  
DPC1: Protection and Enhancement of the Countryside  
DPC6: Ashdown Forest SPA and SAC  
DPB1: Character and Design  
DPB2: Listed Buildings and Other Heritage Assets  
DPT1: Placemaking and Connectivity  
DPT3: Active and Sustainable Travel  
DPT4: Parking and Electric Vehicle Charging Infrastructure  
DPE8: Sustainable Rural Development and the Rural Economy  
DPH11: Dwelling Space Standards  
DPH12: Accessibility  
DPI6: Community and Cultural Facilities and Local Services  
DPI7: Water and Wastewater Infrastructure

### **Mid Sussex Design Guide Supplementary Planning Document (Nov 2020)**

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

Relevant design principles include:

Principle DG11: Respond to the existing townscape, heritage assets and historic landscape  
Principle DG13: Provide positive frontage to streets  
Principle DG14: Provide enclosure  
Principle DG16: Create a positive development edge  
Principle DG18: Integrate parking to support attractive streets and spaces  
Principle DG19: Provision of off-street parking  
Principle DG21: Consider and allow for servicing, refuse collection and deliveries  
Principle DG22: Integrate refuse and recycling into the design of new development  
Principle DG24: Plan for cyclists  
Principle DG27: Integrate tree planting and soft landscape  
Principle DG37: Deliver high quality buildings that minimise their environmental impact  
Principle DG38: Design buildings with architectural integrity and a sense of place  
Principle DG39: Deliver appropriately scaled buildings  
Principle DG46: Provide attractive and usable external amenity space for all homes  
Principle DG47: Provide homes with sufficient daylight and sunlight

### **National Planning Policy Framework (NPPF) (Dec 2024)**

The National Planning Policy Framework (NPPF) 2024 is also a material consideration and paragraphs 8 (overarching objectives), 11 (presumption in favour of sustainable development), 12 (status of development plan), 39 (decision-making), 48 (determining applications), 56 and 57 (planning conditions), 85 (building a strong, competitive economy), 88 and 89 (supporting a prosperous rural economy), 96 (achieving healthy, inclusive and safe places and beautiful buildings), 109 (promoting sustainable

transport), 115, 116, 117 and 118 (highways matters), 131 and 135 (design), 136 (trees), 161 (transition to net zero by 2050), 163 (planning for climate change), 166, 167 and 168 (sustainability), 181, 182 (flood risk), 187 (conserving and enhancing the natural environment), 193 (biodiversity and ancient woodland), 194, 195 (habitats sites) and 202-221 (heritage assets) are considered to be relevant to this application.

## **National Planning Practice Guidance**

### **National Design Guide**

Published in 2021, the National Design Guide illustrates how the government considers well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice.

Paragraph 134 of the NPPF sets out that this national document, along with the National Model Design Code, should be used to guide decisions on application in the absence of locally design guides or design codes.

### **Technical Housing Standards: Nationally Described Space Standard (Mar 2015)**

### **West Sussex County Council: Guidance on Parking at New Developments (Aug 2019)**

## **ASSESSMENT**

### **Principle**

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

In terms of policy designations, the starting point for this assessment is that the application site falls outside of the built-up area of Hurstpierpoint as defined by the District Plan. As such the site is located within the defined Countryside.

Policy DP12 of the District Plan refers to the protection of the Countryside and states, in part, that development will be permitted in the countryside 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.

Policy HurstC1 of the Neighbourhood Plan is similar in intent. It states:

*'Development, including formal sports and recreation areas, will be permitted in the countryside, where:*

- *It comprises an appropriate countryside use;*
- *It maintains or where possible enhances the quality of the rural and landscape character of the Parish area;*
- *In the South Downs National Park, policy HurstC2 will take precedent.'*

Policy DP25 of the District Plan refers to education facilities and states in part that:

*'The provision or improvement of community facilities and local services that contribute to creating sustainable communities will be supported.'*

Policy HurstC5 of the Neighbourhood Plan states:

*'Development will be permitted within the environs of Hurstpierpoint College where:*

- *It does not detract from the special architectural character and appearance of the existing collection of buildings and their setting in the landscape;*
- *It conserves or enhances the character and appearance of Listed Buildings;*

- *It complies with the requirements of Policy C1;*
- *It enhances the role of the College as a school and local employer.'*

In principle, the proposal for staff accommodation to support a local employer and school would be supported. This has been justified in the Planning Statement, in summary, that the dwellings will support key worker retention for the College and will reduce off-site commuting and associated vehicle trips.

