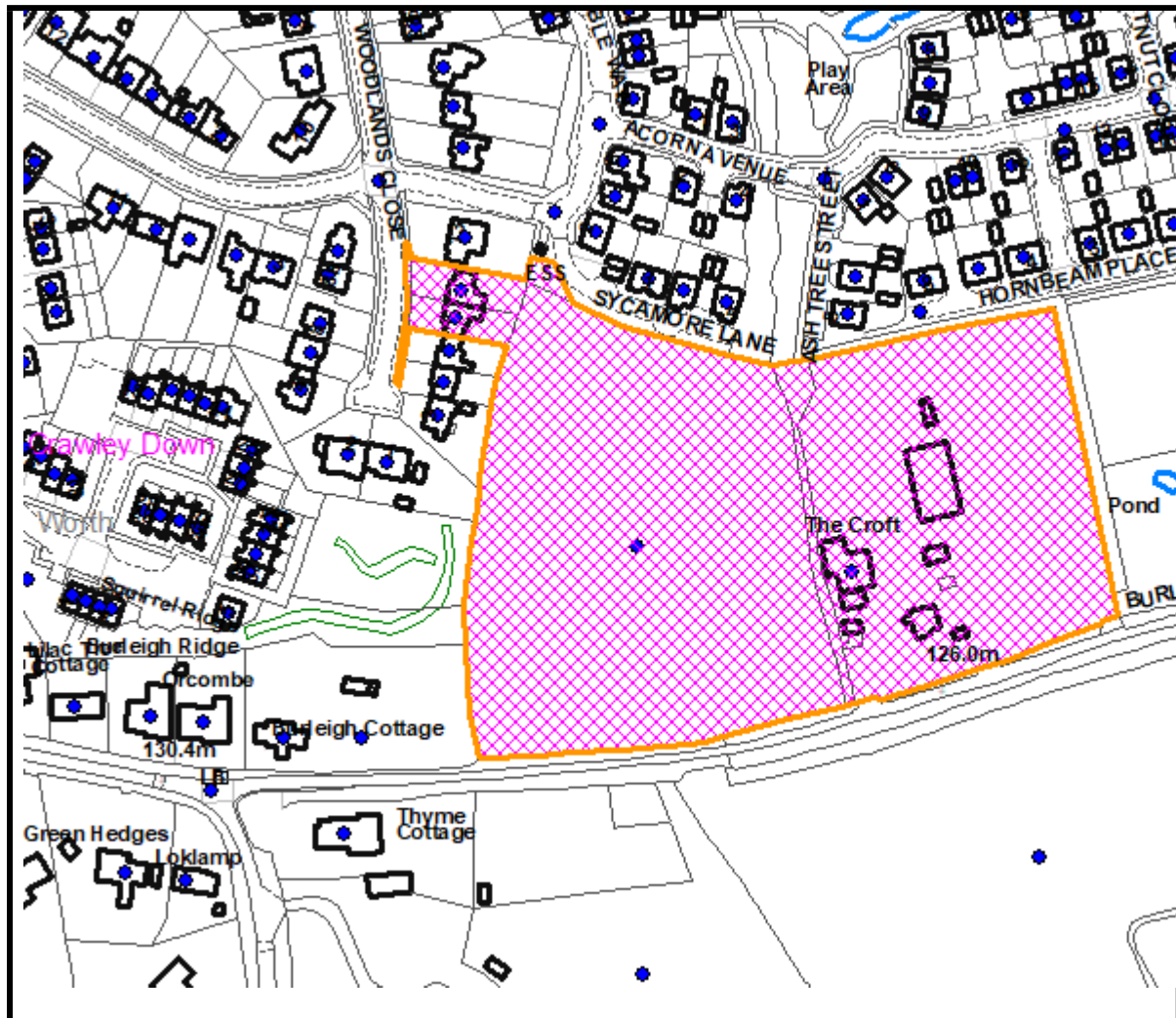


District Planning Committee

Recommended for Permission

20th November 2025

DM/25/1593



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Site:	Woodlands Close And Land To The North Of Burleigh Lane Crawley Down Crawley West Sussex
Proposal:	The demolition of numbers 9-11 Woodlands Close together with the demolition of other existing buildings on site and erection of 48 dwellings (Use Class C3) with open space, landscaping, car parking and associated infrastructure including provision of internal access roads and access road onto Woodlands Close.
Applicant:	Burleigh Lane Crawley Down Ltd
Category:	Smallscale Major Dwellings

Target Date:	9th October 2025
Parish:	Worth
Ward Members:	Cllr Ian Gibson / Cllr John Hitchcock /
Case Officer:	Katherine Williams

Link to Planning Documents:

<https://pa.midsussex.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SY5ULQKT0G300>

1.0 Purpose of Report

- 1.1 To consider the recommendation of the Assistant Director for Planning and Sustainable Economy on the application for planning permission as detailed above.

2.0 Executive Summary

- 2.1 The application seeks full planning permission for the demolition of numbers 9-11 Woodlands Close together with the demolition of other existing buildings on site and erection of 48 dwellings (Use Class C3) with open space, landscaping, car parking and associated infrastructure including provision of internal access roads and access road onto Woodlands Close.
- 2.2 The site is allocated for residential development (50 dwellings) under policy SA22 of the Site Allocations Development Plan Document (SADPD).
- 2.3 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 (SADPD) and the Crawley Down Neighbourhood Plan (CDNP).
- 2.4 Courts have confirmed that the Development Plan must be considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy, or with every aspect of an individual policy, within the Development Plan.
- 2.5 The NPPF states that planning should be genuinely plan-led. Paragraph 11(c) of the NPPF is clear that development proposals should be approved without delay where they are in accordance with an up-to-date Development Plan. It states further, paragraph 11(d), that where the policies most important for determining the application are out-of-date, permission should be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole (the tilted balance).Footnote 8 of the paragraph 11 clarifies that 'out-of-date' includes for applications the provision of housing in situations where the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing site.

- 2.6 Policy SA22 of the SADPD is the most important policy for determining the application, as it relates directly to the development for which planning is sought, and it is considered that policy SA22 of the SADPD is consistent with the NPPF and can be given full weight in determining the application. However, the Council is currently unable to demonstrate a five-year supply of deliverable housing sites and having regard to this, and in light of footnote 8 of paragraph 11 of the NPPF, it is considered that the tilted balance, as set out in paragraph 11(d) of the NPPF, is engaged and is the key test in considering the determination of this application.
- 2.7 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.
- 2.8 The proposal would result in a net gain of 46 dwellings, including a policy compliant number of affordable units, and a Local Area of Play. The scheme would also bring economic benefits, including additional council tax. These are all matters that weigh in support of the proposal.
- 2.9 In relation to transport matters, it is noted that the proposed access deviates from the requirements of policy SA22 and is proposed off Woodlands Close opposite to Sycamore Lane, however no objection to this access have been raised from WSCC Highways Authority in terms of highway safety.
- 2.10 The development will provide financial contributions for off-site highways improvements along with pedestrian links into the existing network along with cycle storage provision for the development.
- 2.11 The concerns raised regarding the alternative access onto Woodlands Close and the departure from policy SA22 along concerns regarding highway safety are acknowledged. The access off Sycamore Lane is no longer achievable and access off Woodlands Close is a viable alternative which was considered during the plan making period and no objection has been raised by WSCC Highways Authority on safety and or highway network grounds. It is considered that the proposal broadly complies with policy SA22 and is acceptable in terms of principle and policy DP21 in terms of highway safety.
- 2.12 In terms of landscape impact, the comments from the Council's Landscape Consultant regarding the lack of methodology of the Landscape Visual Assessment submitted have been noted. However, given the moderate landscape sensitivity of the site, acknowledged by the consultant, and the limited wider views of the proposal in the landscape, it is considered that the proposal would be largely viewed against the built form of the existing settlement. It is therefore considered that the impact of the proposal on the character of the landscape is acceptable, and the application complies with the relevant development plan policies on this matter.
- 2.13 Some trees would be lost as an inevitable consequence of the development of the site; however, a large number of trees would be retained along with hedging and planting around the perimeter which would retain the verdant edge of settlement character of the site. In addition to this, landscaping is proposed as part of the

application which would be secured by condition. It is therefore considered to comply with the relevant policies.

- 2.14 In respect of ecology, the Council's Ecological Consultant and Nature Space consultants are satisfied with the mitigation and enhancement measures identified by the applicants in respect of identified protected species and on-site habitats, and has not raised an objection. It is considered that the details of the mitigation and enhancement measures can be secured through planning conditions.
- 2.15 The application would provide the nationally required 10% biodiversity net gain, which would be secured by condition.
- 2.16 It is considered that while the development will clearly have some impact on the amenities of existing residents that either adjoin the site, or the proposed access, due to the nature of the proposal. However, it is not considered that this harm would be significant. In this regard, the application complies with policies DP26 and DP29 of the MSDP.
- 2.17 The proposed layout and design is considered to be of a high-quality design and no objection has been raised by the Council's Urban Designer. Final details regarding external finishes can be secured by condition. The application complies with policy DP26 of the MSDP, policies SAGEN and SA22 of the SADPD, policy CDNP05 of the CDNP and Council's Design Guide SPD.
- 2.18 WSCC Lead Local Flood Authority are satisfied with the information provided with the application in terms of flood risk and drainage. Southern Water have also raised no objection to the scheme. The final details of both surface water and foul drainage can be controlled by a planning condition.
- 2.19 The development has been subject to a Habitats Regulations Assessment that has concluded, with the provision of SAMM and SANG contributions, that the proposed development will not have an adverse effect on the integrity of the Ashdown Forest SPA and would not have a likely significant effect, alone or in combination, on the Ashdown Forest SAC. The proposal therefore complies with policy DP17 of MSDP and policy CDNP11 of the CDNP.
- 2.20 It is considered that the impact of the proposal on infrastructure can be mitigated by the contributions that have been set out in this report. These contributions comply with policies DP20 in the MSDP and the CIL Regulations and will be secured by a section 106 legal agreement.
- 2.21 On the matters of archaeology, air quality, light pollution and contaminated land, any impacts can be adequately mitigated through the use of suitable planning conditions and as such these matters are considered to be acceptable and compliant with the relevant development plan policies.
- 2.22 Less than substantial harm to the setting of Burleigh Cottage (Grade II listed) which carries 'considerable importance and weight' in accordance with s.66(1) of the Listed Building and Conservation Area (LBCA) Act 1990. This harm is in conflict with policy DP34 of the MSDP. The guidance in paragraph 215 of the NPPF is that the harm should be weighed against the proposal's public benefits. It is considered that the public benefits of the scheme (provision of new housing (including affordable housing) on a site that has been allocated for such development in the SADPD, the economic benefits (including construction jobs and additional spending

in the locality) do outweigh the less than substantial harm to the setting of the heritage asset in this instance.

- 2.23 The proposed affordable housing would be located within one group opposed to pepper potting through the development, as required by the Affordable Housing SPD. In addition to this the number of occupiers of 3 of the units does not meet the requirements of the Council's Affordable Housing SPD, and therefore there is a level of discrepancy between the proposal and the policy. This conflict is given moderate weight.
- 2.24 Having regard to the balancing exercise that needs to be undertaken, and specifically the benefits, it is considered that the provision of a net increase of 46 dwellings, including 30% affordable, can be given substantial weight. Other economic benefits derived from the development, including the construction jobs and future resident spend in the local economy, can be given moderate weight.
- 2.25 The proposal would provide an off-site 10% biodiversity net gain, which can be given moderate weight.
- 2.26 Moreover, the proposal is considered to constitute sustainable development and is considered to comply with the development plan, when read as a whole. These matters are considered to attract substantial weight in support of the development.
- 2.27 In respect of adverse impacts, it is accepted that the proposed development will result in the loss of a greenfield site and replace it with a residential development that will have an impact on the visual appearance of the site. This is a consequence of the site's allocation and as such only limited weight can be given to adverse impact. While some impact on the residential amenities of nearby residents will result from the development, the harm is not considered to be significant and as such only limited weight can be attached to this. The identified conflicts with the Council's Affordable Housing SPD are given moderate weight.
- 2.28 The proposal will have less than substantial harm on the setting of a heritage asset, and while this harm is considered to be outweighed by the public benefits that flow from the development, this harm nevertheless needs to be given 'great weight' in the determination of the application.
- 2.29 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.
- 2.30 In these circumstances, the NPPF states that permission should be granted and there are no other material considerations that would alter the above planning balance.
- 2.31 It is therefore recommended that planning permission be granted for this development subject to the conditions set out in Appendix A and to the completion of a satisfactory s106 Legal Agreement.

3.0 Recommendation

Recommendation A

- 3.1 It is recommended that planning permission is granted subject to the conditions listed in Appendix A and the completion of a section 106 legal agreement to secure the required infrastructure contributions, SAMM and SANG contributions, the biodiversity net gain requirements and the necessary affordable housing.

Recommendation B

- 3.2 If a satisfactory planning obligation has not been completed by 20th February 2026 it is recommended that the application be refused at the discretion of the Assistant Director for Planning and Sustainable Economy for the following reason:

'The proposal fails to provide the required affordable housing, the infrastructure and SAMM and SANG contributions and the biodiversity net gain requirements. The application therefore conflicts with Policies DP17, DP20, DP31 and DP38 of the Mid Sussex District Plan and the Mid Sussex Supplementary Planning Documents 'Affordable Housing' and 'Development Infrastructure and Contributions'.

