



Planning Statement

**Land to the North of Lyndon, Reeds Lane, Sayers
Common, West Sussex**

Elivia Homes

Prepared by:

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Basis of Report

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Table of Contents

1.0	Introduction	1
2.0	Site Context	2
3.0	Proposed Development	3
4.0	Planning Policy Context	4
5.0	Planning Policy Compliance.....	8



1.0 Introduction

- 1.1 This planning application has been submitted by SLR Consulting on behalf of the applicant, Elivia Homes Limited (“the applicant”).
- 1.2 The proposed development is for “*full planning application for the retention of and further works for the erection of two residential dwellings (Use Class C3) with supporting infrastructure including access, parking and landscaping.*”
- 1.3 The planning application is submitted to Mid Sussex District Council (“the Council”).
- 1.4 In addition to this Planning Statement, the application is supported by the following plans and documents:
 - Application form
 - Covering letter
 - Site Location and Block Plan (C9_25_02_PL_100)
 - Plot 10 Floorplans and Elevations (C9_25_02_PL_110)
 - Plot 11 Floorplans and Elevations (C9_25_02_PL_111)
 - Detailed Planting Plan Plots 10 – 11 (DD556L07)
 - Surface Water Drainage Strategy (23-130-010 Rev F)
 - Foul Water Drainage Strategy (23-130-011 Rev D)
 - Exceedance Flow Plan (23-130-026)
 - Foul and Surface Water Maintenance and Management Plan



2.0 Site Context

2.1 The site is located within the Mid Sussex District Council area. The application site covers approximately 0.1ha and forms a rectangular parcel of land which is part of the wider land owned by the applicant. The site is:

- Within the Built-Up Area.
- Allocated for housing development (Policies SA30 in the adopted Local Plan and the emerging Local Plan Review).

Planning History

2.2 The site is part of a wider development benefitting from hybrid planning permission, with the most relevant planning history comprising:

- DM/22/0640 – Hybrid application consisting of: A) Full application for 36 one, two, three and four bedroom dwellings (including 30% affordable housing), associated infrastructure, landscaping, pedestrian and vehicular access from Reed Lane and the demolition of Lyndon. B) Outline application for 2 three bedroom self/custom build plots. Approved 15 December 2022.

2.3 The following conditions have been discharged: 5 (foul and surface water drainage – DM/24/1242), 6, (Construction Management Plan – DM/24/0726), 7 (Contamination – DM/23/1544), 8 (Fire Hydrants – DM/24/1726), 9 (Construction Environmental Management Plan: Biodiversity – DM/23/0531), 10 (Reptile Mitigation Strategy – DM/23/0413), 11 (Biodiversity Enhancement Strategy – DM/23/0531), 12 (Materials Schedule – DM/24/1726), and 16 (Self Build Foul and Surface Water – DM/24/1242).

2.4 Conditions 13 (Accessibility - DM/24/0726), 17 (Self Build Design Parameters - DM/24/0726) and 24 (Natural Environment protection - DM/25/0075) are pending a decision, as well as another application to revise the Materials Schedule required by condition 12 (DM/25/0103).

2.5 The site has been cleared as part of the wider development site and several piles have been driven and the foundations lain in accordance with the approved layout. Contamination remediation has also been fully completed. The surrounding market dwellings have been constructed to slab level.

2.6 The two self-build plots comprise “phase 3” of the development.



3.0 Proposed Development

- 3.1 The proposal is for *“full planning application for the retention of and further works for the erection of two residential dwellings (Use Class C3) with supporting infrastructure including access, parking and landscaping.”*
- 3.2 The proposed dwellings already benefit from outline planning permission under DM/22/0640. This application forms a “drop-in” application to amend the two self-build dwellings to market dwellings – the plots being amended are numbers 10 and 11. The planning use class of the dwellings will remain as Use Class C3.
- 3.3 Save for the dwellings being amended from self/custom build to market dwellings, there is no material difference in the provision of these two units. The dwellings would be located in the exact position as approved under DM/22/0640 and would replicate dwellings (plots 21, 22, 23 and 34) that have been approved under the same permission in terms of design. The dwellings would be detached, two storeys in height of brick construction and a tiled roof. Both dwellings would have side parking for two vehicles in addition to a detached single garage.



4.0 Planning Policy Context

4.1 This section sets out the key relevant planning policy at national and local levels. Section 7 sets out how the proposals accord with the policies in more detail.