As per planning legislation, a decision must be made in accordance with the development plan unless there are any material planning considerations which indicate otherwise.

The policies contained within the NPPF are material considerations which should be taken into account in the determination of this application. This is confirmed within paragraph 231 of the NPPF.

Paragraph 232 clarifies that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. 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).

Paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development, and states:

*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 policies, or the policies which are most important for the determining the application are out-of-date, granting planning permission unless:*
  - i. *The application of policies within this Framework that protect areas of assets of particular importance provides a strong reason for refusing 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.'*

Footnote 7 of paragraph 11(i) clarifies that the policies referred to are those in this Framework (rather than those in development plans) and relate to habitats sites (and those 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; and areas at risk of flooding or coastal change.

Footnote 8 of paragraph 11 clarifies that for applications involving the provision of housing, in situations where the local planning authority cannot demonstrate a five year land supply of delivery housing sites (with an appropriate buffer) or where the Housing Delivery Test indicates that delivery of housing has been substantially below (less than 75% of) the housing requirement for the last three years, then relevant policies for the supply of housing should be considered out-of-date.

Having regard to the above, while the Council has performed excellently in respect of the Housing Delivery Test, a new standard method formula was published alongside the NPPF which gives Mid Sussex a significantly higher housing requirement than the current District Plan. As a result, and having regard for the need for an appropriate buffer, the Council is unable to demonstrate a five year supply of deliverable housing sites as per the requirements of paragraph 78 of the NPPF.

In light of the above, this development needs to be considered in the context of the presumption in favour of sustainable development. If a development is found to be sustainable, that would weigh heavily in favour of granting permission in the paragraph 11(d) balance. If, however, the development is not found to be sustainable, that is not the end of the matter; the Local Planning Authority still need to go

through the weighing up process between the positive benefits of the scheme against any harm that may be caused, having particular regard for the key policies indicated in paragraph 11(d)(ii).

As part of this process, the weight to be given to development plan policies will need to be assessed against the degree of conformity with the NPPF.

Policies DP4 (Housing) and DP6 (Settlement Hierarchy) are relevant to this application. These policies are considered to be policies relating to the supply of housing and as such can be considered to be out-of-date, having regard to the NPPF tests. As such, these policies can be given limited weight in the determination of the application.

Therefore the key test that must be undertaken when assessing this application is as set out within paragraph 11(d) of the NPPF.

The following sections of the report will consider the relevant matters associated with the proposed development in the context of the development plan and other material considerations, including the NPPF, in order to undertake the necessary tilted balance assessment outlined above.

### **Impact on the character and appearance of the area and the setting of the Listed Buildings**

The site is within the setting of designated heritage assets, Grade II listed buildings at the main quadrangle and at Star House, both to the south-west.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

*'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'*

Policy DP26 of the Mid Sussex District Plan states (in part):

*'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;*
- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *positively addresses sustainability considerations in the layout and the building design;'*

Policy DP34 of the Mid Sussex District Plan states (in part):

*'Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:*

- *A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*
- *Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;*
- *Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- *Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;*
- *Special regard is given to protecting the setting of a listed building;*
- *Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.'*

Policy HurstH5 of the Neighbourhood Plan states:

*'House designs and the layouts and densities shall respond to the village character of the area and shall follow the Village Design Statement (May 2004).'*

Design Principle 11 of the Mid Sussex Design Guide SPD seeks to ensure that heritage assets are enhanced and preserved where appropriate. Chapter 6 relates to high quality and sustainable building design.

Paragraphs 207, 208, 210, 212 and 215 of the NPPF are relevant, as follows:

*207. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.*

*208. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.*

*210. In determining applications, local planning authorities should take account of:*

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

*212. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

*215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

The Council's Conservation Officer has made the following comments:

*'The proposed development site is an area of undeveloped land to the east side of Malthouse Lane, which now forms part of the campus attached to Hurstpierpoint College. The main school buildings, including the Grade II listed quadrangle and Star House, are located a short distance to the south west. Immediately to the east and south of the site are existing buildings forming part of the school- Ruckford House, which is a mid 19th century building now converted for school use, and Ruckford Three, which dates from the later part of that century. These buildings and the proposed development site are now surrounded by school playing fields.*

