



## **Planning statement**

**Supporting an application for the installation of air conditioning / chiller units upon the western flank wall – Retrospective.**

**at**

**Franklands Village store, Franklands Village, Haywards Heath, West Sussex, RH16 3RA.**

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## 1. Introduction

- 1.1 This Statement has been prepared, on behalf of Mr. Mugunthan Thangarajah (hereafter 'the applicant'), to support a planning application to regularize the installation of air conditioning / chiller units upon the western flank wall (retrospective) at Franklands Village Shop, Franklands Village, Haywards Heath, West Sussex, RH16 3RA
- 1.2 The purpose of this statement submitted to Mid Sussex District Council is to describe the site and its location; explain the proposed development; describe the relevant planning history; identify the policy context and assess the extent to which it complies with the Development Plan and other material considerations.
- 1.3 The remainder of this report follows the structure set out below:
  - Section 2 – Site Location and Appraisal;
  - Section 3 – Relevant Planning History;
  - Section 4 – Proposed Development;
  - Section 5 – Planning Policy Context;
  - Section 6 – Development Appraisal;
  - Section 7 – The Planning Balance and Conclusion
- 1.4 Any queries or requests for further information should be addressed to Mr Sam Finnis, AVF Planning and Design Ltd, Suite 5, Ram House, 18 Gilda Close, Polegate, BN26 6GB (01424 400333) or email [sam@av-fp.co.uk](mailto:sam@av-fp.co.uk)
- 1.5 The scheme as tabled demonstrates that the proposed development would constitute a sustainable form of development and is consistent with the objectives of the Development Plan, and there are not any adverse impacts which would significantly and demonstrably outweigh the benefits in accordance with the National Planning Policy Framework 2024 (NPPF) and National Planning Practice Guidance (NPPG).

## 2. Site Location and Appraisal

- 2.1 The Site is located within the administrative boundary of Mid Sussex District. The site comprises a single-storey commercial unit set back from the highway on a corner plot where Reed Pond Walk intersects Franklands Village Road. The application property has a flat roof design and is positioned centrally within the plot with associated parking and landscaping around the building.
- 2.2 The site is located within an urban context, primarily residential in character with the settlement expanding on both sides and within the development boundary for Haywards Heath.

