

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0317	Case Officer:	Andrew Watt
Application Type:	Permission in Principle		
Proposal:	A phased development of up to 9 self build dwellings.		
Site:	Glebelands Field, Lodge Lane, Bolney, West Sussex, , , ,		
Validation Date	11 Feb 2026	Overall Expiry Date:	10 Mar 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	18 Mar 2026
Target Date:	18 Mar 2026	Recommending Officer Signature:	<i>Andrew Watt</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	61
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Signed and Agreed By:	<i>Steven King</i>	Date:	18 Mar 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0317

**Glebelands Field, Lodge Lane, Bolney, West Sussex, , ,
A phased development of up to 9 self build dwellings.
Mr John Rowley**

SUMMARY OF REPRESENTATIONS

59 letters of objection:

- Inappropriate for such development
- Outside built-up area
- Rural character of the area would be changed
- Harm to setting of High Weald National Landscape
- Disconnected from village's historic pattern
- Harm to setting of nearby listed buildings and Conservation Area
- Unsustainable location
- Few public transport options available
- Reliance on car
- No safe access
- Blind bends
- No footpaths or street lights to reach local services
- Infrastructure and utilities at capacity
- Self-build does not override policy protections
- Proposal exceeds local demand for self-build properties in Bolney
- Loss of wildlife habitat

SUMMARY OF CONSULTEES

WSCC Highways

No objection.

NatureSpace Partnership - West Sussex Newt Officer

Whilst we do not have any comments to make at this stage, the proposed development occurs in the red impact risk zone. Therefore, as part of any future application, it is recommended that information regarding the suitability of the site to support great crested newts is obtained to rule out any impacts as part of the proposal.

Southern Water

Condition recommended.

TOWN / PARISH COUNCIL OBSERVATIONS

Bolney Parish Council objects to this planning application:

1. The site was assessed and rejected by MSDC as a possible site for allocation in the District Plan Review currently at Examination stage;
2. The site is located in open countryside outside the built-up area boundary of the village of Bolney and the proposals therefore conflict with Policies DP6, DP12 and DP15 of the MSDC District Plan, and with Policies BOLBB1 and BOLE2 of the Bolney Neighbourhood Plan;
3. The site is isolated from the centre of the village and is located in an area of low landscape capacity;

4. The site abuts the northern part of the Bolney Conservation Area and two Listed Buildings. Any development would therefore be within the setting of the Conservation Area and the Listed Buildings contrary to Policy DP34 of the District Plan and Policy BOLD1 of the Bolney Neighbourhood Plan;

5. The northern boundary of the site abuts the boundary of the High Weald National Landscape. Any development on site would be within the setting of the High Weald and would therefore conflict with Policy DP16 of the District Plan and Policy BOLE2 of the Neighbourhood Plan;

6. A development of 9 houses on the site would double the number of residential properties currently located on Lodge Lane. The Parish Council is concerned that the promoter of the site has failed to demonstrate that safe vehicle access can be achieved onto Lodge Lane, a narrow, single track road with two 'blind' right hand bends immediately to the east of the proposed site access point;

7. Further, there is no pedestrian pavement or cycle track on Lodge Lane, nor the space to create one. Pedestrians from the site would have no option but to walk along Lodge Lane, raising serious concerns about pedestrian safety; and

8. The site is in an unsustainable location. Due to the distance of the proposed site to the village centre and the lack of pedestrian pavements and cycle track on Lodge Lane, the Parish Council is concerned that residents of the development will be heavily reliant on the private car to meet their daily needs which will result in an increase in traffic movements on the nearby rural and narrow lanes. The proposal therefore conflicts with Policy DP21 of the District Plan and Policy BOLT1 of the Bolney Neighbourhood Plan.

In summary, for the reasons outlined above, Bolney Parish Council strongly objects to this planning application.

INTRODUCTION

The application seeks Permission in Principle for a phased development of up to 9 self-build dwellings on land at Glebelands Field, Lodge Lane, Bolney.