*Based on the information in front of us, the listed school buildings are likely to be considered to possess architectural value based on their design, construction and craftsmanship, as well as illustrative value as good examples of purpose built school buildings of the period, and aesthetic value. The open and verdant setting around the main campus, including the school playing fields and the wider rural setting, contributes positively to an understanding of the narrative of the school as a community presumably*

*deliberately established within a bucolic context, and with a degree of separation from both Hurstpierpoint and Burgess Hill.*

*A short distance to north, separated from the site by a playing field, are a group of buildings associated with the former Ruckford Mill, a 19th century water powered corn mill which is Grade II listed. These include Ruckford Mill Farmhouse, which is an 18th century building and also Grade II listed. The farmhouse is now divided into two properties. There are a number of other buildings grouped around the former mill, some of which are likely to be regarded as curtilage listed, or otherwise as non-designated heritage assets (NDHAs), including a small barn to the south east of the mill itself, a pair of former mill cottages (Ruckford Cottage and Mill Cottage), and a further cottage (Rose Cottage) to the south and south west, all of which appear from historical map regression to date from the 19th century or earlier, and all of which have group value with the listed buildings. There are also a small number of more modern dwellings to the east and west of the mill grouping sharing the same access from Malthouse Lane.*

*There is a public right of way (PROW) which runs eastwards from Malthouse Lane along the mill access, before continuing southeast skirting the school playing fields. There are views from this path both of mill group and looking southwards towards the application site.*

*The various heritage assets at Ruckford Mill are likely to be considered to possess architectural interest based on the design, construction and craftsmanship of the buildings, and in the case of the Mill on the design and engineering of any surviving parts of the mill workings, historical illustrative value as good examples of a 19th century corn mill (and possibly farmstead) with associated dwellings and outbuildings, which will have operated in close connection with the surrounding farmlands, and aesthetic value based in part on the use of vernacular materials viewed within the landscape from which they were drawn. The group will also possess a degree of communal value for the way in which the mill when operational will have formed a focus of activity for the local farming community.*

*The existing setting of the mill group includes significantly the mill stream, which contributes strongly to the narrative of the buildings as a former working watermill, and also a wider setting of woods and farmland to the north and east, and the school's playing fields directly to the south. The surviving agricultural character of parts of the setting of the heritage assets also contributes to their special interest, in particular those parts of that interest which are drawn from historical illustrative and aesthetic values, reflecting the close relationship of the buildings with the farmlands which will originally have surrounded the mill. Although the setting to the south of the mill group is now taken up by school playing fields, their open and verdant nature and the presence of trees and hedgerows around them reflects their historical purpose as part of those farmlands.*

*The current application, which follows on from pre-application advice, is for the construction of 4 new dwellings, with associated access improvements, parking and landscaping, to provide staff accommodation on an undeveloped plot to the west of Ruckford House, an area which was formerly part of the gardens around the house, but is now occupied by trees and bushes. The proposal shows two pairs of semi-detached houses, with access provided by improvement of the existing entrance from Malthouse Lane to the south. Parking and turning areas are shown as an extension of an existing area to the north of Ruckford House.*

*In my opinion, although revised following pre-application advice, the proposal continues to raise a number of concerns in terms of the impact on the settings of the above mentioned heritage assets:*

*- Development on this site will result in the loss of a green space which currently contributes positively to the surviving rural character of the setting of the school and mill group. Although the site is relatively small, the vegetation within it currently provides a verdant backdrop to the adjacent school playing field, and also acts to screen and soften the existing adjacent school buildings in views from Malthouse Lane and from the PROW adjacent to the mill. Despite the additional screening which is now proposed to the north of the site, the proposal will result in a small but noticeable diminution of the surviving rurality of the context within which the heritage assets are appreciated, including the approach to them along the Lane. This will result in a degree of less than substantial harm to the special interests of the assets, as discussed above, and the manner in which they are appreciated.*

- *Although the design of the proposed houses has been amended since pre-application stage, and aspects such as the palette of materials do now respond sympathetically to the context, their character as two semi-detached handed pairs remains distinctly suburban. This will exacerbate the adverse effect on the surviving rural nature of the settings of the heritage assets, as will the extensive area of hardstanding which results from the extension of the parking area to this side of Ruckford House.*

*As a result, the proposal, notwithstanding the amendments since pre-application, is considered to result in a degree of less than substantial harm, through impact on setting, to the special interests of the nearby heritage assets. Subject to further detail of the landscaping scheme and proposed planted screening I would consider this harm to be likely to be at the lower range of that scale. The balancing exercise set out in paragraph 215 of the NPPF will therefore apply.*

