

# Planning Statement

Including  
Affordable Housing Statement



DETAILED PLANNING APPLICATION

BY

MERROW WOOD

(Burleigh Lane Crawley Down Ltd)

RELATING TO

LAND AT BURLEIGH LANE,

CRAWLEY DOWN

RH10 4JZ

June 25

Our Ref: JE/21/40

01689 836334  
enquiries@replanning.co.uk  
www.replanning.co.uk

**Robinson Escott Planning LLP,**  
Downe House, 303 High Street, Orpington, Kent BR6 0NN

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## **APPENDICIES**

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APPENDIX 2 -	APPEAL DECISION – 15 WOODLANDS CLOSE
APPENDIX 3 -	APPEAL DECISION – LAND OFF WOODLANDS CLOSE
APPENDIX 4 -	LEAP EVIDENCE

## **1.0 INTRODUCTION**

1.1 This Planning Statement has been prepared on behalf of Merrow Wood (Burleigh Lane, Crawley Down Ltd) to support a detailed planning application in respect of proposed residential development on land at; Burleigh Lane, Crawley Down, RH10 4JZ. The site comprises Allocated Site SA22 in the Site Allocations DPD 2022, together with numbers 9 and 11 Woodlands Close, Crawley Down.

1.2 The application is a detailed application which seeks full planning permission for;

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

### **Submission Documents**

1.3 This Planning Statement has been prepared following a full review of the assessments and survey work that has been undertaken as part of the preparation of the application proposal. The supporting assessments and documents accompanying the application are;

- **Design and Access Statement – Fluid London**
- **Air Quality Assessment – EPS Consulting**
- **BNG Statement – Urban Edge Environmental Consulting**
- **Preliminary Ecological Assessment – Urban Edge Environmental Consulting**
- **Protected Species Report – Urban Edge Environmental Consulting**
- **Flood Risk Assessment (including foul sewage and surface water drainage assessment) – Herrington Consulting**
- **Heritage and Archaeology Statement – RPS Consulting**
- **Landscape and Visual Assessment – Landscape Perspectives**

- **Noise Impact Assessment – Venta Acoustics**
- **Transport Statement (Including Phase One RSA) – Motion Consulting**
- **Energy and Sustainability Assessment – Blue Sky Unlimited**
- **Tree Survey and Arboricultural Assessment – ACD**
- **Planning Obligations Instruction Form - REP**

- 1.4 The application is supported by a full pack of architectural drawings of the proposed development that have been prepared by Fluid London
- 1.5 The full pack of drawings that are submitted demonstrate that a high quality scheme of up to 48 dwellings can be accommodated on the site in full compliance with National and Development Plan policy.
- 1.6 This Planning Statement has been prepared following a detailed inspection and analysis of the site and surrounding area, a detailed review of relevant planning history and a detailed review of National policy as set out in the National Planning Policy Framework 2024 and Development Plan Policy as set out in the Mid-Sussex District Plan 2018 and the Mid-Sussex Site Allocations DPD 2022.
- 1.7 Regard has also been had to the draft Mid-Sussex District Plan Review although little or no weight can be given to the draft plan at this stage, as it is still at Examination and may be withdrawn or found to be unsound.

### **Summary of Conclusions**

1.8 The conclusions of this Planning Statement are that, in summary;

- ***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 purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the Development Plan unless material considerations indicate otherwise.***
- ***The Development Plan for Mid Sussex comprises the Mid Sussex District Plan 2018 and the Site Allocations DPD 2022.***
- ***The Development Plan allocates the application site for residential development with an indicative capacity of 50 units and subject to certain criteria being met. The application scheme comprises 48 units and respects and complies with all of the criteria set out in policy SA22. Accordingly, planning permission should be granted unless there are other material considerations that indicate otherwise.***
- ***The application proposal would deliver 48 new dwellings with 15 of those dwellings being for affordable housing. As Mid Sussex District Council currently cannot demonstrate a 5-year housing land supply, this is a planning benefit to which substantial weight must be given.***
- ***The application proposal would deliver a scheme of high-quality design and layout which has been landscape led, and which would provide landscape corridors that connect the scheme to surrounding residential development and to the facilities in Crawley Down. This is a further benefit of significant weight.***
- ***The application proposal would create a managed and sustainable drainage system involving the existing water course that would be a benefit to surrounding residents in relation to mitigating future flood risk.***

- *The development would deliver social and community benefits in terms of contributions to infrastructure with such contributions being at the level set out in the draft District Plan.*
- *The development would also deliver benefits in terms of providing local jobs in the short term, stimulating the local economy and supporting growth. Thus, the scheme would achieve the economic, social and environmental objectives set out in paragraph 8 of the Framework and would, therefore, comprise sustainable development.*
- *The application proposal adjoins and is within the setting of Burleigh Cottage, a Grade II Listed Building. There would be less than substantial harm to the setting of the Listed Building and such harm would be at the low end of the spectrum. The public benefits identified above would clearly outweigh this less than substantial harm.*
- *Taking all relevant factors into account, there are no other material considerations that would indicate a decision in this case contrary to the Development Plan. Accordingly, planning permission should be granted for the application proposal.*

## **2      BACKGROUND TO THE APPLICATION**

- 2.1      The application site is an allocated site, site SA22, in the Site Allocations DPD 2022. A copy of the site allocation is attached as **Appendix 1** of this Statement.
- 2.2      The site was indicated to come forward in years 1-5 of the Plan, have an indicative capacity of 50 dwellings and be served by access from Sycamore Lane.
- 2.3      Since the adoption of the Plan, Merrow Wood have engaged with landowners and stakeholders in Sycamore Lane, which forms part of a recent housing development to the north of the site. However, access from Sycamore Lane has not been able to be achieved for legal reasons. Accordingly, the proposed development would now be served from an access onto Woodlands Close.
- 2.4      The current application has evolved and been formulated on this basis and the acceptability of this means of access, as outlined in more detail following, has been confirmed through pre-application discussions with the Highway Authority, West Sussex County Council.
- 2.5      Engagement with Mid- Sussex District Council has also taken place through the pre-application process and the current scheme incorporates advice provided by appropriate Council officers, again as indicated in more detail later in this statement.



