

Erection of 5no. dwellings, together with associated gardens and landscaping.

At Land at St James Road East Grinstead West Sussex

Full Planning Application



Planning Statement

**Town and Country Planning Solutions Ref No: TCPS 1233
July 2026**

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Appeal Documents

1. Approved drawings, Officer Report and Decision Notice – Application No. DM/23/0026

1. INTRODUCTION

- 1.1 This Planning Statement accompanies a full planning application submitted to Mid Sussex District Council. The application site comprises a vacant plot on the southern side of St James Road in central East Grinstead. There was a recent consent on the site for the erection of 3no. dwellings. This application seeks to make a more efficient use of the site to create 5no. dwellings. The Council are unable to demonstrate a five year housing land supply and this site occupies one of the most sustainable, undeveloped locations in Mid Sussex. Therefore, significant weight must be attached to the delivery of new housing on the site.
- 1.2 This Statement outlines the background to the proposal and explains the proposed scheme, before examining the relevant planning policies and other considerations in this case.

Site location plan



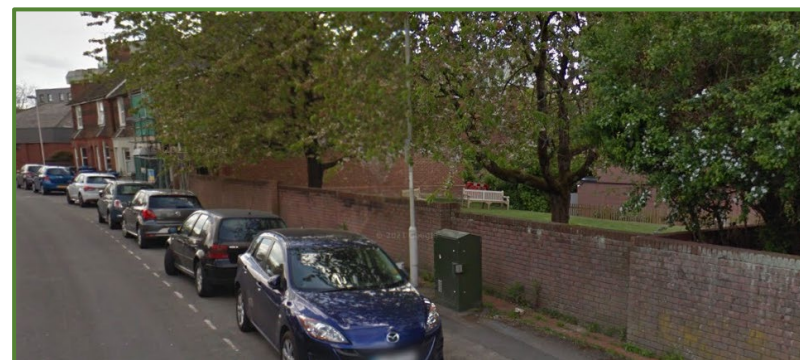
2. BACKGROUND TO THE APPLICATION

i) The application site and surrounding area

2.1 The application site is located on the southern side of St James Road, occupying a central location in East Grinstead. There is a boundary wall with trees along the northern road frontage. There is a vehicular access at the north western corner, with a single storey garage building of brick construction. The site is laid to grass, having formerly been under the same ownership as the former office building (East Grinstead House) to the rear. This has now been converted into flats leaving the site surplus to requirements. The building is now known as Newacre House.

2.2 It is bounded to the east by a row of terraced dwellings (Nos. 12–18 St James Road). To the west lies St James Court (Nos. 1–29), while the southern (rear) boundary adjoins Newacre House.

Photograph 1 – View looking south east into the site from St James Road



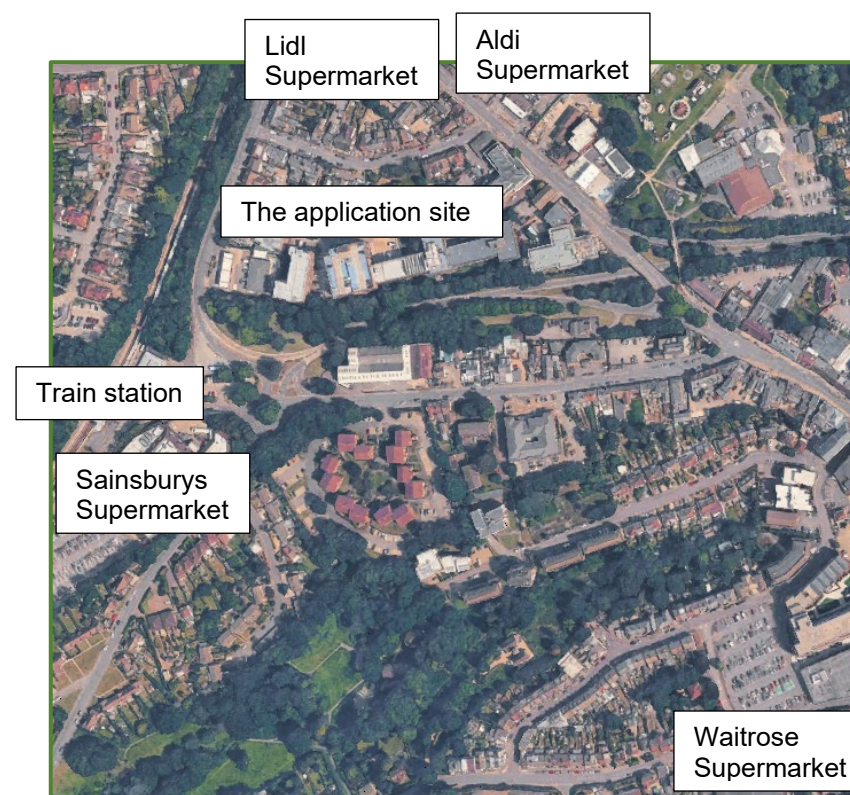
Photograph 2 – View looking north west into the site from St James Road



2. BACKGROUND TO THE APPEAL

- 2.3 The is within walking distance of the town centre and its full range of services and amenities. Specifically, there are four supermarkets, doctor surgeries, schools within a short walking distance. East Grinstead train station is also within a close proximity, as are a range of bus services across the town and wider area.

Photograph 2 – Aerial view of the site and surrounding area showing the relationship to the town centre



2. BACKGROUND TO THE APPEAL

ii) Planning permission no. DM/23/0026

2.4 Permission no. DM/23/0026 was approved on the application site in June 2023 for the 'erection of 3no. two-bedroom terraced houses with associated amenity space'.

2.5 The terrace was located on the western side of the site frontage. The dwellings were two storey faced with brick with pitched roofs covered with tiles. It was a 'car free' development, with pedestrian access to the dwelling from the road, with private gardens to the rear.

2.6 The Officer Report concluded that:

To summarise it is considered that the principle of a redevelopment of this site for residential use is acceptable. The scheme would provide housing in a sustainable location which would assist the Council in meeting its housing requirements. There would be economic benefits from the proposal both during the

construction phase and then from the additional spend in the local economy generated by the new residents of the development. All these matters weigh in favour of the proposal.

The proposal is also considered to be of an appropriate design size and scale that is in keeping with the existing character and design of the wider St James Road. The layout and relationship is reflective of the existing pattern of development and would ensure suitable distances so that the proposal would not cause significant harm to the neighbouring amenities.

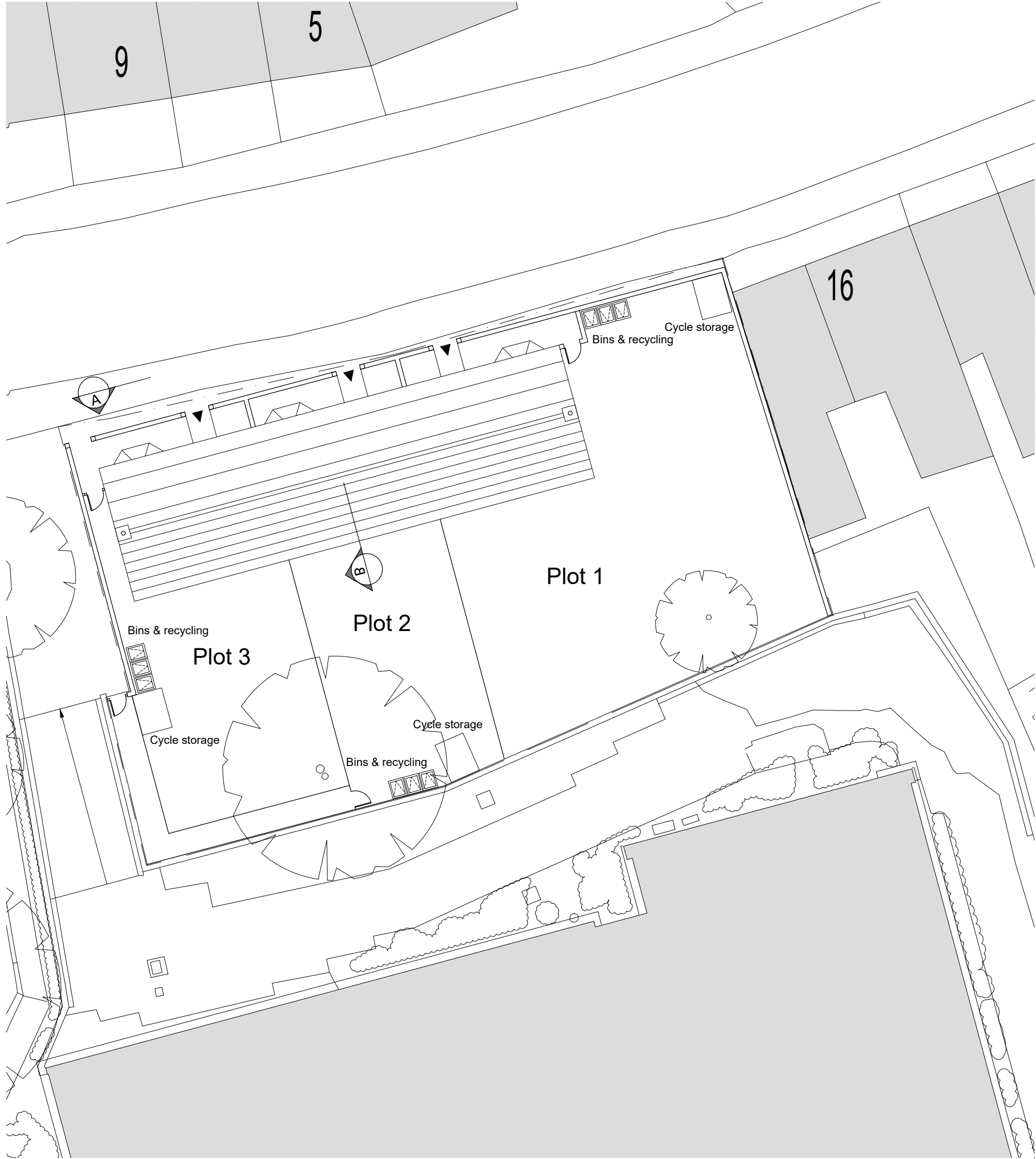
The proposal would have a neutral effect in terms of highway safety, drainage, ecology, trees, sustainability, Ashdown Forest and space standards.

2.7 While the development was 'car free', it was considered that "the dwellings are located within a sustainable location, will

2. BACKGROUND TO THE APPEAL

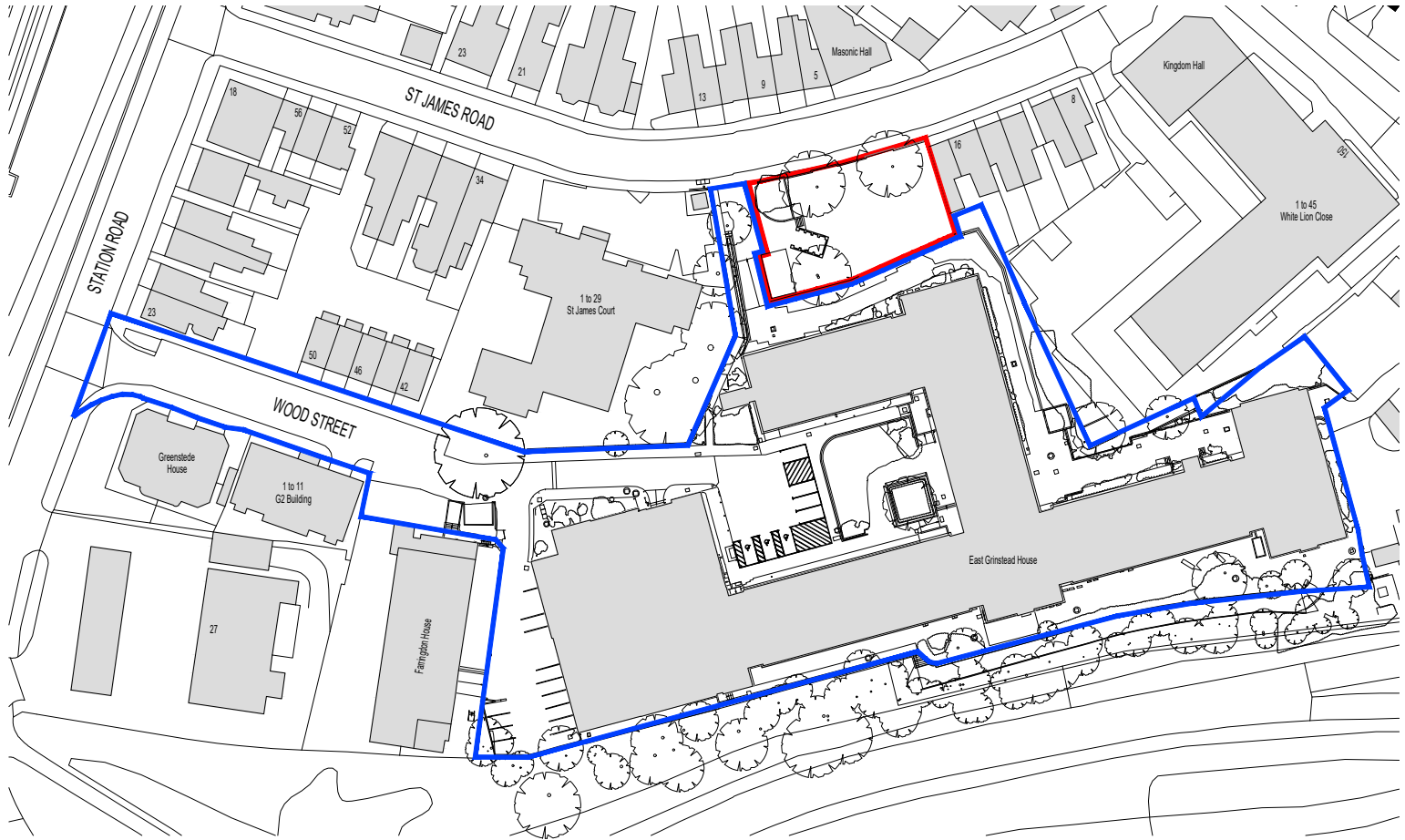
be providing secure cycle parking and the Local Highways Authority do not object to the scheme. It is not considered that the level of car parking would result in a highway safety hazard or other harm which would justify a refusal of planning permission.”

- 2.8 The approved drawings are reproduced on the following pages. These are also contained in **Appendix 1**, along with the Officer Report and Decision Notice.



Proposed Site Plan

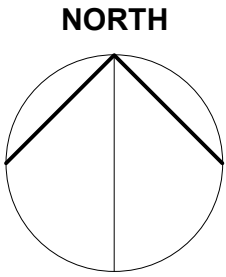
Ordnance Survey information
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Location Plan

Scale @ 1:1250
60m 50m 40m 30m 20m 10m 0m

GENERAL NOTES



This scheme is subject to Town Planning and all other necessary consents. Dimensions, areas and levels where given are only approximate and subject to site survey. All dimensions are to be checked on site. Do not scale other than for Planning purposes. This drawing is to be read in conjunction with all relevant consultants' and/or specialists' drawings/documents and any discrepancies or variations are to be notified to the architects before the affected work commences. All queries relating to design of foundations, floor slabs and any structural elements are to be referred to the structural engineering consultant for resolution. All feasibility studies are subject to full site survey. The workmanship of all relevant trades and building operations shall comply with the recommendations of British Standard (BS) 8000:1989 parts 1-15 inclusive.

All design and construction is to be in accordance with the Construction, Design and Management Regulations 2015

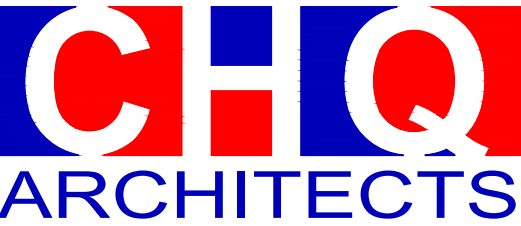
PLANNING

REV	DATE	BY
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CLIENT
Galliard East Grinstead Ltd

PROJECT
LA East Grinstead House, St James Road, East Grinstead

DRAWING
Site Location and Proposed Site Plan



CHQ Architects Ltd.
The Maltings, 44 Whitehorse Street
Baldock, Hertfordshire SG7 6QQ
Telephone: (01462) 895110
Email: design@chq-architects.co.uk
www.chq-architects.co.uk



DATE	18.10.2022	DRAWN	LW	CHECKED	LW
SCALE	1:200/1:1250	ISSUE No.			

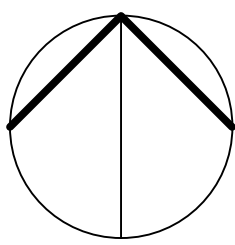
DRAWING No.
16413 - 22 - PL.001

GENERAL NOTES

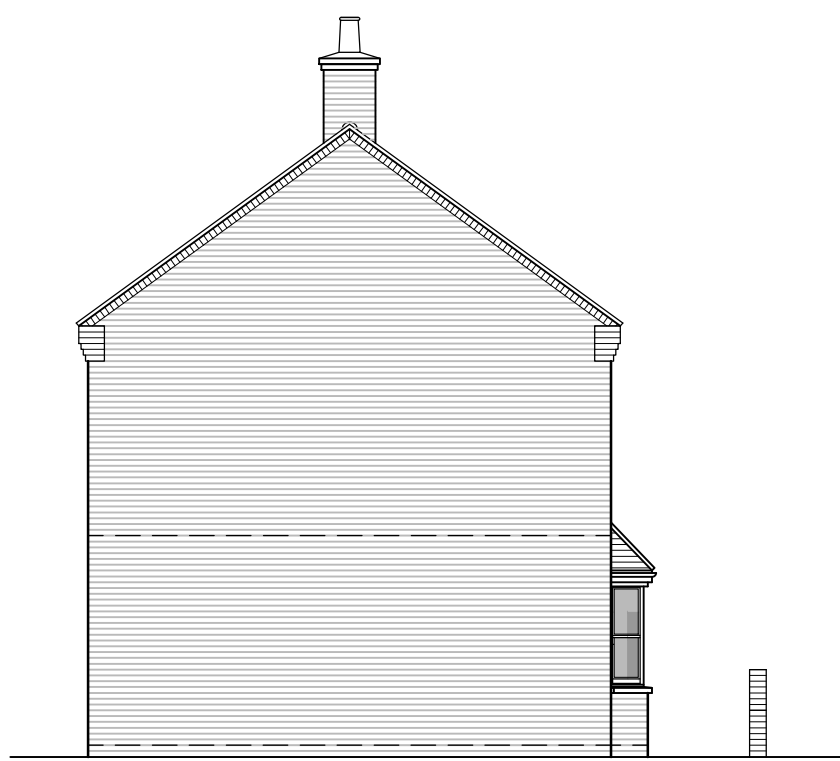
This scheme is subject to Town Planning and all other necessary consents. Dimensions, areas and levels where given are only approximate and subject to site survey. All dimensions are to be checked on site. Do not scale other than for Planning purposes. This drawing is to be read in conjunction with all relevant consultants' and/or specialists' drawings/documents and any discrepancies or variations are to be notified to the architects before the affected work commences. All queries relating to design of foundations, floor slabs and any structural elements are to be referred to the structural engineering consultant for resolution. All feasibility studies are subject to full site survey. The workmanship of all relevant trades and building operations shall comply with the recommendations of British Standard (BS) 8000:1989 parts 1-15 inclusive.