RELEVANT PLANNING HISTORY

None relevant.

SITE AND SURROUNDINGS

The 0.95 ha site consists of part of a larger field parcel in Bolney between Lodge Lane to the south, public footpath BOL/42Bo/1 to the north and dwellings on The Street to the east. It is contiguous with none of these and retains a gap of between approximately 6m and 30m to the adjoining land. To the south are two dwellings along Lodge Lane (Glebelands and Morningside); to the east are properties on Tythe Barn (7,8,9 and 10) and The Field House and The Thatched House off The Street; and to the north adjacent to the public footpath are Weald Chase and High Gables. Access is gained to the site from Lodge Lane and land levels slope down from north to south, by approximately 5m.

In planning policy terms, the site is located wholly within the countryside and within a Great Crested Newt - Impact Risk Zone (Red, Amber and Green). A small part of the site to the south is at risk of surface water flooding (low risk). The built-up area of Bolney runs alongside the rear boundary with properties on Tythe Barn, and the Bolney Conservation Area includes The Thatched House. This property is a Grade II listed building. Land to the north-west of the public footpath is within the High Weald Area of Outstanding Natural Beauty.

APPLICATION DETAILS

The application seeks Permission in Principle for a phased development of up to 9 self-build dwellings on land at Glebelands Field, Lodge Lane, Bolney.

As a 'Permission in Principle' application, no detailed layout, form or design of the proposed dwellings, or landscaping details are provided. All such relevant details would be provided and confirmed at the technical details stage. A location plan detailing the red line of the application site has been provided.

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.

Using this as the starting point, the development plan for this part of Mid Sussex consists of the Mid Sussex District Plan, Site Allocations Development Plan Document (DPD) and the Bolney Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Practice Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan (Mar 2018)

The Mid Sussex District Plan 2014-2031 was adopted at Full Council on 28 March 2018.

Relevant policies:

Policy DP4: Housing
Policy DP6: Settlement Hierarchy
Policy DP12: Protection and Enhancement of Countryside
Policy DP15: New Homes in the Countryside
Policy DP17: Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)
Policy DP21: Transport
Policy DP26: Character and Design
Policy DP34: Listed Buildings and Other Heritage Assets
Policy DP35: Conservation Areas
Policy DP37: Trees, Woodland and Hedgerows
Policy DP41: Flood Risk and Drainage

Site Allocations DPD

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

There are no relevant policies.

Bolney Neighbourhood Plan (Sep 2016)

Mid Sussex District Council formally 'made' the Bolney Neighbourhood Plan part of the Local Development Plan for the Parish of Bolney as of 22 September 2016. The policies contained therein carry full weight as part of the Development Plan for planning decisions within Bolney.

Relevant policies:

Policy BOLBB1: Built-up Area Boundary
Policy BOLE1: Protect and Enhance Biodiversity
Policy BOLE2: Protect and Enhance the Countryside
Policy BOLD1: Design of New Development and Conservation
Policy BOLT1: Transport Impact of Development
Policy BOLT3: Off-street parking provision for new developments

Other Legislation

Countryside and Rights of Way (CROW) Act 2000

Planning (Listed Buildings and Conservation Areas) Act 1990

Other Material Considerations

Mid Sussex District Plan 2021-2039 - Submission Draft (Regulation 19)

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021-2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and the Stage 1 hearings were concluded on 31 October 2024. There are unresolved objections to some of the Policies in the draft District Plan and as such, only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant policies:

DPS4: Flood Risk and Sustainable Drainage
DPN4: Trees, Woodland and Hedgerows
DPC1: Protection and Enhancement of the Countryside
DPC3: New Homes in the Countryside
DPC6: Ashdown Forest SPA and SAC
DPB1: Character and Design
DPB2: Listed Buildings and Other Heritage Assets
DPB3: Conservation Areas
DPT1: Placemaking and Connectivity
DPT3: Active and Sustainable Travel
DPT4: Parking and Electric Vehicle Charging Infrastructure
DPH1: Housing
DPH2: Sustainable Development - Outside the BUA
DPH6: Self and Custom Build Housing