### **3      THE APPLICATION SITE AND SURROUNDING AREA**

- 3.1      The site is located at the south-eastern edge of the sizeable settlement of Crawley Down. It immediately abuts the settlement boundary of Crawley Down. The site is in a reasonably sustainable and accessible location within easy walking and cycling distance of shops and local facilities in Station Road and Old Station Close.
- 3.2      The site is bounded by Burleigh Lane to the south and by new housing development in Sycamore Lane and Hornbeam Place to the north.
- 3.3      The western boundary of the site borders Woodlands Close, a cul-de-sac of detached and semi-detached bungalows and houses that would appear to date from the 1980's. It also part borders the curtilage of Burleigh Cottage, a Grade II Listed Building.
- 3.4      To the east of the site is a substantial detached dwelling called Sarane Lodge with a variety of outbuildings within its curtilage.
- 3.5      The western half of the site comprises an area of mainly open scrubland. There are boundary trees and hedges around the boundaries of the site. The eastern part of the site is divided from the western half of the site by a mature tree belt which runs from Ash Tree Street in the north to Burleigh Lane in the South. To the east of the tree belt the site is further subdivided into two smaller parcels of land separated by a belt of trees. One of these parcels is open scrubland with the other occupied by a range of partly derelict buildings.
- 3.6      The land slopes gently downwards from Burleigh Lane in the south to Sycamore Lane in the north.
- 3.7      Aerial images of the site together with an assessment of the context of the surrounding area are contained in the Design and Access Statement prepared by Fluid London.

- 3.8 A comprehensive set of photographs of the site are also contained in the Design and Access Statement prepared by Fluid London.



#### **4      RELEVANT PLANNING HISTORY**

- 4.1      Planning permission was refused in 1977 for a single storey dwelling for a horticultural worker on part of the eastern section of the site.
- 4.2      Planning permission was refused in 1980 for the erection of an agricultural manager's bungalow in the extreme south-west corner of the site fronting onto Burleigh Lane.
- 4.3      In 1999 a Lawful Development Certificate was granted for storage and the maintenance of vehicles and plant on that part of the site known as 'The Croft', on which there are a collection of buildings currently.
- 4.4      A subsequent application in 2000 for the erection of three detached houses on the land at The Croft was refused.
- 4.5      Although there is there is other planning history of some antiquity relating to the eastern part of the site, this has no relevance to the current proposal.
- 4.6      There is no other planning history relating to the site other than a proposed overhead power line crossing the site from north to south in respect of which no objection was raised by the Council.
- 4.7      To the north of the site in Sycamore Lane is a new housing development that was allowed on appeal in June 2013. (12/00672/OUT). Although the issues before the Inspector, which related to the effect of the proposed development on the Ashdown Forest SPA and the absence of a S106 agreement, were resolved prior to the Local Inquiry, and this resulted in the Council withdrawing its objection to the proposal, the Inspector nonetheless concluded that the development would cause very little harm to the countryside and that the site was a sustainable and accessible location for residential development as it was 300m from the village centre where future residents would have ready access to a number of shops and

facilities, to the Worth Way that would provide walking and cycling access to Crawley and East Grinstead and also that the bus and rail services are available within a reasonable distance.

- 4.8 For ease of reference, a copy of the appeal decision is attached at **Appendix 2** to this Statement.
- 4.9 A further new housing development to the north of the site in Hornbeam Place was allowed on appeal in August 2014. (13/03312/OUT). The Inspector in this decision concluded that there would be some harm to the character and appearance of the area by virtue of the transitional location of the site but that the visual impact of the scheme would be limited. In the absence of any unacceptable harm, the Inspector concluded that the substantial weight to be given to the provision of market and affordable housing meant that any adverse impacts were not significantly and demonstrably outweighed.
- 4.10 For ease of reference, a copy of the appeal decision is attached at **Appendix 3**.

#### **Development Plan History**

- 4.11 The application site was promoted for development through the Site Allocations Development Plan Document and was subsequently included as a draft allocation in the submission draft. As part of the Examination of the draft Plan, a Statement of Common Ground was entered into between Merrow Wood and Mid Sussex District Council which confirmed that Sycamore Lane was the preferred access but that Woodlands Close also provided a safe and convenient means of access that would be able to deliver the whole of the proposed allocation. Main modification 21 specified the preferred access to be via Sycamore Lane.
- 4.12 The Inspector found the draft Plan to be sound and it was duly adopted in June 2022 with the application site allocated as site SA22 – Land north of Burleigh Lane, Crawley Down.