4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that in the determination of planning applications, decisions are made in accordance with the Development Plan unless material considerations indicate otherwise.

National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)

4.3 The most recent NPPF was published in December 2024. It sets out the Government's planning policies for England and how these should be applied. It establishes a presumption in favour of sustainable development.

4.4 Paragraph 8 confirms that there are three dimensions to sustainable development – economic (building a strong, responsive and competitive economy); social (providing a sufficient number and range of homes to meet the needs of present and future generations and fostering well-designed, beautiful and safe places); and environmental (protect and enhance our natural, built and historic environment). Paragraph 9 confirms that these roles should be delivered through the preparation and implementation of plans and the application of policies but also taking into account local circumstances to reflect the need and opportunities in each area.

4.5 Paragraph 11 stresses that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay, or 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:

- 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
- 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.



- 4.6 Paragraph 39 sets out that Local Planning Authorities should approach decisions in a positive and creative way. This paragraph also states that Planning Authorities should work proactively with applicants to secure developments will improve the economic, social and environmental conditions, whilst seeking to approve applications for sustainable development where possible.
- 4.7 Section 5 on housing sets out that the Government is committed to 'significantly boosting the supply of homes (paragraph 61) in order to meet local needs and help make sure that land with permission is developed without unnecessary delay. It also explains that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing and older people (including those who require retirement housing, housing-with-care and care homes) (paragraph 63).
- 4.8 Design is covered in in Section 12, where the Government attaches great importance to the design of the built environment. This section highlights that 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 (paragraph 131).
- 4.9 Paragraph 135 states planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character, history, surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 4.10 Paragraph 193 states that developments that conserve or enhance biodiversity should be supported and that opportunities to improve biodiversity in and around developments should be integrated as part of their design.
- 4.11 The National Planning Policy Guidance is also a material consideration of significant weight.

Local Planning Policy and Guidance

- 4.12 The development plan documents relevant to the planning application include:
- Mid Sussex District Plan 2014 - 2031 (March 2018).
 - Mid Sussex Site Allocations Development Plan Document (June 2022).



Mid Sussex District Plan 2014 – 2031 (March 2018)

4.13 The following policies are considered most relevant to this application:

- DP4 – Housing
- DP5 – Planning to Meet Future Housing Need
- DP6 – Settlement Hierarchy
- DP21 - Transport
- DP26 – Character and Design
- DP27 – Dwelling Space Standards
- DP41 – Flood Risk and Drainage

Mid Sussex Site Allocations Development Plan Document (June 2022)

4.14 The following policies are considered most relevant to this application:

- SA10 – Housing
- SA11 – Additional Housing Allocations
- SA30 – Land to the north of Lyndon, Reeds Lane, Sayers Common

Hurstpierpoint and Sayers Common Neighbourhood Plan 2031 (made March 2015)

4.15 The following policies are considered most relevant to this application:

- H1 – New Housing Development
- H3 – Sayers Common Housing Sites
- H5 – Development Principles

Mid Sussex District Plan Review 2021 – 2039 (Regulation 19 Submission Draft, July 2024)

4.16 The Council is also preparing a Local Plan Review which was submitted for examination in July 2024. Stage 1 Hearings were conducted in October 2024. The emerging Local Plan holds limited weight in decision making at the current time, however the following draft policies are considered to be relevant:

- DPS4 – Flood Risk and Sustainable Drainage



- DPB1 – Character and Design
- DPT1 – Placemaking and Connectivity
- DPT3 – Active Travel
- DPT4 – Parking and Electric Vehicle Charging Infrastructure
- DPH1 – Housing
- DPH3 – Sustainable Development Inside the Built-Up Area
- DPH11 – Dwelling Space Standards