Mid Sussex Design Guide Supplementary Planning Document (Nov 2020)

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 4 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 Planning Policy Framework (NPPF) (Dec 2024)

The National Planning Policy Framework (NPPF) 2024 is a material consideration and paragraphs 8 (overarching objectives), 11 (presumption in favour of sustainable development), 12 (status of development plan), 39 (decision-making), 48 (determining applications), 96 (achieving healthy, inclusive and safe places and beautiful buildings), 109 (promoting sustainable transport), 115, 116, 117 and 118 (highways matters), 131 and 135 (design), 136 (trees), 166, 167 and 168 (sustainability), 181, 182 (flood risk), 187 (conserving and enhancing the natural environment), 193 (biodiversity and ancient woodland), and 202-221 (heritage assets) are considered to be relevant to this application.

National Planning Practice Guidance

Permission in Principle

ASSESSMENT

Issued in support of the Town and Country Planning (Permission in Principle) (Amendment) Order 2017, the Ministry of Housing, Communities and Local Government Guidance on Permission in Principle (published 28 July 2017 updated March 2019) sets out matters within the scope of a decision, which are limited to: 'location, land use and amount of development' (NPPG Paragraph: 012 Reference ID: 58-012-20180615).

The application should take into consideration issues relevant to these 'in principle' matters; other matters should be considered at the technical details stage. A decision on whether to grant a permission in principle must be made in accordance with relevant policies in the development plan unless there are material considerations, such as those in the NPPF and National Guidance, which indicate otherwise.

This means that matters such as siting, design, scale, accessibility, impact on neighbouring occupiers or impact on trees, biodiversity, flood risk and drainage cannot be considered at this stage. They would, however, be considered at the technical details stage instead.

The application as submitted contains a location plan denoting the extent of the application site along with an application form, a planning statement and self-build statement.

As per planning legislation, a decision must be made in accordance with the development plan unless there are any material planning considerations which indicate otherwise.

Paragraph 232 of the NPPF clarifies that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

Paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development, and states:

'For decision-taking this means;

c) approving development proposals that accord with an up-to-date development plan without delay;
or

d) where there are no relevant development policies, or the policies which are most important for the determining the application are out-of-date, granting planning permission unless;

i. The application of policies within this Framework that protect areas of assets of particular importance provides a strong reason for refusing development proposed; or

ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes, individually or in combination.'

Footnote 7 of paragraph 11(i) clarifies that the policies referred to are those in this Framework (rather than those in development plans) and relate to habitats sites (and those and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets and other heritage assets of archaeological interest; and areas at risk of flooding or coastal change.

Footnote 8 of paragraph 11 clarifies that for applications involving the provision of housing, in situations where the local planning authority cannot demonstrate a five year land supply of delivery housing sites (with an appropriate buffer) or where the Housing Delivery Test indicates that delivery of housing has been substantially below (less than 75%) of the housing requirement for the last three years, then relevant policies for the supply of housing should be considered out-of-date.

Having regard to the above, while the Council has performed excellently in respect of the Housing Delivery Test, a new standard method formula was published alongside the NPPF which gives Mid Sussex a significantly higher housing requirement than the current District Plan. As a result, and having regard for the need for an appropriate buffer, the Council is unable to demonstrate a five year supply of deliverable housing sites as per the requirements of paragraph 78 of the NPPF.

In light of the above, this development needs to be considered in the context of the presumption in favour of sustainable development. If a development is found to be sustainable, that would weigh heavily in favour of granting permission in the paragraph 11(d) balance. If however the development is not found to be sustainable, that is not the end of the matter; the Local Planning Authority still need to go through

the weighing up process between the positive benefits of the scheme against any harm that may be caused, having particular regard for the key policies indicated in paragraph 11(d)(ii).

As part of this process, the weight to be given to development plan policies will need to be assessed against the degree of conformity with the NPPF.