## **5      PRE-APPLICATION ADVICE**

- 5.1      Following adoption of the Site Allocations DPD, the applicant pursued negotiations with the landowners in the new development to the north of the site regarding the provision of access from Sycamore Lane. As the access crossed land not within the ownership or control of Merrow Wood, agreement was required to facilitate the access. However, the offers that were made to secure the access were rejected by the landowners and further progress was not able to be completed within a reasonable time frame. The applicants, therefore, sought to secure the alternative access from Woodlands Close.
- 5.2      In order to ensure that access from Woodlands Close would be acceptable from a highways point of view, pre-application advice was sought from West Sussex County Council and a pre-application meeting was undertaken, which was led by the applicants Highways Consultants, Motion Transport Consultants. As explained in the Transport Statement accompanying this application, West Sussex County Council confirmed that the proposed Woodlands Close access was acceptable from a highways point of view and was suitable to serve the whole of the allocation. On this basis, Merrow Wood secured control of the access.
- 5.3      A pre-application submission was subsequently made to Mid Sussex District Council in October 2024. Following a constructive virtual meeting on the 16<sup>th</sup> December, the Councils formal pre-application advice was issued on the 17<sup>th</sup> January 2025. (MSCD ref: DM/24/2743).
- 5.4      Whilst the pre-application advice is relatively lengthy, the key points can be summarised as follows;
- **PRINCIPLE** – Development is specifically supported under Site Allocation DPD policy SA22 which has a number of criteria that are set out. Subject to compliance with the criteria the principle of development would be considered acceptable

- **DESIGN AND CHARACTER** – The new access point is wide enough with landscaping and trees dotted along it. The layout sensibly locates open space pockets and mostly adopts a perimeter block layout that potentially could include houses that address the streets and spaces and provide secure rear gardens. It mostly achieves well designed streets with a good level of enclosure and avoids parking dominated streets.

A number of specific points were made regarding individual units and how these might be revised in order to deliver improvements, particularly in the perimeter block containing plots 24 – 33 and in relation to the creation of a landscaped buffer zone to the Listed Building to the West.

- **HERITAGE** – Development on the site will have a fundamental impact on the character and setting of Burleigh Cottage and Burleigh Lane. In order to mitigate, as far as possible, the harm caused by the proposal, a sufficiently sized landscaped buffer of open space between the Listed Building and the new development should be provided. The development should include the introduction of landscaped buffers to protect the semi-rural character of Burleigh Lane.
- **NEIGHBOUR AMENITY** – The separation distance between the proposed dwellings and the existing surrounding neighbouring properties reflect those within the locality and are sufficient to ensure that significant harm would not be caused to the amenities of neighbouring occupiers.
- **FUTURE OCCUPIERS** – New dwellings should meet the Nationally Described Space Standards.

- **HIGHWAYS, PARKING AND ACCESS** - Whilst the proposed access differs from the site allocation, no objection has been raised in principle by the Highway Authority.
- **INFRASTRUCTURE CONTRIBUTIONS** – A number of contributions will be required which would include a requirement to provide a LEAP.
- **AFFORDABLE HOUSING** – 30% of the development will need to be for affordable housing which should be split 25% first homes and 75% social or affordable rent, including a wheelchair accessible unit. The breakdown in mix and tenure was set out by the Housing Enabling Manager.

- 5.5 Additional comments were made regarding contributions in respect of the Ashdown Forest SPA, Ecology and Biodiversity.
- 5.6 Discussions have continued with the Council regarding the provision of a LEAP. Further evidence was submitted to the Council as to why a local area of play (LAP) was more appropriate given the proximity of other LEAPs nearby. This evidence is set out at **Appendix 4**.
- 5.7 As a result of this further evidence, the Council has confirmed that an onsite LAP with financial contributions towards neighbouring play facilities would be acceptable.



## 6 THE APPLICATION PROPOSAL

6.1 The proposal is a detailed planning application for development as set out below,

**Outline application with all matters reserved except means of access and layout, for the demolition of numbers 9 and 11 Woodlands Close together with the demolition of all other existing buildings on the site and the erection of 48 dwellings (Use Class C3) with open space, landscaping, car parking and associated infrastructure including provision of internal access roads and access road onto Woodlands Close.**





- 6.2 **The Design and Access Statement** produced by Fluid London explains fully the details of the application proposal. The proposal involves the erection of 48 dwellings to the east of Woodlands Close and to the north of Burleigh Lane, Crawley Down. The development involves the demolition of numbers 9 and 11 Woodlands Close as well as the demolition of other outbuildings and structures currently on the site.
- 6.3 The proposed layout enables the provision of substantial landscaped buffer strips on either side of the new access road so as to safeguard the amenity of adjoining properties at numbers 7 and 13 Woodlands Close. This would also result in a significant spatial enhancement in that 9 Woodlands Close currently extends up to its flank boundary while 11 Woodlands Close has only a 1m side space.
- 6.4 The layout involves 2 distinct areas of housing on either side of the water course and tree belt that extends from north to south and divides the site. Within the 2 housing areas the scheme comprises a mixture of detached, semi-detached and maisonette style apartments, largely of two storeys and with parking either on curtilage or in small, discrete parking courts.
- 6.5 The layout has been landscape led with the central water course and tree belt forming a key feature of the scheme, a feature which also allows connectivity through from Burleigh Lane in the south to Sycamore Lane and beyond to the north.
- 6.6 The layout is respectful of the rural character of Burleigh Lane with substantial landscaped buffers along the southern boundary to provide an appropriate transition from the settlement to the open land to the south. Substantial landscaped open space is also provided in the southwest of the site in order to provide a setting and buffer to the adjacent Listed Building at Burleigh Cottage.
- 6.7 Additional landscape features designed into the scheme include SuDs basins/water features which would adjoin the housing development to the north. Pedestrian connectivity through these areas forms part of the layout.

- 6.8 The development will deliver high quality open space within the scheme. A play area is proposed adjacent to the landscaped watercourse buffer through the central part of the site whilst the SuDS features would also provide areas of informal open space. The sizeable landscape buffers along the southern boundary would also contribute to a leafy setting for the development. All of the proposed new dwellings would have reasonably sized private garden areas.