*If on balance the application is considered acceptable, I would recommend conditions including details of hard and soft landscaping - careful consideration should be given to the hard and soft landscaping around the site, to retain and enhance appropriate planted screening in native species, and to reduce the amount of new hardstanding to a minimum, for example by the use of 'grasscrete' or similar in place of asphalt or macadam where possible.*

*Other conditions if applicable should include:*

- *Details of roofing and facing materials*
- *Detailed drawings at an appropriate large scale, including sections, and annotated to show materials and finishes, of the following:*
  - *typical examples of windows and external doors*
  - *typical eaves detail*
- *Rainwater goods and other external pipework to be of painted metal'*

These comments are agreed with and as harm has been identified, the proposal does conflict with policy DP34 of District Plan.

In these circumstances, para 215 requires the identified less than substantial harm to be weighed against the public benefits of the scheme. The applicant has explained these as follows:

*'Operational and educational public benefit*

*The development delivers four dwellings specifically to meet the identified operational need for on-site staff accommodation at Hurstpierpoint College. The College is a long-established educational institution and a significant local employer. The ability to attract, retain, and accommodate key staff is fundamental to its continued effective operation and resilience. This benefit is functional, tangible, and ongoing, directly supporting the delivery of education, safeguarding, and pastoral care.*

*The staff-only nature of the accommodation ensures a direct and policy-compliant relationship between the development and the institutional use it serves, rather than representing general market housing.*

*Securing the long-term viability of heritage assets*

*By supporting the efficient operation of the College, the proposal contributes to the long-term stewardship, maintenance, and conservation of the historic buildings on campus and landscape that form part of the wider estate. Enabling viable contemporary use is consistent with national heritage policy, which recognises that heritage assets are best conserved when they are actively used and properly resourced.*

*Reduction in commuting and sustainability benefits*

*On-site staff accommodation materially reduces daily commuting movements, particularly by private car. This delivers clear environmental benefits through reduced traffic on rural roads, lower carbon emissions, and reduced pressure on surrounding settlements. These benefits are permanent and align with national and local objectives relating to climate change mitigation and sustainable development.*

*Environmental and infrastructure betterment*

*The scheme delivers demonstrable environmental improvements beyond the existing baseline. These include the disconnection of surface water from the foul network, the introduction of infiltration-based Sustainable Drainage Systems designed to accommodate climate change allowances, and measurable*

*Biodiversity Net Gain secured through native planting and habitat creation. These benefits represent a net improvement over the current situation and are secured through submitted technical strategies and conditions.*

*Improvement to site organisation, safety, and movement*

*The proposal rationalises access arrangements within the estate by providing a formal passing place, a segregated pedestrian route, and improved emergency access. These measures enhance safety for residents, staff, and visitors, and provide an additional public benefit within the operational campus environment.*

*Design mitigation and proportionality of harm*

*The identified heritage harm is limited, localised, and reversible. The design has been refined to minimise visual impact through restrained massing, a rural and contextually appropriate material palette, reduced and softened hardstanding, strengthened boundary planting, and controlled external lighting. As acknowledged by the Conservation Officer, these measures place the impact at the lower end of the less than substantial harm spectrum.*

*Planning balance conclusion*

*When considered cumulatively, the public benefits of the proposal are clear, substantial, and enduring. They include support for an established educational institution, reduced commuting and environmental impact, enhanced site safety and infrastructure, environmental and biodiversity improvements, and the long-term sustainability of heritage assets through viable use.*

*These benefits decisively outweigh the identified less than substantial harm to heritage significance at the lower end of the scale. The proposal therefore satisfies the statutory duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the balancing exercise required by paragraph 208 of the National Planning Policy Framework, and planning permission should be granted subject to appropriate conditions.'*

Overall, it is considered that these benefits would outweigh the less than substantial harm to the heritage assets.

While the proposal is considered to be in accordance with policy DP26, there is conflict with policy DP34 policy and this will need to be considered in overall planning balance that needs to be undertaken.

### **Impact on neighbouring amenity**

Policy DP26 of the Mid Sussex District Plan states (in part):

*'All applicants will be required to demonstrate that development:*

- 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)'*

Both Malt House and Westfield to the north-west, opposite the site, are not in the College's ownership. These are separated from the proposed dwellings by Malthouse Lane and well vegetated screening either side, so it is not considered that the resultant development would be overbearing or result in any loss of privacy to these occupants. A condition would be recommended to ensure construction is carried out during normal hours to minimise disruption.