5.0 Planning Policy Compliance

Principle of development

- 5.1 The site is located within the Built-Up Area of Sayers Common, a Category 3 settlement where development is supported by Policies DP6 of the Mid Sussex District Plan and Policy DPH3 of the emerging Local Plan.
- 5.2 The site is also allocated for residential development under Policy SA30 in both the adopted and emerging Local Plans.
- 5.3 Further supporting the principle of residential development is that the site is part of a wider land parcel benefitting from hybrid planning permission for a total of 38 residential dwellings; specifically at the site is outline planning permission for two self-build dwellings (DM/22/0640).
- 5.4 This planning application simply seeks to amend the permission of two self-build dwellings to two market dwellings. The restrictions on self and custom build units relate only to the design and construction stage and following construction the dwellings then being unrestricted market dwellings. There is no planning policy requirement under the adopted Local Plan to provide self or custom build housing. Draft Local Plan Review Policy DPH6 does not require self or custom build housing to be provided on sites under 100 units. As such, the principle of the removal of the self/custom build units from DM/22/0640 is not contrary to, or a departure from the adopted or emerging Local Plan(s).
- 5.5 This application is for approval of two units which is under the threshold for the provision of affordable units. Notwithstanding this, the proposals would fundamentally be part of the wider development of 38 dwellings approved under DM/24/1242 which provided the full quantum of affordable housing.
- 5.6 The principle of development is already established and is wholly in accordance with national planning policy, Policies DP4, DP5 and DP6 of the Mid Sussex District Plan, Policy SA30 of the Site Allocations Development Plan Document, Policies H1 and H3 of the Hurstpierpoint and Sayers Common Neighbourhood Plan, and draft Policies DPH1, DPH3 and DPH11 of the emerging Local Plan.



Design and landscaping

- 5.7 The application is supported by Detailed Planting Plan Plots 10 – 11 (DD556L07) which demonstrates that the layout and siting of the proposed dwellings is identical to that approved under the hybrid planning permission DM/22/0640.
- 5.8 In terms of their layout and appearance, the proposed dwellings are identical as those already approved under the wider planning permission DM/22/0640, namely at plots 21, 22, 23 and 34. The dwellings would be of brick construction with a tile roof, incorporating appropriate detailing. The dwellings would thus be consistent with the character of the wider development.
- 5.9 As such, the proposal would be acceptable in design terms and in accordance with national planning policy, Policy DP26 of the Mid Sussex District Plan, Policy SA30 of the Site Allocations Development Plan Document, Policy H5 of the Hurstpierpoint and Sayers Common Neighbourhood Plan, and draft Policy DPB1 of the emerging Local Plan.

Residential Amenity

- 5.10 In terms of impact on residential amenity, the siting of the plots would be as approved DM/22/0640, and the design (including elevational treatments) would be the same as plots 21, 22, 23 and 34.
- 5.11 Both dwellings are afforded suitable rear garden space and have a suitable separation distance to surrounding properties. Window locations are also considered acceptable to limit any potential overlooking.
- 5.12 Both of the proposed dwellings would be fully compliant with the Nationally Described Space Standards.
- 5.13 Page 25 of the Officer's Report for application DM/22/0640 confirms that:

"...the proposal would result in no significant detriment to the amenities of this neighbouring property.

The relationship between each dwelling is considered to be acceptable and would not result in a detrimental impact through an overbearing nature or a loss of privacy."



- 5.14 Thus, the proposal is acceptable in neighbouring amenity terms and complies with national planning policy, Policies DP26 and DP27 of the Mid Sussex District Plan, and draft Policy DPB1 of the emerging Local Plan.

Access and parking

- 5.15 Access to the site from the highway would be from the internal estate roads already approved under DM/22/0640. Vehicular access to the individual plots would be from the top of the cul-de-sac. Further pedestrian access would be available to the north of the plots between plots 27 and 28.
- 5.16 Each plot would be afforded three parking spaces located to the north side of the dwellings comprising 2no. tandem spaces and 1no. detached garage. This meets West Sussex County Council's Guidance on Parking at New Developments (September 2020) and is consistent with the hybrid planning permission of which the Highways Authority found acceptable.
- 5.17 The development is thus in accordance with national planning policy, Policy DP21 of the Mid Sussex District Plan, and draft Policies DPT1, DPT3 and DPT4 of the emerging Local Plan.

Drainage

- 5.18 The planning application is supported by Surface Water Drainage Strategy (23-130-010 Rev F), Foul Water Drainage Strategy (23-130-011 Rev D), Exceedance Flow Plan (23-130-026) and Foul and Surface Water Maintenance and Management Plan. These documents have already been approved by the Council in August 2024 under application DM/24/1242 to successfully discharge condition 16 of the hybrid planning permission (DM/22/0640).
- 5.19 As the proposed plot type and siting is not proposed to change from that already approved, the details are submitted for detailed consideration to avoid the requirement for information to be submitted through a planning condition.
- 5.20 The development is thus in accordance with national planning policy, Policy DP41 of the Mid Sussex District Plan, and draft Policy DPS4 of the emerging Local Plan.