4.0 Summary of Representations

- 4.1 167 letters of representation have been received and raise the following concerns regarding the proposal.
- Existing heavy traffic and congestion through Crawley Down, proposal would exacerbate this and would have an impact on highway safety and neighbour amenity
 - Woodlands Close is not wide enough for the proposed increase in traffic
 - Site has an existing access points, no justification for the demolition of 2 existing properties. Access points on Sycamore Lane, Hornbeam Place and Burleigh Lane
 - Existing on street parking due to inadequate parking, proposal would compound this and have an impact on highway safety
 - Parking spaces do not meet the Crawley Down Neighbourhood Plan minimum requirements
 - Impact on pedestrian safety
 - Overbearing impact and loss of outlook to No. 8a Woodlands Close
 - Noise and disturbance during construction, along with construction vehicle parking, damage to highway
 - Dust, vibrations and debris during works and damage to private property, air pollution
 - Impact on character of the countryside and landscape
 - Overdevelopment, excessive for the size and character of the area
 - Current proposal, along with existing permissions in the area, will turn the village into a town
 - No. 13 Woodlands Close would have an access road on either side of the property, visually isolated, impact on amenities and character of the property
 - Access would result to noise and disturbance of adjacent properties, along with security and safety concerns

- Impact on amenities residential properties opposite the proposed junction, vehicle lights shining directly into front windows
- Site is at an elevated position to the properties on Woodlands Close, risk of subsidence, overlooking, overbearing impact loss of light
- Would cause surface water run off onto properties on Woodlands Close due to change in land levels
- Burleigh Cottage is listed, impact on its setting
- No infrastructure including drainage, water, electricity, shops, post office, doctors, dentists schools, sports facilities and social venues existing services are insufficient for the village due to lack of funding and maintenance, unsustainable
- Would increase crime rate
- No affordable housing
- Burleigh Lane is a private road with no access for pedestrians
- Impact on wildlife, protected species and habitats
- Impact on wellbeing and health
- Biodiversity loss and impact on protected species
- Existing limited water supply
- Impact on property values
- Impact on flooding and drainage, existing pressure on system and surface water flooding in the area
- Impact on oak tree and cherry tree at No. 3 Woodlands Close, adjacent the site
- Site was previously allocated but with the access coming through Sycamore Lane, and was not considered acceptable to access through Woodlands Close
- When the site was first proposed in the Neighbourhood Plan the access through Woodlands Close was rejected
- Previous refusal for 200 homes behind Hazel Way
- Crawley Down housing demand has been met with several approvals in recent years
- Houses to be demolished are likely to contain asbestos, risk to residents from hazardous materials
- Impact on the Ashdown Forest Special Protection Area and Special Area of Conservation
- Inadequate consultation with affected neighbouring landowners, no meaningful engagement and meetings claims did not take place
- Links onto footpaths to Burleigh Woods was rejected by the residents management company
- Misleading closing date for comments, 15th August on the website appose to 8th August on the neighbour letters.
- Historic Environmental Consultant and Contaminated Land Officer recommends a number of measures to be implemented before any development is commenced, implies results of those measures and approval of any proposed mitigation actions before permission is granted
- Additional information requested by consultees should be provided prior to determination
- Temporary access may be sought via Burleigh Lane prior to the demolition of 9-11 Woodlands Close, or as an alternative permanent access, impact on the private single lane road
- Public footpath along Burleigh Lane and Sandhill Lane, any use of the lands would impact on users, request condition and covenant to prevent use onto these highways

- Prior clearance of the site has taken place
- Impact on Ancient Woodland
- No information regarding impact on badgers have been provided
- Concerns regarding the remaining garage of No. 7 Woodlands Close, single skin wall and downpipe from the front gutter is not within the properties curtilage.

Two letters of support have been received which raise the following points.

- More houses needed, as set out Government guidance
- Site is surrounded by houses built following the demolition of another house on the same road
- Local school is not oversubscribed
- All GP surgeries are failing in the UK
- 15 Affordable homes
- Site is allocated and only delayed coming forward due to access issues
- No safety concerns raised by WSCC Highways regarding the access off Woodlands Close
- Removal of No. 11 Woodlands Close would improved privacy and outlook for No. 13 Woodlands Close, in part by the removal of the first floor balcony
- Low density design, reducing towards Burleigh Lane and the countryside to the south
- Increased housing would provide pressure to improve services and infrastructure

Following these comments, further information was submitted, including changes to proposed plans, and additional information regarding flood risk and drainage, and ecology. The application was then readvertised and a further four letters of representation were received reiterated the previous comments and concerns previously raised.

5.0 Summary of Consultees

WSCC Planning (Infrastructure)

No objection subject to securing s106 Infrastructure contributions

WSCC Local Lead Flood Authority

No objection subject to conditions

WSCC Highway Authority

No objection subject to conditions

Natural England

No objection subject to Ashdown Forest mitigation being secured.

Ecological Consultant

No objection subject to conditions.

Nature Space (Great Crested Newts)

No objection subject to condition.

Landscape Consultant

Concerns raised regarding methodology of the landscape assessment

Heritage Consultant

No objection subject to condition.

Contaminated Land Officer

No objection subject to conditions.

Southern Water

No objection subject to condition.

Conservation Officer

Concerns due to the impact of the proposal on the setting of Burleigh Cottage. This harm should be given appropriate weight in any further development of the planning applications.

Tree Officer

No objection subject to condition.

Environmental Protection

No objection subject to condition.

Planning Policy Team

Comments on principle of the development

Section 106 & Infrastructure Manager

Requires infrastructure contributions.

Architect/Urban Designer

No objection subject to conditions.

6.0 Worth Parish Council Observations

04.09.2025:

Worth Parish Council object to the proposal with the following conclusion, full comments can be found on the online register;
Whilst the site is allocated in the District Plan, it seeks to provide 48 dwellings, more than the 30 dwellings deemed appropriate for any individual development contrary to Policy CDNP05.

The proposed development would significantly harm the character of the adjacent cul-de-sac by providing a new access to a large number of dwellings. Several of the dwellings proposed are taller than the single and 2 storey dwellings which make up the character of the area. The development also uses the same hue of brick resulting in a homogenous design which is not in keeping with the character of the area. The development is therefore not of a high quality of design and does not respect the character of the area contrary to policies DP26 and CDNP05.

The proposal would mean that 13 Woodlands Close would be on a 'traffic island' surrounded by roads on all sides. This will significantly harm the amenities of the occupants by way of noise from traffic generation in all directions. There would also be a degree of overlooking between some of the units including 34 and 35. The proposed development therefore fails to protect the amenities of the occupants of adjacent properties contrary to policies DP29 and CDNP05.

The scheme does not provide an adequate mix with a significant under provision of 1 and 2 bedroom market units, overprovision of 3 and 4 bedroom market units, under provision of 4 bedroom affordable rent units and only 2 bedroom first homes where the SHMA requires the provision of 1, 3 and 4 bedroom affordable ownership units. The mix is therefore inadequate contrary to Policy DP30.

The provision of the new access on Woodlands Way is contrary to Policy SA22 of Site Allocations DPD which explicitly requires access to the site to be provided from Sycamore Lane. Additionally, the access as proposed would result in a significant increase in traffic along Woodlands Way on a quiet cul-de-sac, as well as the other surrounding roads in combination with the recent development on Bramble Way and Acorn Avenue. The development would fail to avoid severe traffic generation contrary to policies DP21 and CDNP10.

The site is situated adjacent to a Grade II Listed Building. The proposal includes little screening on the southwestern corner of the site and so it would be highly visible from the setting of the listed building. The development would therefore result in less than substantial harm to the setting of the listed buildings and the Council should weigh this against the public benefits of the NPPF and policies DP34 and CDNP05.

The proposal includes a culvert which is not typically supported by West Sussex County Council. We therefore question whether it is acceptable. The foul drainage strategy includes a connection to the existing sewer; however, no evidence has been provided to demonstrate that the sewer will be able to accommodate the additional discharge, and we ask that this is provided prior to determination.

The proposal fails to accord with the development plan and there are no material considerations which indicate that a decision should be made contrary to the development plan, therefore we ask that planning permission is refused for the proposed development.

04.11.2025:

Object -All previous submitted comments apply.

In addition - It is understood that the dwelling located adjacent to Hornbeam is of two storeys in height. There is some concern that this property appears to be positioned in close proximity to the boundary with the adjoining development, which may have implications for spacing and the relationship between the two sites.

The inclusion of three-storey dwellings within the proposal is of concern. This scale of development is not considered to be in keeping with the established character or contemporary design approach of new residential schemes within the wider Crawley Down area. Furthermore, the positioning of three-storey units close to Woodlands Close, which lies at a lower elevation, would likely result in an overbearing appearance and therefore inappropriate in this context.

7.0 Introduction

- 7.1 The application seeks planning permission for the demolition of numbers 9-11 Woodlands Close together with the demolition of other existing buildings on site and erection of 48 dwellings (Use Class C3) with open space, landscaping, car parking and associated infrastructure including provision of internal access roads and access road onto Woodlands Close.

8.0 Relevant Planning History

- 8.1 There are no previous planning applications of direct relevance to the determination of this application.

9.0 Site and Surroundings

- 9.1 The site of the planning application is located to the north of Burleigh Lane within the built-up area boundary of Crawley Down. The site is allocated for development under policy SA22 of the Site Allocations Development Plan Document (SADPD), which was adopted in June 2022.
- 9.2 The site consists of a group of barns which were previously used for commercial purposes, however, have been vacant for some time. These buildings are centrally positioned within the site with existing vehicular access off the northern side of Burleigh Lane. The area surrounding these buildings consists of open field with perimeter planting and trees around the site and around the buildings. To the west of the buildings is a line of trees which follows the ditch that runs north south through the site.
- 9.3 The site is bordered to the west and north by the existing properties of Woodlands Close, Sycamore Drive and Hornbeam Place, with countryside to the south and the sporadically positioned properties of Burleigh Lane to the east.
- 9.4 To the south-western corner of the site is Burleigh Cottage, a Grade II listed building which dates back to the 17th century.
- 9.5 Burleigh Lane contains a public footpath with links to a footpath to the east of the site boundary that connects to Hornbeam Place to the north.

10.0 Application Details

- 10.1 The application seeks planning permission for the erection of 48 dwellings on the site which would be accessed off the north-west corner of the site onto Woodlands Close which will result in the demolition of an existing semi-detached pair of dwellings, No's 9 and 11 Woodlands Close.
- 10.2 The proposed access would include soft landscaping on either side, adjacent to No's 7 and 13 Woodlands Close and turns to the south before extending to the eastern end of the site. The southern side of the site includes two loops to the southern side with the dwellings facing outwards with landscaping up to the boundaries.
- 10.3 The properties to the northern side of the site are of higher density consisting largely of terrace properties and flats, with SUDS basins to the north with a LAP play area adjacent to the existing ditch.
- 10.4 The buildings are largely two storeys in form with some two and a half storey buildings which would be positioned along the main road through the site.
- 10.5 The proposal would consist of a housing mix of:
- 4 No. 1-bed units

- 9 No. 2-bed units
- 21 No. 3-bed units
- 14 No. 4-bed units

10.6 This would include 15 affordable housing units which would be located to the front of the site in one group with the access road extending through the group.

10.7 The existing vehicular access points onto Burleigh Lane would be altered to footpaths with an additional connection to Hornbeam Place to the north.

11.0 Legal Framework and List of Policies

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

11.2 Specifically, Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to application,*
- b) And local finance considerations, so far as material to the application, and*
- c) Any other material considerations.'*

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

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

11.4 The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy (or each and every aspect of a policy) but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

11.5 Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a Development Plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

11.6 Using this as the starting point the Development Plan for this part of Mid Sussex consists of the Mid Sussex District Plan (MSDP), Sites Allocations Development Plan Document (SADPD) and the Crawley Down Neighbourhood Plan (CDNP).

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

11.8 Section 40 of the Natural Environment and Rural Communities Act 2006 (NERCA) places a duty on the Council (public authorities) to conserve biodiversity in exercising its functions. Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat.

11.9 Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. This application was submitted after mandatory biodiversity net gain coming into effect, so this application is subject to the 10% mandatory biodiversity net gain introduced under schedule 7A referred to above.

11.10 The following list of policies are relevant in the determination of this application;

11.11 **Mid Sussex District Plan (MSDP) 2014-2031**

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

DP4 - Housing

DP6 - Settlement Hierarchy

DP17 - Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)

DP20 - Securing Infrastructure

DP21 - Transport

DP22 - Rights of Way and other Recreational Routes

DP24 - Leisure and Cultural facilities and Activities

DP26 - Character and Design

DP27 - Dwelling Space Standards

DP28 - Accessibility

DP29 - Noise, Air and Light Pollution

DP30 - Housing Mix

DP31 - Affordable Housing

DP34 - Listed Buildings and other Heritage Assets

DP37 - Trees, Woodland and Hedgerows

DP38 - Biodiversity

DP39 - Sustainable Design and Construction

DP41 - Flood Risk and Drainage

DP42 - Water Infrastructure and the Water Environment

11.12 **Mid Sussex Site Allocations Development Plan Document (SADPD)**

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

SA22 – Land North of Burleigh Lane

SA38 - Air Quality

11.13 **Crawley Down Neighbourhood Plan**

The Crawley Down Neighbourhood Plan was made on 28th January 2016. Relevant policies:

CDNP01 - Securing Sustainable Local Infrastructure
CDNP04.2 – Infill Housing
CDNP04.4 – Accessible/ Single Level Housing
CDNP05 - Control of New Developments
CDNP06 - Sustainable Drainage Systems
CDNP09 - Protect and Enhance Biodiversity
CDNP10 - Promoting Sustainable Transport
CDNP11 – Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA)

11.14 **Other Legislation**

Planning (Listed Buildings and Conservation Areas) Act 1990

11.15 **Other Material Considerations**

11.16 **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 the 31st 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 Drainage
DPS5: Water Neutrality
DPN1: Biodiversity, Geodiversity and Nature Recovery
DPN2: Biodiversity Net Gain
DPN3: Green and Blue Infrastructure
DPN4: Trees, Woodland and Hedgerows
DPC6: Ashdown Forest SPA and SAC
DPB1: Character and Design
DPB2: Listed Buildings and Other Heritage Assets
DPT3: Active and Sustainable Travel
DPT4: Parking and Electric Vehicle Charging Infrastructure
DPH1: Housing
DPH3: Sustainable Development – Inside the Built-up Area
DPH7 – Housing Mix
DPH8 – Affordable Housing
DPH11: Dwelling Space Standards

11.17 Mid Sussex Design Guide Supplementary Planning Document (SPD)

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

SDP Development Infrastructure and Contributions (2018)

Affordable Housing Supplementary Planning Document (SPD)

WSCC: Guidance on Parking at New Developments (Sept 2020)

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

National Planning Policy Framework (NPPF) (December 2024)

- 11.18 The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three overarching objectives to sustainable development, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). The three objectives are economic, social and environmental.
- 11.19 Paragraph 9 of the NPPF states *'these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.'*
- 11.20 Paragraph 11 of the NPPF sets out that for both plan-making and decision-taking, the presumption in favour of sustainable development should apply.
- 11.21 Paragraph 12 of the NPPF states;
- 'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'*
- 11.22 Paragraph 39 of the NPPF states;
- 'Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic,*

social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.'