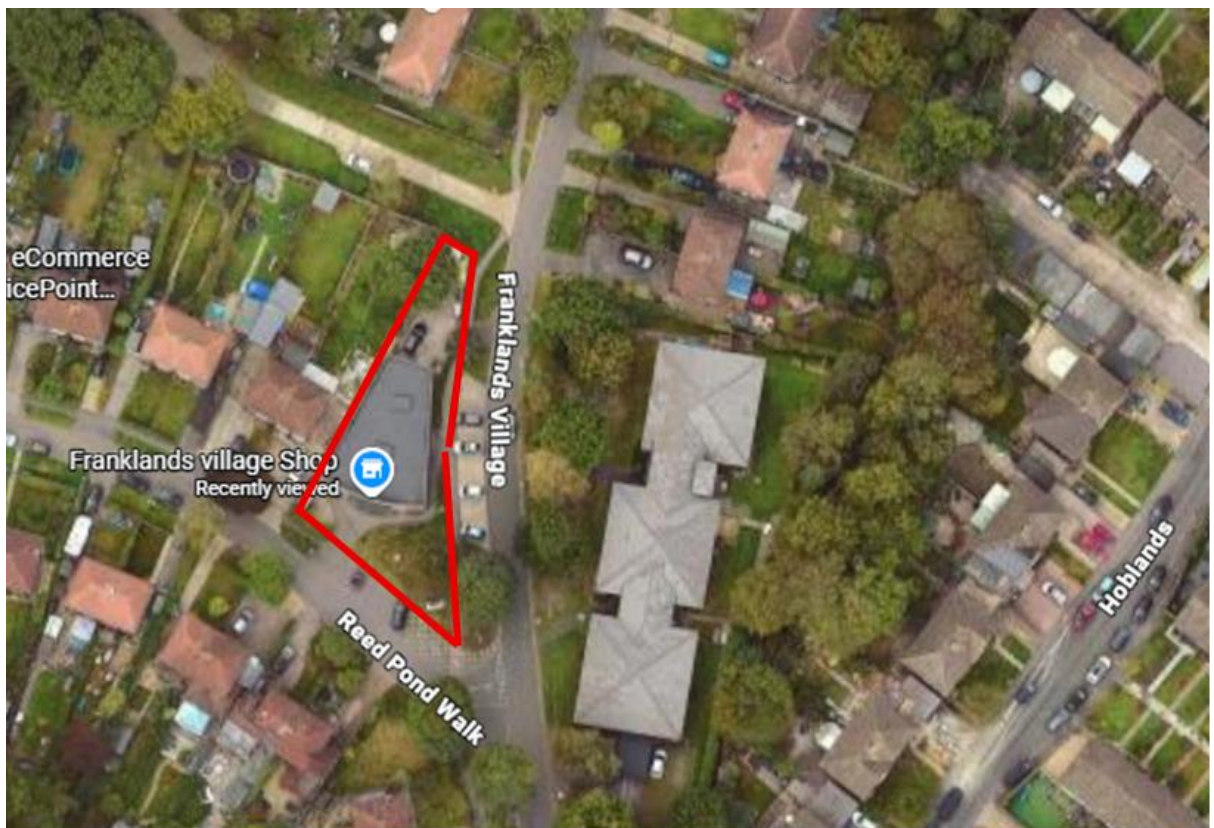


Fig 1 – GE image of the site

- 2.3 In terms of heritage considerations, there are no significant heritage assets located on the site or within the immediate area.
- 2.4 In terms of other physical considerations, the Site is located within Flood Zone 1 and therefore has the lowest risk of flooding from rivers and the sea.

### Location Sustainability

- 2.5 The site is located inside the development boundary. Therefore, for policy purposes the site is within an urban area where the principle of development can be acceptable subject to other matters.

### 3. Relevant Planning history

#### 3.1 Application Site - no relevant history

## 4. Proposed Development

- 4.1 We are pleased to set out for you an application for the regularisation of air conditioning/chiller units (retrospective) located on the western flank wall of Franklands Village Shop.
- 4.2 The air-conditioning units are required to maintain a healthy, comfortable temperature and environment within the shop for both employees and customers year-round. Additionally, the installation of chiller units have enabled the applicant to maintain perishable goods.
- 4.3 The installation of the air conditioning and chiller units involved lowering two air-conditioning units to ground-level. The installation of these units does not dominate or adversely affect other built forms or the wider landscape character.
- 4.4 The NPPF encourages well designed buildings and seeks to facilitate innovation and change, in particular where there is no existing rhythm or pattern to the street scene. The adopted Development Plan seek to encourage high quality design and layout, and this is emphasised within the Plan.

### Design and access Statement

- 4.6 The National Planning Policy Guidance (NPPG) sets out that: *“A Design and Access Statement is a concise report accompanying certain applications for planning permission and applications for listed building consent. They provide a framework for applicants to explain how the proposed development is a suitable response to the site and its setting, and demonstrate that it can be adequately accessed by prospective users. ... The level of detail in a Design and Access Statement should be proportionate to the complexity of the application but should not be long.”*

### Use

- 4.7 The use is currently commercial, and this will not change.

### Scale and Amount

- 4.8 The addition of the units will not significantly affect the scale of the building and can be assimilated into the site and contained within the boundaries. The plans show that the addition of the units has been adequately accommodated on the site.
- 4.9 The height, bulk and mass of the units does not appear visually harmful to the street scene or character of the area.