The nearest properties to the proposed dwellings will be other staff accommodation at Ruckford Three to the south and Ruckford House to the east. The plans show a distance between the rear elevations of the proposed dwellings and the rear elevation of Ruckford Three to be between 13.4m and 14.4m. There is a good boundary screen between the properties at present, which is shown in the drawings to be retained, but it may be possible for some limited overlooking to occur between the upper floors of the dwellings. However, on the basis that these are College buildings, within the control of the applicant, then it is not considered that the proposal would be significantly harmful to the amenities of existing and future occupants, especially given that such overlooking would be filtered by vegetation screening.

A new area of hardstanding and parking area will be introduced to the north of Ruckford House, directly adjacent. However, a driveway is currently used for turning and again, as a College building, this will serve a number of related staff members/families, and therefore the impact of noise and disturbance to these occupants is not considered to be significantly harmful.

On balance, therefore, it is considered that the proposal would comply with Policy DP26 of the Mid Sussex District Plan.

## Highways

Policy DP21 of the Mid Sussex District Plan states (in part):

*'... Decisions on development proposals will take account of whether:*

- *The scheme is sustainably located to minimise the need for travel noting there might be circumstances where development needs to be located in the countryside, such as rural economic uses (see policy DP14: Sustainable Rural Development and the Rural Economy);*
- *Appropriate opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking, have been fully explored and taken up;*
- *The scheme is designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages;*
- *The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;*
- *Development which generates significant amounts of movement is supported by a Transport Assessment/ Statement and a Travel Plan that is effective and demonstrably deliverable including setting out how schemes will be funded;*
- *The scheme provides appropriate mitigation to support new development on the local and strategic road network, including the transport network outside of the district, secured where necessary through appropriate legal agreements;*
- *The scheme avoids severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation;*
- *The scheme protects the safety of road users and pedestrians; and*
- *The scheme does not harm the special qualities of the South Downs National Park or the High Weald Area of Outstanding Natural Beauty through its transport impacts.*

*Where practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles.*

*Neighbourhood Plans can set local standards for car parking provision provided that it is based upon evidence that provides clear and compelling justification for doing so.'*

The Highway Authority has made the following comments:

*'This application is for the erection of four residential dwellings (2 no. two-bedroom and 2 no. three-bedroom staff accommodation units) with associated parking, landscaping, access improvements, and sustainable drainage measures, on land east of Malthouse Lane. The site is located on a private shared driveway off of Malthouse Lane, a C-classified road subject to a speed limit of 20mph.*

*The proposed dwellings would be accessed via the existing shared access which currently appears to serve a block of four flats and a single dwelling. The proposal intends to widen part of the existing accessway within the site, to provide sufficient space for two vehicles to park in the entrance to the site. The existing gate is proposed to be widened also. As all access works are proposed within the applicant's land, no S278 agreement is required to be entered into with WSCC. A passing place is provided within the internal accessway also.*

*Eleven parking spaces are proposed to be provided on site. It appears that this will be a formalisation of the existing parking area serving the existing four flats. The WSCC car parking demand calculator expects that 9 parking spaces would be required on site for the proposed four dwellings (including visitor parking provision). The number of bedrooms within each existing flat is not known - on the assumption that these are one-bedroom flats, there would be a requirement for 15 spaces to serve the existing and proposed development (inclusive of visitor parking provision). As such, there may be a shortfall of four parking spaces for the wider site. However, weight is given to the fact that the proposed staff accommodation units are within close proximity to the College and as such vehicle ownership/use may be lower than that of typical dwellings. The LPA may wish to consider the potential for overspill parking within the site from an amenity point of view.*

*There is space on site for vehicles to turn on site and enter onto the public highway in a forward gear. Cycling is a viable option within the vicinity. Each proposed dwelling is provided with a shed within the rear garden, to provide secure and covered cycle storage.*

#### **Conclusion**

*The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.*

*If the LPA are minded to approve the application, the following conditions should be applied:*

#### **Car parking space (details approved)**

*No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.*

*Reason: To provide car-parking space for the use*

#### **Cycle parking**

*No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plan.*

*Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.'*

These comments are agreed with. Proportionately, while the car parking provision is lower than would be anticipated, the fact that these buildings are for staff accommodation, means that car ownership is likely to be lower than for typical dwellings, given that the place of work is within walking distance. Conditions can be secured for car parking and cycle parking, and it is considered that the scheme would comply with Policy DP21 of the Mid Sussex District Plan.