#### **Affordable Housing Statement**

- 6.9 Policy DP31 of the District Plan relates to affordable housing. The policy states that the Council will seek the provision of minimum of 30% of onsite affordable housing for all residential developments providing 11 dwellings or more. The affordable housing should have a mix of tenure which would normally be 75% social or affordable rent with the remaining 25% for intermediate homes.
- 6.10 The Affordable Housing Supplementary Planning Document – July 2018 provides more detailed information on the affordable housing requirements for on and off site provision.
- 6.11 Paragraph 66 of the NPPF states that where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs. The definition of major development in the NPPF is 10 dwellings or more.
- 6.12 Accordingly, there is a National and Development Plan policy requirement for the provision of affordable housing on the application site.
- 6.13 The application proposal will provide 31% affordable housing, 15 units in total, comprising a mixture of 1 and 2 bedroom apartments and 2 and 3 bedroom houses. The housing mix and tenure has been formulated as a result of advice provided at the pre-application stage by the Council's housing officer.

6.14 The dwelling mix of the proposed affordable housing is shown below.

## DEVELOPMENT SCHEDULE

PROJECT FL24-2191 Land North of Burleigh Lane  
CLIENT Merrow Wood  
DATE May-25  
REV E

Plot	Ref	Beds	House GIA		Garage GIA	
			Sq.m	Sq.ft	Sq.m	Sq.ft
1	M4(3)	2	112	1,201	0	0
2	APT	2	74	801	0	0
3	2B-079	2	80	859	0	0
4	2B-079	2	80	859	0	0
5	2B-079	2	80	859	0	0
6	2B-079	2	80	859	0	0
40	3B-096	3	96	1,038	0	0
41	3B-096	3	96	1,038	0	0
42	APT	1	56	600	0	0
43	APT	1	61	659	0	0
44	APT	1	56	601	0	0
45	APT	2	81	873	0	0
46	APT	2	72	772	0	0
47	APT	2	80	862	0	0
48	APT	1	56	601	0	0

6.15 The proposed affordable housing would comprise units 1-6 and 40 – 48 inclusive. The units are sited in the northern and eastern parts of the site. The layout and distribution of the affordable housing is illustrated in the Design and Access Statement.

6.16 The tenure split is further illustrated in the table below.

## DEVELOPMENT SCHEDULE

PROJECT FL24-2191 Land North of Burleigh Lane  
CLIENT Merrow Wood  
DATE May-25  
REV E

Plot	Ref	Beds	House GIA		Garage GIA		Tenure
			Sq.m	Sq.ft	Sq.m	Sq.ft	
1	M4(3)	2	112	1,201	0	0	affordable rent M4(3)
2	APT	2	74	801	0	0	first homes
3	2B-079	2	80	859	0	0	affordable rent
4	2B-079	2	80	859	0	0	affordable rent
5	2B-079	2	80	859	0	0	affordable rent
6	2B-079	2	80	859	0	0	affordable rent
7	4B-113CT	4	114	1,224	0	0	
8	3B-110	3	111	1,192	0	0	
9	3B-110	3	111	1,192	0	0	
10	4B-135	4	135	1,457	19	200	
11	3B-110CT	3	110	1,184	19	200	
12	3B-110CT	3	110	1,184	19	200	
13	3B-108	3	109	1,172	19	200	
14	4B-160CT	4	161	1,731	19	200	
15	4B-135	4	135	1,457	19	200	
16	4B-135	4	135	1,457	19	200	
17	3B-110CT	3	110	1,184	19	200	
18	3B-108	3	109	1,172	19	200	
19	3B-110CT	3	110	1,184	19	200	
20	3B-110	3	111	1,192	0	0	
21	3B-110	3	111	1,192	0	0	
22	3B-110	3	111	1,192	0	0	
23	4B-122CT	4	123	1,323	19	200	
24	4B-135	4	135	1,457	19	200	

25	4B-160CT	4	161	1,731	19	200	
26	3B-114	3	115	1,233	19	200	
27	3B-114	3	115	1,233	19	200	
28	4B-160CT	4	161	1,731	19	200	
29	3B-108	3	109	1,172	19	200	
30	3B-110CT	3	110	1,184	19	200	
31	3B-114	3	115	1,233	19	200	
32	3B-114	3	115	1,233	19	200	
33	4B-160CT	4	161	1,731	19	200	
34	4B-122CT	4	123	1,323	19	200	
35	4B-122CT	4	123	1,323	0	0	
36	APT	2	73	782	0	0	
37	4B-113CT	4	114	1,224	0	0	
38	3B-110	3	111	1,192	0	0	
39	4B-113CT	4	114	1,224	0	0	
40	3B-096	3	96	1,038	0	0	affordable rent
41	3B-096	3	96	1,038	0	0	affordable rent
42	APT	1	56	600	0	0	affordable rent
43	APT	1	61	659	0	0	affordable rent
44	APT	1	56	601	0	0	affordable rent
45	APT	2	81	873	0	0	first homes
46	APT	2	72	772	0	0	first homes
47	APT	2	80	862	0	0	first homes
48	APT	1	56	601	0	0	affordable rent
Total			5,126.4	55,181		4,391	

Total Mix		
Bed	No.	%
1 Bed	4	9
2 Bed	10	23
3 Bed	20	45
4 Bed	14	32

Affordable Houses ft2

12,480

Private Houses ft2

42,700

6.17 Accordingly, the application proposal complies with both National policy and also policy DP31 of the District Plan.

## **7 PLANNING POLICY CONSIDERATIONS**

### **National Planning Policy Framework 2024**

- 7.1 The main purpose of the NPPF (The Framework) is to help achieve sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are inter-dependent and need to be pursued in mutually supportive ways;

**An economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support the growth, innovation and improved productivity; and by identifying and co-ordinating the provision of infrastructure;

**A social objective** – to support 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 by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and culture well-being;

**An environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 7.2 The presumption in favour of sustainable development is set out at paragraph 11 of the Framework. For decision taking this means:

**d) 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 protects areas or assets of particular importance<sup>7</sup> 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.**

7.3 Mid Sussex is currently unable to demonstrate a five-year housing land supply. It was agreed in relation to a recent appeal that the housing shortfall is significant. (APP/D3830/W/24/3350075 – Land at Scamps Hil, Lindfield.) . Accordingly, planning permission should be granted unless adverse impacts significantly and demonstrably outweigh the benefits.