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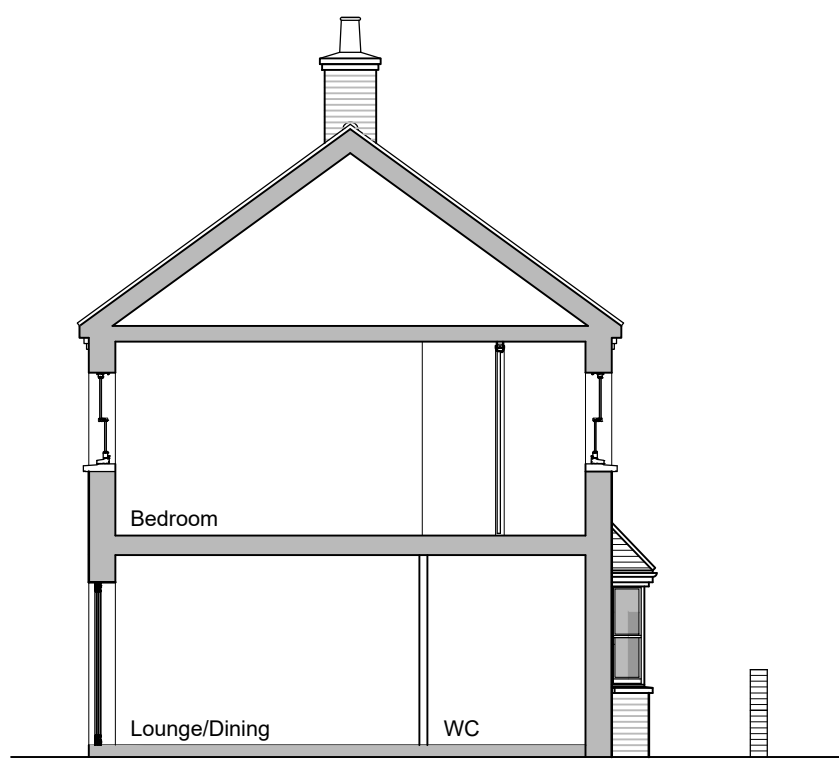
NORTH



Plot 1
Front (North) Elevation



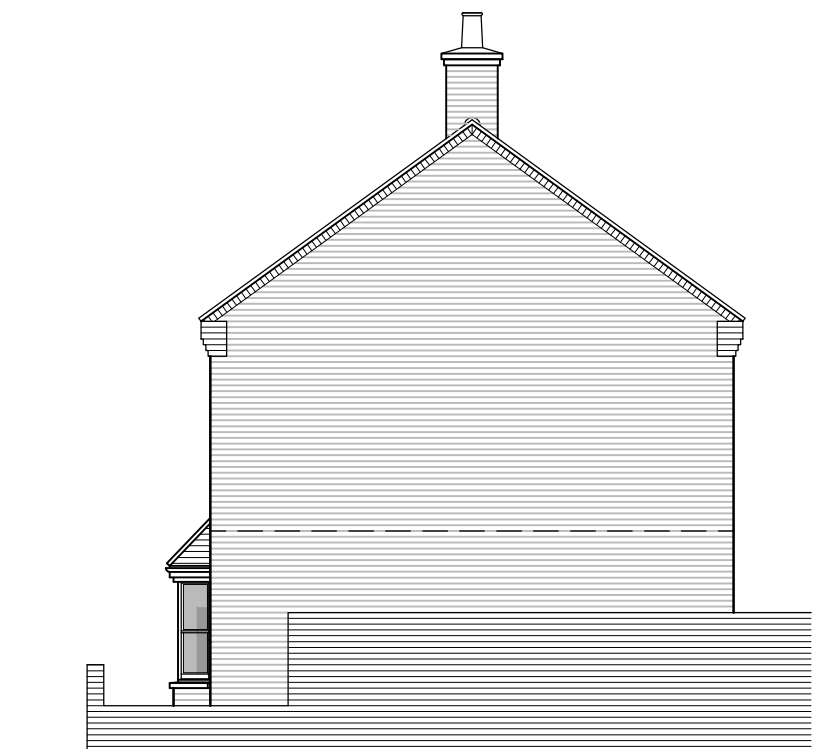
Plot 1
Side (East) Elevation



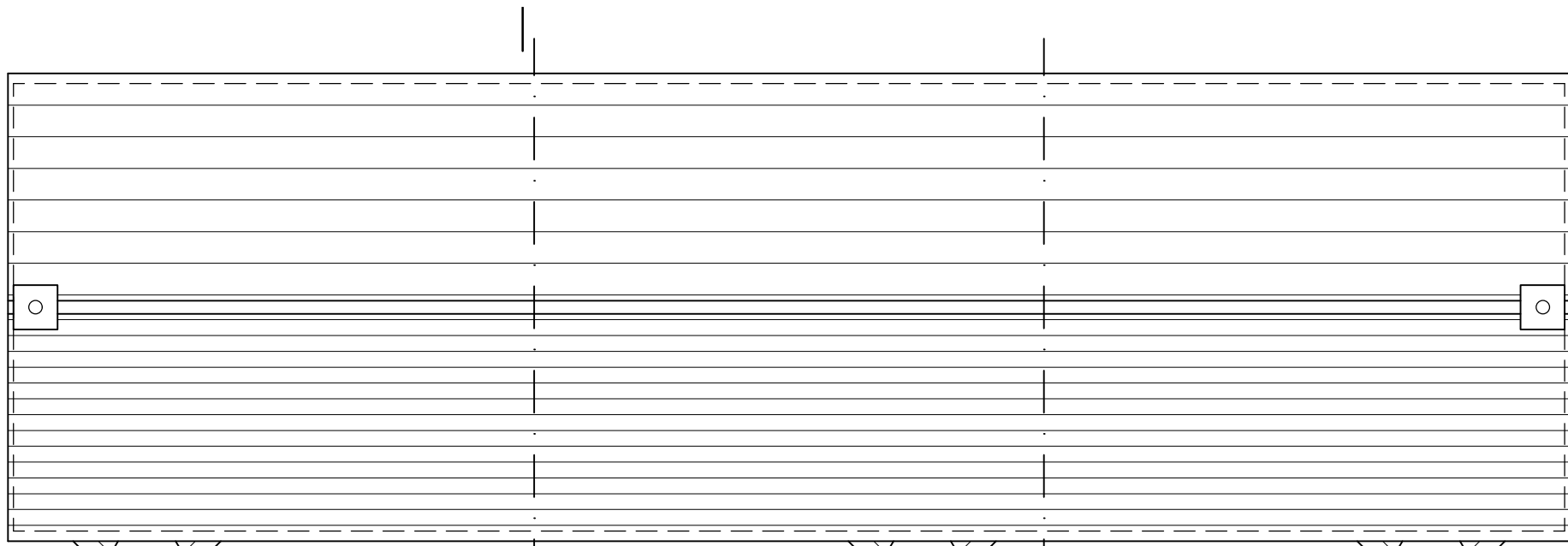
Plot 2
Proposed Section



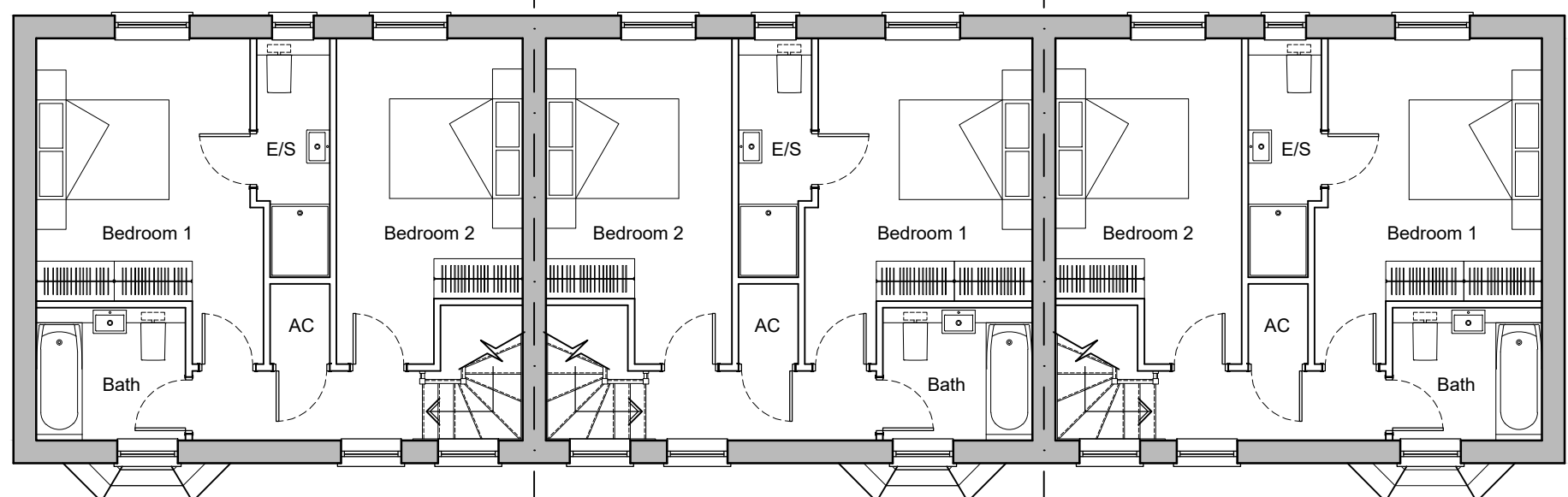
Plot 3
Rear (South) Elevation



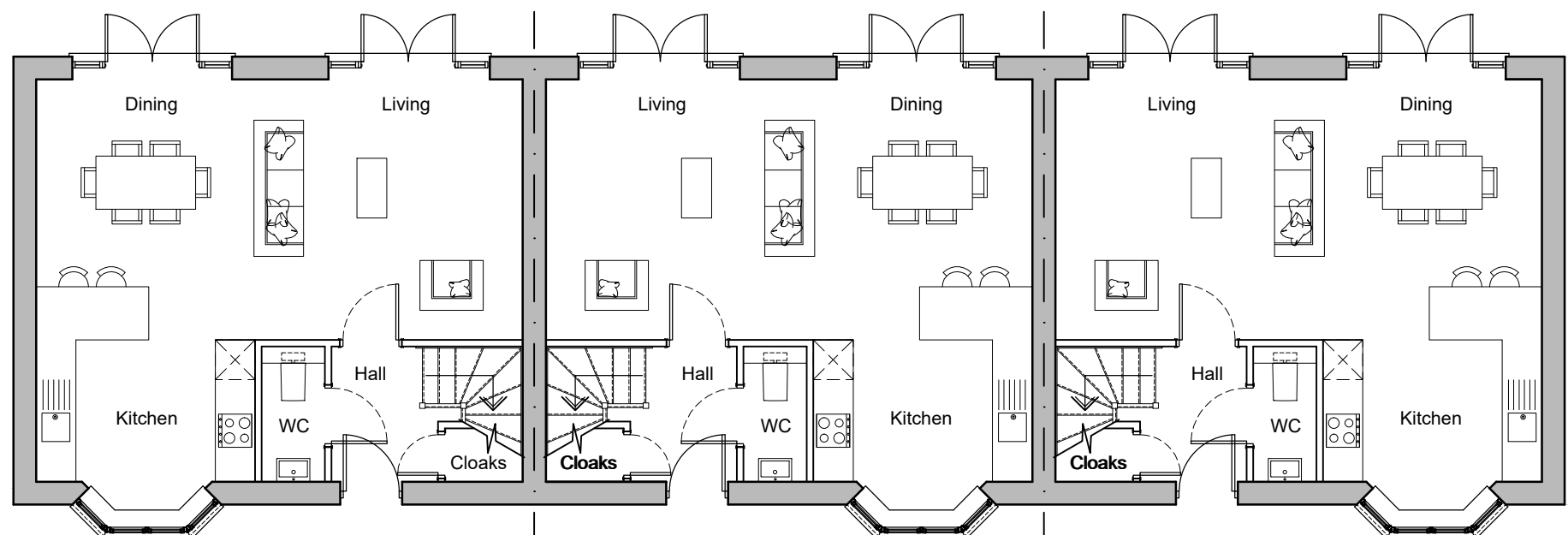
Plot 3
Side (West) Elevation



Plot 1
Roof Plan



Plot 1
First Floor Plan

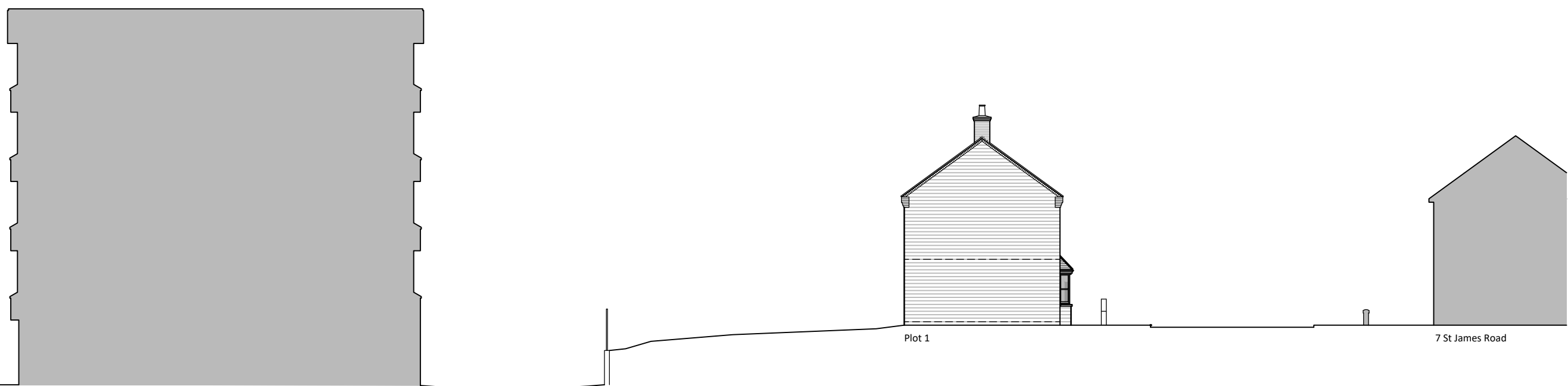


Plot 1
Ground Floor Plan



no. 16
Proposed Street Elevation

Scale @ 1:200
10m 8m 6m 4m 2m 0m



East Grinstead House
Proposed Site Section

Scale @ 1:200
10m 8m 6m 4m 2m 0m

PLANNING

A 23.11.22 Proposed Section added.

REV DATE BY

CLIENT

Galliard East
Grinstead Ltd

PROJECT

LA East Grinstead
House, St James
Road, East Grinstead

DRAWING

Proposed Plans
and Elevations



CHQ Architects Ltd.
The Mallings, 44 Whitehorse Street
Bardock, Hertfordshire SG7 6QQ
Telephone: (01462) 895110
Email: design@chq-architects.co.uk
www.chq-architects.co.uk

DATE 10.10.2022 DRAWN LW CHECKED LW
SCALE 1:100/200 ISSUE No. A

DRAWING No. 16413 - 2022 - PL.002

2. BACKGROUND TO THE APPEAL

iii) This planning application

2.9 The previous scheme did not make the most efficient use of the site, only creating three dwellings. The proposed scheme would create five new dwellings, comprising three terraced properties and a pair of semi-detached homes. All of the dwellings would have two bedrooms, which is the heavily promoted by the East Grinstead Neighbourhood Plan. The scheme would also be 'car free', taking advantage of this highly sustainable location.

2.10 The dwellings would have pedestrian access from St James Road, facilitated by three gaps being created in the existing brick wall. The three terraced dwellings would be on the western side with the semi-detached dwellings to the east. All dwellings would have private rear garden areas, with each having a pedestrian access and gate. Each garden would have a bike store and a refuse and recycling store. Two trees would be removed from the site frontage, with the two trees to the rear being retained.

2.11 Plots 1 and 2 on the eastern side of the site would be semi-detached. They would be two storey with rooms in the roof. They would be faced with brick at ground floor level, with tile hanging at first floor. The roofs would be faced with clay tiles, with two gable dormers on the front roof slope and two flat roof dormers on the rear roof slope of each dwelling. Each unit would have a central front door with a porch and sash-style windows. The rear elevations would have large sliding doors providing convenient access to the rear gardens.

2.12 Internally, the dwellings would mirror each other. The entrances would lead into a small hallway and W/C. The kitchen, living room and dining area would form the rest of the ground floor in an open plan layout. At first floor there would be an en-suite bedroom and a study. The master bedroom would be in the roof, with an en-suite.

2.13 Plots 3 – 5 would be two storey with brick at ground floor, tile hanging at first floor with slate roof tiles. Plots 2 and 5

2. BACKGROUND TO THE APPEAL

would have their front door on the side elevations, with Plot 3 having a central entrance. With windows would also be sash-style, with large glazed doors out to the gardens. The layouts would also mirror each other, with the ground floors being open plan with a kitchen, dining and living area at the rear and a W/C within the front hallway. At first floor would be two bedrooms, with a family bathroom at the front.