11.23 With specific reference to decision-taking paragraph 48 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

11.24 National Planning Policy Guidance (PPG)

11.25 National Design Guide

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

11.27 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.

12.0 Assessment

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

- The principle of development
- Highways Matters
- Design and Character
- Landscape Impact
- Heritage Assets
- Archaeology
- Affordable Housing and Mix
- Residential amenity
- Air quality
- Contaminated land
- Trees
- Ecology
- Sustainability
- Flood Risk and Drainage
- Infrastructure
- Ashdown Forest
- Other Matters
- Planning Balance and Conclusion

Principle of Development

12.2 The site is allocated for residential development as part of the SADPD, and policy SA22 refers. This is set out in full below;

'Objectives

- *To deliver a high quality, landscape led, sustainable extension to Crawley Down, which respects the character of the village and the surrounding*

countryside, and which is comprehensively integrated with the settlement so residents can access existing facilities.

Urban Design Principles

- *Concentrate higher density development towards the northern part of the site to reflect the existing settlement pattern, with a lower density towards the southern edges to help create a successful transition with Burleigh Lane.*
- *Orientate development to have a positive active frontage in relation to the existing settlement, attractive tree boundaries and to define open spaces and routeways.*
- *Seek to enhance the connectivity of the site with Crawley Down village by providing pedestrian and/or cycle links to Sycamore Lane, Burleigh Way and adjacent existing networks.*

Landscape Considerations

- *Retain and enhance existing mature trees and hedgerows on the site and around the boundaries and incorporate these into the landscaping structure for the site to limit impacts on the countryside. Open space should be provided as an integral part of this landscape structure and should be prominent and accessible within the scheme.*
- *Protect the rural character of Burleigh Lane and views from the south by minimising loss of trees and hedgerows along the southern boundary and reinforcing any gaps with locally native planting.*
- *Protect the character and amenity of existing public footpaths and seek to integrate these into the Green Infrastructure proposals for the site.*

Social and Community

- *Provide a Locally Equipped Accessible Play Space (LEAP) that is inclusive to the local community.*

Historic Environment and Cultural Heritage

- *Provide appropriate mitigation to protect the rural setting of the Grade II listed Burleigh Cottage adjacent to the west of the site by creating a sufficiently sized landscape buffer of open space between the listed building and the new development. Provide a hedgerow/ tree belt screening between the open space and the development to protect the rural setting of Burleigh Cottage. The mitigation strategy should be informed by a Heritage Impact Assessment.*
- *Protect the rural character of Burleigh Lane and the setting of Burleigh Cottage by retaining the stone gateways on Burleigh Lane along the southern boundary of the site*

Air Quality / Noise

- *No site specific sensitivities identified.*

Biodiversity and Green Infrastructure

- *Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site connecting to the surrounding area.*

- *Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity. Avoid any loss to biodiversity through ecological protection and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss.*

Highways and Access

- *Provide access from Sycamore Lane.*
- *Provide a sustainable transport strategy to identify sustainable transport infrastructure improvements and how the development will integrate with the existing network, providing safe and convenient routes for walking, cycling and public transport through the development and linking with existing networks.*

Flood Risk and Drainage

- *Existing surface water flow paths cross the site and there is a watercourse adjacent to the east of the site. Provide a Flood Risk Assessment (FRA) to inform the site layout and any necessary mitigation measures that may be required.*
- *Design Surface Water Drainage to minimise run off to adjacent land, to incorporate SuDS and to ensure that Flood Risk is not increased.*

Contaminated Land

- *The land may be contaminated due to present or historical on site or adjacent land uses. Provide a detailed investigation into possible sources of on-site contamination together with any remedial works that are required.*

Utilities

- *Upgrade to the Sewerage infrastructure network is required. Occupation of development should be phased to align with the delivery of sewerage infrastructure in liaison with the service provider.'*

- 12.3 It is noted that a number of representations raise that the proposal does not comply with the site allocation policy as the access to the site is now proposed off Woodlands Close, opposed to the stated access of Sycamore Lane. It is also stated that the access off Woodlands Close was rejected by the inspector for the SADPD as it was considered unsuitable.
- 12.4 Comments have been received from the Planning Policy Team on the proposal addresses this point. Throughout the Site Allocation DPD process access off Sycamore Lane and Woodlands Close were both put forward and remained as potential site access options, details of this can be found within the Regulation 18 document (October 2019) and Regulation 19 Submission Draft document (July 2020). Both options would provide safe and convenient means of access to the site which would be able to deliver the allocation, although the access off Sycamore Lane was the preferred access and at the time being progressed, as set out within the Statement of Common Ground (August 2021).
- 12.5 Within the inspector's report reference to site access from Woodlands Close was removed to ensure the delivery of the site within the plan period to reflect the site promoter's preference. The inspector did not make reference to the suitability of

either site access option in terms of technical feasibility or highway safety. However, access off Sycamore Lane is no longer achievable due to legal reasons.

- 12.6 The Planning Policy Team therefore consider that the development proposed is broadly in accordance with the objections of Policy SA22 and consider the principle of development acceptable. Your Planning Officer agrees with this position. Furthermore, as set out in the subsequent sections of this report, the deviation from the express wording in the allocation (i.e. the change in access), does not result in any highway network or safety impacts, unacceptable harm to the general character and appearance of the area or give rise to significant harm to residential amenities. The proposal needs to be considered on its merits and the subsequent assessment sets out that the proposed access arrangements are acceptable.
- 12.7 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.
- 12.8 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.
- 12.9 Paragraph 232 of the NPPF 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).
- 12.10 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.'*

- 12.11 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.

- 12.12 Footnote 8 of paragraph 11 clarifies that for applications involving the provision of housing, in situations where the Local Planning Authority (LPA) cannot demonstrate a five year land supply of deliverable 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.
- 12.13 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.
- 12.14 In light of the above, this development needs to be considered in the context of paragraph 11 (c) and (d) of the NPPF, and it is considered necessary to assess whether the policies most important to the determination of the application within the Mid Sussex District Plan are up-to-date or not.
- 12.15 Policy SA22 of the SADPD seeks to deliver housing and this policy reflects the government's objective of significantly boosting the supply of homes and the overarching aim within the NPPF of the presumption in favour of sustainable development. It is considered that this policy is consistent with the NPPF, and as such can be given full weight.
- 12.16 Policy SA22 of SADPD is the most important policy for determining the application as it relates directly to the development for which planning is sought and while it is considered that policy SA22 of SADPD is consistent with the NPPF and can be given full weight in determining the application, the Council is currently unable to demonstrate a five-year supply of deliverable housing sites. Having regard to this, and in light of footnote 8 of the NPPF, it is considered that the tilted balance, as set out within paragraph 11(d ii) of the NPPF, is engaged and the key test that needs to be considered in determining this application.
- 12.17 In 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.

Highways Matters

- 12.18 Policy DP21 in the MSDP states;

'Development will be required to support the objectives of the West Sussex Transport Plan 2011-2026, which are:

- A high quality transport network that promotes a competitive and prosperous economy;*
- A resilient transport network that complements the built and natural environment whilst reducing carbon emissions over time;*

- Access to services, employment and housing; and
- A transport network that feels, and is, safer and healthier to use.

To meet these objectives, 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.'

- 12.19 With regard to the NPPF, section 9 deals with 'promoting sustainable transport' and paragraphs 115-118 directly relate to the 'consideration of development proposals', and they are set out below;

'115. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) *appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*

- b) *safe and suitable access to the site can be achieved for all users;*
 - c) *the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
 - d) *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.*
116. *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, taking into account all reasonable future scenarios.*
117. *Within this context, applications for development should:*
- a) *give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
 - b) *address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
 - c) *create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
 - d) *allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
 - e) *be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.*
118. *All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed and monitored.'*
- 12.20 Policy SA GEN of the SADPD sets out the general principles applied to all the allocated sites within the document, and in relation to transport matters, its states, inter alia:
- ‘- *Ensure development contributes towards delivering sustainable development and appropriate infrastructure in accordance with District Plan Policy DP21: Transport and the objectives of the West Sussex Transport Plan 2011 – 2026.*
 - *Provide a Transport Assessment and Sustainable Transport Strategy to identify appropriate mitigation and demonstrate how development will be accompanied by the necessary sustainable infrastructure to support it.*

- *Highway infrastructure mitigation is only considered once all relevant sustainable travel interventions (for the relevant local network) have been fully explored and have been taken into account in terms of their level of mitigation.*
- *Identify how the development will provide safe and convenient routes for walking and cycling through the development and linking with existing networks beyond. Create a permeable road network within the site with clearly defined route hierarchies.*
- *Safeguard Public Rights of Way (PRoW) and protect their amenity.*
- *Provide adequate car parking in accordance with District Plan Policy DP21: Transport'*

12.21 Policy SA22 of the SADPD sets out the following requirements, aside from the access point:

'Provide a sustainable transport strategy to identify sustainable transport infrastructure improvements and how the development will integrate with the existing network, providing safe and convenient routes for walking, cycling and public transport through the development and linking with existing networks.'

12.22 Policy SA22 also sets out that the access is from Sycamore Lane, as set out in the above section of the report, however this is no longer possible and therefore an alternative access has been proposed.

12.23 The application has been supported by a Transport Statement and Stage One Road Safety Audit.

12.24 WSCC Highways Authority (LHA) were consulted on this application and provided the following comments:

'Access

Vehicular access is to be taken by way of a new simple priority junction onto Woodlands Close. Sightlines for exiting vehicles are below those typical required for a 30mph speed limit, but given the short length of road between the proposed access, the turning head to the south and the give way lines to the north (respective distances of approximately 33-35 metres from the centre of the access), it's apparent that approach speeds will be significantly lower than 30mph. Whilst the access arrangements could have been designed more sympathetically and account for the dominant vehicle flow being into the development (the arrangement as shown requires the busier development arm of the junction to give way to the lightly trafficked Woodlands Close arm), the arrangements are still acceptable. The submitted Stage One Road Safety Audit raises only a single problem with this not relating to the access arrangements.

With regards to the Stage One RSA, the Applicant should provide a Road Safety Response Form in the same format as that within GG 119 (this being the guidance document for road safety audits). This should be presented to WSCC in an editable format to enable appropriate responses to be entered and actions agreed. The problem raised within the Stage One RSA is not considered significant and can be simply resolved as part of the detailed design.

With regards to the MSDC Site Allocations DPD access requirements, there is no technical highway reason why access could not be taken from Sycamore Lane albeit it appears from the Planning Statement that an agreement could not be reached with the respective landowner to secure the connection. WSCC Highways would reiterate that there are no objections to the vehicle access arrangements presented.

Trip Generation

The TS outlines the methodology applied to determine trip generation associated with the proposed use. The approach applied is commonly used and is appropriate. Based on table 3.1 within the TS, the site is forecast to generate 38 two way vehicle movements in the AM network peak hour and 32 in the PM network peak hour. It's accepted that the site will generate movements throughout the course of a day but the peak hours represent the busiest times and are the most sensitive to change.

Overall, there will be some localised increase in vehicle trips on Woodlands Close and the junction with Kiln Road. Beyond this, vehicle trips will disperse across the network and will be indiscernible from other existing movements.

Access by Sustainable Modes (walking, cycling, passenger transport)

The site will form an extension to the existing village that has a well-developed, existing network of footways leading towards likely destinations. It's acknowledged that there is a notable absence of cycle specific infrastructure within and beyond the village (bar the Worth Way that runs between Crawley and beyond East Grinstead). However the surrounding network is very much residential in nature and therefore in principle could accommodate the majority of cyclists on carriageway.

A number of bus services serve the village. The nearest stops are outside of the recommended 400 metre walking distance, although this distance should be viewed more as a recommendation rather than an ultimate threshold. Walking distances and routes to the nearest stops are not considered as significant barriers.

As the TS indicates, this site will be liable for a contribution generated under the Total Access Demand Methodology. Any TAD contribution could be used towards accessibility improvements within the village. This could also include the provision of real time information at the nearest bus stops on Burleigh Way.

Layout

From the application form, it's recognised that new adoptable roads are to be provided. In these respects, it's recognised that highway adoption is not a material planning consideration. Comments are nevertheless provided on the basis of the layout being offered for adoption.

The layout provides a combination of carriageways and footways segregated by way of a kerb, and shared surfaces where all users share the same road space. The TS indicates that all roads are intended to be 5.5 metres in width. Where provided, footways should be 2 metres in width. There are no particular concerns in terms of the details shown in these respects.

With respects to the specific details, given there is a road crossing over the north/south water feature, this would imply a need for railings or other retaining feature along the road edge. It would be useful to understand what is intended in

this location. Ordinarily, there should be some offset between any retaining feature and the carriageway edge. Given this is also a shared surface area, it may feel quite narrow for pedestrians where vehicles are passing. It may be better to have a defined footway over the water feature.

The Applicant should note that an adoptable margin will be required along both sides of all adoptable shared surface areas. The margin should be sufficient in width to enable services to be placed within this rather than in the carriageway. Any margin should be a minimum of 0.5 metres width.

There are a number of footpath connections indicated along the southern edge of the site onto right of way WOR-56W and connections northwards onto Ash Tree Street and Hornbeam Place. All of these connections appear to require works outside of the red edge. It's presumed that the Applicant has sufficient controls to provide these links.'