Policies DP4 (Housing) and DP6 (Settlement Hierarchy) are relevant to this application. These policies are considered to be policies relating to the supply of housing and as such can be considered to be out of date, having regard to the NPPF tests. As such, these policies can be given limited weight in the determination of the application.

Policy DP12 (Protection and Enhancement of the Countryside) seeks to protect the intrinsic character and beauty of the countryside. Whilst it does seek to restrict certain forms of development, it is not considered to be a policy directly related to the supply of housing, however it is recognised that given the Council's is unable to demonstrate a five year land supply and given the aim of the NPPF to boost significantly the supply of housing, the weight that can be afforded to this policy is moderate.

Policy DP15 (New Homes in the Countryside) identifies the types of new homes that will be permitted in the countryside, where special justification exists. While this policy relates to the provision of housing, the aims are consistent with paragraphs 82 - 84 of the NPPF and as such this policy can be given full weight.

Therefore, the key test that must be undertaken when assessing this application is as set out within paragraph 11(d) of the NPPF.

Taking each of the matters for consideration in order:

Location

The application site is designated as being within the countryside. Policy DP12 of the District Plan refers to the protection of the countryside and states in part that:

'The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

*- it is necessary for the purposes of agriculture; or
- it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.'*

The development proposes to erect up to 9 self-build houses on the land and is not for agricultural purposes.

Policy DP6 of the District Plan states in part that:

'The growth of settlements will be supported where this meets identified local housing, employment and community needs. 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 or where the proposed development is for fewer than 10 dwellings; and*
- 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.'*

The site is not contiguous with the existing built-up area of Bolney nor is it allocated.

Policy DP15 of the District Plan refers to new homes in the countryside and sets out special justifications where new homes would be permitted:

'Provided that they would not be in conflict with Policy DP12: Protection and Enhancement of the Countryside, new homes in the countryside will be permitted where special justification exists. Special justification is defined as:

- Where accommodation is essential to enable agricultural, forestry and certain other full time rural workers to live at, or in the immediate vicinity of, their place of work; or*
- In the case of new isolated homes in the countryside, where the design of the dwelling is of exceptional quality and it enhances its immediate setting and is sensitive to the character of the area; or*
- Affordable housing in accordance with Policy DP32: Rural Exception Sites; or*
- The proposed development meets the requirements of Policy DP6: Settlement Hierarchy"*

The proposed development does not meet with the above criteria.

Policy BOLBB1 of the Bolney Neighbourhood Plan states:

'The development of Bolney shall be focused within the Built-up Area Boundary as identified on the Proposals Map and on Map 2.

Development proposals will ordinarily be supported within the Built-up Area Boundary subject to compliance with other policies in the Neighbourhood Plan.

Outside the Built-up Area Boundary, development will not be permitted unless:

it is supported by a specific policy elsewhere in the Neighbourhood Plan or the proposal is in accordance with other planning policies applying to the Parish;
it relates to necessary utilities infrastructure where no reasonable alternative location is available; or
it is necessary for the purposes of agriculture, or some other use that has to be located in the countryside; and
it maintains or where possible enhances the quality of the rural and landscape character of the parish;
and
it takes account of the economic and other benefits of the best and most versatile agricultural land and seeks to use areas of poorer quality land in preference to that of higher quality.'

It is not considered that the proposal is supported by this policy.

There are no other relevant policies in the District Plan, any other development plan documents such as the Site Allocations document, or the Neighbourhood Plan that would explicitly support the residential development of this site. The principle of the application conflicts with the development plan, in terms of what type of development is allowable under policies DP6, DP12 and DP15 of the Mid Sussex District Plan.