2.14 The site layout has been complemented by a detailed landscape plan. This proposes native hedgerows behind the front boundary wall and along the eastern boundary of the site. This would make a positive contribution to the street scene.

2.15 The proposed drawings are reproduced on the following pages.

ST JAMES ROAD

Existing brick wall

Proposed openings
cut into brick wall

Outline of Approved
DM/23/0026

18

1

2

3

5

4

Cycle
Store

Cycle
Store

Cycle
Store

Cycle
Store

1:100 0 2 4 6 8 10m

The Park Lane Group,
141-145 Bohemia Road,
St. Leonards-on-Sea,
TN37 6RL

T 01424 448980
E oliver@parklanegroup.net



THE
PARK LANE GROUP

JOB:

Land Adjacent to 18 St James's Road,
East Grinstead,
RH19 1DL

Date: June 2026

Stage: Planning Stage

Works:

Proposed Site Plan

Drawing Scale: 1:100

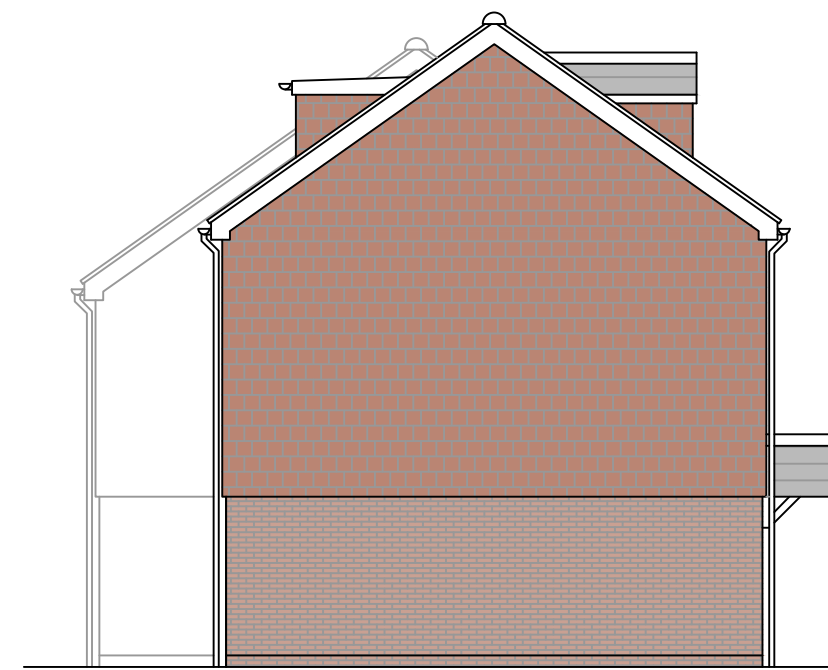
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Drawing No: PLG/1043/1

Revision: B



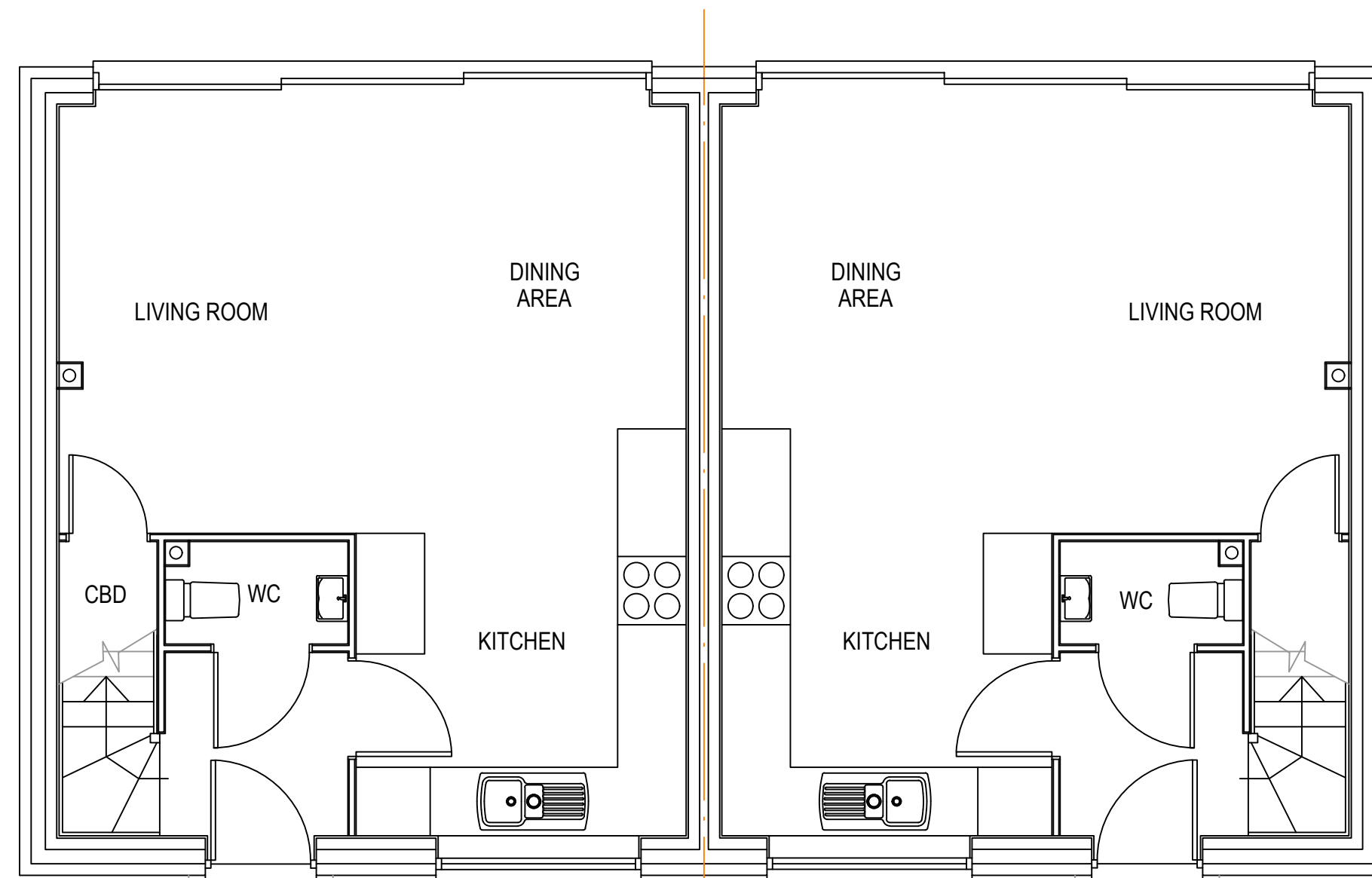
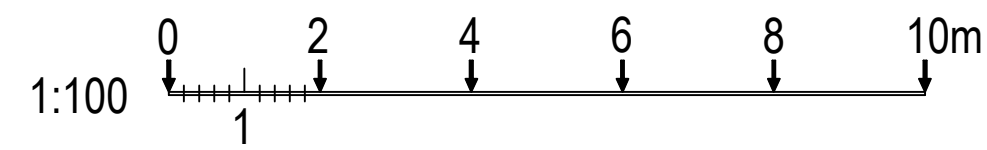
FRONT (NORTH) ELEVATION



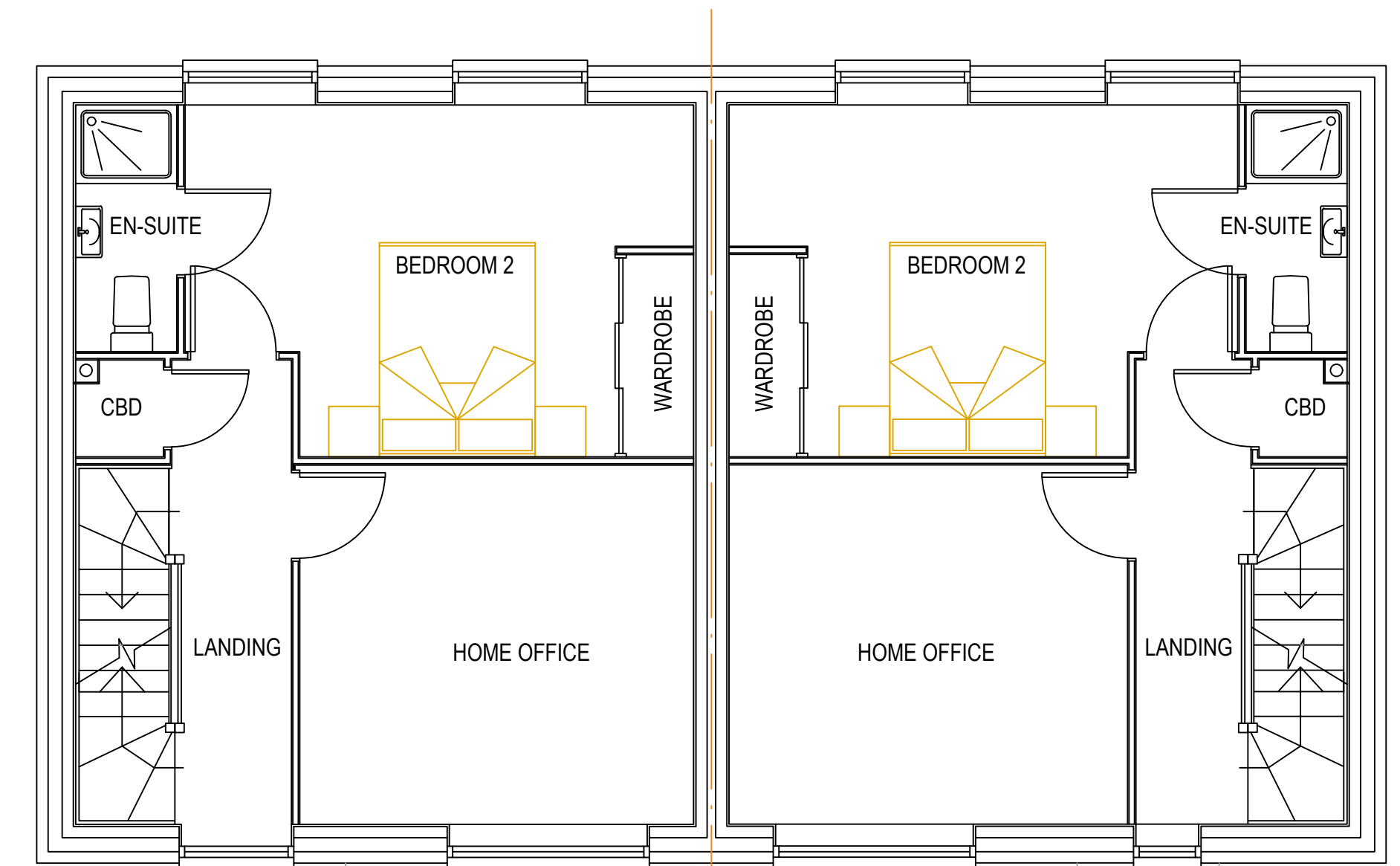
SIDE (EAST) ELEVATION



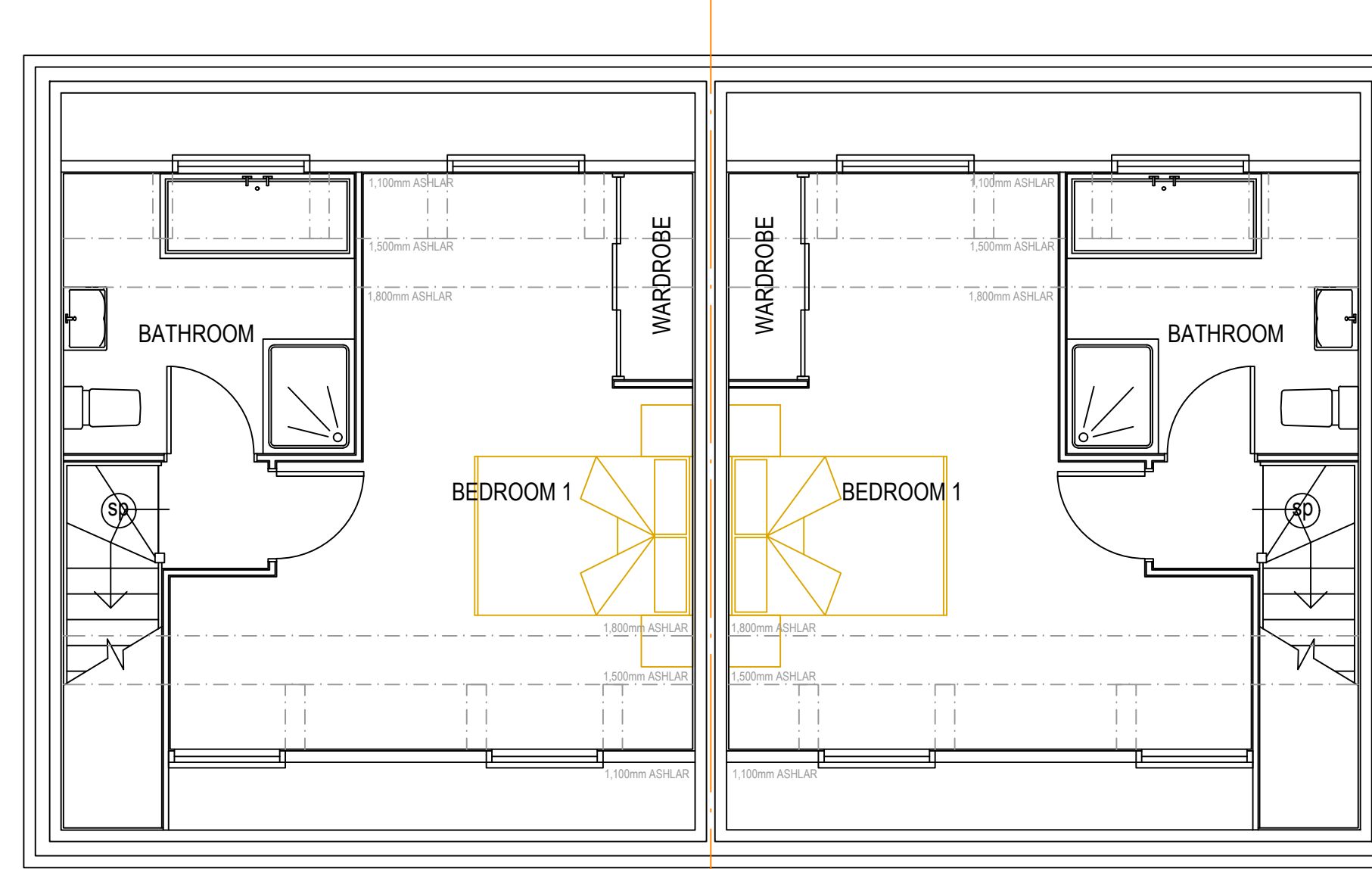
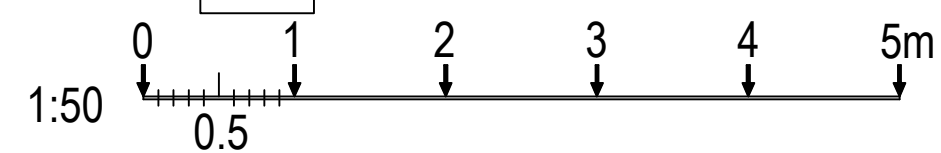
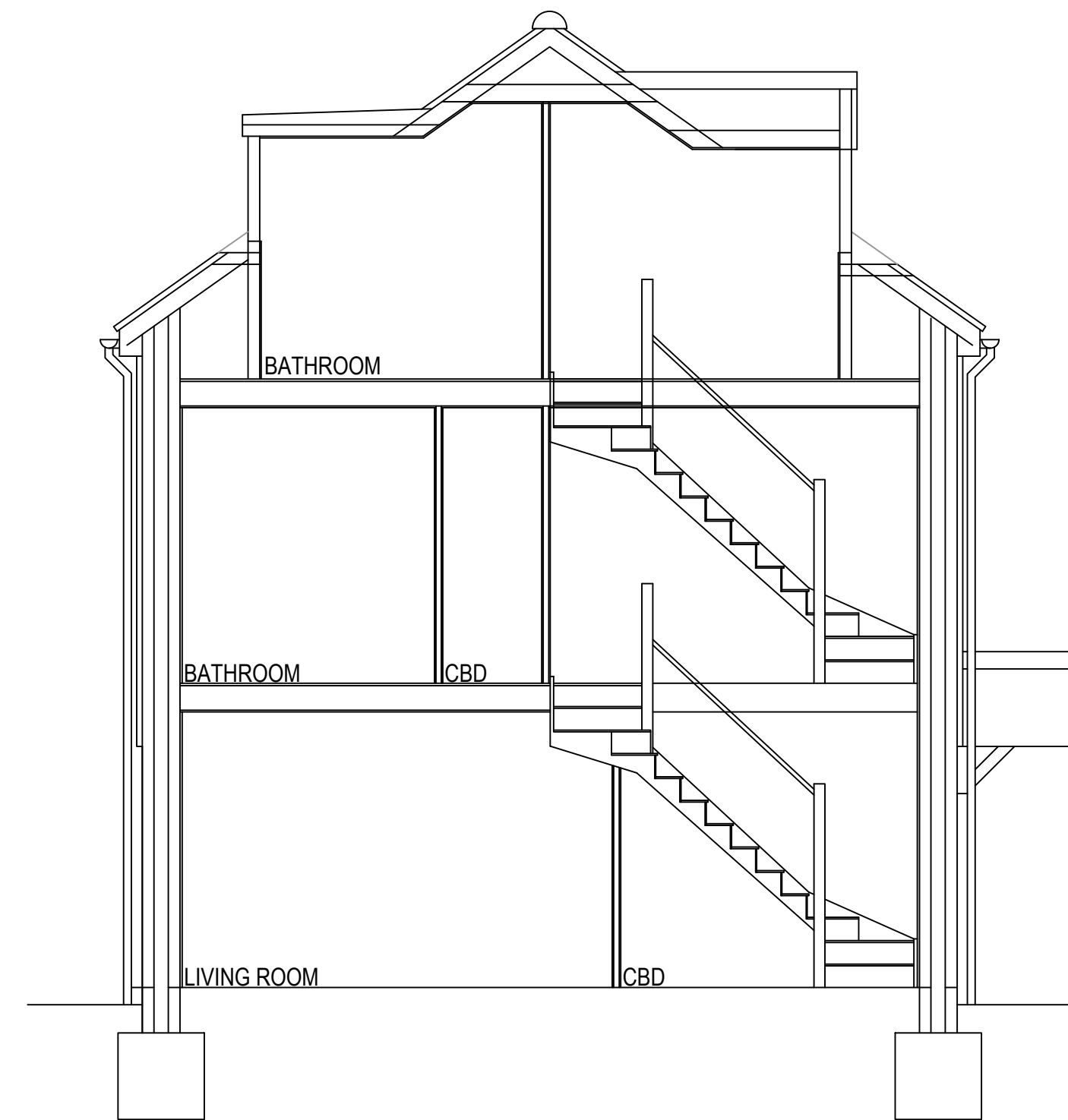
SIDE (WEST) ELEVATION