7.4 Paragraph 12 advises that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. Where an application conflicts with an up-to-date Development Plan (including any Neighbourhood Plans that form part of the Development Plan) permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan but only if material considerations in a particular case indicate that the plan should not be followed. The application proposal relates to a site that is allocated for development in the Development Plan

**Delivering a sufficient supply of homes**

- 7.5 Paragraph 61 confirms that, to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.
- 7.6 Paragraph 72 states that planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability, and likely economic viability.
- 7.7 Paragraph 73 states that small and medium-sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes.

**Making effective use of land**

- 7.8 Paragraph 124 states that planning decisions should promote an effective use of land in meeting the need for homes.
- 7.9 Paragraph 130 states that where there is an existing shortage of land for meeting identified housing needs, it is especially important that planning decisions ensure that developments make optimal use of the potential of each site.



**Achieving well-designed places**

- 7.10 Paragraph 131 confirms that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.
- 7.11 Paragraph 135 advises that planning 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.
  - f) Create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

### **Promoting sustainable transport**

- 7.12 Paragraph 110 states that the planning system should actively manage patterns of growth. Significant development should be focused on locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes.
- 7.13 Paragraph 113 states the maximum parking standards for residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network or for optimising the density of development in city and town centres and other locations that are well served by public transport.
- 7.14 Paragraph 116 confirms that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

### **THE DEVELOPMENT PLAN**

- 7.15 The Development Plan comprises the Mid-Sussex District Plan 2018, the Site Allocations Development Plan Document 2022 and the Crawley Down Neighbourhood Plan 2015.

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

- 7.16 Whilst the site is currently outside of the built-up area of Crawley Down as defined in the District Plan, Policy DP6 states that outside defined built-up area boundaries, the expansion of settlements will be supported where
1. The site is allocated in the District Plan, a Neighbourhood Plan or subsequent Development Plan Document

2. The site is contiguous with an existing built-up area of the settlement and
3. The development is demonstrated to be sustainable including by reference to the settlement hierarchy.

- 7.17 It is worth noting that the site was proposed to be included within the settlement boundary in the Draft District Review.
- 7.18 Policy DP26 requires all development to be well-designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside.
- 7.19 Policy DP30 relating to housing mix requires new housing development to provide a mix of dwelling types and sizes and reflects current and future local housing needs.
- 7.20 Policy DP31 states that the Council will seek the provision of a minimum of 30% onsite affordable housing for residential developments of 11 dwellings or more.

### **Site Allocations DPD 2022**

- 7.21 Site Allocation SA22 relates specifically to the application site and the policy is set out at **Appendix 1**. Policy SA Gen sets out general principles for site allocations. These general principles relate to
- **Urban design**
  - **Landscape considerations**
  - **Social and community**
  - **Historic environment and cultural heritage**
  - **Air quality/noise**
  - **Biodiversity and green infrastructure**
  - **Highways and access**
  - **Flood risk and drainage**

- **Contaminated land**
- **Utilities**

**Crawley Down Neighbourhood Plan (2015)**

- 7.22 There are no policies in the Crawley Down Neighbourhood Plan that have not been superseded by more recent Development Plan policy.

**OTHER MATERIAL CONSIDERATIONS**

**Draft Mid-Sussex District Plan Review**

- 7.23 The District Plan Review is currently at Examination with the Stage 1 Hearings having been completed. On the 2<sup>nd</sup> June 2025, the Council published a letter from the Inspector setting out her findings that the Council has failed in its Duty to Cooperate and inviting the Council to withdraw the plan from Examination. If not she will write a report of her conclusions with the clear indications that the plan will be found to be unsound.
- 7.24 In the circumstances, no weight can be attached to the policies of the Draft District Plan review.

**National Design Guide**

- 7.25 The National Design Guide was published by the Ministry of Housing, Communities and Local Government in 2019. The Guide illustrates how well-designed places that are beautiful, enduring, and successful can be achieved in practice. It forms part of the Government's suite of Planning Practice Guidance.
- 7.26 The National Design Guide sets out ten characteristics which will contribute to good design. Well-designed places have individual characteristics which work together to create its physical

distinctiveness. The ten characteristics in the National Design Guide help to nurture and sustain a sense of community and work to positively address environmental issues affecting climate change. They all contribute towards the cross-cutting themes for good design set out in the NPPF.

7.27 So far as the application proposal is concerned, paragraph 43 in relation to context is particularly relevant. It advises that well designed places do not need to copy their surroundings. It is appropriate to introduce elements that reflect how we live today to include innovational change such as increase in densities.

7.28 With regard to built form, paragraphs 64 and 65 advise that well designed new development makes efficient use of land with an amount and mix of developments that optimises density. Built form is determined by good urban design principles that combine layout, form and scale in a way that responds positively to context. The appropriate density will result from the context, accessibility, proposed building type, form, and character of the development.



## **8      PLANNING MERITS**

- 8.1      As policy SA22 of the Site Allocations DPD sets out the key considerations in respect of the proposed development of the current application site, the following assessment of the merits scheme is structured so as to address these considerations.