Although the proposal would be enclosed by built development to the north, east and south, it would not adjoin it, due to the gap between these properties and the application site. Particularly to the north, where this gap includes a public footpath, such a development would appear at odds with the surrounding development where dwellings are sited directly next to each other rather than separated by gaps in separate ownership. Furthermore, the application site does not reflect a natural subdivision of the existing field, so an artificial boundary would also need to be formed to the west, which would be difficult to blend sympathetically to the semi-rural context in which it sits. Any dwellings and their boundaries would be highly visible on the higher ground from the public footpath and at the point of access onto Lodge Lane. While the design and scale of the dwellings would be considered at the technical consent stage, it is unlikely that the overall development would be sympathetic to its immediate surroundings and would appear contrived and unusual due to the gap between the site and nearby dwellings.

The proposal would also have an adverse impact on the setting of the heritage assets to the north-east, i.e. the Bolney Conservation Area and The Thatched House listed building, which is appreciated by the openness of the land to the south and by the public right of way that adjoins it. Although the development proposal would not adjoin this area, the buffer zone would not be in the control of the applicant and therefore any proposals to screen the site through vegetation would need to be done as

part of the site, reducing its developable area, and would take time to establish and mature. Therefore the harm to the setting of these heritage assets would be a further reason why the location of this site is not deemed acceptable.

As the site would not be able to link to the public footpath to the north and east or to any of the surrounding land, the only access point would be via Lodge Lane to the south, directly onto a blind bend, one of two along this road. There is no footpath or street lights along this road, which would lead towards the village centre, and therefore future occupants would predominantly be reliant on the car to access local services. The site is not sustainable in terms of very limited public transport options.

The site is in an area of (low) surface water flood risk. However, details concerning how the site would be drained if it were to be developed is a matter which would be considered at the technical matters stage. In addition, any other detailed assessment of matters such as the dwelling design, layout, construction materials and neighbouring amenity would be considered at the 'technical details consent' stage should permission in principle be approved.

However, the principle of development is deemed unacceptable in relation to location for the above reasons.

Land use

As noted above the application site is located within the countryside. Previously developed land is defined within the NPPF as:

'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.'

The application site consists of an arable field. It is not considered to be previously developed land as set out under the NPPF.

The proposed residential land use is not considered to be acceptable due to the harm to the character of the surrounding area by way of the loss of part of an existing field.

Amount of development

In relation to amount of development and in the absence of specific national guidance that would undermine this approach, consideration will be given to matters which could render the proposal for 9 dwellings on the site unacceptable in principle.

In the absence of supporting information, the Local Planning Authority and relevant consultees have drawn on the resources available at the time of the application in order to inform their consideration of these matters.

In relation to the size and shape of the plot and its possibility to accommodate 9 dwellings, Policy DP26 of the District Plan relates to character and design and states:

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

- is of high quality design and layout and includes appropriate landscaping and greenspace;

- contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;
- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;
- protects open spaces, trees and gardens that contribute to the character of the area;
- protects valued townscapes and the separate identity and character of towns and villages;
- does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP27);
- 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 BOLE2 of the Neighbourhood Plan states (in part):

'Outside the Built-up Area Boundary, development must demonstrate that it does not have an unacceptable impact on the landscape. In particular, development proposals must demonstrate how they have addressed the requirements of BOLD1 of the Neighbourhood Plan.'

Policy BOLD1 of the Neighbourhood Plan states:

'Planning permission for new development will ordinarily be permitted subject to the following criteria:

It is designed to a high quality which reflects Bolney's rural nature and responds to the heritage and distinctive character by way of:

height, scale, spacing, layout, orientation, design and materials of buildings, and the scale, design and materials of the public realm (highways, footways, open space and landscape); and

It does not have an unacceptable impact on the setting of any heritage asset; and It respects the natural contours of a site and protects and sensitively incorporates well-established natural features of the landscape including trees, species-rich hedgerows and ponds within the site; and It creates a safe, accessible and well-connected environment that meets the needs of its users; and It will not result in unacceptable levels of light, noise, air or water pollution, and Where possible, it provides lock-up facilities for storage of bicycles, children's pushchairs and mobility vehicles to encourage walking and cycling and to assist accessibility.'