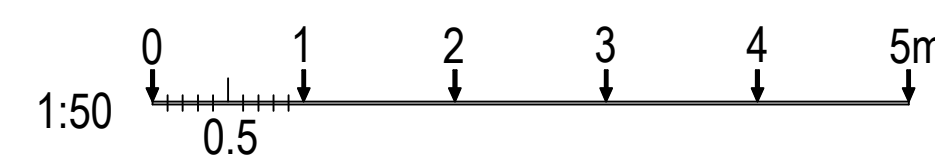
PLOT 1
GROUND FLOOR PLAN



PLOT 1
FIRST FLOOR PLAN



PLOT 1
SECOND FLOOR PLAN



Revision:
A - Second Floor Added
B - Minor Changes

Date:
11th June 2026
7th July 2026

The Park Lane Group,
141-145 Bohemia Road,
St. Leonards-on-Sea,
TN37 6RL

T 01424 448980
E oliver@parklanegroup.net

JOB:

Land Adjacent to 18 St James's Road,
East Grinstead,
RH19 1DL

Date: June 2026

Stage: Planning Stage

Works:

Proposed Floor Plans & Elevations - Plots 1 & 2

Drawing Scale: 1:50 & 1:100

Drawing Size: A1

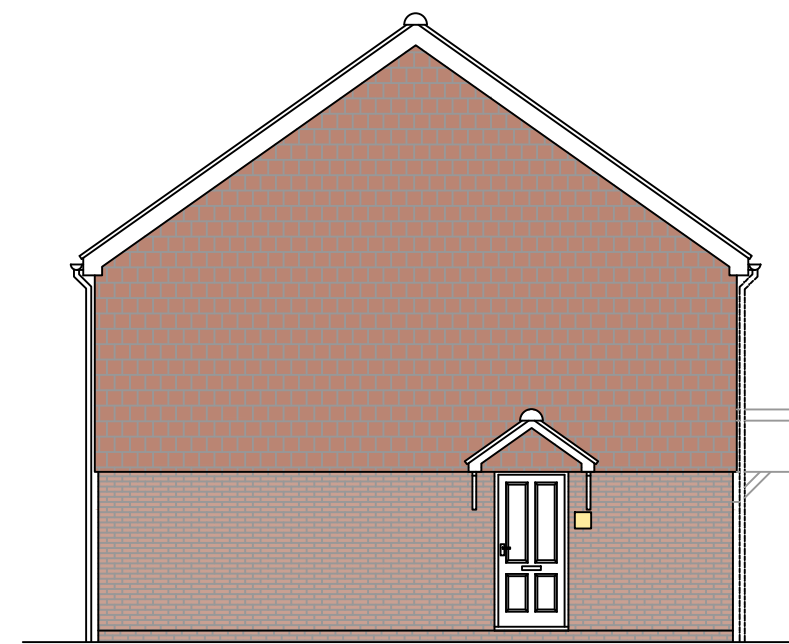
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Revision: B

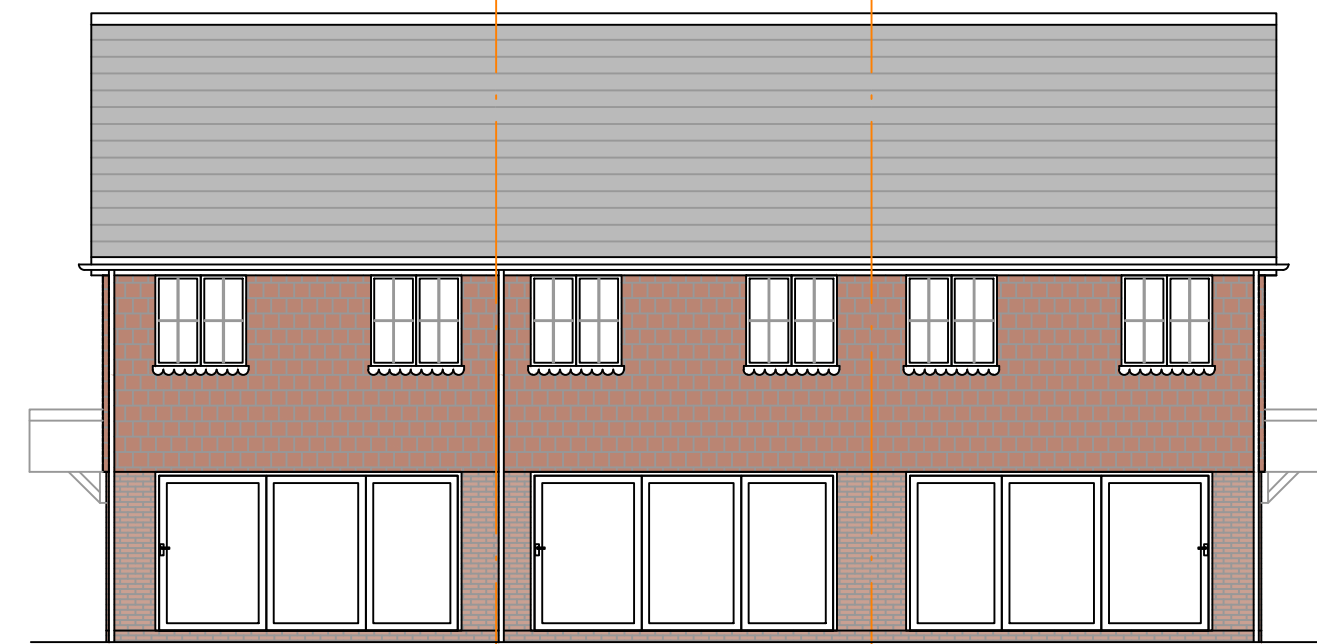




FRONT (NORTH) ELEVATION



SIDE (EAST) ELEVATION

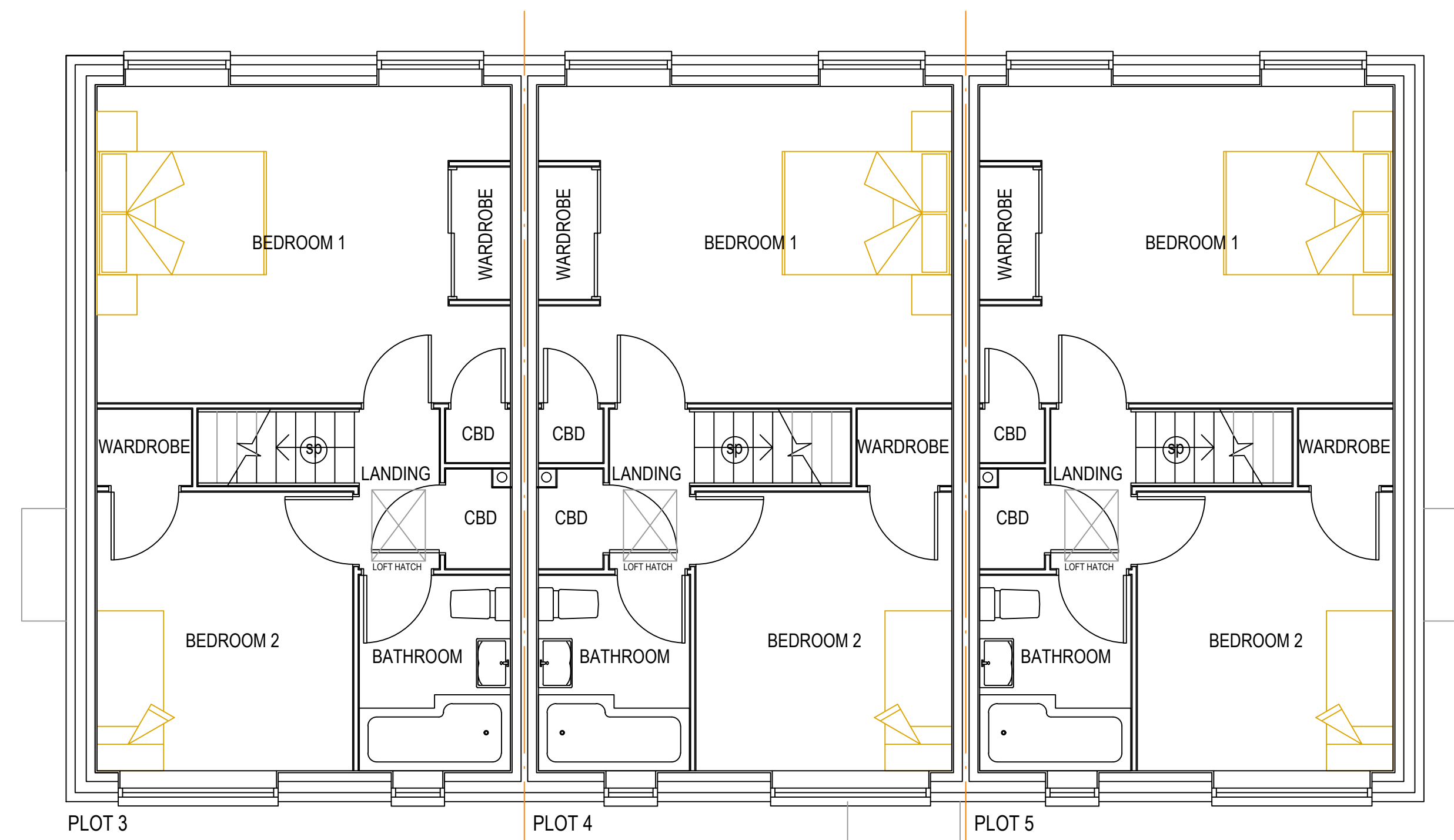
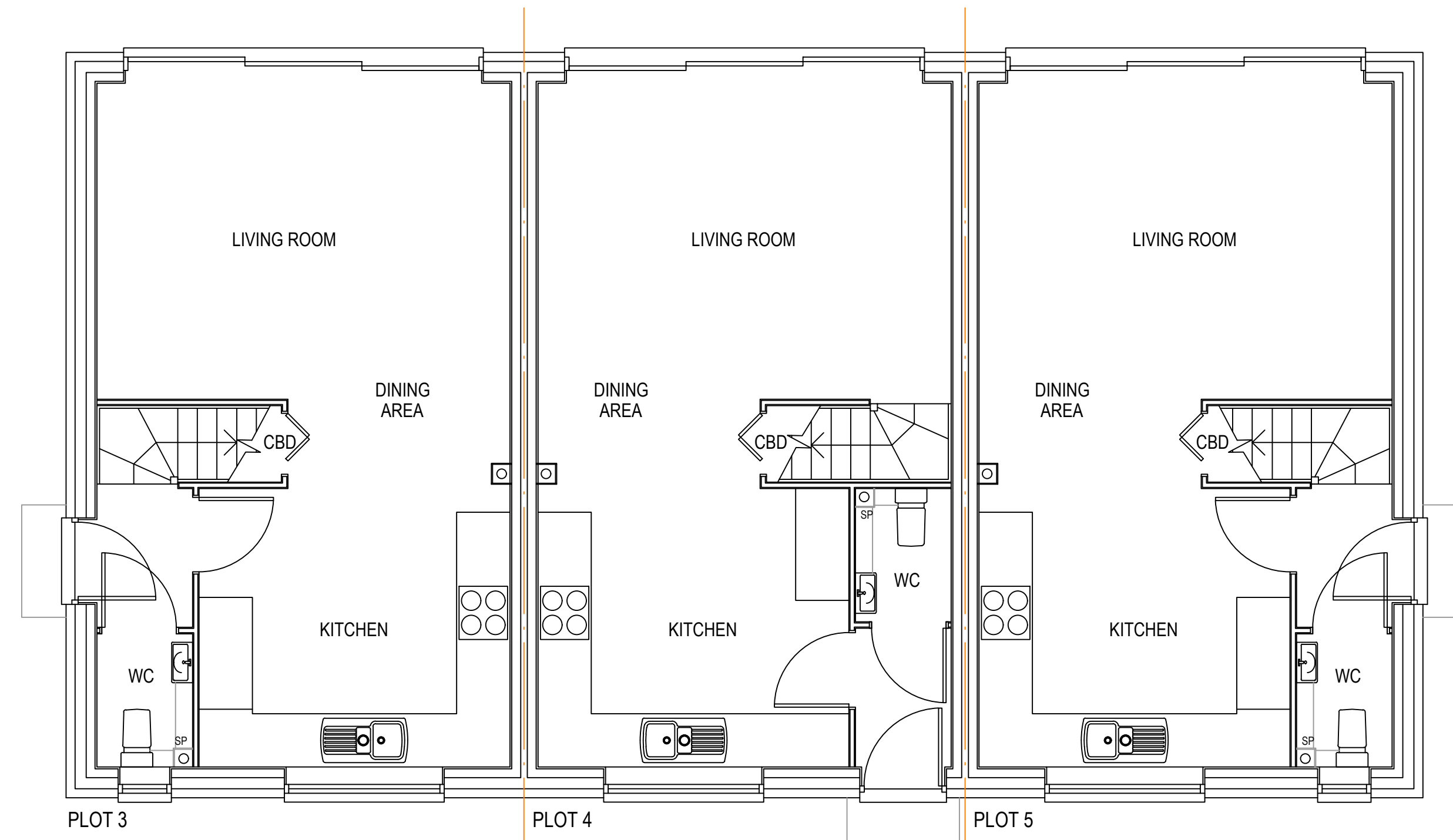


REAR (SOUTH) ELEVATION



SIDE (WEST) ELEVATION

1:100
0 2 4 6 8 10m



1:50
0 1 2 3 4 5m

Revision:

Date:

The Park Lane Group,
141-145 Bohemia Road,
St. Leonards-on-Sea,
TN37 6RL

T 01424 448980
E oliver@parklanegroup.net

JOB:

Land Adjacent to 18 St James's Road,
East Grinstead,
RH19 1DL

Date: June 2026

Stage: Planning Stage

Works:

Proposed Floor Plans & Elevations - Plots 3-5

Drawing Scale: 1:50 & 1:100

Drawing Size: A1

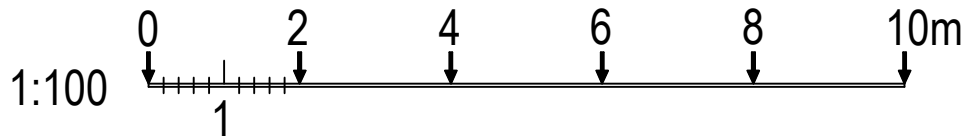
Drawing No: PLG/1043/3

Revision:





PROPOSED STREET SCENE



The Park Lane Group,
141-145 Bohemia Road,
St. Leonards-on-Sea,
TN37 6RL

T 01424 448980
E oliver@parklanegroup.net



THE
PARK LANE GROUP

JOB:

Land Adjacent to 18 St James's Road,
East Grinstead,
RH19 1DL

Date: June 2026

Stage: Planning Stage

Works:

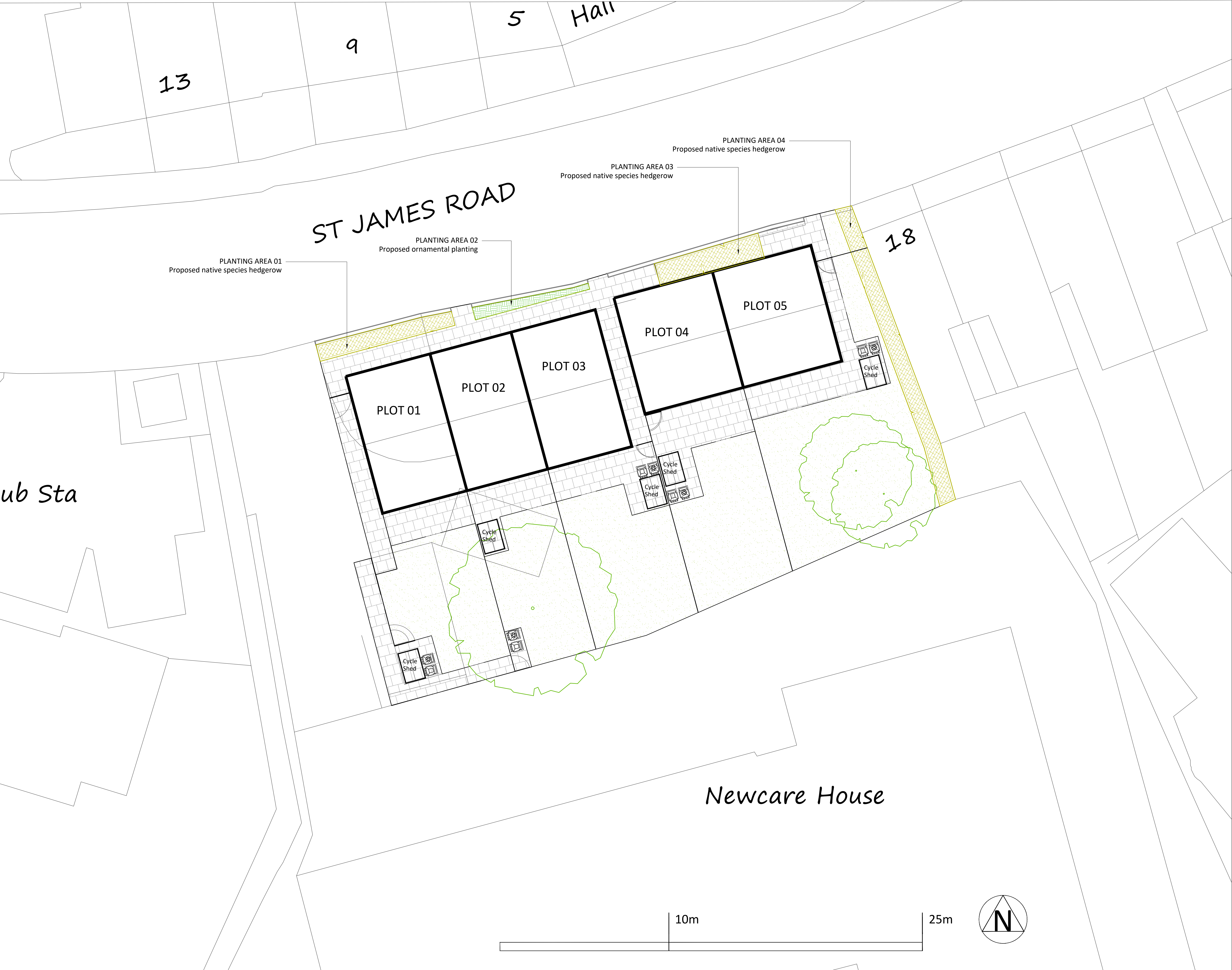
Proposed Street Scene

Drawing Scale: 1:100

Drawing Size: A2

Drawing No: PLG/1043/4

Revision: A



KEY

Proposed Residential Dwellings
Refer to The Park Hill Group drawings and reports for full details.