### **Urban Design Principles**

- 8.2      The submitted layout and design of the scheme has evolved from a thorough understanding and analysis of context as well as a thorough assessment of site constraints. The manner in which this has been undertaken is explained fully in the Design and Access Statement from Fluid London.
- 8.3      The submitted layout has been designed such that the higher density development is towards the northern part of the site and also along the western boundary. This higher density development relates, therefore, to the existing settlement pattern to the west and north of the site. The lower density areas are to the south and east of the site in order to form a transition to open land beyond. The pre-application advice relating to landscaped buffer areas has been incorporated into the scheme with an extensive landscape buffer along the southern boundary to Burleigh Lane which also then wraps around the southwestern part of the site in order to respect the setting of Burleigh Cottage.
- 8.4      The submitted layout carries forward the perimeter block approach that was endorsed through the pre-application discussions. Houses have positive active frontages onto proposed estate roads other than where the layout cannot sensibly achieve this such as where the two terraced buildings address the play area and landscaped open space running through the middle of the site. Indeed, it is this emphasis on landscape and the importance placed on the natural features that link the different component elements of the scheme together. The landscaped areas that are proposed as part of the scheme provide both internal connections



within the site as well as connecting the existing settlement with Burleigh Lane. These routes through the scheme as well as the other proposed open spaces are defined by both existing tree belts and new tree planting.

- 8.5 The connectivity of the site with Crawley Down is delivered through new pedestrian and cycle links not just from the new development but also Burleigh Lane.
- 8.6 The proposed buildings would largely be of 2 storeys but with some 2.5 storey buildings interspersed within the scheme to provide both visual interest and also to provide specific points of reference such as the view to the east along the main spine road. The buildings would all be of traditional design utilising traditional materials.
- 8.7 The scheme embodies good urban design principles combining layout, form and scale in a way that responds positively to context and the resultant density of the scheme would be entirely in keeping with the overall character of this part of Crawley Down. As such, the scheme complies with the guidance set out in the National Design Guide and paragraph 135 of the Framework. The scheme would not conflict with policy DP26 of the District Plan or the Urban Design Principles set out in SA22.
- 8.8 Policy DP30 of the District Plans requires a mix of dwelling types and sizes within new development to reflect current and future local housing needs. The application proposal has a range of 2,3, and 4 bedroom units with a mix of apartments, terraced and detached houses. The scheme would comply, therefore, with policy DP30.

**Landscape Considerations.**

- 8.9 A detailed analysis and assessment of landscape matters has been undertaken by Landscape Perspectives and the details of the analysis are set out in the **Landscape and Visual Assessment undertaken by Landscape Perspectives**

- 8.10 The LVA assesses the landscape baseline conditions in relation to land use, access, topography and land form, existing vegetation and other factors. The LVA concludes that the site only has a moderate landscape sensitivity and value with a medium landscape capacity.
- 8.11 In relation to the visual baseline conditions, the visual envelope is very limited to due the nature of the local landscape and intervening vegetation on the boundaries.
- 8.12 The assessment of both landscape of both landscape and visual affects concludes that the changes are localised in extent. The development would result in the temporary loss of a number of localised features and would also result in a change to views but new planting and mitigation will provide for enhancement in terms of an enhanced water course which will act as a green corridor, two SuDs ponds providing a landscape buffer on the northern boundary, ecological buffer zones to the west and south which will be managed and sown with coarse grasses and wildflowers. Overall, the design of the scheme has been led by landscape considerations such the application proposal will deliver a high quality, sustainable development with minimal adverse landscape and visual effects, supported by appropriate mitigation.
- 8.13 As such, there will be compliance with policy DP12 of the District Plan

### **Social and Community Considerations**

- 8.14 Policy SA22 states that a locally equipped accessible play space (LEAP) that is inclusive to the local community should be provided. This requirement was based on the indicative capacity of the allocation for 50 dwellings. Appendix 2 of the Development Infrastructure Contributions SPD states that children's playing space is normally expected to be provided on site for developments of 50 homes or more.
- 8.15 The application proposal is now for 48 dwellings and has been designed to incorporate a local area of play (LAP) but, because of the requirement in policy SA22, the proposal is also to make



a contribution to nearby facilities. Evidence has been provided to the Council as to the availability of other LEAPS within a 400m walk distance of the application site. The Council has indicated that, on this basis, there would be compliance with the requirements with SA22 in respect of this particular aspect.

- 8.16 In the circumstances, the application proposal would comply with the requirements of policy SA22 and also DP24 of the District Plan.

### **Heritage**

- 8.17 Burleigh Cottage which abuts the southwest corner of the application site is a Grade II listed building. The listing entry is;

*“C17. Two storeys. Two windows. Ground floor painted brick, above faced with tarred weatherboarding. Tiled roof with pentice to west. Casement windows. Large modern gabled porch. Tall brick end stack. “*

- 8.18 Burleigh Cottage faces onto Burleigh Lane but has a sizeable side garden which forms part of its setting. The proposed development alters the appearance of the site and so represents a change within the setting of the Heritage Asset. As a consequence, and in accordance with the advice provided by the Council at pre-application stage, a Heritage Statement has been prepared by RPS Consulting and accompanies the application. The Built Heritage Statement has been prepared in accordance with paragraph 207 of the National Planning Policy Framework which requires that;

*“In determining applications, Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”*

- 8.19 As a result of intervening distance, the application site is not considered to form part of the setting of any other Heritage Asset and the Heritage Statement, therefore, focuses solely on Burleigh Cottage.
- 8.20 The conclusion of the Heritage Statement is that the proposed development will not remove or notably alter any existing opportunity to appreciate the intrinsic architectural or historic interest of Burleigh Cottage from which this building primarily derives its significance. The proposed development represents a limited erosion of the general edge of settlement or semi-rural wider setting of the Listed Building, which contributes positively to its significance in a limited way, and with which it has a historical functional relationship.
- 8.21 The Heritage Statement identifies that there would be a low degree of less than substantial harm as no element of the buildings intrinsic architecture or historic interest will be changed, or any ability to appreciate those interests lost.
- 8.22 The proposed development will be screened from those spaces on Sandhill Lane and Burleigh Lane from which Burleigh Cottage is appreciated by substantial intervening wooded spaces. No change will occur to the positive contribution of the Listed Building to the streetscene.
- 8.23 The Heritage Statement concludes that, following the demolition of the other buildings of the former Sandhillgate Farm, which has left Burleigh Cottage as an isolated survival, the legibility of the buildings past farmstead use is derived only from documentary sources. The proposed development will not further erode the legibility of this element of the buildings historic interest.
- 8.24 In accordance with paragraph 215 of the Framework, this low level of “less than substantial harm” should be weighed against the public benefits of the proposed development.
- 8.25 Policy SA22 requires appropriate mitigation through the provision of a landscape buffer of open space between the development and Burleigh Cottage and also a landscape buffer to

protect the rural character of Burleigh Lane. Both of these landscape buffers have been designed into the scheme.