### Appearance and character

- 4.10 The principles adopted in regard to appearance have ensured that the addition of these units will not significantly alter the predominant styles and character of the area.

### Layout

- 4.11 The layout plan provided with the application details a viable layout for the site. The plan demonstrates how the units have been accommodated within the site without any unacceptable impacts on neighbouring properties, tree boundaries of the site, or the wider area.

Landscape and ecological enhancements

- 4.12 The addition of the units has no impact and therefore fully comply with current adopted policy in respect of requirements for ecology and landscaping.

## 5. Planning Policies

- 5.1 Of relevance to this application are the strategic policies in the National Planning Policy Framework (NPPF) (2024) and the Mid Sussex District Plan (2014-2031). These are outlined below.

### National Planning Policy

- 5.2 The latest NPPF was published in December 2024. As set out in paragraph 231, the NPPF is a material consideration which should be taken into account in dealing with applications from the date of its publication. It therefore immediately replaces the December 2023 version. Overall, the general thrust of government guidance remains the same, with the presumption in favour of sustainable development being the core objective for the planning system, with the premise that sustainable development should go ahead without delay.
- 5.4 In all respects, the NPPF seeks to maximise opportunities for the supply of housing in appropriate locations, that can contribute towards housing supply, along with maintaining and enhancing the vitality of existing communities. The key objective of sustainable development is expressed within paragraph 7 to be *“meeting the needs of the present without compromising the ability of future generations to meet their own needs”*.
- 5.5 Paragraph 8 refers to the three overarching objectives to sustainable development; namely economic, social and environment, which give rise to the need for the planning system to perform a number of roles:
- contributing to building a strong, responsive and competitive economy, through the right types of development in the right places;
  - supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and
  - contributing to protecting and enhancing our natural, built and historic environment, including making effective use of land.
- 5.6 Paragraph 115 refers that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.7 Paragraph 123 refers specifically to making effective use of land in meeting the need for homes and other uses, with Paragraph 124(d) stating that planning policies and decisions should *“promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained...”*
- 5.8 In respect of design, the NPPF identifies that good design is a key aspect to sustainable development (paragraph 131), with Paragraph 135 detailing that planning policies and decisions should ensure developments:

*Will function well and add to the overall quality of the area;*

- *Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- *Are sympathetic to local character and history, including the surrounding built environment and landscape setting;*
- *Establish or maintain a strong sense of place;*
- *Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and*
- *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.*

5.9 Paragraph 187 (e) - preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; decisions should contribute to and enhance the natural and local environment by, inter alia, minimising impacts on and providing net gains for biodiversity.

## **Local Planning Policies**

5.12 Mid Sussex District Plan

5.13 Section 38(6) of the Planning and Compulsory Purchase Act 2004 state that LPAs should determine planning applications in accordance with the policies of the Development Plan unless material considerations indicate otherwise.

5.14 Mid Sussex District Plan (2014-2031)

- Policy DP1: Sustainable Economic Development
- Policy DP3: Village and Neighbourhood Centre Development
- Policy DP14: Sustainable Rural Development and the Rural Economy
- Policy DP25: Community Facilities and Local Services
- Policy DP26: Character and Design
- Policy DP29: Noise, Air and Light Pollution

5.15 Haywards Heath Neighbourhood Plan (made December 2016)

- E9 - Design Mid Sussex Design

5.16 Guide Supplementary Planning Document (SPD)

## 6 Development Appraisal

6.1 The main issues to consider are:

- Principle of development
- Impact upon character and appearance of the locality.
- Impact upon residential amenity.
- Other matters

### 6.2 Principle of development including whatever the policy is that supports business or employment

6.2.1 The application site is located within the built-up residential area of Haywards Heath, for the purposes of applying planning policy. As such, the principle of a commercial development is acceptable subject to design considerations.