- 12.25 The Stage One RSA of the correct format was provided and confirmation that the bridge over the ditch would include 1.2 metre brick parapets. WSCC Highway has subsequently confirmed that this is acceptable and complies with the relevant design standards. It is noted that should the highway be adopted by the County a margin would be required, this will be added as an informative.
- 12.26 No objection has been received from the LHA. It is the view of your Planning Officer that significant weight should be afforded to the conclusions of the LHA as they are the statutory body that are responsible for the road network around the application site.
- 12.27 Having regard to the above, it is considered that the application complies with policy DP21 of MSDP, policy SA22 of the SADPD and the requirements of the relevant parts of the NPPF.

Design and Character

- 12.28 Policy DP26 of MSDP deals with 'Character and Design' and states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

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

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

12.29 Policy CDNP05 in the Crawley Down Neighbourhood Plan states:
'Subject to the other policies of this Neighbourhood Plan; Within the Crawley Down Neighbourhood Plan Area, planning permission will be granted for residential development subject to the following criteria:

- a) The scale height and form fit unobtrusively with the surrounding buildings and the character of the area or street scene and where appropriate, special regard should be had to sustaining and enhancing the setting and features of heritage assets and the Areas of Townscape Character.*
- b) Individual developments will not comprise more than 30 dwellings in total, with a maximum density of 25 per Ha and spacing between buildings to reflect the character of the area.*
- c) Amenities such as access, noise, privacy, daylight, sunlight and outlook of adjoining residents are safeguarded.*
- d) The individual plot sizes are proportionate to the scale of the dwelling.*
- e) Open green spaces are provided in accordance with the Local Plan standard provisions. Where practical open spaces should provide linkage/connection to elements of the local footpath network.*
- f) Construction materials are compatible with the materials of the general area and are locally sourced where practical.'*

12.30 Policy SA GEN deals with general principles for site allocations within the SADPD and it states, inter alia, the following in relation to urban design matters:

- *'Design new development in accordance with District Plan Policy DP26: Character and Design and with the design principles set out in the Mid Sussex Design Guide SPD.*
- *Sites within the High Weald AONB are to have regard to the High Weald Housing Design Guide.*
- *Provide a high degree of integration and connectivity between new and existing communities.*
- *Design new development at a density that is appropriate for the location.*

- *Make a positive contribution towards local character and distinctiveness.*
- *Create safe communities through appropriate design and layout that reduces the likelihood of crime and anti-social behaviour.'*

- 12.31 In respect of site specific policy SA22, it states the following in respect of urban design principles:
- *'Concentrate higher density development towards the northern part of the site to reflect the existing settlement pattern, with a lower density towards the southern edges to help create a successful transition with Burleigh Lane.*
 - *Orientate development to have a positive active frontage in relation to the existing settlement, attractive tree boundaries and to define open spaces and routeways.*
 - *Seek to enhance the connectivity of the site with Crawley Down village by providing pedestrian and/or cycle links to Sycamore Lane, Burleigh Way and adjacent existing networks.'*
- 12.32 The Council's Design Guide is also of relevance and a number of sections relate specifically to layout and design features within a proposed development, specifically sections 3, 4, 6 and 8.
- 12.33 Section 12 of the NPPF sets out the governments approach to achieving high quality design and creating beautiful and sustainable places and buildings.
- 12.34 The Council's Urban Design has been consulted on the application and raises no objection to the proposal subject to conditions to ensure the high quality of the design of the development.
- 12.35 The density of the proposed development reflects the edge of settlement position of site with lower density to the south side of the site which is softened by open spaces and the retention of the boundary planting and trees adjacent to Burleigh Lane, which retains a transition into the countryside and verdant character of the lane. Following the submission of additional information regarding the designs of the facades of the buildings, details regarding hardstanding and means of enclosure, it is considered that the proposal would create a sense of place with pedestrian connections which would integrate the development into the existing settlement.
- 12.36 Concerns have been raised within the letters of representation received regarding the impact of the proposal on the character and appearance of Woodlands Close by the creation of a new access point onto the eastern side of the highway which will result in No. 13 Woodlands Close being isolated between two roads. These concerns are noted; however, the proposed access includes areas of landscaping and planting on either side of the road which will soften its appearance and it is not considered that the proposal would be harmful to general character and appearance of Woodlands Close, or its surrounds.
- 12.37 Accordingly, it is considered that the application complies with Policy DP26 of the District Plan, Policies SA22 and SA GEN of the Site Allocations DPD, Policy CDNP05 of the Neighbourhood Plan, the Mid Sussex Design Guide, and the NPPF

Impact on the Visual Landscape

- 12.38 Policy SA GEN deals with general principles for site allocations within the SADPD and it states, inter alia, the following in relation to landscape matters:
- *Undertake Landscape and Visual Impact Assessment or Appraisal (LVIA) on any rural and edge of settlement sites. In the AONB the LVIA will utilise the AONB Management Plan components as landscape receptors. The LVIA will need to inform the site design, layout, capacity and any mitigation requirements.*
 - *Provide a Landscape Strategy to identify how natural features on site have been retained and incorporated into the landscape structure and design of the site and informed the landscaping proposals for the site.*
 - *Arboricultural Impact Assessment and Arboricultural Method Statements will be required for all sites where development will be within 5 metres of any trees.'*
- 12.39 Site specific policy SA22 states in relation to landscape considerations:
- *'Retain and enhance existing mature trees and hedgerows on the site and around the boundaries and incorporate these into the landscaping structure for the site to limit impacts on the countryside. Open space should be provided as an integral part of this landscape structure and should be prominent and accessible within the scheme.*
 - *Protect the rural character of Burleigh Lane and views from the south by minimising loss of trees and hedgerows along the southern boundary and reinforcing any gaps with locally native planting.*
 - *Protect the character and amenity of existing public footpaths and seek to integrate these into the Green Infrastructure proposals for the site.'*
- 12.40 The application has been supported by a Landscape and Visual Appraisal which is been considered by the Council's Visual Landscape Consultant, who considers the area to be of a moderate landscape sensitivity. The Consultant noted that lack of methodology provided with the LVA and that it does not follow the Guidelines for Landscape and Visual Impact Assessment, the photographs submitted also do not follow the TGN 06/19 Visual Representation of development proposals.
- 12.41 Additional information has been provided following these comments to provide justification for the information provided.
- 12.42 The site is visible from Burleigh Lane and the public footpath that follows the highway (56W), as well as the new footpath along the eastern boundary of the site linking Burleigh Lane to Hornbeam Place. However, due to the extent of the planting on either side of Burleigh Lane there are limited distant views of the site from within the surrounding landscape. Given this, and that the proposal would be seen largely against the existing built form of the settlement, it is considered that the development of the site, as proposed, would have a limited impact on the surrounding landscape.
- 12.44 In addition to this, the proposal has been designed to maintain a number of existing trees on site along with boundary hedgerows in accordance with the site-specific policy.
- 12.45 Overall, it is your Planning Officer's view that the scheme is acceptable in relation to its landscape impact and further details regarding landscaping and management

can conditioned. The site is allocated for development and therefore the principle of a significant change from a green field site to a housing development has been accepted at the plan making stage, together with the consequent landscape impact.

- 12.46 In this regard, it is considered that the application complies with policies SA GEN and SA22 of the SADPD.

Impact on Heritage Assets

- 12.47 The LPA is under a duty by virtue of s.66(1) of the Listed building and Conservation Area (LBCA) Act 1990 (General duty as respects listed building in exercise of planning functions);

'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.'

- 12.48 Case law has stated that;

'the duties in sections 66 and 72 of the Listed Buildings Act do not allow a local planning authority to treat the desirability of preserving the settings of listed buildings and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. If there was any doubt about this before the decision in Barnwell it has now been firmly dispelled. When an authority finds that a proposed development would harm the setting of a listed building or the character or appearance of a conservation area, it must give that harm considerable importance and weight.'

- 12.49 The Court further stated on this point;

'This does not mean that an authority's assessment of likely harm to the setting of a listed building or to a conservation area is other than a matter for its own planning judgment. It does not mean that the weight the authority should give to harm which it considers would be limited or less than substantial must be the same as the weight it might give to harm which would be substantial. But it is to recognize, as the Court of Appeal emphasized in Barnwell, that a finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one. It is not irrefutable. It can be outweighed by material considerations powerful enough to do so. But an authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering.'

- 12.50 Policy DP34 of the MSDP states, in relation to Listed Buildings and other heritage assets, the following;

'Listed Buildings

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.*

Other Heritage

Assets Development that retains buildings which are not listed but are of architectural or historic merit, or which make a significant and positive contribution to the street scene will be permitted in preference to their demolition and redevelopment.

The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic.

Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.'

- 12.51 Policy SA GEN sets out, inter alia, the following general principles in relation to the historic environment and cultural heritage;
- *Respect listed buildings, conservation areas, scheduled monuments, the historic landscape, registered parks and gardens and their settings and look for opportunities to enhance or better reveal their significance. All heritage assets, including those that are undesignated, will need to be conserved and enhanced.*
 - *Provide Heritage Impact Assessments, where appropriate, to establish the significance of heritage assets and their settings, the impact of development on this significance and, if appropriate, mitigation strategies in accordance with District Plan policies DP34: Listed Buildings and other Heritage assets, DP35: Conservation Areas and DP36: Historic Parks and Gardens.*
- 12.52 Site specific policy SA22 of SADPD, states the following in relation to the historical heritage assets;

- *'Provide appropriate mitigation to protect the rural setting of the Grade II listed Burleigh Cottage adjacent to the west of the site by creating a sufficiently sized landscape buffer of open space between the listed building and the new development. Provide a hedgerow/ tree belt screening between the open space and the development to protect the rural setting of Burleigh Cottage. The mitigation strategy should be informed by a Heritage Impact Assessment.*
- *Protect the rural character of Burleigh Lane and the setting of Burleigh Cottage by retaining the stone gateways on Burleigh Lane along the southern boundary of the site.'*

12.53 Section 16 of the NPPF is of particular relevance in relation to the application and the most relevant paragraphs are set out below ;

'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 of 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.

213. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) Grade II listed buildings, or Grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, Grade I and II* listed buildings, Grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

214. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial

harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

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.'

12.54 To the south-west of the site is Burleigh Cottage, a Grade II listed building. The Council's Conservation Officer has provided the following comments:

'The proposed development site, which is to the northern side of Burleigh Lane, currently has a semi-rural character with an area of open field and another former field now partly occupied by buildings, but retaining a spacious, verdant nature. There is one designated heritage asset which is within the vicinity of the site- this is Burleigh Cottage, a Grade II listed building located directly adjacent to the western boundary of the site.

Burleigh Cottage is a 17th century former farmhouse faced with weatherboarding and painted brick. Previously the building was the farmhouse for Sandhillgate Farm, and was renamed Burleigh Cottage in the mid 20th century. An outbuilding shown on historic maps dating from the mid 19th century appears to survive to the north east of the house, but otherwise the former farm buildings appear to have been lost. If in fact pre-dating 1948 this outbuilding may be regarded as curtilage listed. Sandhillgate Farm is recorded in the West Sussex Historic Farmstead and Landscape Character assessment, which is part of the HER, as an historic farmstead dating from the 19th century.

Burleigh Cottage is considered to possess architectural value based on its design, construction and craftsmanship, historical illustrative value as a good example of a building of its type and period, and aesthetic value based in part on the use of vernacular materials. It will also have group value with the surviving curtilage listed outbuilding. As such, the surviving rural and semi-rural setting to the east and south of Burleigh Cottage, together with the semi-rural character of the approaches to the building along Burleigh Lane, make a strong positive contribution to the manner in which its special interest is appreciated.

There are also a pair of stone gateways leading from the western field onto Burleigh Lane which were considered at site allocation stage to be of streetscape and heritage merit and worthy of retention.

The proposal, which follows on from pre-application discussion, is for the demolition of numbers 9-11 Woodlands Close together with the demolition of other existing buildings on site and erection of 48 dwellings with open space, landscaping, car parking and associated infrastructure including provision of internal access roads and access road onto Woodlands Close.

Development of the scale proposed on the site will have a fundamental impact on its character, as it will become another suburban extension to Crawley Down. This will remove and reverse the currently positive contribution which the site makes to the setting of Burleigh Cottage. Furthermore, the impact of the proposal will be cumulative in the sense that the listed building and historic farmstead at Burleigh Cottage will as a result become enclosed by quite intensive development to three sides. The semi-rural character of the approach to the listed building along Burleigh Lane from the east will also be adversely affected. These factors will result in harm to the special interest of the listed building and historic farmstead, and the manner in which this is appreciated.

The proposal has been revised following on from pre-application advice to set the bulk of the development away from the south west corner of the site (the common boundary with Burleigh Cottage) and also slightly further north from Burleigh Lane. Further planted screening also appears to have been introduced along these edges of the site. These measures, while welcome, will reduce rather than remove the harm caused.

The proposal is therefore considered contrary to the requirements of District Plan Policy DP34 (Listed Buildings and Other Heritage Assets), which states that development will be required to protect listed buildings and their settings. In terms of the NPPF, the proposal will result in around a mid level of harm to the special interest of Burleigh Cottage, such that the balancing exercise set out in paragraph 215 will apply.

I would also note that the application submission does not appear to make any specific mention of the stone gateways onto Burleigh Lane. There are two gateways to the eastern portion of the site which are described as retained within the submitted DAS, however it would be helpful if the applicant could confirm if these are the stone gates which are elsewhere described as being to the western field.'

- 12.55 The existing pair of stone gateways would be retained as part of the proposal and are shown on the proposed site plan.
- 12.56 The development is set away from the boundary with Burleigh Cottage with a landscape buffer comprising of additional planting, in line with the requirements of policy SA22. However, given the nature of the proposal and the contribution the existing open field makes to the semi-rural setting of the listed building 'less than substantial harm' to the heritage asset has been identified by the Conservation Officer.
- 12.57 In accordance with paragraph 212 of the NPPF 'great weight' needs to be given to the conservation of the designated heritage assets. Although the identified harm to each is less than substantial, it should nonetheless be given considerable importance and weight in accordance with the relevant provisions of the 1990 Act.