Existing Trees
Existing Trees to be retained and protected within the development proposal.

Proposed Native Species Hedgerow
Proposed mixed, native species hedgerow shrubs to be 60-90cm shrub transplants.

Proposed Ornamental Shrub Planting
Proposed ornamental shrub and perennial planting area.

Proposed Amenity Grass Seeded Areas
Proposed new and reinstated grass seeded areas to have Bourne Amenity: E03 Universal Turf Mix (or equal & approved) at 35g per m².

Proposed Slab Paving
Proposed pre-cast concrete slab paving to be buff in colour.

REV	DESCRIPTION	DATE	INITIALS
01	Layout updated for planning	29-06-26	AR
02	Layout updated for planning	07-07-26	AR

Ramsay & Co
Landscape Architecture

The Studio, 68 Cuckfield Road, Hurstpierpoint, West Sussex, BN6 9SB
T: 01273 834 198 M: 07973 770047 E: landscape@ramsayandco.com

Project Title:
Land Adjacent to 18 St James's Road, East Grinstead

Drawing Title:
Proposed Landscape Layout
Preliminary

Scale: 1:100@A1	Drawn: AR	Date: 25-06-26
Drawing Number: RCo625/ Prelim-01	Revision: 02	

2. BACKGROUND TO THE APPEAL

i) Statutory Provisions and Planning Policies

3.1 Section 70 (2) of the Town and Country Planning Act 1990 requires planning applications and decisions to have regard to the provisions of the development plan so far as they are material to the proposal. Other relevant material considerations must also be taken into account. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that *“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”*.

3.2 The relevant part of the Development Plan for the area comprises the policies contained in the Mid Sussex District

Plan (adopted 2018) and the East Grinstead Neighbourhood Plan (adopted 2016).

3.3 The relevant District Plan Policies are:

- DP4: Housing
- DP6: Settlement Hierarchy
- DP17: Ashdown Forest SPA and SAC
- DP21: Transport
- DP26: Character and Design
- DP27: Dwelling Space Standards
- DP29: Noise, Air and Light Pollution
- DP37: Trees, Woodlands and Hedgerows
- DP39: Sustainable Design and Construction
- DP41: Flood Risk and Drainage
- DP42: Water Infrastructure and the water environment

3. PLANNING POLICIES AND OTHER CONSIDERATIONS

3.4 The relevant Neighbourhood Plan Policies are:

- EG3: Promoting Good Design
- EG5: Housing
- EG11: Mitigating Highway Impacts
- EG12: Car Parking
- EG16: Ashdown Forest

Policy EN5 (Local Nature Reserves)

Policy H1 (Housing Density)

Policy H2 (Housing Mix)

ii) **The principle** Policy H3 (Provision of Affordable Housing)

3.5 Other material considerations include the National Planning Policy Framework (2024). Relevant supplementary planning documents include the Mid Sussex Design Guide SPD (2020).

3.6 The Council are in the process of producing reviewing and updating the District Plan which will replace the current plan once adopted. The draft Plan is currently at regulation 19 stage.

3.7 The site lies within the built-up area of East Grinstead where new residential development is supported in principle under Policy DP6 of the District Plan. This states that *“development will be permitted within towns and villages with defined built-up area boundaries. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale (with particular regard to DP26: Character and Design), and not cause harm to the character and function of the settlement.”*

3.8 The site occupies a central location in the town, within walking distance of a full range of services and amenities.

3. PLANNING POLICIES AND OTHER CONSIDERATIONS

East Grinstead train station and several bus stops are also within walking distance, making this one of the most sustainable locations in the whole District. Therefore, a residential development on this underutilised and vacant site must be actively supported.

3.9 Furthermore, permission no. DM/23/0026 reaffirmed that the principle of residential development is supported, with three dwellings being approved on the site in 2023. This application seeks to make a more efficient use of the site by creating five new homes for local people.

iii) Housing land supply

3.9 For decision making, Paragraph 11 d) of the NPPF states that:

Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

3.10 An appeal decision in April 2026 confirmed that the Council cannot demonstrate a five year housing land

3. PLANNING POLICIES AND OTHER CONSIDERATIONS

supply, with a current position of between 2.41-3.38 years. Consequently, planning policies relating to the supply of housing must be considered as being out of date.

- 3.11 This is a poor housing land supply figure, meaning that the Planning Authority must be actively seeking to boost the supply of housing wherever possible. This site represents an excellent opportunity to do that, by delivering five high quality new homes in a highly sustainable location. Indeed, this factor represents a material change in circumstances compared to when DM/23/0026 was approved in 2023, when the Council could demonstrate a five year housing land supply. Therefore, increased weight must be attached to the benefits from delivering new housing on the site, compared to when the previous decision was made.

iv) **Impact upon the character and appearance of the area**

- 3.12 Policy DP26 of the District Plan relates to character and design. It states that all development and surrounding spaces will be well designed and reflect the distinctive character of the towns and villages. All applicants will be required to demonstrate that development is of high quality design and layout and includes appropriate landscaping and greenspace. It must contribute positively to 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. It should create a sense of place while addressing the character and scale of the surrounding buildings and landscape and protect valued townscapes and the separate identity and character of towns and villages. Proposals should create a pedestrian-friendly layout that is safe, well connected, legible and accessible

3. PLANNING POLICIES AND OTHER CONSIDERATIONS

and positively address sustainability considerations in the layout and the building design.

3.13 Proposals should also optimise the potential of the site to accommodate development. This is especially the case when there is a housing land supply shortfall, as is the case at present.

3.14 Neighbourhood Plan Policy EG3 states that planning permission will normally be granted where the form of the proposed development is proportionate and in keeping with the scale, height, materials and site coverage of the surrounding area, the layout of the proposed development respects the topography and character of the site, protects important landscape features and does not harm adjoining amenity and the proposal does not result in the loss of buildings or spaces that would have an unacceptable impact on the character of the area. The proposal must have a satisfactory means of access for vehicles and

pedestrians and provides adequate parking, cycle storage and refuse facilities on site. The design of new buildings and the layout of spaces, including footways, car and cycle parking areas, should be permeable and provide connectivity with neighbouring areas. The design of new developments must result in the creation of a safe and secure environment and incorporate adequate security measures and features to deter crime, fear of crime, disorder and antisocial behaviour. Proposals make provision for green infrastructure and biodiversity enhancement.

3.15 The general site layout approach would be similar to that previously approved. The scheme would be car free, which would enable the existing brick frontage wall to be retained, other than new pedestrian entrance points being created. Gardens would be provided to the rear, which in turn would enable the retention of the two trees to the rear of the site.

3. PLANNING POLICIES AND OTHER CONSIDERATIONS

3.16 The dwellings would continue to be two storey, which is appropriate for this setting. While there would be two additional dwellings, the overall width of the development would not be materially different with a gap from the eastern boundary being retained.

3.17 Plots 1 and 2 would have rooms within the roof, with gable dormers on the front elevation and flat roof dormers on the rear elevation. As shown on the proposed street scene drawing, the properties to the east are taller with similar gable dormers. The proposed scheme would be subservient by comparison, while continuing the dormers which add visual interest to the street scene. The materiality would be entirely approach for this location, as would be architectural detailing.

3.18 The site layout has been complemented by a detailed landscape plan. This proposes native hedgerows behind the front boundary wall and along the eastern boundary of

the site. This would make a positive contribution to the street scene.

3.19 Overall, the scheme would make the most efficient use of the site in a suitable matter. It would create five high-quality dwellings which make a positive contribution to the street scene in a highly sustainable location.

v) Housing mix and density

3.20 Policy EG7 states that permission will be granted for new housing schemes where they achieve a minimum density of 30 dwellings per hectare unless local character indicates a different density level and this justification is provided. On sites of 5 or more dwellings, provide a minimum of 20% small family accommodation in the form of 2 and 3 bedroom units.

3. PLANNING POLICIES AND OTHER CONSIDERATIONS

3.21 The development density of the proposed development would be 71 dwellings per hectare. This is higher than the minimum density of 30 dwellings per hectare.

3.22 As all of the dwellings would be two bedroom homes, this accounts for 100% of the scheme. This is well in excess of the minimum 20% requirement. This should be seen as a significant benefit of the scheme.

vi) Impact upon residential amenity

3.23 Policy DP26 of the District Plan states in part that proposals should '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'. The test, as set out under policy EG3 of the East Grinstead Neighbourhood Plan

states that proposals should "not harm" adjoining neighbours amenity.

3.24 Regarding neighbouring amenity, there is one dwelling which immediately adjoins the site at 18 St James Road to the east of the site. However, the facing flank elevation does not have any windows and therefore, this property will not be impacted by the proposed development. All other neighbouring dwellings are either a sufficient separation distance or have such a position or orientation to ensure that there would be no impact.

3.25 When assessing the impact upon residential amenity of future residents, the Officer Report for DM/23/0026 states that

"The application site is located within the built up area boundary as such a degree of overlooking is considered acceptable. The proposal shows that the dwellings would

3. PLANNING POLICIES AND OTHER CONSIDERATIONS

be set some 21 metres from Block D (East Grinstead House) which is considered acceptable. It is noted that at a pinch point it would only be 18 metres from Newacre House. However, from the approved plans of the office to residential conversion of Newacre House, the north facing windows are secondary while the central window is serving the entrance corridor and as such the views from this window would be transient in nature. As such the resulting relationships are not considered to cause significant harm in terms of overlooking and a loss of privacy.

The application has been supported with a daylight and sunlight report which has concluded that the proposal would provide acceptable amenity for future occupants in terms of Daylight and Sunlight. The case officer has checked the report and owing to the resulting relationships and distances it is also not considered that

the proposal would cause significant harm in terms of reduction in sunlight and daylight and a loss of outlook”.

3.26 The proposed dwellings would have a similar relationship to East Grinstead House / Newacre House, which would continue to be acceptable. It is not considered necessary for an updated Sunlight and Daylight Assessment, as the outcome would be the same as previously.

3.27 In terms of the quality of accommodation, all dwellings would comfortably exceed the Minimum Internal Space Standard and have private, south facing rear gardens extending to at least 10 metres.

vii) Highways and parking

3.28 Policy DP21 of the District Plan seeks to ensure that schemes are sustainably located to minimise the need for travel, and protect the safety of road users and

3. PLANNING POLICIES AND OTHER CONSIDERATIONS

pedestrians, and seeks to provide adequate parking in relation to development proposals. Policy EG11 of the Neighbourhood Plan requires proposals to be supported by an appropriate assessment of the impact of the proposal on the highway network and include access arrangements that are appropriately designed and include adequate visibility splays.

3.29 A Transport Technical Note has been submitted with the application, which should be reviewed for full information on this matter.

3.30 As with the previously approved scheme, this development would also be car free, taking advantage of this highly sustainable location and promoting sustainable modes of transport. The previous scheme confirmed that 3no. 2 bedroom dwellings could be created on the site without resulting in harm to the local highway network. The proposed scheme has an

additional 2no. 2 bedroom dwellings, which would increase the parking demand by just 1.5 spaces in comparison. This would not result in a material difference and the cumulative impact would not have a 'severe' impact upon the local highway network and should continue to be acceptable.

3.31 Regarding refuse storage, each garden would have a refuse and recycling store within the rear garden. These can be moved via pedestrian pathways to the front of the properties on collection days. All drag distances would be less than 25 metres.

3.32 All gardens would be provided with a bicycle store for two cycles.

viii) Impact upon trees

3.33 Policy DP37 of the Mid Sussex District Plan states that the 'District Council will support the protection and

3. PLANNING POLICIES AND OTHER CONSIDERATIONS

enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.'

- 3.34 An Arboricultural Report has been submitted with the application which should be reviewed for full information on this matter. A relevant consideration in this case is that permission no. DM/23/0026 accepted the loss of the all existing trees on the site. This scheme has been designed so that just the two frontage trees would be removed. The garden fences, refuse recycling and cycle storage being designed to retain the trees to the rear of the site. This is a betterment on the existing consent.

ix) Ecology and biodiversity net gain

- 3.35 The existing site comprises managed grassland with four trees. As the grassland is of very low ecological value, as the trees are not protected, with the removal of all trees

being accepted under the previous consent. Therefore, given this and the urban location, it is not considered that a Preliminary Ecological Appraisal is required in this case.

- 3.36 As this scheme would retain the two trees at the rear of the site, this would be a betterment on the previous consent which proposed to remove all trees on the site.
- 3.37 Biodiversity Net Gain information has been submitted with this application. This confirms that there would be a net loss of 0.05 area habitats (reflecting -24.90%). As such, the Applicant has secured off-site credits to secure the mandatory 10% biodiversity net gain. A confirmation certificate demonstrates that the necessary credits have been reserved, which is sufficient to enable planning permission to be granted.

x) Impact on the Ashdown Forest

3. PLANNING POLICIES AND OTHER CONSIDERATIONS

3.38 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).

3.39 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.

3.40 Increased recreational activity arising from new residential development and related population growth is likely to disturb the protected near-ground and ground nesting birds on Ashdown Forest. In accordance with advice from Natural England, the HRA for the Mid Sussex District Plan 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.

3.41 This planning application is within the 7km zone of influence and generates a net increase of 5 dwellings,

3. PLANNING POLICIES AND OTHER CONSIDERATIONS

and as such, mitigation is required. The SAMM contribution is £1,170 per unit and the SANG contribution is £5,253 per unit. This payment will be secured via a standard Unilateral Undertaking.

xi) Drainage

3.42 Policy DP41 of the District Plan relates to flood risk and drainage seeks to ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. The proposed development is within flood zone 1 and is deemed to be at low fluvial flood risk and at very low surface water flood risk.

3.43 A Drainage Strategy has been submitted with the application which should be reviewed for full information. For surface water, the proposal is to utilise an attenuation tank before discharging into the combined sewer. Foul water generated by the proposed residential

development will discharge to the existing Southern Water public foul sewer located within St James Road.

vii) The planning balance

3.44 The proposed development would create five new family homes on a vacant site within a highly sustainable location in East Grinstead. There was a recently approved scheme for three dwellings on the site, which did not make the most efficient use of the site. This scheme maximises the capacity of the site, while remaining acceptable in all respects.

3.45 The Council now have a poor housing land supply position, meaning that the delivery of housing should be maximised wherever reasonably possible, especially in

3. PLANNING POLICIES AND OTHER CONSIDERATIONS

sustainable locations such as this. This scheme achieves exactly that.

3.46 The general design and site layout approach would be similar to that previously approved. The proposed dwellings would have a reduced width, meaning that the scheme would have a similar overall length along the site frontage. Therefore, the visual impact would be very similar. The scale, design and materiality would also be acceptable.

3.47 As previously approved, this scheme would be car free. This would take advantage of its central location and promote sustainable modes of transport. Indeed, the on-street car parking along the site frontage is controlled and this would be unaffected by the proposed development. While there would be a minor increase in parking demand of 1.5 spaces compared to the previously approved scheme, this would not have a materially increased impact

upon the local highway network. Indeed, the Council can no longer demonstrate a five year housing land supply, whereas they could when the previous decision was made. Therefore, increased weight must be attached to the benefit of delivering additional housing on the site and this must be weighed against any perceived harm. In this case, it is considered that the benefits would comfortably outweigh any harm.

3.48 It has been demonstrated that the scheme would be acceptable from residential amenity, arboricultural, ecology, biodiversity and drainage perspectives.