- 8.26 The public benefits of the application proposal are weighed later in this Planning Statement but it can reasonably be concluded that the application proposal would not conflict with policy DP34 of the District Plan.

**Air Quality**

- 8.27 The application is accompanied by an **Air Quality Assessment** that has been prepared by EPS Consulting.
- 8.28 The report identifies the application site as having good air quality and there are no declared management areas by Mid Sussex District Council requiring improvement.
- 8.29 A slight adverse impact has been identified during the construction phase but these impacts can be managed through good site practices and the implementation of a Construction and Environmental Management Plan.
- 8.30 A slight adverse impact has also been identified from the development itself in that some new sources of air pollution could be introduced mainly to the area around the new access point. However, Crawley Down currently has good air quality and this is not a particular issue or barrier to development.
- 8.31 In the circumstances, there are no air quality objections to the application proposal.

**Ecology, Biodiversity and BNG**

- 8.32 A **Preliminary Ecological Appraisal** has been undertaken by Urban Edge Environmental Consultants and accompanies the application.
- 8.33 The PEA confirms that the majority of the site is of moderate ecological value. Constraints were identified during the preliminary assessment and further ecological surveys and impact assessments were recommended.
- 8.34 These further ecological surveys and impact assessments have been carried out and are reported separately in the Protected Species Report which also accompanies the application.
- 8.35 In relation to biodiversity net gain (BNG) a baseline survey has been undertaken and a BNG Assessment has been completed. The BNG Assessment also is submitted to accompany the application. The recommendations to achieve the statutory requirement are matters that can be secured with appropriate conditions.

**Arboriculture**

- 8.36 A full **Arboricultural Survey** has been undertaken by ACD Environmental Consultants and this has informed the application layout. As a consequence, all of the Category A trees are to be retained and protected throughout the development. Only two Category B trees and two Category B groups are to be removed. The majority of the trees proposed for removal are either Category C or U and are not of a quality that represents any constraint to development.
- 8.37 The Arboricultural Impact Assessment concludes that the development proposals are in accordance with BS5837: 2012 "Trees in relation to design, demolition and construction." Adequate protection can be provided to ensure that all retained trees are protected throughout the development in the form of barrier and/or ground protection.

- 8.38 The result will be a scheme that has a sylvan setting with retained trees, particularly the central feature through the middle of the site, forming an integral part of the development.
- 8.39 The proposed development would comply, therefore, with policy DP37 of the District Plan.

**Transport and Highways**

- 8.40 Motion Transport Consultants have prepared a detailed **Transport Statement**. This has been prepared following Pre-Application discussions with the Highway Authority, West Sussex County Council.
- 8.41 In particular, given the terms of policy SA22, it was considered important firstly to establish whether access from Woodlands Close would be acceptable. As detailed in the Transport Statement, the Highway Authority confirmed the suitability of the proposed access in highway terms and raised no objection.
- 8.42 The site has been assessed in terms of its sustainability and the Transport Statement concludes that the site is well located to be accessed by sustainable modes of travel, reducing the reliance on the private car, due to its accessibility to nearby bus stops within a reasonable walk distance with connections to East Grinstead railway station. Furthermore, the local area of the site benefits from established pedestrian infrastructure offering access to a wide range of local amenities.
- 8.43 In relation to parking, the proposed development would provide a total of 111 spaces which is in accordance with the West Sussex parking standard. In relation to servicing and refuse collection, this will be done from the internal access road within the site. Communal bin stores will be provided for the proposed flats adjacent to the internal access road whilst residents occupying the houses will have individual bins or designated bin stores. All bin stores will be located with an acceptable distance for both residents and bin collection personnel.

- 8.44 The Transport Statement concludes, therefore, that the application proposal makes provision for safe and suitable access for private cars, emergency vehicles, pedestrians and cyclists and integrated with the existing highway network. Appropriate car parking and servicing provision is incorporated into the scheme in accordance with relevant standards.
- 8.45 Traffic from the proposed development has been assessed. The analysis indicates that there would be in the order of 50 person movement during the AM peak of which 38 would be vehicular. During the PM peak the development could generate approximately 41 person movement of which 32 would be vehicular. It is considered that the majority of development related traffic would head towards Station Road utilising either Hophurst Lane or Sandy Lane to access the A264. The volume of vehicular trips expected to be generated by the proposed development is not considered to be significant and would have a minimal impact on the operation of the local highway network.
- 8.46 In accordance with policy SA22, the Transport Statement sets out a sustainable transport strategy, how the development integrates with the existing network and how the development will provide safe and convenient routes for walking, cycling through the development and linking with existing networks. Of significant benefits are the new pedestrian routes through the development which will provide connectivity from Burleigh Lane to shops and public transport within Crawley Down.
- 8.47 Accordingly, the application proposal would accord with policy SA22 in this regard and would also comply with policy DP21 of the District Plan.

### **Flood Risk and Drainage**

- 8.48 Policy SA22 recognises the existing surface water flow paths across the site and requires a Flood Risk Assessment to inform the layout and any necessary mitigation measures. The surface water drainage design should minimise run off to adjacent land and to incorporate sustainable urban drainage.