6.2.2 Policy DP1 aims to promote a place which is attractive to a full range of businesses, and where local enterprise thrives. This aim will be fulfilled by 'supporting existing businesses and allowing them room to expand'. The installation of the air-conditioning and chiller units is integral to the continuing commercial unit of the Franklands Village Store as a local business and is therefore in accordance with Policy DP1.

### 6.3 Impact on the visual amenity of the area

6.3.1 The NPPF places great importance on the design of the built environment. Paragraph 131 emphasises the creation of high-quality, beautiful and sustainable buildings and places.

6.3.2 The units are located along the western elevation and have been positioned at a lower level than those previously in place. An existing fenced area ensures the units are hidden from external view. As such the additions of the air conditioning and chiller units would not result in harm to the character and appearance of the street scene.

6.3.3 The proposal is therefore considered to be fully in accordance with the Mid Sussex District Plan and the NPPF.

### 6.4 Residential Amenity

6.4.1 The installation of the units has been sensitively considered to respect the residential amenity of the surrounding dwellings and to ensure that the residential amenity of future residents is also respected. The air conditioning plant will only operate during daytime hours. Details of the 2 no units model No's: JEHS-0300-B2-M-1 are provided at **Appendix 1**.

6.4.2 With regard to impacts upon the amenities of adjoining properties, Policy DP26 seeks to ensure that development:

*'does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact*

*on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29);'*

6.4.3 In addition 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 in close proximity to 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.*

6.4.4 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;*

*Air Pollution:*

- *It does not cause unacceptable levels of air pollution;*
- *Development on land adjacent to an existing use which generates air pollution or odour would not cause any adverse effects on the proposed development or can be mitigated to reduce exposure to poor air quality to recognised and acceptable levels;*
- *Development proposals (where appropriate) are consistent with Air Quality Management Plans.*

6.4.5 The degree of the impact of noise and light pollution from new development or change of use is likely to be greater in rural locations, especially where it is in or close to specially designated areas and sites.

6.4.6 In addition, the policy states that if it is likely to generate significant levels of noise, it incorporates appropriate noise attenuation measures.

6.4.7 A noise assessment report has been conducted, and its findings show that the impact of noise generated by the units is not harmful and does not negatively affect the current amenity enjoyed by the occupants of the neighbouring property. In addition, the applicant has installed noise absorption barriers along the fencing which mitigates any noise along the boundary with No 6 Reed Pond Walk. An invoice of the fencing barrier is attached at **Appendix 2**.

- 6.4.8 There will be no adverse impact on neighbours' property due to several factors: the position of the units being set low down on the western flank of the host building, the distance between the development site and the neighbouring properties and the fact that the site is very well screened by a fence.
- 6.4.9 Given the separation distance between the application site and orientation other neighbouring dwellings, the addition of the units, when viewed from the side boundaries would have no significant impact on neighbours in terms of loss of light or outlook and would accord with Policy DP26.

### **Other matters**

## **6.5 Drainage**

- 6.5.1 The Site is in Flood Zone 1 which has the lowest risk of fluvial flooding.

## 7 Planning Balance and Conclusion

- 7.1 Section 38(6) of the Town and Country Planning and Compulsory Purchase Act 2004 places a statutory duty on LPAs to determine planning applications in accordance with the development plan unless material planning considerations indicate otherwise.
- 7.2 National guidance states that plans and decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the NPPF provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 7.3 The scheme would meet the relevant design criteria for commercial properties and would enable the current business to continue to thrive. The design and impacts from the installation of the units would not be detrimental to visual or residential amenity.
- 7.4 The development is therefore considered to be in accordance with local and national planning policies and requirements, particularly in regard to paragraph 38 of the NPPF, which states that local planning authorities should approach decision-making in a positive and creative way and advises that they should use the full range of planning tools available, seeking to approve applications to sustainable development where possible.
- 7.5 As such, we trust that this application can now be considered favourably.
- 7.6 For the reasons set out above the scheme accords with adopted local plan policies and national guidance documents.

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