- 12.58 Paragraph 215 of the NPPF requires where less than substantial harm is identified this harm is weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 12.59 The proposal is considered to have public benefits including affordable housing and financial contribution local infrastructure on a site that is allocated for such development in the SADPD. The proposal would also provide economic developments including construction jobs, additional spending in the locality and new homes bonus. These benefits are considered to outweigh the less than substantial harm to the setting to the heritage asset outlined above.

Archaeology

- 12.60 As set out in policy DP34 of the MSDP, a heritage asset may be archaeological, architectural, artistic or historic, and the Council will seek to conserve it in a manner appropriate to its significance (significance can be defined as the special interest of a heritage asset).
- 12.61 Policy SA GEN sets out, inter alia, the following general principles in relation to the historic environment and cultural heritage;
- *Undertake pre-determination evaluation of potential archaeological features on the site prior to any planning application being submitted, unless it can be demonstrated that such an evaluation is not appropriate for this site. Appropriate mitigation may be required depending on the outcome of that evaluation.*
- 12.62 Paragraph 218 of the NPPF is of relevance, and states;
- 'Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.'*
- 12.63 The Council's Archaeological Consultant has confirmed that the submitted West Sussex Historic Environment Record (HER) establishes that the site lies in an area with potential for significant archaeological remains to survive, particularly those of an Iron Age date.
- 12.64 The Council's consultant states:
- 'To understand the potential for, and significance of, archaeological deposits impacted by the proposal, a programme of trial trenching followed by excavation is being recommended in line with paragraph 218 of the National Planning Policy Framework (2024), and the Mid Sussex District Plan, policy D34. A recognised team of professionals should undertake the archaeological work. The archaeological potential of the Site needs to be further understood by a programme of trial trenching. Should this reveal archaeological deposits it could be followed by further targeted excavation/mitigation; this could be outlined in further detail by a brief from this office to inform a Written Scheme of Investigation.'*
- 12.65 In light of the above, your officers are content that with appropriate condition, for archaeological investigation and mitigation.

- 12.66 Having regard to the above, and with the securing of appropriate mitigation, the development accords with policy DP34 of the MSDP, policy SAGEN of the SADPD, and the relevant section of the NPPF.

Affordable Housing and Mix

- 12.67 Policy DP30 of the MSDP deals with housing mix and 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 is 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, commensurate with the overall scale of residential development proposed by the strategic; 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 Council.'*

- 12.68 Policy DP31 of the MSDP deals specifically with affordable housing and states;
'The Council will seek:

1. *the provision of a minimum of 30% on-site affordable housing for all residential developments providing 11 dwellings or more, or a maximum combined gross floorspace¹⁴ of more than 1,000m²;*
2. *for residential developments in the High Weald Area of Outstanding Natural Beauty providing 6 – 10 dwellings, a commuted payment towards off-site provision, equivalent to providing 30% on-site affordable housing;*
3. *on sites where the most recent use has been affordable housing, as a minimum, the same number of affordable homes should be re-provided, in accordance with current mix and tenure requirements;*
4. *a mix of tenure of affordable housing, normally approximately 75% social or affordable rented homes, with the remaining 25% for intermediate homes, unless the best available evidence supports a different mix; and*
5. *free serviced land for the affordable housing.*

All affordable housing should be integrated with market housing and meet national technical standards for housing including “optional requirements” set out in this District Plan (Policies DP27: Dwelling Space Standards; DP28: Accessibility and DP42: Water Infrastructure and the Water Environment); or any other such standard which supersedes these.

Proposals that do not meet these requirements will be refused unless significant clear evidence demonstrates to the Council’s satisfaction that the site cannot support the required affordable housing from a viability and deliverability perspective. Viability should be set out in an independent viability assessment on terms agreed by the relevant parties, including the Council, and funded by the developer. This will involve an open book approach. The Council’s approach to financial viability, alongside details on tenure mix and the provision of affordable housing will be set out in a Supplementary Planning Document.

The policy will be monitored and kept under review having regard to the Council’s Housing Strategy and any changes to evidence of housing needs.’

12.69 CDNP policy CDNP05 states:

‘p) Developments of 6 or more dwellings should provide a mix of dwelling sizes (market and affordable) that fall within the following ranges:

*Market Housing At least 75% 2-3 bedroom houses and up to 25% other sizes
Affordable Housing At least 80% 2-3 bedroom houses and Up to 20% other sizes’*

12.70 Policy SA GEN of the SADPD requires development to provide 30% affordable housing and a suitable mix of housing in line with the District Plan policies and the Mid Sussex Affordable Housing SPD. The site-specific policy SA22 outlines 50 dwellings for the site.

12.71 In the supporting information submitted with the application, the applicant has set out the following market housing mix;

Unit Type	Number of Units	Percentage
1 bedroom units	4	8%
2 bedroom units	9	19%
3 bedroom units	21	44%
4 bedroom units	14	29%
Total	48	100%

- 12.72 It is proposed that the development will provide for 30% affordable housing, which would equate to no.15 dwellings on the basis of a tenure split of 75% social rented or affordable rented housing and 25% First Homes.
- 12.73 The Council's Housing Enabling Officer has commented on the proposal and has provided the following final comments:
- *'The amendment to Plot 1, changing it from a 2b/4p Wheelchair Accessible Unit to a 3b/5p M4(2) unit, is agreeable.'*
 - *The two 1b/2p flats (plots 44 & 48) are still below the required floor spaces measuring approximately 47m² and 48m² respectively. These will both need to measure a minimum of 50m² (excluding hallways and staircases).*
 - *The 3b/4p plot (which is plot 40 and not 41 as I stated in my previous comments, please accept my apologies for this) is still showing as a 3b/ 4p plot. As previously stated, this will need to be amended to a 3b/5p plot in order to meet with our occupancy requirements.*
 - *The location of the units either side of the road does not alter the fact that this is indeed one cluster. This is our approach which has been consistent to all applications. As such, the view taken by the developer is not correct. If the units currently earmarked for First Homes are delivered as Shared Ownership, there would be a cluster of 15 units all managed by the RP.*
 - *With regards to the issues raised surrounding the pepper potting of the affordable housing units, we would still prefer that they were not in a non-compliant cluster and request that they are provided in a compliant manner. If the developer is able to advise which RP has expressed an interest in the site and get a letter of intent from them saying that they will take the Affordable Housing Units in the current layout, we will be able to proceed with the plans with the current tenure mix and plot locations. If they are not willing to take the Affordable Housing Units, the current layout would need to be revisited.'*
- 12.74 Having to the above, it should be noted that plots 44 and 48 have a floorspace of 56m² respectively, which exceeds the Nationally Described Space Standards, and such there is no policy basis to require these plots to be any larger. Plot 40 is proposed as a 3-bed/4-person property due to the size of the bedrooms, which do not meet the size standards for twin or double bedrooms.
- 12.75 It is accepted that the affordable housing is provided in one group and although the road extends through the group, this is not considered to divide the group, which can only be done by positioning market housing in between. The applicant has advised that affordable housing associations seek whole groups of affordable units in order to minimise servicing and maintenance costs, and that pepper potting is not desirable. Having regard to the location of the proposed affordable housing, near the front of the site, and fact that its design is 'tenure blind', it is not considered that there are any grounds to resist the application in regard to this issue.
- 12.76 It is considered that the proposal would provide an appropriate housing mix for the site along with 30% affordable housing, with a tenure split in accordance with policies DP30 and DP31 of the District Plan and policy CDNP05 of the CDNP.

- 12.77 It is noted however, that the grouping of the affordable units within the site and number of occupiers of 3 of the units does not meet the requirements of the Council's Affordable Housing SPD, and therefore there is a level of discrepancy between the proposal and the policy/guidance. This will need be considered in the overall planning balance.

Residential amenity

- 12.78 Policy DP26 seeks to ensure that new 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. Policy CDNP05 in the CDNP refers to planning permission being granted for residential development subject to various criteria, one of which states '*Amenities such as access, noise, privacy, daylight, sunlight and outlook of adjoining residents are safeguarded.*' There is some conflict between the wording of these two policies. In accordance with planning law, the conflict must be resolved in favour of the more recently adopted policy. As such policy DP26 should be afforded greater weight and the test is whether the proposal would result in significant harm.
- 12.79 To the north of the site is an existing modern residential development which includes a number of dwellings which face directly onto the site, namely 1-5 Sycamore Lane (odd numbers), No. 5 Ash Tree Street and No's 4-8 Hornbeam Place (even numbers). The other residential properties are set away from the site.
- 12.80 The existing boundary planting and tress would be retained as part of the proposal which would provide visual separation from the proposal. The proposed SUDS basins are also proposed along the northern side of the site which provides greater separation. It is noted that the proposed dwelling (plot 33) within the north-eastern corner of the site would be positioned closer to the properties of Hornbeam Place, however, would retain a separation distance of approximately 44 metres to the existing dwellings.
- 12.81 To the north-western boundary are No's 1-7 Woodlands Close (odd numbers), which back onto the site. These properties are at a lower ground level than the site which would result in the closest line of dwellings being at an elevated position. The closest dwellings would be approximately 45 metres from these neighbouring properties. It is noted that these properties would be visible from these existing properties, however given the back-to-back distances proposed, it is not considered to cause significant harm.
- 12.82 No's 7 and 13 Woodlands Close would be located on either side of the proposed access, which would replace the existing semi-detached pair. Landscaping is proposed on either side of the access which would create a buffer to the access road. It is noted that the impact of the proposed access would be significantly different from the existing residential properties, however the built form of the buildings would be removed, along with the first-floor balcony of No. 11, which overlooks No. 13 Woodlands Close. Given this, and the proposed landscaping, it is considered that the proposed access would not cause significant harm to the amenities of these neighbours.

- 12.83 To the south-west is Burleigh Cottages which is set away from the boundary with the site by approximately 140 metres, with the proposed landscape buffer beyond.
- 12.84 On the western side is Sarane Lodge, which would be approximately 170 metres from the closest proposed dwelling with mature boundary screening in between.
- 12.85 Having regard to the above, your Planning Officers are content that the proposed development will not cause significant harm to the residential amenities of existing occupiers by means of loss of privacy, overlooking, loss of light or by noise and disturbance. The application complies with policy DP26 of MSDP in this respect.

Air Quality

- 12.86 Policy SA38 in the Site Allocations DPD states:

'The Council will require applicants to demonstrate that there is not unacceptable impact on air quality. The development should minimise any air quality impacts, including cumulative impacts from committed developments, both during the construction process and lifetime of the completed development, either through a redesign of the development proposal or, where this is not possible or sufficient, through appropriate mitigation.'

Where sensitive development is proposed in areas of existing poor air quality and/ or where major development is proposed, including the development types set out in the Council's current guidance (Air Quality and Emissions Mitigation Guidance for Sussex (2019 or as updated)) an air quality assessment will be required.

Development proposals that are likely to have an impact on local air quality, including those in or within relevant proximity to existing or potential Air Quality Management Areas (AQMAs), will need to demonstrate measures/ mitigation that are incorporated into the design to minimise any impacts associated with air quality

Mitigation measures will need to demonstrate how the proposal would make a positive contribution towards the aims of the Council's Air Quality Action Plan and be consistent with the Council's current guidance as stated above.

Mitigation measures will be secured either through a negotiation on a scheme, or via the use of planning condition and/ or planning obligation depending on the scale and nature of the development and its associated impacts on air quality.

In order to prevent adverse effects on the Ashdown Forest SPA and SAC, new development likely to result in increased traffic may be expected to demonstrate how any air quality impacts, including in combination impacts, have been considered in relation to the Ashdown Forest SAC. Any development likely to have a significant effect, either alone or in combination with other development, will be required to demonstrate that adequate measures are put in place to avoid or mitigate for any potential adverse effects.'

- 12.87 The site is not located within an Air Quality Management Area (AQMA).
- 12.88 The application is supported by an air quality assessment that considers the air quality impact of the development during both the construction stage, and once operational.
- 12.89 The Council's Environmental Protection Officer has reviewed the submissions and considers that while the location appears to be low risk, suitable conditions to

mitigate any impact during construction, and measures to improve air quality post construction have been suggested. On this basis, your Environmental Protection Officer has not raised an objection to the application.

- 12.90 In light of the above the above conclusions it is reasonable to conclude that the proposal will not have a significant impact on air quality, and with the use of appropriate conditions, the application complies with policy SA38 of the SADPD.

Contaminated land

- 12.91 Policy SAGEN of SADPD sets out in regard to contaminated land the following;

- 12.92 *Investigate any potential land contamination from present or historical on site or adjacent land uses.*

- 12.93 Site specific policy SA22 of the SADPD states:

- *'The land may be contaminated due to present or historical on site or adjacent land uses. Provide a detailed investigation into possible sources of on-site contamination together with any remedial works that are required.'*

- 12.94 In respect of the NPPF, paragraph 196 states:

'Planning policies and decisions should ensure that:

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);*
- b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and*
- c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.'*

- 12.95 The Council's Contaminated Land Officer has been consulted on the application, who states:

'The proposed development site lies adjacent to a historic brick field and brickworks, which operated from approximately 1897 to 1938. These former industrial uses are commonly associated with potential contamination, including heavy metals, hydrocarbons, and asbestos-containing materials. An adjacent works was also present around 1958, the nature of which is unclear but may represent an additional potential source of contamination.

The proposed access road crosses areas historically occupied by the brickworks and a historic infilled feature, likely a former excavation or pit, which was present from at least 1897 to 1959. Infilled land can present a particular risk due to the unknown nature of the fill materials used, which may include industrial or domestic waste.

In addition, much of the proposed development site has been in agricultural use. Agricultural land can be associated with contamination from the historical use of pesticides, herbicides, and other agrochemicals, as well as from fuel and oil storage, machinery maintenance, and waste disposal practices. These activities may have resulted in elevated levels of contaminants in the soil.'

- 12.96 Given the previous use of the land and the intended use, there is a potential from contamination, and therefore the Contaminated Land Officer has recommended a number of conditions.
- 12.97 Officers are content that with the imposition of the requested conditions the application complies with policies SAGEN and SA22 of the SADPD and paragraph 196 of the NPPF.