- 8.49 Policy DP41 of the District Plan also seeks to ensure that development is safe across its lifetime and does not increase the risk of flooding elsewhere. Sustainable drainage systems should be implemented in all new developments. These SuDs features should be sensitively designed and located to promote enhanced landscape, to improve biodiversity and provide good quality spaces that improve public amenity, where possible.
- 8.50 A **Flood Risk Assessment** has been prepared by Herringtons Consulting and is submitted in support of the application. The FRA incorporates extensive survey work including modelling of the water course.
- 8.51 The FRA notes that the development is situated in Flood Zone 1 and is a development type that is classified as being more vulnerable. For such a combination of risk and vulnerability, the Framework does not require the exception test to be applied. However, given the size of the development, the FRA examines the impact of all sources of flood risk on the development.
- 8.52 The FRA demonstrates that the development will not increase flood risk elsewhere and by incorporating appropriate mitigation measures and SuDs features within the design of the surface water drainage system, it will be possible to limit the impact in respect of surface water runoff.
- 8.53 It is concluded that the occupants of the development will be safe and the development will not increase the risk of flooding elsewhere.
- 8.54 Moreover, the SuDs features have, as policy DP41 requires, been sensitively designed and are located where they would provide an attractive landscape buffer to housing to the north in sycamore lane. The SuDs features will improve biodiversity and provide good quality landscaped space that will improve public amenity. The scheme complies with policy DP 41.

**Sustainability and Energy**

- 8.55 Policy 39 of the District Plan relates to sustainable design and construction. The policy seeks to ensure that new development minimises energy use through the design and layout of the scheme, explores opportunities for efficient energy supply and uses renewable sources of energy.
- 8.56 An **Energy and Sustainability Statement** has been prepared by Bluesky Unlimited to support the application. The statement includes an energy demand assessment showing which selected energy efficiency, low carbon and renewable measures have been considered and which could be incorporated into the development.
- 8.57 The Statement demonstrates how the building will exceed the requirements of the Building Regulations Part L (2021) and policy DP39. Exhaust air heat pumps will be installed to the apartments and air source heat pumps will be installed to the houses. All space heating and hot water will be provided to the buildings from renewable technologies and all systems will be fuelled by electricity so that, as the National Grid decarbonises, so the homes will become zero carbon.
- 8.58 The Energy and Sustainability Statement has utilised the “Be Lean, Be Clean and Be Green” Hierarchy and demonstrates, in addition to policy DP39 of the District Plan, how the scheme would also accord with policy DP42 regarding water infrastructure.
- 8.59 The overall conclusion of the Statement is that there would be a reduction of 62% in carbon emissions, water efficiency measures will minimise water consumption and the scheme would achieve Government objectives regarding sustainability and energy efficiency.



**Acoustic Assessment**

- 8.60 A **Noise Impact Assessment** has been prepared by Venta Acoustics. This has involved measurement and assessment of the current environmental noise climate on the site.
- 8.61 The baseline conditions established following the noise survey demonstrated that the noise climate is largely quiet and tranquil. The primary noise sources were birdsong and animal noise, with air traffic from Gatwick Airport and road traffic distantly audible.
- 8.62 Predicted internal noise levels in the development would be well below the limits set out in Guidance. External noise levels would be below the level expected to cause moderate annoyance.
- 8.63 The conclusion of the assessment is that the proposed scheme is considered acceptable for proposed residential use and achieves suitable noise levels without any acoustic specification for glazing or ventilation being required. Suitable noise levels will also be achieved in gardens without mitigation.

**Summary of Supporting Reports**

- 8.64 The comprehensive survey and assessment work that has been undertaken in relation to the application proposal demonstrates that there would be no significant adverse impacts that would result from the scheme which would clearly outweigh the benefits that would flow from the provision of well designed, high quality housing on the application site.

## **9      OVERALL CONCLUSIONS AND THE PLANNING BALANCE**

- 9.1      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 purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 9.2      The Development Plan for Mid Sussex comprises the Mid Sussex District Plan 2018 and the Site Allocations DPD 2022.
- 9.3      The Development Plan allocates the application site for residential development with an indicative capacity of 50 units and subject to certain criteria being met. The application scheme comprises 48 units and respects and complies with all of the criteria set out in policy SA22. Accordingly, planning permission should be granted unless there are other material considerations that indicate otherwise.
- 9.4      The application proposal would deliver 48 new dwellings with 15 of those dwellings being for affordable housing. As Mid Sussex District Council currently cannot demonstrate a 5 year housing land supply, this is a planning benefit to which substantial weight must be given.
- 9.5      The application proposal would deliver a scheme of high quality design and layout which has been landscape led and which would provide landscape corridors that connect the scheme to surrounding residential development and to the facilities in Crawley Down. This is a further benefit of significant weight.
- 9.6      The application proposal would create a managed and sustainable drainage system involving the existing water course that would be a benefit to surrounding residents in relation to mitigating future flood risk.
- 9.7      The development would deliver social and community benefits in terms of contributions to infrastructure with such contributions being at the level set out in the draft District Plan.

- 9.8 The development would also deliver benefits in terms of providing local jobs in the short term, stimulating the local economy and supporting growth. Thus, the scheme would achieve the economic, social and environmental objectives set out in paragraph 8 of the Framework and would, therefore, comprise sustainable development.
- 9.9 The application proposal adjoins and is within the setting of Burleigh Cottage, a Grade II Listed Building. There would be less than substantial harm to the setting of the Listed Building and such harm would be at the low end of the spectrum. The public benefits identified above would clearly outweigh this less than substantial harm.
- 9.10 Taking all relevant factors into account, there are no other material considerations that would indicate a decision in this case contrary to the Development Plan. Accordingly, planning permission should be granted for the application proposal.