#### **Flood Risk and Drainage**

Policy DP41 of the Mid Sussex District Plan states:

*'Proposals for development will need to follow a sequential risk-based approach, ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. The District Council's Strategic Flood Risk Assessment (SFRA) should be used to identify areas at present and future flood risk from a range of sources including fluvial (rivers and streams), surface water (pluvial), groundwater, infrastructure and reservoirs.*

*Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates.*

*Sustainable Drainage Systems (SuDS) should be implemented in all new developments of 10 dwellings or more, or equivalent non-residential or mixed development unless demonstrated to be inappropriate, to avoid any increase in flood risk and protect surface and ground water quality. Arrangements for the long term maintenance and management of SuDS should also be identified.*

*For the redevelopment of brownfield sites, any surface water draining to the foul sewer must be disconnected and managed through SuDS following the remediation of any previously contaminated land.*

*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.*

*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.*

*Land that is considered to be required for current and future flood management will be safeguarded from development and proposals will have regard to relevant flood risk plans and strategies.'*

The Council's Drainage consultant has raised no objection to the proposal, noting that the drainage strategy is acceptable in principle, subject to appropriate detailed design. This can be secured through condition, and would thereby comply with Policy DP41 of the Mid Sussex District Plan.

## **Sustainability**

Policy DP39 of the Mid Sussex District Plan states:

*'All development proposals must seek to improve the sustainability of development and should 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.'*

Paragraph 164 of the NPPF seeks to ensure new development helps *'to reduce greenhouse gas emissions, such as through its location, orientation and design.'* In determining planning applications, paragraph 166 expects new development to *'take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.'*

The proposal sets out the following in summary:

*'The scheme adopts a fabric first approach, water efficient fittings, electric vehicle ready parking, secure cycle storage, Sustainable Drainage with infiltration, and native planting and habitat creation to deliver measurable Biodiversity Net Gain. Orientation supports daylight and natural ventilation and aluminium clad timber windows avoid uPVC while delivering durability and long service life.'*

In detail:

*'The proposed staff residences are designed to align with current sustainability standards and Building Regulations. The strategy is fabric first, with high performance insulation, whole house airtightness and energy efficient services. Windows will be aluminium clad timber double glazing and the roof will be finished with durable clay tiles, with materials specified to favour locally sourced, renewable and recycled content where practicable. Water consumption is reduced through efficient sanitaryware and the external*

*works adopt Sustainable Drainage Systems to manage surface water runoff, support infiltration and mitigate flood risk. Biodiversity is enhanced through native planting, integrated bird and bat boxes and habitat creation, with the scheme targeting at least ten per cent measurable Biodiversity Net Gain as described in section 7.2. Construction will follow a resource efficient approach with a site waste management plan that prioritises segregation, reuse and recycling to minimise waste to landfill. Provision for low carbon travel is made through secure cycle storage and electric vehicle ready parking, and opportunities for on plot renewables, for example roof mounted photovoltaic panels, will be assessed at the detailed design stage.*

*Building Regulations compliance. The homes will comply with the current Building Regulations including Part L (energy and carbon) through design stage and as built SAP assessments, primary energy and carbon targets, and airtightness testing; Part O (overheating) by adopting orientation, opening areas for cross ventilation, selective external shading and appropriate glazing performance under the simplified method, or dynamic modelling where required; Part F (ventilation) through a whole house mechanical ventilation strategy that avoids visible window trickle vents (for example mechanical ventilation with heat recovery sized to provide the required background and extract rates), or discreet wall background ventilators where mechanical supply air is not adopted; Part S by providing an electric vehicle charge point or compliant cabling provision to each dwelling; and Part G by designing to a potable water consumption target of one hundred and ten litres per person per day.'*

The submitted Sustainability Statement is therefore considered acceptable in meeting the terms of the above policies and guidance. It should be noted that in respect of policy DP39 of the District Plan, the wording of this policy is supportive of improving the sustainability of developments, but there are no prescriptive standards for developments to achieve in respect of carbon emission reductions. Similarly, the wording of principle DG37 of the Council's Design Guide seeks applicants to demonstrate and consider sustainable matters as part of their design approach, including the use of renewable technologies, but it does not require their use.