Trees

- 12.98 Policy DP37 in the MSDP states:

'Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

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.*

Proposals for works to trees will be considered taking into account:

- *the condition and health of the trees; and*

- *the contribution of the trees to the character and visual amenity of the local area; and*
- *the amenity and nature conservation value of the trees; and*
- *the extent and impact of the works; and*
- *any replanting proposals.*

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

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.'

12.99 Site specific policy SA22 states:

- *'Retain and enhance existing mature trees and hedgerows on the site and around the boundaries and incorporate these into the landscaping structure for the site to limit impacts on the countryside. Open space should be provided as an integral part of this landscape structure and should be prominent and accessible within the scheme.*
- *Protect the rural character of Burleigh Lane and views from the south by minimising loss of trees and hedgerows along the southern boundary and reinforcing any gaps with locally native planting.*
- *Protect the character and amenity of existing public footpaths and seek to integrate these into the Green Infrastructure proposals for the site.'*

12.100 Paragraph 136 of the NPPF states;

'Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined⁽⁵²⁾, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.

(Footnote 52: Unless, in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate)'

12.101 An Arboricultural Impact Assessment and Methods Statement has been provided with the application and identifies 3 No. U category trees, 12 No. category C trees and 2 No. B category trees to be removed.

12.102 The Council's Tree Officer has been consulted on the application and has provided the following comments:

'I have reviewed the Arboricultural Impact Assessment (AIA), Arboricultural Method Statement (AMS), and Tree Protection Plan (TPP) for this proposal and understand that this is an allocated site. I note that the detailed survey information is missing from the application but have adequate information on the TPP to make an assessment.

I note that there are several category B trees, including at least 2 oaks to be lost to facilitate the proposed development. Category B trees are a constraint to development and felling mature, category B oak trees is contrary to DP37 of the Mid Sussex District Plan 2014-2033. The potential to replace this tree with new planting would take years to achieve the ecological value currently on the site, should this tree be retained.

I note that most of the high-quality trees are to be retained, particularly around the perimeter, and see that the black poplars have been retained, which is important.

Whilst the loss of the category B trees is regrettable, I have no objection.

Mitigation planting should be secured through condition, as well as adherence to the AIA, AMS, and TPP.'

- 12.103 The loss of any tree is regrettable; however, it is an inevitable consequence of development of the site. The majority of the trees and planting within the site, and along the boundaries, would be retained as part of the proposal and additional planting is proposed as part of the proposed landscaping, which would be secured by condition.
- 12.104 Overall, it is considered the application complies with policy DP37 of the District Plan and SA22 of the SADPD in respect to this issue.

Ecology

- 12.105 Policy DP38 in the MSDP 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.'

- 12.106 Policy SA GEN of the SADPD sets out the general principles that apply to all allocated sites with the document, and in relation to biodiversity it states, inter alia;

'Biodiversity and Green Infrastructure

- *Carry out and submit habitat and species surveys at the earliest opportunity in order to inform the design and conserve important ecological assets from negative direct and indirect effects.*
- *Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity, using the most up-to-date version of the Biodiversity Metric. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where it is not possible, mitigate and as a last resort compensate for any loss. Achieve a net gain in biodiversity (measured in accordance with Government guidance and legislation), for example, by incorporating new natural habitats, appropriate to the context of the site, into development and designing buildings with integral bat boxes and bird nesting opportunities, green/brown roofs and green walling, in appropriate circumstances in accordance with District Plan Policy DP38: Biodiversity.*
- *Protect and enhance Green Infrastructure (GI) and corridors by ensuring built development avoids and integrates existing GI into the layout of the scheme, reinforcing and providing new connections to existing corridors to develop a connected network of multi-functional greenspace, including incorporating opportunities to contribute to strategic GI.*
- *Improve access to, and understanding of natural greenspace and nature conservation features, including recognising the importance and role of green infrastructure to the ecosystem, biodiversity, public rights of way, health and well-being, the water environment, community facilities and climate change. Green Infrastructure is to be incorporated with SuDS, where possible, to improve biodiversity and water quality.'*

- 12.107 Site specific policy SA22 states:

- *‘Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site connecting to the surrounding area.*
- *Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity. Avoid any loss to biodiversity through ecological protection and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss.’*

12.108 Paragraph 187 of the NPPF sets out the ways planning policies and decisions should contribute to and enhance the natural and local environment. Paragraph 193 of the NPPF 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.’*

12.109 The Environmental Act 2021 has amended section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and places a general duty on a public authority to conserve and enhance biodiversity. A public authority must, in exercising its functions, have regard, as far as is consistent with the proper exercise of those functions, to the purpose of conserving and enhancing biodiversity.

12.110 In support of the application a number of ecological surveys have been provided, which have been considered by the Council’s Ecological Consultant, who have provided the following comments:

We have reviewed the Preliminary Ecological Appraisal Report (Urban Edge Environmental Consulting, June 2025) and the Ground Level Tree Assessment and Bat Emergence Surveys report (Urban Edge Environmental Consulting, June 2025) relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures and mandatory Biodiversity Net Gain.

We have also reviewed the information submitted relating to mandatory biodiversity net gains.

We are now satisfied that there is sufficient ecological information available to support determination of this application. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Preliminary Ecological Appraisal Report (Urban Edge Environmental Consulting, June 2025) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality.

We also recommend that a Construction Environmental Management Plan for Biodiversity and a Wildlife Sensitive Lighting Design Scheme are secured by conditions of any consent. This is to minimise the impacts of construction on habitat features to be retained, including the trees with confirmed potential for maternity bat roosts (PRF-M), and to minimise potential impacts of lighting on habitats which may be used by commuting/foraging bats, respectively.

With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted Statutory Biodiversity Metric, baseline habitat map and condition assessments. Biodiversity net gains is a statutory requirement set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 and we are satisfied that submitted information provides sufficient information at application stage. As a result, a Biodiversity Gain Plan should be submitted prior to commencement, which also includes the following:

- a) Biodiversity Gain Plan form*
- b) The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.*
- c) Pre and post development habitat plans.*
- d) Legal agreement(s)*
- e) Biodiversity Gain Site Register reference numbers (if using off-site units).*
- f) Proof of purchase (if buying statutory biodiversity credits at a last resort).*

In addition, a Habitat Management and Monitoring Plan (HMMP) should be secured for all significant on-site enhancements. Based on the submitted post-intervention values as they are currently submitted and Government Guidance on what constitutes a significant on-site enhancement, it is suggested that this includes the following habitats:

- Ditches*
- Other neutral grassland*
- Species-rich native hedgerow*
- Species-rich native hedgerow with trees*
- Urban trees*

The decision on whether significant on-site enhancements are present is ultimately up to the Council. Where present, the maintenance and monitoring of significant on-site enhancements should be secured via planning obligation for a period of up to

30 years from the completion of development. This will be required to be submitted concurrent with the discharge of the biodiversity gain condition. Therefore, the LPA is encouraged to secure draft heads of terms for this planning obligation at application stage, to be finalised as part of the biodiversity gain condition. Alternatively, the management and monitoring of significant on-site enhancements could be secured as a condition of any consent. The monitoring of the post-development habitat creation / enhancement will need be provided to the LPA at years 1, 3, 5, 10, 15, 20, 25, 30, unless otherwise specified by the LPA. Any remedial action or adaptive management will then be agreed with the LPA during the monitoring period to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

We are generally satisfied that the post-intervention values are realistic and deliverable. However, it is recommended that the following matters will need to be considered by the applicant as part of the biodiversity gain condition:

- *We note that a 10% measurable biodiversity net gain will not be delivered on-site from the proposals. As a result, the applicant will need to approach an off-site provider to secure off-site habitat units. Alternatively, the Government's Statutory Biodiversity Credits could be used as a last resort.*
- *We also note that there are trading rule issues. These will need to be overcome as part of the biodiversity gain condition.*

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). Reasonable biodiversity enhancement measures are a separate matter to mandatory biodiversity net gains and the finalised details should be outlined within a separate Biodiversity Enhancement Strategy to be secured as a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended) and delivery of mandatory Biodiversity Net Gain.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013.'

- 12.111 The Council's Ecological Consultant is satisfied that the proposal is acceptable from an ecology and biodiversity perspective, subject to the suitable conditions. Your Planning Officers agree with these conclusions.
- 12.112 With regards to Great Crested Newts, Nature Space have been consulted on the application and request conditions and informatives.
- 12.113 With regards to the above, it is considered that the application complies with policy DP38 of MSDP, policies SA GEN and SA22 of the SADPD and the relevant paragraphs of the NPFF.

Sustainability

- 12.114 Policy DP39 of the MSDP is titled 'Sustainable Design and Construction, and 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.'*

12.115 Policy SA GEN deals with general principles for site allocations within the SADPD and it states, inter alia, the following in relation to sustainability matters:

- Design development to be resilient to climate change, minimise energy and water consumption and mitigate against flood risk in line with DP39: Sustainable Design and Construction, DP41: Flood Risk and Drainage and DP42: Water Infrastructure and the Water Environment.*
- Address sustainability at the conception stage of development proposals to exploit the benefits of passive design and orientation, fabric performance, energy efficiency measures and low carbon solutions; and wherever possible*

12.116 Paragraph 164 of the NPPF seeks to ensure that new developments are planned to help *'reduce greenhouse emissions, such as through its location, orientation and design'*. Paragraph 166 expects new development to, *'take account of landform ,layout, building orientation, massing and landscaping to minimise energy consumption.'*

12.117 It is important to recognise that in respect of policy DP39 of the District Plan, whilst the wording of the policy is supportive of improving the sustainability of developments, 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.

12.118 The application is supported by an energy and sustainability statement that sets out the applicants' intentions with regard to the sustainability for the development. These include;

- Cycle storage for all dwellings

- Access to EV charging points for all dwellings
 - All materials used for construction of homes will be A+, A or B rated
 - Energy efficiency, low-carb and renewable technologies to reduce emissions by at least 50%
 - All heating by renewable technologies
 - White goods energy efficient, where provided
 - Energy efficient internal lighting
 - Building fabric to achieve air leakage rates of no greater than 4.0 m³/hr/m²
 - All dwellings will achieve a water efficiency target of less than 100 l/p/d
 - Recycling of construction waste where appropriate
 - High levels of airtightness and insulation
- 12.119 The design and orientation of the buildings also allows for natural ventilations and passive solar gain.
- 12.120 Having regard to the above, it is considered that the application complies with policy DP39 of MSDP, policy SA Gen of the SADPD and the relevant paragraphs of the NPFF.

Flood Risk and Drainage

- 12.121 Policy DP41 of the MSDP 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 development²² 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.'

12.122 Policy SA GEN deals with general principles for site allocations within the SADPD and it states, inter alia, the following in relation to flood risk and drainage:

- '- Provide a site-specific Flood Risk Assessment (FRA)/surface water drainage strategy in areas at risk from fluvial or surface water flooding to inform the site layout and any appropriate mitigation measures that may be necessary. Areas at risk of flooding should be avoided in the first instance.*
- Undertake a sequential approach to site layout by avoid developing areas at risk of flooding including climate change allowance.*
- Priority will be given to use of Sustainable Urban Drainage Systems (SuDS) principles and methods where possible to drain the surface water from the development. SuDS features shall be designed and managed to provide, where possible, an ecological and water quality enhancement, providing areas for amenity and recreation, in accordance with District Plan Policy DP41: Flood Risk and Drainage and the West Sussex Lead Local Flood Authority (LLFA) Policy for the Management of Surface Water and the Mid Sussex Drainage Advice for Developers.'*

12.123 Site specific policy SA20 states:

- 'Existing surface water flow paths cross the site and there is a watercourse adjacent to the east of the site. Provide a Flood Risk Assessment (FRA) to inform the site layout and any necessary mitigation measures that may be required.*
- Design Surface Water Drainage to minimise run off to adjacent land, to incorporate SuDS and to ensure that Flood Risk is not increased.'*

12.124 Paragraphs 181 and 182 of the NPPF state;

'181 When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment (footnote 63). Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*

- b) *the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*
- c) *it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
- d) *any residual risk can be safely managed; and*
- e) *safe access and escape routes are included where appropriate, as part of an agreed emergency plan.'*

Footnote 63: A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. In Flood Zone 1, an assessment should accompany all proposals involving: sites of 1 hectare or more; land which has been identified by the Environment Agency as having critical drainage problems; land identified in a strategic flood risk assessment as being at increased flood risk in future; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use.

182. Applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity. Sustainable drainage systems provided as part of proposals for major development should:

- a) take account of advice from the Lead Local Flood Authority;*
- b) have appropriate proposed minimum operational standards; and*
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.'*

- 12.125 The site is located within flood zone 1, with areas of risk of surface water flooding that follow the ditch which runs north/south through the site.
- 12.126 The application is accompanied by a Flood Risk Assessment (FRA). This information has been assessed by WSCC as the Lead Local Flood Authority, who following further information raise no objection to the proposal subject to conditions.
- 12.127 Southern Water have been consulted on the application. They have not objected to the proposal, but instead provided advice for the applicant, and require a formal application for a connection to the public sewer to be made. They have also requested conditions regarding landscaping and flood risk and drainage.
- 12.128 South East Water have been consulted on the application, however no response has been received.
- 12.129 Policy DP42 states in part that proposals that increase the demand for off-site service infrastructure will be permitted where the applicant can demonstrate that there is adequate water supply to serve the development.
- 12.130 The agent has confirmed that that water supply is achievable for this site.

- 12.131 Having regard to the above, it is considered that subject to the use of appropriate conditions flood risk and drainage of the site can be suitably controlled and that the application complies with policies SAGEN and SA22 of the SADPD and policies DP41 and DP42 of the MSDP.