Whilst details in respect of scale and design are reserved for the technical details consent stage, it is not clear how a development could be accommodated within this site for 9 self-build plots which are likely to be formed either around or either side of an access road and with fairly uniform plot sizes and layout. This arrangement would likely be visible from Lodge Lane, particularly during the winter months, and unlikely to be softened by vegetation screening.

In relation to the access, a new point of access would be formed just beyond the apex of a blind bend and land continues to rise from the first blind bend to the south heading north through the site. This would be a highly engineered feature that would result in the loss of characteristic vegetation and raised bank.

Whilst local representations in respect of highway safety are noted, the Local Highways Authority at West Sussex County Council has raised no objections to the application in principle, subject to the submission of sufficient information at Technical Details Stage.

In view of the above, it is considered that the amount of development of 9 dwellings on the site is unacceptable in principle.

Other matters

The site is located within a designated Great Crested Newt - Impact Risk Zone (Red). Accordingly the West Sussex Newt Officer has made comments advising that this matter can be dealt with at the technical details stage.

PLANNING BALANCE AND CONCLUSION

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the application to be assessed against the policies in the Development Plan and then to take account of other material planning considerations including the NPPF. The Development Plan in this instance consists of the Mid Sussex District Plan, the Site Allocations Development Plan Document and the Bolney Neighbourhood Plan.

For the reasons set out within the assessment section, it is considered that the application conflicts with Policies DP4, DP6, DP12, DP15, DP21, DP26, DP34 and DP35 of the Mid Sussex District Plan and Policies BOLBB1, BOLE2 and BOLD1 of the Bolney Neighbourhood Plan.

As a result, it is considered that the application conflicts with the development plan when read as a whole. This is not the end point as planning law requires that 'where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise'.

As the Council is currently unable to demonstrate a five year supply of deliverable housing sites, it follows that the relevant policies for the supply of housing from the development plan are out-of date (footnote 8 of paragraph 11 NPPF). As such, reduced weight should be given to these policies.

In these circumstances paragraph 11 of the NPPF provides for a presumption in favour of sustainable development which means that planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole (having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes, individually or in combination), or specific policies in the NPPF that protect areas or assets of particular importance provide a strong reason for refusing the development.

When undertaking the balancing exercise the following benefits, harms and neutral impacts are as follows:

In terms of the scheme's benefits, the proposal would provide up to 9 dwellings. This will contribute towards the District's housing land supply and should be given positive weight. These dwellings have been submitted to be self-build, as defined under the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016). The Act does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals.

The Local Planning Authority must now grant 'suitable development permissions' in respect of enough serviced plots of land to meet the demand for self-build and custom housing building in the authority's area.

Policy DP30 of the Mid Sussex District Plan aims to meet the current and future needs of different groups in the community, including older people, vulnerable groups and those wishing to build their own homes. This could include the provision of bungalows and other forms of suitable accommodation, and the provision of serviced self-build plots.

In addition, paragraph 63 of the NPPF states:

'Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing (including Social Rent); families with children; looked after children; older people (including those who require retirement housing, housing with care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes'.

The NPPG further states that: *'Relevant authorities must give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area.'* (Paragraph: 023 Reference ID: 57-023-201760728).

The proposal to provide self-build dwellings is a material consideration in the determination of the application and would comply with the above policy and guidance and should be given positive weight.

There will be additional positive impacts to the local community, in terms of the local jobs and employment opportunities during construction and increased spending in the local area post-build.

However, the proposal would result in harm to the semi-rural character of the area by way of an artificial field subdivision and replacement with development, which could not be mitigated by screen planting due to the buffer zone/gap to existing properties not being part of the application site. It would be visible from the public right of way and result in harm to the setting of heritage assets.

There would be a neutral impact on the Ashdown Forest.

In weighing up these issues, when taken together, it is considered that the adverse impacts of the development would significantly or demonstrably outweigh the benefits of the proposal.

Accordingly, the application should be refused.

Decision: Refusal

Case Officer: Andrew Watt