Having regard for all the above, and given the context of the application, it is considered that the application complies with Policies DP26 and DP39 of the Mid Sussex District Plan, the Design Guide SPD and paragraphs 161, 164 and 166 of the NPPF.

### **Impact on trees**

Policy DP37 of the Mid Sussex District Plan states (in part):

*'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.*

*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.'*

The council's Tree Officer has raised no objection to the proposal based on the submitted Tree reports and accompanying information and hence, subject to a landscaping condition, it is considered that the proposal would comply with Policy DP37 of the Mid Sussex District Plan.

## **Ecology**

Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) lists species of animal (other than birds) which are provided special protection under the Act. Under Section 13 of the Wildlife and Countryside Act 1981 (as amended), all wild plants are protected from being uprooted without the consent of the landowner. In addition to the protection afforded by the Wildlife and Countryside Act 1981 (as amended), certain species are also covered by European legislation. These species are listed in Schedule 2 of the Conservation (Natural Habitats, 7c.) Regulations 1994 (as amended).

Policy DP38 of the Mid Sussex District Plan states:

*'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.*

*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.*

*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.'*

Chapter 15 of the NPPF advises that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity value by minimising impacts on and providing net gains for biodiversity. In particular, paragraph 193 states:

*'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 improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.'*

The Council's Ecological consultant has considered the proposal and raises no objection to the scheme. Subject to compliance with suitably worded conditions, it is considered that the proposal would comply with Policy DP38 of the Mid Sussex District Plan, Chapter 15 of the NPPF (including paragraph 193) and the legislation outlined above.

The site is located within a designated Great Crested Newt - Impact Risk Zone (Red). However, having regard to the nature of the application, it is unlikely to have an impact on newts and accordingly there would be no conflict with the above legislation, policy and guidance.

### **Biodiversity Net Gain**

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

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

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

*(a) a biodiversity gain plan has been submitted to the planning authority (see paragraph 14), and*

*(b) the planning authority has approved the plan (see paragraph 15).'*

### **Ashdown Forest**

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

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

A Habitats Regulations Assessment screening report has been undertaken for the proposed development.

#### Recreational disturbance

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

In accordance with advice from Natural England, the HRA for the Mid Sussex District Plan, and as detailed in the District Plan Policy DP17, mitigation measures are necessary to counteract the effects of a potential increase in recreational pressure and are required for developments resulting in a net

increase in dwellings within a 7km zone of influence around the Ashdown Forest SPA. A Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) mitigation approach has been developed. This mitigation approach has been agreed with Natural England.

The proposed development is outside the 7km zone of influence and as such, **mitigation is not required.**

#### Atmospheric pollution

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

The proposed development was modelled in the Mid Sussex Transport Study as a **windfall development** such that its potential effects are incorporated into the overall results of the transport model, which indicates there would not be an overall impact on Ashdown Forest. Additionally, based on analysis of Census 2011 data, the proposed development is not likely to generate travel to work journeys across Ashdown Forest. This means that there is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

#### Conclusion of the Habitats Regulations Assessment screening report

The screening assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development.

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

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

#### **Housing mix**

Policy DP30 of the Mid Sussex District Plan states:

*'To support sustainable communities, housing development will:*

- *provide a mix of dwelling types and sizes from new development (including affordable housing) that reflects current and future local housing needs;*
- *meet the current and future needs of different groups in the community including older people, vulnerable groups and those wishing to build their own homes. This could include the provision of bungalows and other forms of suitable accommodation, and the provision of serviced self-build plots; and*
- *on strategic sites, provide permanent pitches for Gypsies and Travellers and Travelling Showpeople, as evidenced by the Mid Sussex District Gypsy and Traveller and Travelling Showpeople Accommodation Assessment or such other evidence as is available at the time; or the provision of an equivalent financial contribution towards off-site provision (or part thereof if some on-site provision is made) if it can be demonstrated that a suitable, available and achievable site (or sites) can be provided and made operational within an appropriate timescale, commensurable with the overall scale of residential development proposed by the strategic development; and serviced plots for self-build homes where a need for such accommodation is identified.*
- *If a shortfall is identified in the supply of specialist accommodation and care homes falling within Use Class C2 to meet demand in the District, the Council will consider allocating sites for such use through a Site Allocations Document, produced by the District Council.*

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

It is considered that the proposal would comply with this policy, given that it derives from demand for the College itself.