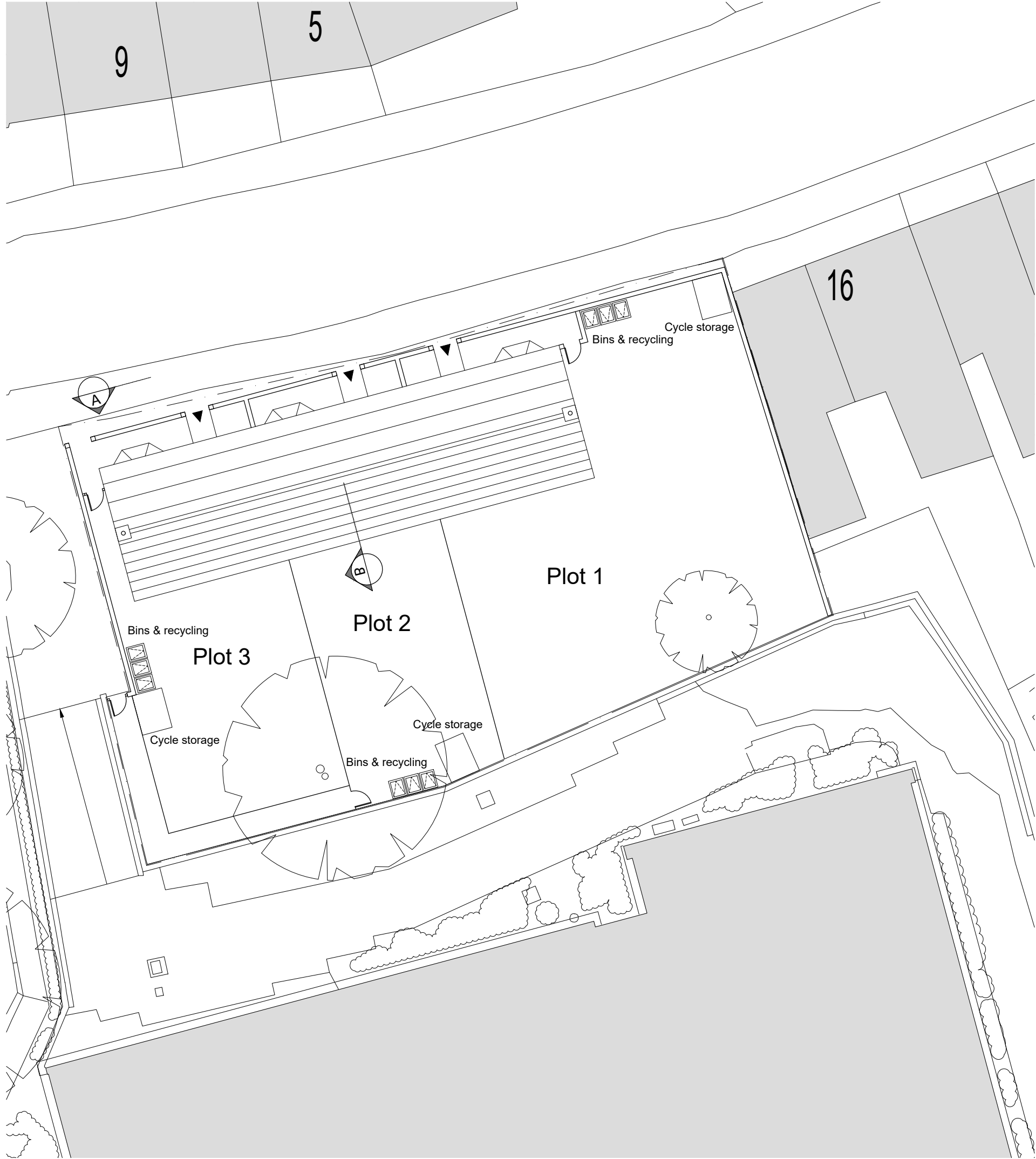
3.49 Conversely, there would be significant economic, social and environmental benefits arising from the development, ensuring that it constitutes sustainable development. The creation of new dwellings would result in short-term employment during the construction stage and the Council would benefit from the New Homes Bonus, plus the CIL

3. PLANNING POLICIES AND OTHER CONSIDERATIONS

charge. There would be Council Tax income in perpetuity and residents would contribute to the local economy via consumer spending. These would all meet the economic objective of sustainable development. The delivery of five new homes, which would make a meaningful contribution to the Council's housing land supply shortfall would meet the social objective. Importantly, these would all be two bedroom homes, which are highly demanded in East Grinstead as confirmed by the Neighbourhood Plan. The creation of new housing in such a sustainable location would meet the environmental objective, especially as a car free scheme which would promote sustainable modes of transport. The scheme would retain two trees at the rear of the site, which is a betterment on the previous consent where all trees were to be removed. While biodiversity net gain credits would be purchased off-site, the scheme would still create new landscape planting which would be an improvement on the existing situation.

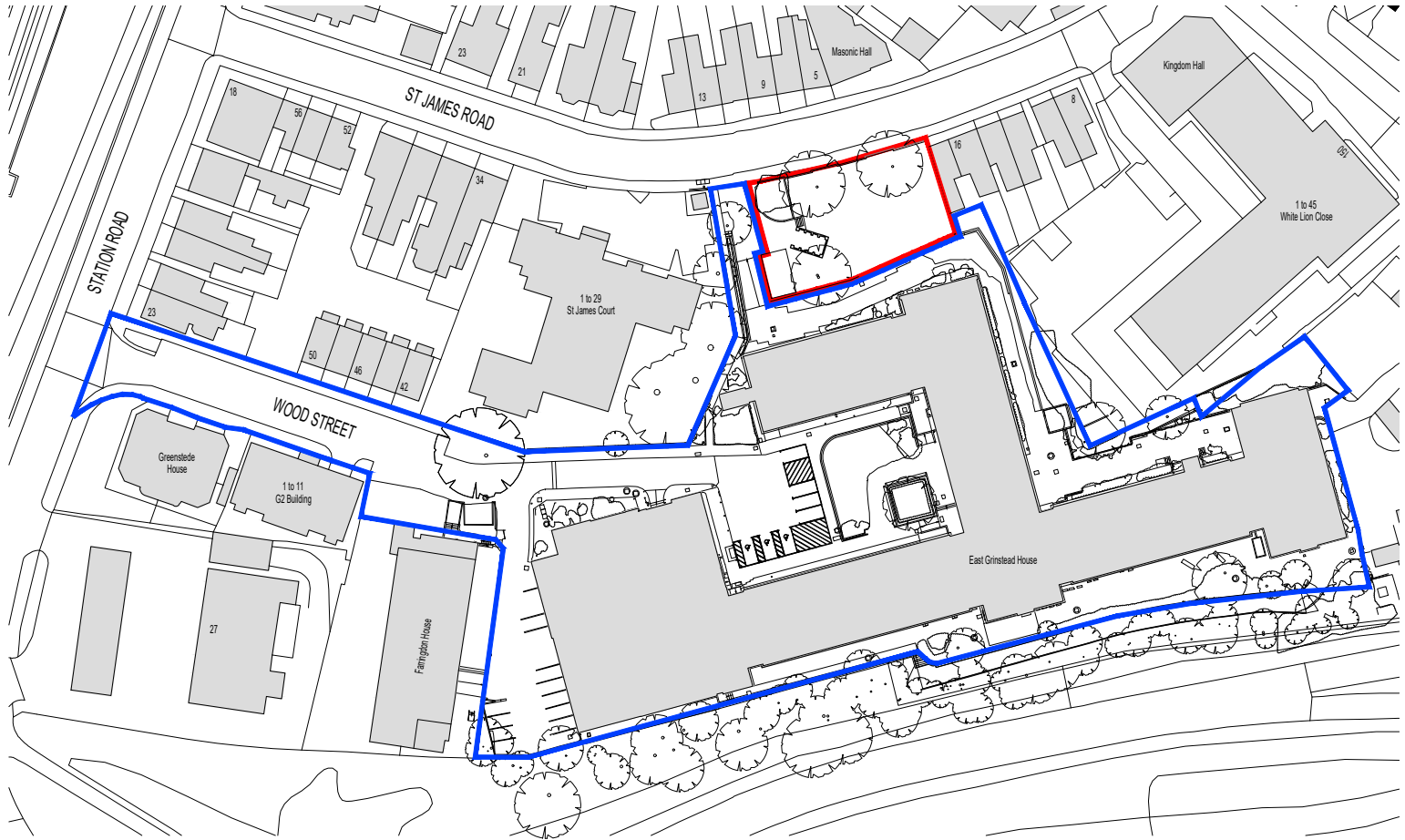
3.50 Overall, it is clear that the benefits of the scheme would clearly and demonstrably outweigh and harm and therefore, planning permission should be granted.

Town & Country Planning Solutions
July 2026

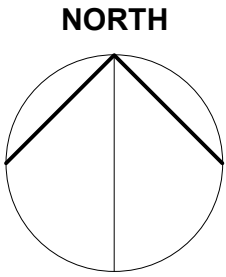


Proposed Site Plan

Ordnance Survey information
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Location Plan



GENERAL NOTES

This scheme is subject to Town Planning and all other necessary consents.
Dimensions, areas and levels where given are only approximate and subject to site survey.
All dimensions are to be checked on site.
Do not scale other than for Planning purposes.
This drawing is to be read in conjunction with all relevant consultants' and/or specialists' drawings/documents and any discrepancies or variations are to be notified to the architects before the affected work commences.
All queries relating to design of foundations, floor slabs and any structural elements are to be referred to the structural engineering consultant for resolution.
All feasibility studies are subject to full site survey.
The workmanship of all relevant trades and building operations shall comply with the recommendations of British Standard (BS) 8000:1989 parts 1-15 inclusive.

All design and construction is to be in accordance with the Construction, Design and Management Regulations 2015

PLANNING

REV	DATE	BY
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CLIENT

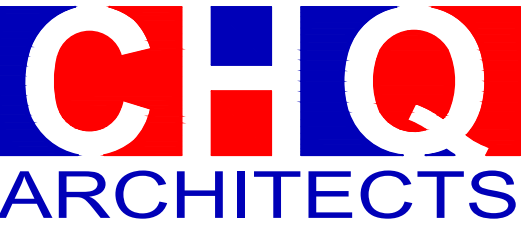
Galliard East
Grinstead Ltd

PROJECT

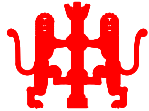
LA East Grinstead
House, St James
Road, East Grinstead

DRAWING

Site Location and
Proposed Site Plan



CHQ Architects Ltd.
The Maltings, 44 Whitehorse Street
Baldock, Hertfordshire SG7 6QQ
Telephone: (01462) 895110
Email: design@chq-architects.co.uk
www.chq-architects.co.uk



DATE	18.10.2022	DRAWN	LW	CHECKED	LW
SCALE	1:200/1:1250	ISSUE No.			

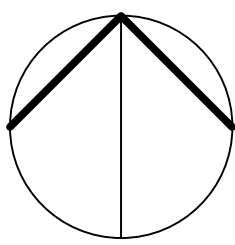
DRAWING No.
16413 - 22 - PL.001

GENERAL NOTES

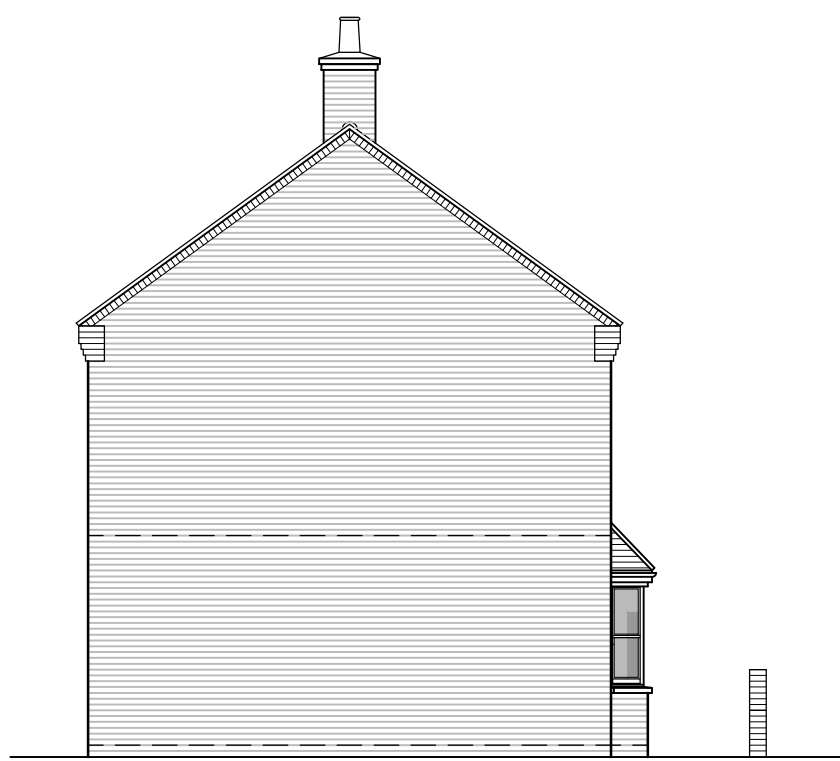
This scheme is subject to Town Planning and all other necessary consents. Dimensions, areas and levels where given are only approximate and subject to site survey. All dimensions are to be checked on site. Do not scale other than for Planning purposes. This drawing is to be read in conjunction with all relevant consultants' and/or specialists' drawings/documents and any discrepancies or variations are to be notified to the architects before the affected work commences. All queries relating to design of foundations, floor slabs and any structural elements are to be referred to the structural engineering consultant for resolution. All feasibility studies are subject to full site survey. The workmanship of all relevant trades and building operations shall comply with the recommendations of British Standard (BS) 8000:1989 parts 1-15 inclusive.

All design and construction is to be in accordance with the Construction, Design and Management Regulations 2015