Infrastructure

- 12.132 Policy DP20 of the MSDP seeks to ensure that development is accompanied by the necessary infrastructure. This includes securing affordable housing which is dealt with under Policy DP31 of the District Plan. Policy DP20 sets out that infrastructure will be secured through the use of planning obligations. The Council has approved three Supplementary Planning Documents (SPDs) in relation to developer obligations (including contributions). The SPDs are:

- a) Development Infrastructure and Contributions SPD which sets out the overall framework for planning obligations.
- b) Affordable Housing SPD
- c) Development Viability SPD

- 12.133 Policy SA GEN deals with general principles for site allocations within the SADPD and it states, inter alia, the following in relation to social and community infrastructure:

- ‘*Contribute towards education capacity (early years, special education needs, primary, secondary and sixth form) in accordance with District Plan Policy DP20: Securing Infrastructure, the Mid Sussex Site Allocations IDP and the requirements set out in the Mid Sussex Development Infrastructure and Contributions SPD.*
- *Contribute towards public open space, recreational and community facilities in accordance with District Plan policy DP24: Leisure and Cultural facilities, DP25: Community Facilities and Local Services, the Mid Sussex Site Allocations IDP, the Draft Mid Sussex Play and Amenity Greenspace Strategy, Draft Playing Pitch Strategy, Draft Community Buildings Strategy and the requirements set out in the Mid Sussex Development Infrastructure and Contributions SPD.*
- *Contribute towards health care provision, where appropriate, in accordance with District Plan Policy DP20: Securing Infrastructure and the requirements set out in the Mid Sussex Development Infrastructure and Contributions SPD’*

- 12.134 Site specific policy SA22 requires the provision of a Locally Equipped Accessible Play Space (LEAP).

- 12.135 The NPPF sets out the government's policy on planning obligations in paragraphs 56 and 58 which state:

‘56 Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.’

and:

'58 Planning obligations must only be sought where they meet all of the following tests:

a) necessary to make the development acceptable in planning terms;

b) directly related to the development; and

c) fairly and reasonably related in scale and kind to the development.'

12.136 These tests reflect the statutory tests set out in Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (CIL Regulations).

12.137 Having regard to the relevant policies in the District Plan, the SPDs, Regulation 122 and guidance in the National Planning Policy Framework' the infrastructure set out below is to be secured via a planning obligation.

West Sussex County Council Infrastructure Requirements:

- Primary school provision contribution of £209,052 to be spent on additional facilities at Crawley Down Village CofE School, or another primary school in the planning area of East Grinstead.
- Secondary school provision contribution £205,381 to be spent on additional facilities at Imberhorne School or another secondary school in planning area of East Grinstead.
- 6th Form school provision contribution £44,362 to be spent on additional facilities at Imberhorne School Sixth Form or another sixth form facility in planning area of East Grinstead.
- Libraries provision contribution £22,108 to East Grinstead/ Haywards Heath
- TAD contribution £188,825 to be spent on active travel and public transport improvements across Crawley Down which promote sustainable movement to surrounding infrastructure.

Mid Sussex District Council Infrastructure Requirements

- 30% Affordable Housing
- Play space contribution £47,005
- Kickabout contributions £39,484
- Formal Sport contribution £54,780
- Community Buildings contribution £32,505
- Local Community Infrastructure contribution £36,880

12.138 The play equipment and kickabout contributions would go towards Bowers Place, King George V Field and/or Haven Sports Field. Formal Sport contributions towards new and improved facilities at Crawley Down Cricket Club, Crawley Down Gatwick Football Club and/or King George V Playing Field. Community buildings contribution towards improvements to the 1st Turners Hill and Crawley Down Scout Hut and/or to the Haven Centre. Local Community Infrastructure would go towards upgrades to

the Glebe Centre car park, Haven Centre car park, Burleigh Way car park DM/22/1774, to the war memorial, improvements to pedestrian routes, information trail for the village and/or improvements to the village pond.

- 12.139 A Local Area for Play (LAP) has been provided on site opposed to the LEAP set out in policy SA22, which has been due to site constraints and the buffer space required around a LEAP. In lieu of this provision additional contributions have been made for play space in the locality, which is considered to be an appropriate alternative.
- 12.140 It is considered that the infrastructure requirements set out above are necessary to mitigate the impact of this development and therefore comply with the above policies and guidance.
- 12.141 A significant number of representations objecting to the scheme have referred to existing infrastructure deficiencies. As Members will know, developers are not required to address any existing deficiencies in infrastructure; it is only lawful for contributions to be sought to mitigate the additional impacts of a particular development. It is recognised that the additional population from this development will impose additional burdens on existing infrastructure and the requirements/monies identified above will help mitigate these impacts.
- 12.142 Subject to the complete of a s106 legal agreement to secure the required infrastructure contributions and a condition regarding digital infrastructure, the development accords with policy DP20 of the MSDP, policies SAGEN and SA22 of the Site Allocations DPD, the relevant SPDs, Regulation 122 and guidance in the NPPF.

Ashdown Forest

- 12.143 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).
- 12.144 The potential effects of development on Ashdown Forest were assessed during the Habitats Regulations Assessment (HRA) process for the Mid Sussex District Plan 2014-2031. This process identified likely significant effects on the Ashdown Forest SPA from recreational disturbance and on the Ashdown Forest SAC from atmospheric pollution.
- 12.145 A Habitats Regulations Assessment has been undertaken for the proposed development in this planning application.

Recreational disturbance

- 12.146 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.

- 12.147 In accordance with advice from Natural England, the HRA for the Mid Sussex District Plan 2014-2031, and as detailed in 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.
- 12.148 This planning application is within the 7km zone of influence and generates a net increase of 46 dwellings, and as such, mitigation is required.
- 12.149 An appropriate scale of SAMM mitigation for the proposed development is £53,820, and if the approved scheme provides for a strategic SANG contribution, this would be £241,638.
- 12.150 The applicants have agreed that they would be prepared to make a financial contribution towards the SAMM Strategy and strategic SANG mitigation. Any contributions received will be ring-fenced for expenditure in accordance with the relevant SAMM and SANG Strategies.
- 12.151 The strategic SANG is located at Hill Place Farm in East Grinstead and Natural England has confirmed that it is suitable mitigation for development in Mid Sussex. The SANG is managed in accordance with the Management Plan and this document sets out the management objectives for the site and the management activities. Financial contributions for the strategic SANG will be spent in accordance with the Management Plan.
- 12.152 The financial contributions for SAMM and SANG mitigation have been secured through a Planning Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 ("Planning Obligation").
- 12.153 Once the Planning Obligation securing the SAMM and SANG contributions, it is considered that the mitigation of the recreational impact to the Ashdown Forest will have been secured. The proposal therefore accords with Policy DP17 of the Mid Sussex District Plan and CDNP11 of the Neighbourhood Plan.
- 12.154 Natural England has been consulted on the appropriate assessment of this proposed development and raise no objection.

Atmospheric pollution

- 12.155 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.
- 12.156 The proposed development was modelled in the Mid Sussex Transport Study as a development allocated through the SADPD 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. 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

- 12.157 The Habitats Regulations Assessment concludes that the proposed development would not have an adverse effect on the integrity of the Ashdown Forest SPA and would not have a likely significant effect, alone or in combination, on the Ashdown Forest SAC.
- 12.158 The provision of mitigation in the form of both SANG and SAMM is essential to the proposals within the planning application to ensure the Ashdown Forest SPA is protected from any potential recreational disturbance impact arising from this proposed new development. The development proposed provides sufficient mitigation to avoid any potential impact on the Ashdown Forest SPA.
- 12.159 No mitigation is required in relation to the Ashdown Forest SAC.
- 12.160 Having undertaken a Habitats Regulations Assessment of the implications of the project for the site in view of that site's conservation objectives, and having consulted Natural England and fully considered any representation received, Mid Sussex District Council as the competent authority may now determine the proposed development.

Other Matters

Biodiversity Net Gain

- 12.161 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.
- 12.162 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).'*

13.0 Planning Balance and Conclusion

- 13.1 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 Crawley Down Neighbourhood Plan.

- 13.2 Courts have confirmed that the Development Plan must be considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy, or every aspect of an individual policy, within the Development Plan.
- 13.3 The NPPF states that planning should be genuinely plan-led. Paragraph 11(c) of the NPPF is clear that development proposals should be approved without delay where they are in accordance with an up-to-date Development Plan. It states further, paragraph 11(d), that where the policies most important for determining the application are out-of-date, permission should be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole (the tilted balance).Footnote 8 of the paragraph 11 clarifies that 'out-of-date' includes for applications the provision of housing in situations where the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing site.
- 13.4 Policy SA22 of the SADPD is the most important policy for determining the application, as it relates directly to the development for which planning is sought, and it is considered that policy SA22 of the SADPD is consistent with the NPPF and can be given full weight in determining the application. However, the Council is currently unable to demonstrate a five-year supply of deliverable housing sites and having regard to this, and in light of footnote 8 of paragraph 11 of the NPPF, it is considered that the tilted balance, as set out in paragraph 11(d) of the NPPF, is engaged and is the key test in considering the determination of this application.
- 13.5 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.
- 13.6 The proposal would result in a net gain of 46 dwellings, including a policy compliant number of affordable units, and a Local Area of Play. The scheme would also bring economic benefits, including additional council tax. These are all matters that weigh in support of the proposal.
- 13.7 In relation to transport matters, it is noted that the proposed access deviates from the requirements of policy SA22 and is proposed off Woodlands Close opposite to Sycamore Lane, however no objection to this access have been raised from WSCC Highways Authority in terms of highway safety.
- 13.8 The development will provide financial contributions for off-site highways improvements along with pedestrian links into the existing network along with cycle storage provision for the development.
- 13.9 The concerns raised regarding the alternative access onto Woodlands Close and the departure from policy SA22 along concerns regarding highway safety are acknowledged. The access off Sycamore Lane is no longer achievable and access off Woodlands Close is a viable alternative which was considered during the plan making period and no objection has been raised by WSCC Highways Authority. Due

to this it is considered that the proposal broadly complies with policy SA22 and is acceptable in terms of principle and policy DP21 in terms of highway safety.

- 13.10 In terms of landscape impact, the comments from the Council's Landscape Consultant regarding the lack of methodology of the Landscape Visual Assessment submitted have been noted. However, given the moderate landscape sensitivity of the site, acknowledged by the consultant, and the limited wider views of the proposal in the landscape, it is considered that the proposal would be largely viewed against the built form of the existing settlement. It is therefore considered that the impact of the proposal on the character of the landscape is acceptable, and the application complies with the relevant development plan policies on this matter.
- 13.11 Some trees would be lost as an inevitable consequence of the development of the site; however, a large number of trees would be retained along with hedging and planting around the perimeter which would retain the verdant edge of settlement character of the site. In addition to this, landscaping is proposed as part of the application which would be secured by condition. It is therefore considered to comply with the relevant policies.
- 13.12 In respect of ecology, the Council's Ecological Consultant and Nature Space consultants are satisfied with the mitigation and enhancement measures identified by the applicants in respect of identified protected species and on-site habitats, and has not raised an objection. It is considered that the details of the mitigation and enhancement measures can be secured through planning conditions.
- 13.13 The application would provide the nationally required 10% biodiversity net gain, which would be secured by condition.
- 13.14 It is considered that while the development will clearly have some impact on the amenities of existing residents that either adjoin the site, or the proposed access, due to the nature of the proposal. However, it is not considered that this harm would be significant. In this regard, the application complies with policies DP26 and DP29 of the MSDP.
- 13.15 The proposed layout and design is considered to be of a high-quality design and no objection has been raised by the Council's Urban Designer. Final details regarding external finishes can be secured by condition. The application complies with policy DP26 of the MSDP, policies SAGEN and SA22 of the SADPD, policy CDNP05 of the CDNP and Council's Design Guide SPD.
- 13.16 WSCC Lead Local Flood Authority are satisfied with the information provided with the application in terms of flood risk and drainage. Southern Water have also raised no objection to the scheme. The final details of both surface water and foul drainage can be controlled by a planning condition.
- 13.17 The development has been subject to a Habitats Regulations Assessment that has concluded, with the provision of SAMM and SANG contributions, that the proposed development will not have an adverse effect on the integrity of the Ashdown Forest SPA and would not have a likely significant effect, alone or in combination, on the Ashdown Forest SAC. The proposal therefore complies with policy DP17 of MSDP and policy CDNP11 of the CDNP.

- 13.18 It is considered that the impact of the proposal on infrastructure can be mitigated by the contributions that have been set out in this report. These contributions comply with policies DP20 in the MSDP and the CIL Regulations and will be secured by a section 106 legal agreement.
- 13.19 On the matters of archaeology, air quality, light pollution and contaminated land, any impacts can be adequately mitigated through the use of suitable planning conditions and as such these matters are considered to be acceptable and compliant with the relevant development plan policies.
- 13.20 Less than substantial harm to the setting of Burleigh Cottage (Grade II listed) which carries 'considerable importance and weight' in accordance with s.66(1) of the Listed Building and Conservation Area (LBCA) Act 1990. This harm is in conflict with policy DP34 of the MSDP. The guidance in paragraph 215 of the NPPF is that the harm should be weighed against the proposal's public benefits. It is considered that the public benefits of the scheme (provision of new housing (including affordable housing) on a site that has been allocated for such development in the SADDP, the economic benefits including construction jobs, and additional spending in the locality) do outweigh the less than substantial harm to the setting of the heritage asset in this instance.
- 13.21 The affordable housing provided would be located within one group oppose to pepper potting through the development, as required by the Affordable Housing SPD. In addition to this the number of occupiers of 3 of the units does not meet the requirements of the Council's Affordable Housing SPD, and therefore there is a level of discrepancy between the proposal and the policy. This is given moderate weight.
- 13.22 Having regard to the balancing exercise that needs to be undertaken, and specifically the benefits, it is considered that the provision of a net increase of 46 dwellings, including 30% affordable, can be given substantial weight. Other economic benefits derived from the development, including the construction jobs and future resident spend in the local economy, can be given moderate weight.
- 13.23 The proposal would also provide off-site 10% biodiversity net gain, which can be given moderate weight.
- 13.24 Moreover, the proposal is considered to constitute sustainable development and is considered to comply with the development plan, when read as a whole. These matters are considered to attract substantial weight in support of the development.
- 13.25 In respect of adverse impacts, it is accepted that the proposed development will result in the loss of a greenfield site and replace it with a residential development that will have an impact on the visual appearance of the site. This is a consequence of the site's allocation and as such only limited weight can be given to adverse impact. While some impact on the residential amenities of nearby residents will result from the development, the harm is not considered to be significant and as such only limited weight can be attached to this. The identified conflicts with the Council's Affordable Housing SPD are given moderate weight.
- 13.26 The proposal will have less than substantial harm on the setting of a heritage asset, and while this harm is considered to be outweighed by the public benefits that flow from the development, this harm nevertheless needs to be given 'great weight' in the determination of the application.