### **Standard of accommodation**

Policy DP27 of the Mid Sussex District Plan states:

*'Minimum nationally described space standards for internal floor space and storage space will be applied to all new residential development. These standards are applicable to:*

- *Open market dwellings and affordable housing;*
- *The full range of dwelling types; and*
- *Dwellings created through subdivision or conversion.*

*All dwellings will be required to meet these standards, other than in exceptional circumstances, where clear evidence will need to be provided to show that the internal form or special features prevent some of the requirements being met.'*

The proposed 2-bed dwellings would provide 80 sq m of internal floorspace, exceeding the standard of 79 sq m, while the proposed 3-bed dwellings would provide 105 sq m of internal floorspace, exceeding the standard of 102 sq m. Accordingly, the proposal would comply with the government's Technical Housing Standards - Nationally Described Space Standards document, so would constitute a high quality development and thereby comply with Policies DP26 and DP27 of the Mid Sussex District Plan.

### **Accessibility**

Policy DP28 of the Mid Sussex District Plan states (in part):

*'All development will be required to meet and maintain high standards of accessibility so that all users can use them safely and easily.*

*This will apply to all development, including changes of use, refurbishments and extensions, open spaces, the public realm and transport infrastructure, and will be demonstrated by the applicant.'*

The MHLG PPG says in part:

***'What accessibility standards can local planning authorities require from new development? Where a local planning authority adopts a policy to provide enhanced accessibility or adaptability they should do so only by reference to Requirement M4(2) and/or M4(3) of the optional requirements in the Building Regulations and should not impose any additional information requirements (for instance provision of furnished layouts) or seek to determine compliance with these requirements, which is the role of the Building Control Body...'***

It is considered that the resultant accommodation would provide a high standard of accessibility for the occupiers.

### **Other matters**

Southern Water has provided a consultation response noting that there is currently adequate capacity in the local sewerage network to accommodate a foul flow of 6 l/s. The applicant's attention is drawn to these comments by way of an informative.

The proposal includes refuse storage within the rear gardens, and this would be secured through condition.

### **PLANNING BALANCE AND CONCLUSION**

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application

to be assessed against the policies in the Development Plan and then to take account of other material planning considerations including the NPPF. The Development Plan in this instance consists of the Mid Sussex District Plan, the Site Allocations Development Plan Document and the Hurstpierpoint and Sayers Common Neighbourhood Plan.

For the reasons set out within the assessment section, it is considered that the application complies with Mid Sussex District Plan Policies DP4, DP6, DP1, DP14, DP17, DP21, DP25, DP26, DP27, DP28, DP29, DP37, DP38, DP39, DP41 and DP42 and Neighbourhood Plan Policies HurstC1, HurstC5 and HurstH5.

Less than substantial harm has been identified to the setting of the nearby designated heritage assets and as such there is conflict with policy DP34 of the District Plan.

As the Council is currently unable to demonstrate a five year supply of deliverable housing sites, it follows that the relevant policies for the supply of housing from the development plan are out-of-date (footnote 8 of paragraph 11 NPPF). As such, reduced weight should be given to these policies.

In these circumstances paragraph 11 of the NPPF provides for a presumption in favour of sustainable development which means that planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework 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), or specific policies in the NPPF that protect areas or assets of particular importance provide a strong reason for refusing the development.

In terms of the scheme's benefits, the proposal would provide 4 new staff dwellings that would be used by a large and well-established employer in the District, and this should be given limited weight. The development will result in construction jobs over the life of the build. The development will also result in an increased population for the area, which will allow more spending on services in the surrounding area. These benefits would be considered as limited. In addition, the proposal will secure Net Gains for Biodiversity, which should be afforded positive weight.

It is considered that there would be less than substantial harm to the setting of the heritage assets to the south-west, but these would be outweighed by the public benefits identified earlier in this report. However, the identified less than substantial harm needs to be substantial weight in the overall planning balance. It is not considered that this harm provides a strong reason for refusal (footnote 7 para 11)

There will be a neutral impact in respect of a number of issues such as neighbouring amenity, highways, parking, landscaping, drainage and sustainability.

There will be no likely significant effect on the Ashdown Forest SPA and SAC.

In weighing up these issues, when taken together, it is not considered that the adverse impacts of the development would significantly or demonstrably outweigh the benefits of the proposal.

In these circumstances the NPPF states that permission should be granted.

There are no other material considerations that would alter the above planning balance.

Decision: Permission

Case Officer: Andrew Watt