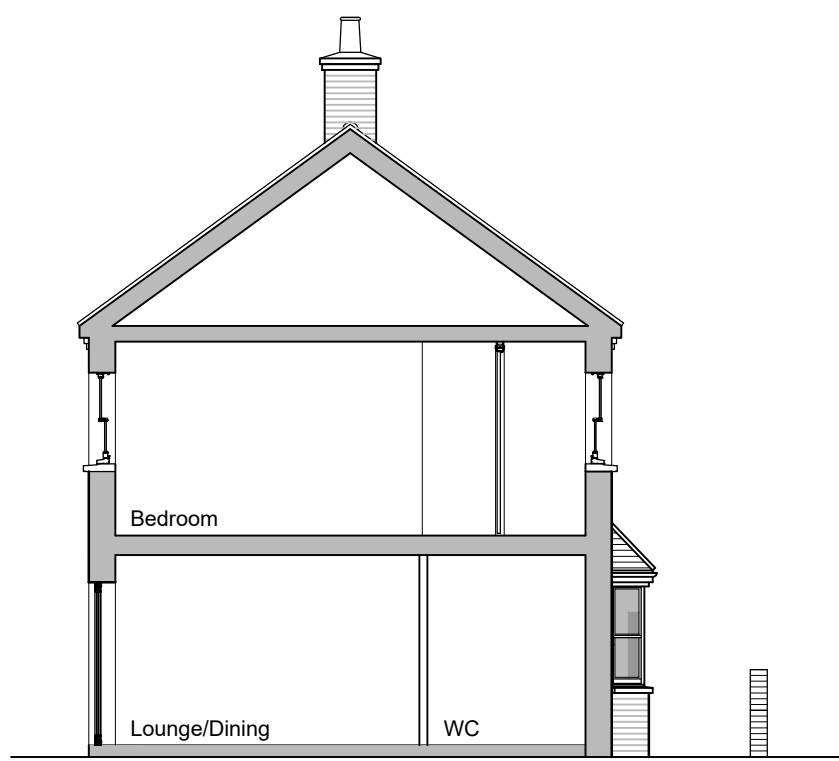
NORTH



Plot 1
Front (North) Elevation



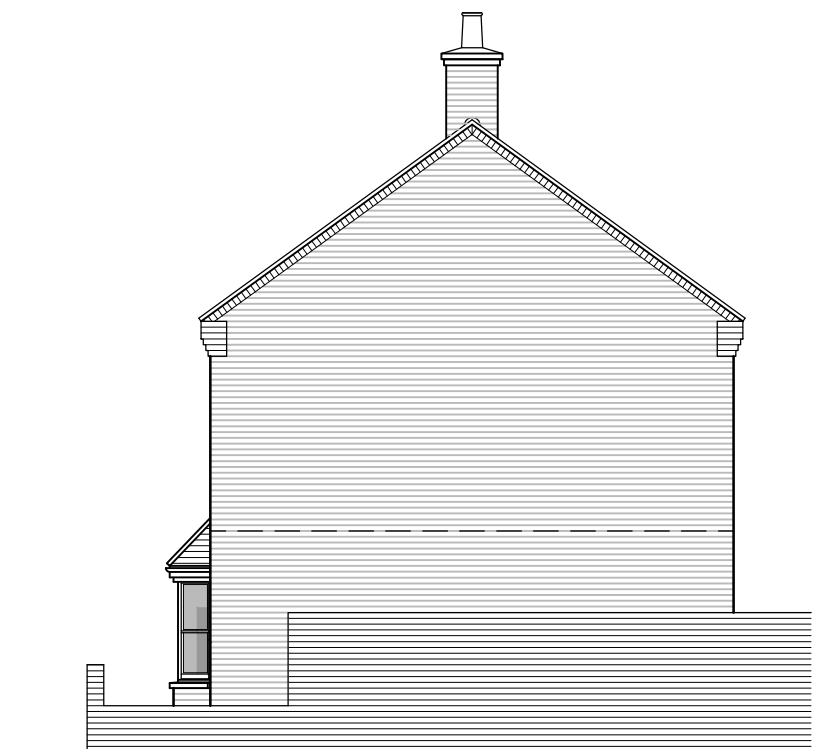
Plot 1
Side (East) Elevation



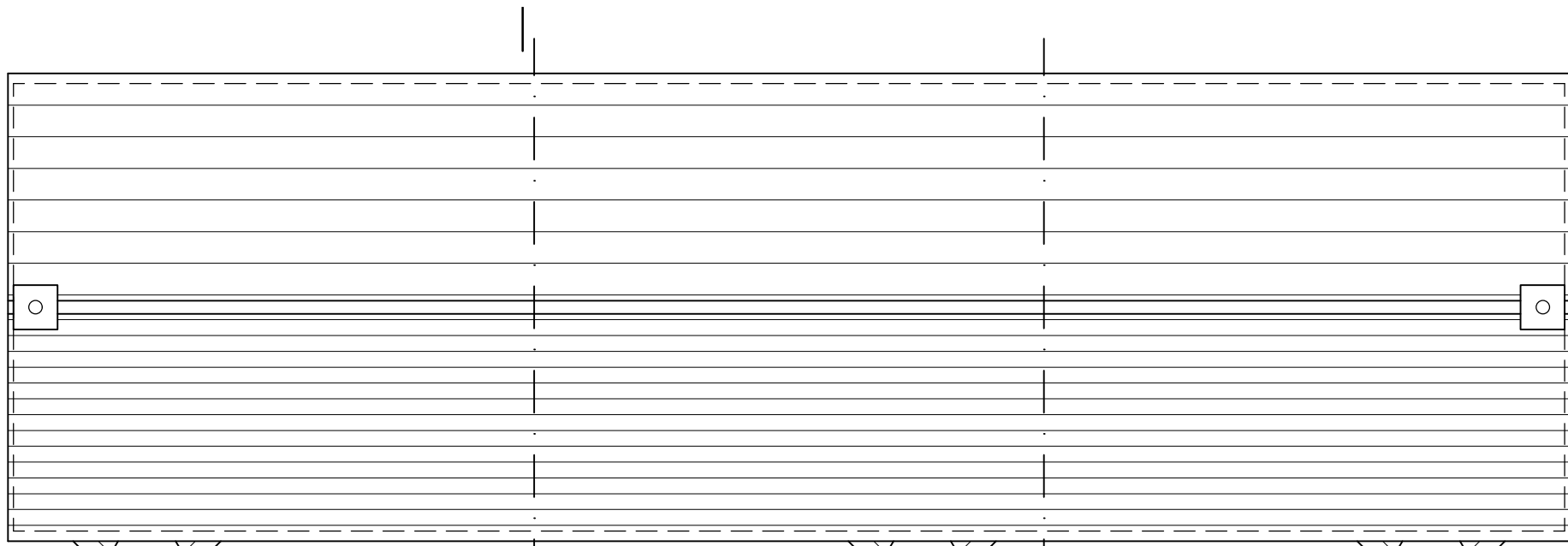
Plot 2
Proposed Section



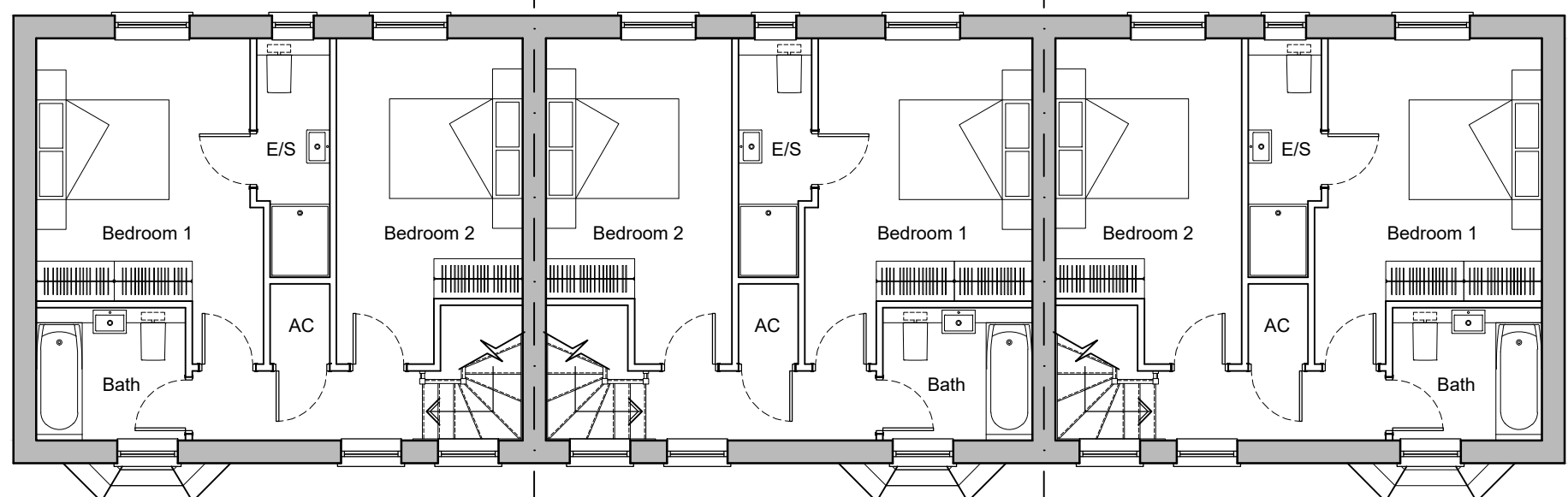
Plot 3
Rear (South) Elevation



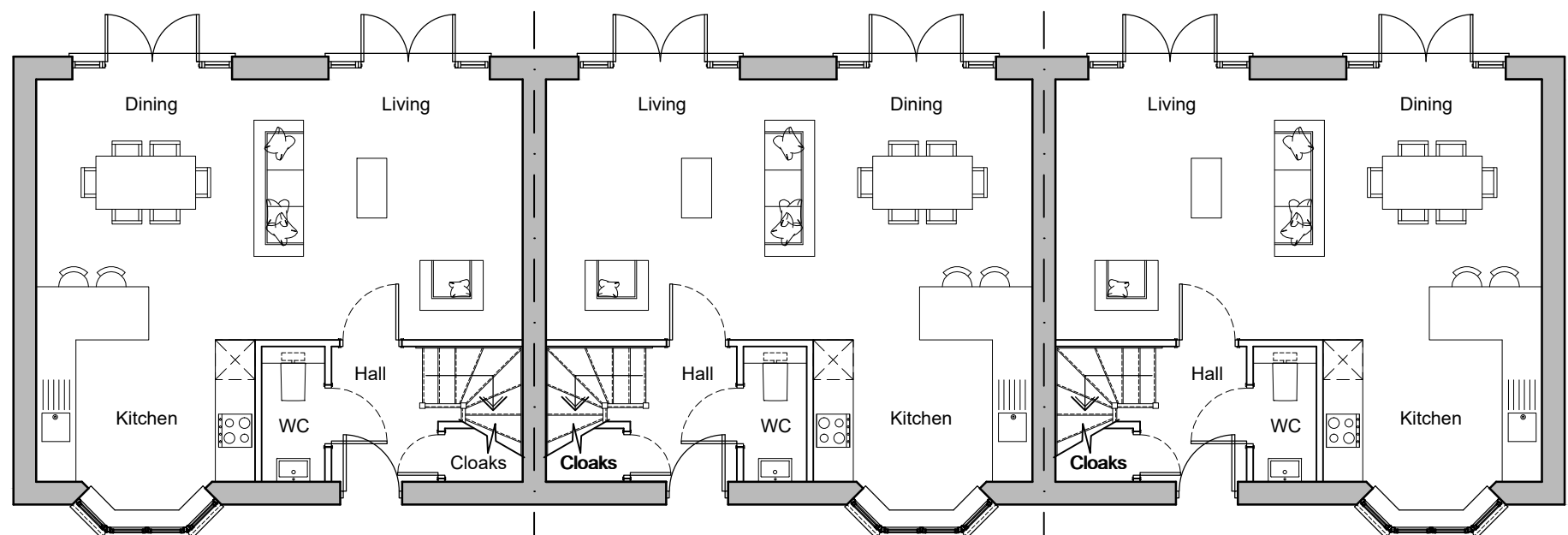
Plot 3
Side (West) Elevation



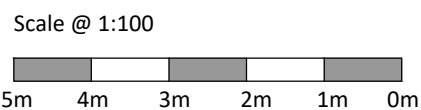
Plot 1
Roof Plan



Plot 1
First Floor Plan

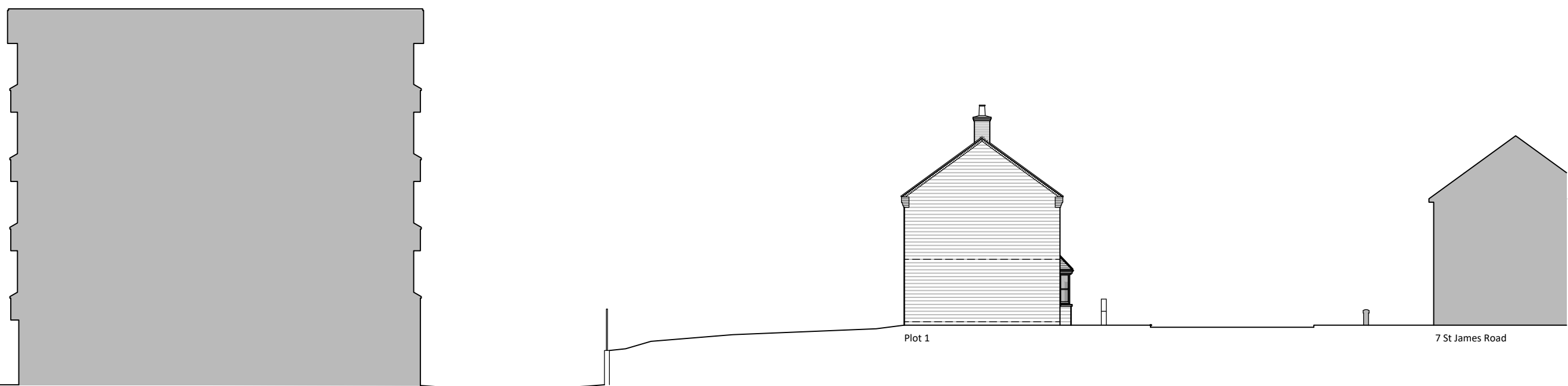
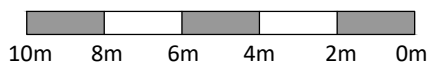


Plot 1
Ground Floor Plan



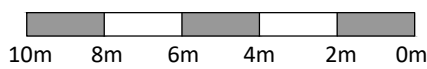
Proposed Street Elevation

Scale @ 1:200



Proposed Site Section

Scale @ 1:200



PLANNING

A 23.11.22 Proposed Section added.

REV	DATE	BY
-----	------	----

CLIENT

Galliard East
Grinstead Ltd

PROJECT

LA East Grinstead
House, St James
Road, East Grinstead

DRAWING

Proposed Plans
and Elevations



DATE	DRAWN	CHECKED
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10.10.2022	LW	LW
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SCALE	SCALE	SCALE
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1:100/200	1:100/200	1:100/200
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DRAWING NO. 16413 - 2022 - PL.002

Delegated Decision

Sign off Sheet

Ref. No:	DM/23/0026	Case Officer:	Joseph Swift
Application Type:	Full Application		
Proposal:	Erection of 3no. two-bedroom terraced houses with associated amenity space		
Site:	Land At St James Road, East Grinstead, West Sussex, , , , ,		
Validation Date	6 Jan 2023	Overall Expiry Date:	31 Jan 2023
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	29 Jun 2023
Target Date:	3 Mar 2023	Recommending Officer Signature:	Joseph Swift

Date Legal Agreement Completed: (if applicable)		No of Representations:	4
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Signed and Agreed By:	Nick Rogers	Date:	29 Jun 2023
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/23/0026

**Land At St James Road, East Grinstead, West Sussex, , , ,
Erection of 3no. two-bedroom terraced houses with associated amenity space
Miss Harriette Wood**

SUMMARY OF CONSULTATION RESPONSES

MSDC Drainage Officer Comments: No objections subject to conditions

Natural England: No objection subject to securing appropriate mitigation

Southern Water: Recommended drainage condition

East Grinstead Town Council: The Committee are disappointed for the loss of the green area and the trees which they would rather were not removed or at the least any lost trees be replanted. However they were supportive of these proposed small houses in-keeping with the terrace.

WSCC Highways: The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

MSDC Contaminated Land Officer: Recommend approve with discovery strategy condition

MSDC Street Naming and Numbering Officer: Info 29

REPRESENTATIONS

4 third party letters of representation have been received which have objected to the proposal for the following reasons:

- Noise and disturbance
- Intrusion into the countryside
- Loss of green space/openspace/trees
- Overbearing/Loss of outlook/loss of sunlight
- Character and appearance
- overlooking/loss of privacy
- No parking/congestion
- Pollution
- impact on wildlife
- Impact on residents quality of life
- Illegal parking

INTRODUCTION

Planning permission is sought for the erection of 3no. two-bedroom terraced houses with associated amenity space at Land At St James Road, East Grinstead.

RELEVANT PLANNING HISTORY

None

SITE AND SURROUNDINGS

The application site is located to the southern side of St James Road, with a row of terraced dwelling (nos. 12- 18) located to the eastern (side) with an existing access and 1-29 St James Court to the western (side) with East Grinstead House to the southern (rear) boundary which was previously offices but is now residential follow a prior notification for an office to residential conversion under application DM/21/0405.

The application site is designated within the Mid Sussex District Plan as being within the built up area boundaries of East Grinstead. It is also within 7km of the Ashdown Forest.

APPLICATION DETAILS

Planning permission is sought for the erection of 3no. two-bedroom terraced houses with associated amenity space at Land at St James Road, East Grinstead.

The proposal would provide a terrace of three dwellings, each unit would be 2 storey in height and would provide an open plan kitchen, living and dining room, a WC, entrance hall and cloak room at ground floor and 2 bedrooms, ensuite, bathroom and airing cupboard at first floor. The dwellings are all identical in size, with each measuring some 8 metres in width, by 7.6 metres in depth, with an eaves height of 5.9 metres and a ridge height of 8.1 metres.

The proposed dwellings would be constructed of red facing brickwork walls, with contrasting brick bank and brick corbel walls, dark grey slate roof tile and sash windows. The proposed dwellings are not seeking to provide any off road parking spaces, however secure cycle storage has been shown for each dwelling.

LEGAL FRAMEWORK AND LIST OF POLICIES

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

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

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

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

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

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

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

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

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Sites Allocation DPD and East Grinstead Neighbourhood Plan.

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.

Mid Sussex District Plan

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

Relevant policies:

DP4 - Housing
DP6 - Settlement Hierarchy
DP17 - Ashdown Forest SPA and SAC
DP21 - Transport
DP26 - Character and Design
DP27 - Dwelling Space Standards
DP29 - Noise, Air and Light Pollution
DP37 - Trees, Woodlands and Hedgerows
DP39 - Sustainable Design and Construction
DP41 - Flood Risk and Drainage
DP42 - Water Infrastructure and the water environment

Mid Sussex Site Allocations Document (DPD)

Mid Sussex District Council adopted its Site Allocations Development Plan Document on 29th June 2022. The Site Allocations DPD identifies sufficient housing sites to provide a five year housing land supply to 2031 and also makes sure that enough land is allocated to meet identified employment needs.

There are no policies deemed relevant to this application.

Neighbourhood Plan

The Neighbourhood Plan for East Grinstead was 'made' in November 2016. It forms part of the development plan with full weight.

Relevant policy for consideration:

EG3 - Promoting Good Design
EG5 - Housing
EG11 - Mitigating Highway Impacts
EG12 - Car Parking
EG16 - Ashdown Forest

Mid Sussex District Plan 2021-2039 Consultation Draft

The District Council is now in the process of reviewing and updating the District Plan. The new District Plan 2021 - 2039 will replace the current adopted District Plan. The draft District Plan 2021-2039 was published for public consultation on 7th November and the Regulation 18 Consultation period runs to 19th December 2022. No weight can currently be given to the plan due to the very early stage that it is at in the consultation process.

Development Infrastructure and Contributions Supplementary Planning Document (SPD)

Mid Sussex Design Guide Supplementary Planning Document (SPD)

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

consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

National Policy

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

National Design Guide

Principle

The District Plan is up to date, and the Council can demonstrate a 5 year supply of deliverable housing land.

As the proposed development is within the built up area of East Grinstead, the principle of additional windfall housing development is considered acceptable under Policy DP6 of the District Plan which states:

'Development will be permitted within towns and villages with defined built-up area boundaries. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale (with particular regard to DP26: Character and Design), and not cause harm to the character and function of the settlement.'

Policy EG5 of the 'made' East Grinstead Neighbourhood Plan relates to housing development and states: *'as a result new housing development on land defined as 'previously developed,' where the site is predominantly previously developed or is green infrastructure that can be demonstrated to be surplus to requirements will be supported'*. It lists various criteria including that *'a) The proposed development contributes to sustainable development'*.

Policy EG5 is a permissive policy for housing development in this location provided it complies with other policies within the plan.

It is acknowledged that whilst Policy EG5 is in conflict with the DP6 District Plan in respect of development proposed outside the built up area boundary as it supports in principle, subject to a number of criteria, development anywhere within the Neighbourhood Plan area, as such this policy attracts less weight. However, the site is within the built up area of East Grinstead and therefore this conflict is not considered to be an issue.

The design and access statement sets out that this land was previously intended to be garden space for the office development of East Grinstead House to the rear. However, this has been converted to flats and is now surplus to requirements. In addition to the above, East Grinstead is classed as category 1 settlement in the settlement hierarchy listed under MSDP policy DP6. As such, the application site can be considered to be a sustainable location for residential development.

The proposal is thus considered to be acceptable in principle.

Design and Impact on Character of Area

Policy DP26 of the District Plan relates to character and design. It 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.'*

Policy EG3 of the Neighbourhood Plan relates to promoting good design and states:

'Planning permission will normally be granted where development proposals meet the following criteria:

- a) The form of the proposed development is proportionate and in keeping with the scale, height, materials and site coverage of the surrounding area;*
- b) The layout of the proposed development respects the topography and character of the site, protects important landscape features and does not harm adjoining amenity;*
- c) The proposal does not result in the loss of buildings or spaces that would have an unacceptable impact on the character of the area;*
- d) The proposal ensures satisfactory means of access for vehicles and pedestrians and provides adequate parking, cycle storage and refuse facilities on site;*
- e) The design of new buildings and the layout of spaces, including footways, car and cycle parking areas, should be permeable and provide connectivity with neighbouring areas;*
- f) New development must be inclusive and where appropriate make satisfactory provision for the safe and easy access for those with mobility impairment; and*
- g) The design of new developments must result in the creation of a safe and secure environment and incorporate adequate security measures and features to deter crime, fear of crime, disorder and anti-social behaviour; and*
- h) Proposals make provision for green infrastructure and biodiversity enhancement.*

Due to infrastructure constraints within the town, all new development proposals, which generate a net increase in traffic (excluding householder applications), will be required to contribute towards improving the walking and cycle network related to the development and be of a recognised acceptable standard.'

Para 130 of the NPPF relates to design and states:

'Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'*

On the 1st October 2019 the Government published the National Design Guide which addresses the question of how well-designed places are recognised, by outlining and illustrating the Government's priorities for well-designed places in the form of ten characteristics. The underlying purpose for design quality and the quality of new development at all scales is to create well-designed and well-built places that benefit people and communities.