- 13.27 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.
- 13.28 In these circumstances, the NPPF states that permission should be granted and there are no other material considerations that would alter the above planning balance.
- 13.29 It is therefore recommended that planning permission be granted for this development subject to the conditions set out in Appendix A and to the completion of a satisfactory s106 Legal Agreement.

APPENDIX A – RECOMMENDED CONDITIONS

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

3. Prior to the commencement of development a schedule of materials and finishes of the external facing of the proposed buildings shall be submitted to and approved by the local planning authority. The works shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a development of visual quality and to accord with Policy DP26 of the Mid Sussex District Plan and Policy CDNP05 Neighbourhood Plan.

4. Prior to the commencement of development detailed drawings showing the following have been submitted and approved by the local planning authority.
 - elevation, and sections of entrance zone to the apartment building at a 1:50 scale
 - sections and front elevations of the typical features in the apartment block (shown in context) including windows, doors and balcony detail and surrounding at a 1:20 scale
 - sections and front elevations of the typical features (and surrounding) of the other building types including entrance canopies/doors, balcony detail, Juliet balcony detail, chimney feature, railing, roof/eaves details, windows, doors, rainwater downpipes (annotate RAL colour where applicable), at a 1:50 scale.

The works shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a development of visual quality and to accord with Policy DP26 of the Mid Sussex District Plan and Policy CDNP05 Neighbourhood Plan.

5. The development hereby permitted shall not commence unless and until detailed design drawings of the LAP Play area have been submitted and approved by the

Local Planning Authority, this area shall be provided in accordance with the approved plans prior to the occupation of any of the residential units or in accordance with a programme to be approved with the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a development of visual quality and to accord with Policy DP26 of the Mid Sussex District Plan and Policy CDNP05 Neighbourhood Plan.

6. Prior to the commencement of development a scheme of soft landscaping for the site drawn to a scale of not less than 1:200 shall have been submitted to and approved in writing by the Local Planning Authority. The soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities.

The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: To achieve a development of visual quality and to accord with Policies DP26 and DP37 of the Mid Sussex District Plan.

7. Prior to the commencement of development details of a hard landscaping scheme for the site shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding (where appropriate); means of enclosure; details and samples of hard surfacing materials; minor artefacts and structures (for example refuse and / or other storage units, benches and any other street furniture, lighting and street lighting specifications and similar features); proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features).

The scheme shall be implemented prior to the occupation of any part of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).

Reason: To achieve a development of visual quality and to accord with Policy DP26 of the Mid Sussex District Plan.

8. Prior to the commencement of development a Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules and periods for all soft landscape areas (other than privately owned plots) together with a timetable for the implementation, monitoring and review of the landscape management plan, has been submitted to and approved in writing by the Local Planning Authority.

The Landscape Management Plan shall be carried out in accordance with the approved details and timetable.

Reason: To achieve a development of visual quality and to protect neighbouring residential amenity and to accord with Policy and DP26 of the Mid Sussex District Plan.

9. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (Urban Edge Environmental Consulting, June 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

10. Prior to commencement a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

11. No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR136, or a 'Further Licence') and with the proposals detailed on plan "Land to the North of Burleigh Lane: Impact plan for great crested newt District Licensing (Version 1)", dated 9th September 2025.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR136, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

12. No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR136, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence.

The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts, and in line with section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

13. No development hereby permitted shall take place except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in the District Licence (WML-OR136, or a 'Further Licence') and in addition in compliance with the following:

- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.
- Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e., hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development).
- Amphibian fencing and pitfall trapping must be undertaken at suitable habitats and features, prior to commencement of the development.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR136, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

14. Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Ecological Appraisal Report (Urban Edge Environmental Consulting, June 2025), shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

15. Prior to occupation, a "lighting design strategy for biodiversity" for external lighting in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

16. Prior to the commencement of development, detailed designs of the surface water drainage scheme shall be submitted to and agreed with the Local Planning Authority. This shall be in accordance with the approved Flood Risk Assessment and Outline Drainage Strategy Reference: 3071 Issue 2 Revision 1, inclusive of the updated documents and plans within response reference DB/3071/001 Rev 1. The design shall follow the NPPF, PPG Flood risk and coastal change and National Standards for SuDS. The submitted details shall include:
- o Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% and 1% annual probability rainfall events (both including allowances for climate change), including 10% urban creep. Hydraulic calculations and detailed construction drawings shall be used to demonstrate this.
 - o Detailed drainage layout plan, which corresponds with the hydraulic calculations.
 - o An exceedance flow routing plan demonstrating no increase in surface water flood risk on or off site. The plan must include proposed levels and flow directions.
 - o Evidence that the surface water drainage system meets the four pillars of SuDS/Standard 4-7 of the National Standards for SuDS.
 - o Construction method statement for the surface water drainage system.
 - o Maintenance and management plan for all elements of the surface water drainage system and any ordinary watercourses/culverts within the development.

Reason: To ensure the design meets the National Standards for SuDS and does not increase flood risk elsewhere and to accord with policy DP41 of the Mid Sussex District Plan

17. Prior to first use of the development, a verification report shall be submitted to and approved by the Local Planning Authority. This shall demonstrate that the surface water drainage system has been built in accordance with the agreed scheme, and that any variations or defects are appropriately addressed.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and policy DP41 of the Mid Sussex District Plan.

18. Prior to the commencement of any residential part of the development hereby permitted, the details of a scheme of mitigation measures to improve air quality relating to the development shall be submitted and approved in writing by the Local Planning Authority. The scheme shall be in accordance with, and to a value derived in accordance with, the Air quality and emissions mitigation guidance for Sussex which is current at the time of the reserved matters application. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: to preserve the amenity of local residents regarding air quality and emissions in accordance with policy SA38 of the Site Allocation DPD.

19. Construction and Deliveries (during the construction phase): Unless otherwise agreed in writing with the LPA, no construction plant or machinery shall be used and no commercial goods or commercial waste shall be delivered or collected within the application site outside the hours of 08:00 - 18:00 Hours Monday - Friday, 09:00 - 13:00 Hours Saturday, and no work permitted on Sundays or Bank/Public Holidays.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with policy DP29 of the Mid Sussex District Plan

20. No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled Potential Site Access and Visibility Splays and numbered 2303093-04 revision P02 as included within the approved Transport Statement dated 27th June 2025.

Reason: In the interests of road safety and to accord with policy DP21 of the Mid Sussex District Plan.

21. No dwelling shall be first occupied until the car parking serving the respective dwelling has been constructed in accordance with the approved site plan. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use and to accord with policy DP21 of the Mid Sussex District Plan.

22. No dwelling shall be first occupied until covered and secure cycle parking spaces serving the respective dwelling have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and policy DP21 of the Mid Sussex District Plan.

23. No part of the development shall be first occupied until the road(s), footways, and casual parking areas serving the development have been constructed, surfaced, and drained in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development and to accord with policy DP21 of the Mid Sussex District Plan

24. No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) and Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period.

The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- o the anticipated number, frequency and types of vehicles used during construction,
- o the method of access and routing of vehicles during construction,
- o the parking of vehicles by site operatives and visitors,
- o the loading and unloading of plant, materials and waste,
- o the storage of plant and materials used in construction of the development,
- o the erection and maintenance of security hoarding,
- o the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- o details of public engagement both prior to and during construction works,
- o Measures to control noise or vibration affecting nearby residents,
- o Artificial illumination,
- o Dust control measures in accordance with best practice.

Reason: In the interests of highway safety, the amenities of the area and amenity of local residents to accord with policies DP21 and DP26 of the Mid Sussex District Plan.

25. The works shall be carried out in accordance with the protection measures set out within the Tree Report submitted 20th June 2025.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area and to accord with Policy DP37 of the Mid Sussex District Plan 2014 - 2031

26. Archaeological trial trenching and excavation

(1) No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a Written Scheme of Investigation (WSI) which has been submitted by the applicant, for approval by the Local Planning Authority.

(2) No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in 1 above, and any subsequent mitigation has been agreed.

(3) The applicant will submit a final archaeological report or (if appropriate) a Post Excavation Assessment report and/or an Updated Project Design for approval by the Local Planning Authority. This shall be submitted within 6 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance by the Local Planning Authority.

Reason: The site is of archaeological significance, and it is important that it is recorded by excavation before it is destroyed by development and to accord with Policy DP35 of the Mid Sussex District Plan 2014 -2031.

27. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site, shall each be submitted to and approved, in writing, by the local planning authority:

- a) A preliminary risk assessment which has identified:
 - o all previous uses
 - o potential contaminants associated with those uses
 - o a conceptual model of the site indicating sources, pathways and receptors
 - o potentially unacceptable risks arising from contamination at the site

and unless otherwise agreed in writing by the Local Planning Authority,

- b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;

and, unless otherwise agreed in writing by the Local Planning Authority,

- c) Based on the site investigation results and the detailed risk assessment (b) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

28. The development hereby permitted shall not be occupied/brought into use until there has been submitted to and approved in writing by the Local Planning Authority a verification plan by a competent person showing that the remediation scheme required and approved has been implemented fully and in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action shall be identified within the report, and thereafter maintained.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

29. If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the LPA), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the LPA. The remediation measures shall be carried out as approved and in accordance with the approved programme. If no unexpected contamination is encountered during development works, on completion of works and prior to occupation a letter confirming this should be submitted to the LPA. If unexpected contamination is encountered during development works, on completion of works and prior to occupation, the agreed information, results of investigation and details of any remediation undertaken will be produced to the satisfaction of and approved in writing by the Local Planning Authority.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to accord with the NPPF.

30. The development shall not be occupied until the sustainability measures set out in the accompanying Sustainability and Energy Statement have been implemented in full.

Reason: In the interests of achieving an energy efficient, sustainable development and to accord with Policy DP39 of the Mid Sussex District Plan 2014 - 2031

31. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development falling within Schedule 2, Class B Part 1 of the Order shall be carried out without the specific grant of planning permission by the Local Planning Authority.

Reason: To maintain the visual quality of the development and to protect the amenities of neighbouring dwellings and to accord with Policy and DP26 of the Mid Sussex District Plan 2014-2031.

Biodiversity Net Gain

1. This permission is considered to be one which **will require the approval of a biodiversity gain plan before development is begun** (which includes demolition) because none of the statutory exemptions or transitional arrangements are considered to apply.

Please see the information contained within the notes to applicants/agents set out below.

Informatives

1. Ordinary Watercourse Consent may be required for some proposals for this development. Further details can be found here: Ordinary watercourse land drainage consent - West Sussex County Council
It is advised to discuss proposals for any works at an early stage.

2. Please note that the former WSCC Policy for the Management of Surface Water has been superseded by the updated National Standards for SuDS (July 2025).
3. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance. Accordingly, you are requested that:
 - o No burning of construction waste materials shall take place on site.
4. The proposed development will require formal address allocation. You are advised to contact the Council's Street Naming and Numbering Officer before work starts on site. Details of fees and advice for developers can be found at www.midsussex.gov.uk/streetnaming or by phone on 01444 477175.
5. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
6. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.
7. In order to ensure approval, we strongly recommend that the above scheme is agreed in advance with the Council's Air Quality Officer.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Location Plan			20.06.2025
Other	FL24-2191-060		20.06.2025
Other	FL24-2191-061		20.06.2025
Existing Block Plan	FL24-2191-051		20.06.2025
Existing Sections	FL24-2191-052		20.06.2025
Illustration	FL24-2191-045		20.06.2025
Parking Layout	FL24-2191-062		20.06.2025
Proposed Floor and Elevations Plan	FL24-2191-100A		16.09.2025
Proposed Floor and Elevations Plan	FL24-2191-105A		16.09.2025
Proposed Floor and Elevations Plan	FL24-2191-110A		16.09.2025
Proposed Floor and Elevations Plan	FL24-2191-115A		16.09.2025
Proposed Floor and Elevations Plan	FL24-2191-120A		16.09.2025

Proposed Floor and Elevations Plan	FL24-2191-125A	16.09.2025
Proposed Floor and Elevations Plan	FL24-2191-130A	16.09.2025
Proposed Floor and Elevations Plan	FL24-2191-135A	16.09.2025
Proposed Floor and Elevations Plan	FL24-2191-140A	16.09.2025
Proposed Floor and Elevations Plan	FL24-2191-145A	16.09.2025
Proposed Floor and Elevations Plan	FL24-2191-150A	16.09.2025
Proposed Floor and Elevations Plan	FL24-2191-155A	16.09.2025
Proposed Floor and Elevations Plan	FL24-2191-160A	16.09.2025
Proposed Elevations	FL24-2191-166A	16.09.2025
Proposed Floor Plans	FL24-2191-165A	16.09.2025
Proposed Site Plan	FL24-2191-055A	16.09.2025
Proposed Site Plan	FL24-2191-056A	16.09.2025
Street Scene	FL24-2191-085A	16.09.2025
Street Scene	FL24-2191-086A	20.06.2025
Other	FL24-2191-063	20.06.2025
Location Plan	FL24-2191-050	20.06.2025
Other	FL24-2191-064	20.06.2025
Tree Survey	PRI24810-03	20.06.2025
Proposed Floor and Elevations Plan	FL24-2191-141	16.09.2025
Other	FL24-2191-090	16.09.2025
Other	FL24-2191-091	16.09.2025
Proposed Site Plan	FL24-2191-068	16.09.2025
Proposed Site Plan	FL24-2191-067	16.09.2025
Proposed Site Plan	FL24-2191-058	16.09.2025
Proposed Site Plan	FL24-2191-067	16.09.2025
Landscaping Details	1778-L90-200D	16.09.2025
Landscaping Details	1778-L90-300	16.09.2025
Street Scene	FL24-2191-087A	16.09.2025