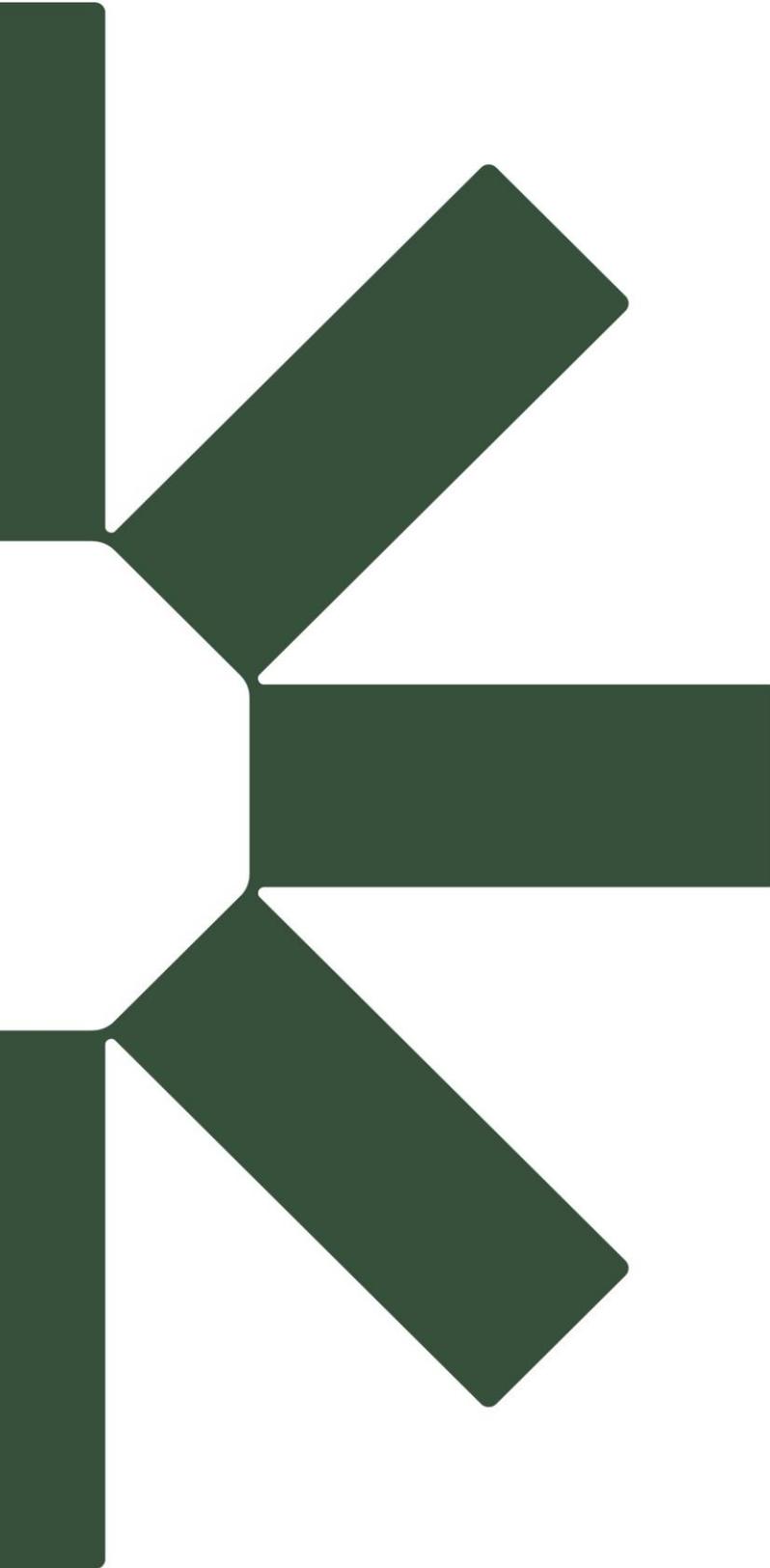
Contaminated land

- 5.21 The application site has been cleared of all contamination and suitably remediated in accordance with the details submitted under condition 7 of DM/24/1242. As such, it is considered the site is free from any contamination to enable use of the land as dwellings.



- 5.22 The proposed development thus accords with national planning policy, Policy DP41 of the Mid Sussex District Plan and draft Policy DPN10 of the emerging Local Plan.





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