The Secretary of State for the Ministry of Housing, Communities and Local Government issued a Ministerial Statement on the 1st October 2019 stating that *'the National Design Guide is also capable of being a material consideration in planning applications and appeals, meaning that, where relevant, local planning authorities should take it into account when taking decisions. This should help give local authorities the confidence to refuse developments that are poorly designed.'*

The Council's adopted Design Guide is a material consideration in the determination of the application. This document seeks to inform and guide the quality of design for all development across Mid Sussex District. It sets out a number of design principles to deliver high quality, new development that responds appropriately to its context and is inclusive and sustainable. Design Principle DG31 seeks to focus development in sustainable locations. Within the Design Guide there is support for innovative and inventive designs that responds to the sustainability agenda within DG37. In addition there is support for architectural integrity and a sense of place within DG38 where the facade and elevational treatment, roofscape fenestration and materials used in existing buildings within the locality should be a starting point for the consideration of architectural design of new buildings. In addition, design principle DG39 requires the scale of new buildings to relate to their context.

The proposal has been designed as a row of three terrace dwellings, with a small walled garden to the front and a garden to the rear, similar to the existing pattern of development within St James Road. The proposed dwellings would be two storey in height and would be set at a slightly lower height than the existing dwellings to the eastern (side), while the design of the dwellings have picked up on a few key features visible with the existing terrace dwellings, such as ground floor front bay windows and sash windows.

Furthermore, the dwellings have been shown to be constructed of a pallet of materials that is considered to be in-keeping with the existing pallet of materials visible within the locality, details of which can be secured by a suitably worded condition. Overall the proposal is considered to be of an appropriate design, size and scale that is in-keeping with the character of St James Road. The proposal is therefore considered to comply with policy DP26 of the District Plan, policy EG3 of the Neighbourhood Plan, Principles DG38 and DG39 of the adopted Mid Sussex Design and para 130 of the NPPF.

Residential Amenity

Policy DP26 of the District Plan states in part that proposals should *'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'*.

The test, as set out under policy EG3 of the East Grinstead Neighbourhood Plan states that proposals should "not harm" adjoining neighbours amenity.

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. As such, policy DP26 of the MSDP is considered to take precedence and therefore the test in this instance is whether the development causes significant harm to neighbouring amenities as outlined above.

The application site is located within the built up area boundary as such a degree of overlooking is considered acceptable. The proposal shows that the dwellings would be set some 21 metres from Block D (East Grinstead House) which is considered acceptable. It is noted that at a pinch point it would only be 18 metres from Newacre House. However, from the approved plans of the office to residential conversion of Newacre House, the north facing windows are secondary while the central window is serving the entrance corridor and as such the views from this window would be transient in nature. As such the resulting relationships are not considered to cause significant harm in terms of overlooking and a loss of privacy.

The application has been supported with a daylight and sunlight report which has concluded that the proposal would provide acceptable amenity for future occupants in terms of Daylight and Sunlight. The case officer has checked the report and owing to the resulting relationships and distances it is also not considered that the proposal would cause significant harm in terms of reduction in sunlight and daylight and a loss of outlook.

In addition to the above, third party representation has been received on noise and disturbance. Policy DP29 states:

'The environment, including nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife habitats, and the quality of people's life will be protected from unacceptable levels of noise, light and air pollution by only permitting development where:

Noise pollution:

- It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area;*
- If it is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures;*

Noise sensitive development, such as residential, will not be permitted near existing or proposed development generating high levels of noise unless adequate sound insulation measures, as supported by a noise assessment are incorporated within the development.

In appropriate circumstances, the applicant will be required to provide:

- an assessment of the impact of noise generated by a proposed development; or*
- an assessment of the effect of noise by an existing noise source upon a proposed development;'*

Noise is a material planning consideration. The Planning Practice Guidance (PPG) states neither the Noise Policy Statement for England nor the NPPF (which reflects the Noise Policy Statement) expects noise to be considered in isolation, separately from the economic, social and other environmental dimensions of proposed development.

The PPG advises that increasing noise exposure will at some point cause the significant observed adverse effect level boundary to be crossed. Above this level the noise causes a material change in behaviour such as keeping windows closed for most of the time or avoiding certain activities during periods when the noise is present. If the exposure is above this level the planning process should be used to avoid this effect occurring, by use of appropriate mitigation such as by altering the design and layout. The PPG that advises that noise should not be considered in isolation to the economic, social and environmental dimensions of the proposed development.

It is accepted that during construction there is likely to be some noise and disturbance, however this is only for a limited period and will be controlled by The Environmental Protection Act 1990. In addition, once the dwellings have been constructed the proposal would have a residential use and it is not considered that this use within the built up area would cause unacceptable levels of noise and disturbance. The proposal is therefore considered to comply with the above mentioned policies.

Highways and Parking

Policy DP21 of the District Plan seeks to ensure that schemes are sustainably located to minimise the need for travel, and protect the safety of road users and pedestrians, and seeks to provide adequate parking in relation to development proposals.

Policy EG11 of the Neighbourhood Plan requires proposals to be supported by an appropriate assessment of the impact of the proposal on the highway network and include access arrangements that are appropriately designed and include adequate visibility splays. In addition, policy EG12 requires sufficient on site car parking.

Paragraph 110 of the NPPF is relevant in respect of transport matters and states that:

'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; and*
- c) 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.'*

In addition, para 111 states *'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.'*

WSCC Highways have been consulted on this application and have provided the following comments:

'Summary

This application is for the erection of three two-bedroom terraced dwellings. The site is located on St James Road, an unclassified road subject to a speed restriction of 30 mph.

This application is supported by a Transport Statement prepared by Cole Easdon. Following an inspection of the application documents, WSCC in its role as Local Highway Authority (LHA) raises no highway safety concerns for this application.

Access and Capacity

No vehicular access is associated with this site. The Transport Statement includes trip generation data ascertained from the TRICs Database. The data indicates that a development of this size would generate three total movements within each network peak time. The LHA anticipates that this can be accommodated into the local highway network and is not anticipated to lead to an adverse highway safety impact.

Parking and Turning

No vehicular parking is proposed for this development. The WSCC Car Parking Demand Calculator indicates that a development of this size and location would require four car parking spaces. Therefore, vehicular parking would have to be accommodated on-street.

Whilst on-street parking is limited in the area, there are comprehensive parking restrictions in place on the nearby roads, prohibiting vehicles from parking in places that would be detrimental to highway safety. The LHA does not anticipate that the nil car parking provision would result in a highway safety concern, and the Parking Capacity Survey included within the Transport Statement highlights that there is capacity in the area to accommodate the anticipated parking demand. However, the LPA may wish to consider the potential amenity implications on on-street parking. Weight is given to the fact the site is sustainably located.

Regarding cycles, the applicant has demonstrated cycle stores for each of the plots, providing secure cycle parking provision in accordance with WSCC Parking Standards.

Sustainability

The site is situated in a sustainable town centre location within East Grinstead. Local services and amenities are within walking/cycle distance of the site. Cycling is a viable option for travel in this location. In addition, the site is well connected by public transport, being situated close to East Grinstead Train Station, and close to bus stops on London Road which provide regular services to a variety of destinations.

Conclusion

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal. If the LPA are minded to approve the application, the following condition should be applied:

Cycle parking

No part of the development shall be first occupied until covered and secure cycle parking spaces 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.'

The LHA has raised no objection to the application based on the level of car parking, noting that the site is in a sustainable location. Furthermore, the LHA have noted that there is limited on-street parking within the immediate vicinity, however there are comprehensive parking restrictions in place on nearby roads to stop any parking in places that may result in a detriment to highway safety. In addition, the LHA does not anticipate that the shortfall in parking would give rise to a highway safety impact, nor a parking capacity impact issue.

It is also the case that prospective occupiers of the proposed dwellings would be aware of the level of car parking that would be provided and it is reasonable to assume that if it is important to prospective occupiers that they have dedicated car parking spaces, they would not wish to occupy one of these dwellings.

For an application to be refused on the basis that the car parking provision is insufficient, there has to be some identifiable harm arising from the level of car parking. The LHA do not consider that the level of car parking would result in a highway safety hazard. As such it is not considered that it could be demonstrated that the level of car parking proposed would result in harm that would justify a refusal of planning permission.

Sustainability

Policy DP39 of the District Plan relates to sustainable design and construction and states that:

'All development proposals must seek to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate the following measures:

- *Minimise energy use through the design and layout of the scheme including through the use of natural lighting and ventilation;*
- *Explore opportunities for efficient energy supply through the use of communal heating networks where viable and feasible;*
- *Use renewable sources of energy;*

- *Maximise efficient use of resources, including minimising waste and maximising recycling/ re-use of materials through both construction and occupation;*
- *Limit water use to 110 litres/person/day in accordance with Policy DP42: Water Infrastructure and the Water Environment;*
- *Demonstrate how the risks associated with future climate change have been planned for as part of the layout of the scheme and design of its buildings to ensure its longer term resilience'.*

Paragraph 152 of the NPPF states:

'The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.'

Paragraph 157 states:

'In determining planning applications, local planning authorities should expect new development to:

a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and

b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.'

A detailed Energy Statement has been included which sets out the proposal will include the following:

- Energy Efficient building fabric and insulation to all heat loss floors, walls and roof
- High efficiency double glazing throughout
- Quality build - good air tightness results throughout
- Efficient building services
- Low energy lighting throughout
- Air source heat pumps
- Meet the 110 litres of water per person per day standard
- Sustainably sourced materials and locally sourced where possible

The statement indicates that consideration has been given to maximising energy efficiency and water conservation in accordance with policy DP39 of the District Plan and the relevant paragraphs of the NPPF.

Trees

Policy DP37 of the Mid Sussex District Plan states that the *'District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.'*

The site contains 4 trees, 2 x wild cherry and 2 x sycamore, the application has been supported with a tree report which has recommended that all these trees are felled before the bird nesting season in March 2023. These trees are not subject to a TPO and it is not within a Conservation Area, as such these trees can be removed without the need for any formal consent.

Furthermore, it is considered that replacement planting can be controlled by condition. Subject to the landscaping condition the proposal is considered acceptable.

Ecological Implications

Policy DP38 in part 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.'*

Concerns have been raised in relation to the impact on wildlife, however the site is a small undeveloped parcel within the built up area of East Grinstead, as such the current owner could utilise their permitted development rights to undertake a number of works without the need for planning permission that would completely alter the site, furthermore, the claims regarding impact upon wildlife are not backed by any detailed survey evidence and the presence of these species were not identified during the case officer's site visit. As such it is considered that on the evidence the risk to wildlife is low.

Drainage

Policy DP41 of the District Plan relates to flood risk and drainage seeks to ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. The proposed development is within flood zone 1 and is deemed to be at low fluvial flood risk and at very low surface water flood risk. The Council's Drainage Engineer has been consulted on the scheme and has no objection to the application subject to conditions on foul and surface water drainage and surface water capacity confirmation. Subject to the recommended conditions the proposal is thereby considered to comply with policy DP41 of the District Plan.

Dwelling Space Standards

The Government's Technical Housing Standards - Nationally Described Space Standards document was published in March 2015. It sets out space standards for all new residential dwellings, including minimum floor areas and room widths for bedrooms and minimum floor areas for storage, to secure a satisfactory standard of accommodation for future residents. Policy DP27 of the District Plan supports this.

Each dwelling would provide 89.3 square metres GIA, while the minimum requirements for a 2 bedroom 4 person dwelling over 2 storeys within the nationally described space standards is 79 square metres with 2 square metres of built in storage. The proposal therefore exceeds the minimum requirements and would therefore provide a satisfactory standard of accommodation for future occupiers of each of the units proposed.

Impact on the Ashdown Forest

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

importance. The European site of focus is the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC).

The potential effects of development on Ashdown Forest were assessed during the Habitats Regulations Assessment (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.

A Habitats Regulations Assessment has been undertaken for the proposed development in this planning application.

Recreational disturbance

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

In accordance with advice from Natural England, the HRA for the Mid Sussex District Plan 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.

This planning application is within the 7km zone of influence and generates a net increase of 3 dwellings, and as such, mitigation is required.

An appropriate scale of SAMM mitigation for the proposed development is £3,510, and if the approved scheme provides for a strategic SANG contribution, this would be £15,759.

Any contributions received will be ring-fenced for expenditure in accordance with the relevant SAMM and SANG Strategies.

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.

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").

The Planning Obligation securing the SAMM and SANG contributions has been completed so it is considered that the mitigation of the recreational impact to the Ashdown Forest can be secured. The proposal therefore accords with Policy DP17 of the Mid Sussex District Plan.

Natural England has been consulted on the appropriate assessment of this proposed development and have raised no objection subject to securing appropriate mitigation.

Atmospheric pollution

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

The proposed development was modelled in the Mid Sussex Transport Study as a windfall development such that its potential effects are incorporated into the overall results of the transport model, which indicates there would not be an overall impact on Ashdown Forest. [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

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.

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.

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

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

Policy DP42 of the Mid Sussex District Plan in part states:

'Development proposals which increase the demand for off-site service infrastructure will be permitted where the applicant can demonstrate;

- that sufficient capacity already exists off-site for foul and surface water provision. Where capacity off-site is not available, plans must set out how appropriate infrastructure improvements approved by the statutory undertaker will be completed ahead of the development's occupation; and*
- that there is adequate water supply to serve the development.'*

Details have been provided from South East Water to confirm that there is adequate water supply to serve the development. As such the proposal is considered to comply with the above mentioned policy.

The Contaminated Land Officer has recommended a land contamination discovery conditions, which the agent has confirmed they are happy to accept. As such the proposal is considered acceptable in relation to contaminated land.

Concerns have been raised in relation to relation to open space, however, this is private space in relation to East Grinstead House and is not a public open space.

CONCLUSION

To summarise it is considered that the principle of a redevelopment of this site for residential use is acceptable. The scheme would provide housing in a sustainable location which would assist the Council in meeting its housing requirements. There would be economic benefits from the proposal both during the construction phase and then from the additional spend in the local economy generated by the new residents of the development. All these matters weigh in favour of the proposal.

The proposal is also considered to be of an appropriate design size and scale that is in keeping with the existing character and design of the wider St James Road. The layout and relationship is reflective of the existing pattern of development and would ensure suitable distances so that the proposal would not cause significant harm to the neighbouring amenities.

The proposal would have a neutral effect in terms of highway safety, drainage, ecology, trees, sustainability, Ashdown Forest and space standards.

The Council would also receive a new homes bonus.

However, weighing against the proposal is proposal is seeking a nil parking provision. However, the dwellings are located within a sustainable location, will be providing secure cycle parking and the Local Highways Authority do not object to the scheme. It is not considered that the level of car parking would result in a highway safety hazard or other harm which would justify a refusal of planning permission.

Overall it is considered that the benefits of the proposal will outweigh the nil parking provision and the proposal is considered to comply with Policies DP4, DP6, DP17, DP21, DP26, DP27, DP37, DP39, DP41 and DP42 of the Mid Sussex District Plan, Policies EG3, EG5, EG11, EG16 of the East Grinstead Neighbourhood Plan, the Mid Sussex Design Guide SPD and the relevant provisions of the NPPF.

Decision: Permission

Case Officer: Joseph Swift

Miss Harriette Wood
Galliard East Grinstead Ltd
3rd Floor Sterling House
Langston Road
Loughton
IG10 3TS

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015

PERMISSION

REFERENCE: DM/23/0026

DESCRIPTION: ERECTION OF 3NO. TWO-BEDROOM TERRACED HOUSES WITH ASSOCIATED AMENITY SPACE

LOCATION: LAND AT ST JAMES ROAD, EAST GRINSTEAD, WEST SUSSEX,

DECISION DATE: 29 JUN 2023

CASE OFFICER: JOSEPH SWIFT - JOSEPH.SWIFT@MIDSUSSEX.GOV.UK

The Council hereby notify you that they **GRANT** planning permission for the above development to be carried out in accordance with the submitted application and plans and subject to compliance with the following conditions:-

1. **Approved Plans**

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.

2. 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.

3. No external materials shall be used other than those specified on the approved plans and application form without the prior approval of the Local Planning Authority.

Reason: To protect the appearance of the building and the area and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031 and Policy EG3 of the Neighbourhood Plan.

4. The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the local planning authority. No building shall be occupied until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements and Policy DP41 of the Mid Sussex District Plan (2014 - 2031).

5. The development hereby permitted shall not connect any surface water drainage to public sewers (directly or indirectly) until confirmation of capacity existing within the network from the sewage provider has been submitted to and acknowledged in writing by the local planning authority.

Reason: To ensure the proposal can be satisfactorily drained and will not exceed the local public sewer networks capacity and to accord with Policy DP41 of the Mid Sussex District Plan.

6. Full details of a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and to accord with Policy DP26 of the Mid Sussex District Plan.

7. No part of the development shall be first occupied until covered and secure cycle parking spaces 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 to comply with Policy DP21 of the Mid Sussex District Plan.

8. 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 LPA.

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 comply with the NPPF requirements and Policy DP41 of the Mid Sussex District Plan.

9. The development hereby permitted shall be occupied until the refuse/recycling storage facilities have been provided in accordance with the approved plans and thereafter retained.

Reason: In the interests of the amenities of the area, to comply with Policy DP26 of the Mid Sussex District Plan.

10. The development shall not be occupied until the sustainability measures set out in the accompanying 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.

INFORMATIVES

1. 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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. 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 developers advice can be found at www.midsussex.gov.uk/streetnaming or by phone on 01444 477175.
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:

- Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 - 1800 hrs, Saturdays 0900 - 1300 hrs, No construction/demolition work on Sundays or Public Holidays.
- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- No burning of materials shall take place on site at any time.

If you require any further information on these issues, please contact Environmental Protection on 01444 477292.

Human Rights Implications

The planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

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 and Block Plan	16413-22-PL.00	-	03.01.2023
Proposed Floor and Elevations Plan	16413-2022-PL.002	A	03.01.2023



Assistant Director Planning and Sustainable Economy

NB: IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS FORM

PEFULZ

APPEALS TO THE SECRETARY OF STATE

Notes for Applicants

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice;

However, if

- (i) this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice; or
- (ii) an enforcement notice is subsequently served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
 - 28 days of the date of service of the enforcement notice, or
 - within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.uk](#).

