



# PLANNING STATEMENT

Erection of 7 new dwellings

July 2025

Site: Malthouse Lane, Hurstpierpoint, West Sussex, BN6 9LA

## CONTENTS

1	INTRODUCTION.....	1
2	SITE CONTEXT .....	3
	Locality Description .....	3
	Application site and immediate street scene.....	8
3	PLANNING HISTORY .....	13
4	DESCRIPTION OF THE PROPOSAL.....	14
5	ASSESSMENT OF THE PROPOSAL.....	15
	PLANNING CONSIDERATIONS .....	15
	PRINCIPLE OF DEVELOPMENT .....	15
	Housing in the Countryside.....	15
	Scale of development – Paragraph 73 of the NPPF.....	16
	STANDARD OF ACCOMMODATION FOR OCCUPANTS (DP27) .....	16
	Internal amenity .....	16
	External amenity.....	18
	ENVIRONMENTAL AMENITY (DP29) .....	18
	IMPACT ON NEIGHBOURING AMENITY (DP26, DESIGN GUIDE SPD) .....	18
	IMPACT ON HIGHWAYS (DM5).....	19
	IMPACT ON LISTED BUILDING (DP34).....	19
	SUSTAINABLE TRANSPORT (DP21) .....	20
	FLOOD RISK (DP41) .....	21
7	BALANCING AND CONCLUSION .....	22

*(NOTE - Use the hyperlinks above and the home icon in the footer to navigate this document)*

## 1 INTRODUCTION

- 1.1 This application relates to land at Malthouse Lane on the western outskirts of Burgess Hill.
- 1.2 The application proposes 7 no. new dwellings, in an attractive rural vernacular style.
- 1.3 The proposal would appropriately optimise the site, utilising most effectively previously developed land while delivering new housing.
- 1.4 The units would offer an excellent standard of occupant amenity and exceed the NDSS.
- 1.5 There would be no harm to neighbouring amenity.
- 1.6 There would be no unacceptable highway impacts.
- 1.7 There are no heritage or ecology sensitivities.
- 1.8 The proposal would enhance and deliver a higher level of biodiversity than the previous approvals.
- 1.9 It is paramount to note that this application presents the opportunity to secure 7no C3 units in the backdrop of a significant shortfall in the Housing Land Supply Position. It is a matter of fact, and not debate, that the Mid Sussex District Plan is 'out of date' – this is in accordance with Paragraph 11d), footnote 8 of the Framework. We also note the existing situation with the proposed Development Plan and pending Judicial Review. It is unlikely that there will be a solution in the near future and as such, the HLS shortfall is likely to be sustained.
- 1.10 The weight attributed to the provision of small / medium scale housing should not be diminished. The spirit and intentions of Paragraph 73 should be considered and 'great weight' should be given to such windfall sites.
- 1.11 The applicant engaged in preapplication discussions with the LPA. All issues raised by the LPA in the preapplication response are suitably addressed herein.
- 1.12 It is also essential to note from the outset that this site benefits from extant permissions and approvals, and as such a fallback position exists in so much that either of these schemes could be built out – not only would both options result in a less attractive form of development, both options would result in more traffic and travel. As such, the proposal now before the Council represents a much more suitable scale of development.
- 1.13 Notwithstanding this, it is an unequivocal situation that the need for housing is substantially greater than employment land.
- 1.14 Further to the above, it is clearly demonstrated herein that the application is fully compliant with local and national policy and should be approved accordingly.

## RELEVANT POLICY

### *Mid Sussex District Plan 2014-2031*

1.15 The following policies from the *Mid Sussex District Plan* are relevant:

- *DP4: Housing*
- *DP5: Planning to Meet Future Housing Need*
- *DP6: Settlement Hierarchy*
- *DP12: Protection and Enhancement of Countryside*
- *DP15: New Homes in the Countryside*
- *DP21: Transport*
- *DP26: Character and Design*
- *DP27: Dwelling Space Standards*
- *DP28: Accessibility*
- *DP29: Noise, Air and Light Pollution*
- *DP30: Housing Mix*
- *DP34: Listed Buildings and Other Heritage Assets*
- *DP37: Trees, Woodland and Hedgerows*
- *DP39: Sustainable Design and Construction*
- *DP41: Flood Risk and Drainage*

1.16 The following adopted SPDs are relevant:

- *Design Guide*
- *Development Infrastructure and Contributions*

### *National Planning Policy Framework (NPPF)*

1.17 The NPPF (February 2025) is of relevance to all planning applications.

## 2 SITE CONTEXT

2.1 The application site is Malthouse Lane, Hurstpierpoint, West Sussex, BN6 9LA.

### *Locality Description*

- 2.2 The site is within a semi-rural location and has a mix of surrounding uses, including residential, agricultural and commercial. The Grade II listed building, Kent's Farmhouse is located approximately 220m to the south of the site.
- 2.3 The site has been cleared and currently has a bed of hardcore throughout. The surrounding trees and hedgerows to the east and south have been preserved.
- 2.4 Malthouse Lane is a rural road that connects to the A273 to the north and becomes College Lane to the south, near Hurstpierpoint.
- 2.5 The site is located on the western side of Malthouse Lane. The site is bordered to the north by the Contego Safety Solutions site, to the west by a battery storage facility, an open field to the south and by Malthouse Lane to the east, which will provide access from the adopted highway. See location plan below.



Above: Location plan

- 2.6 The locality, while semi-rural, contains notable residential development in close proximity to the site. See images below.





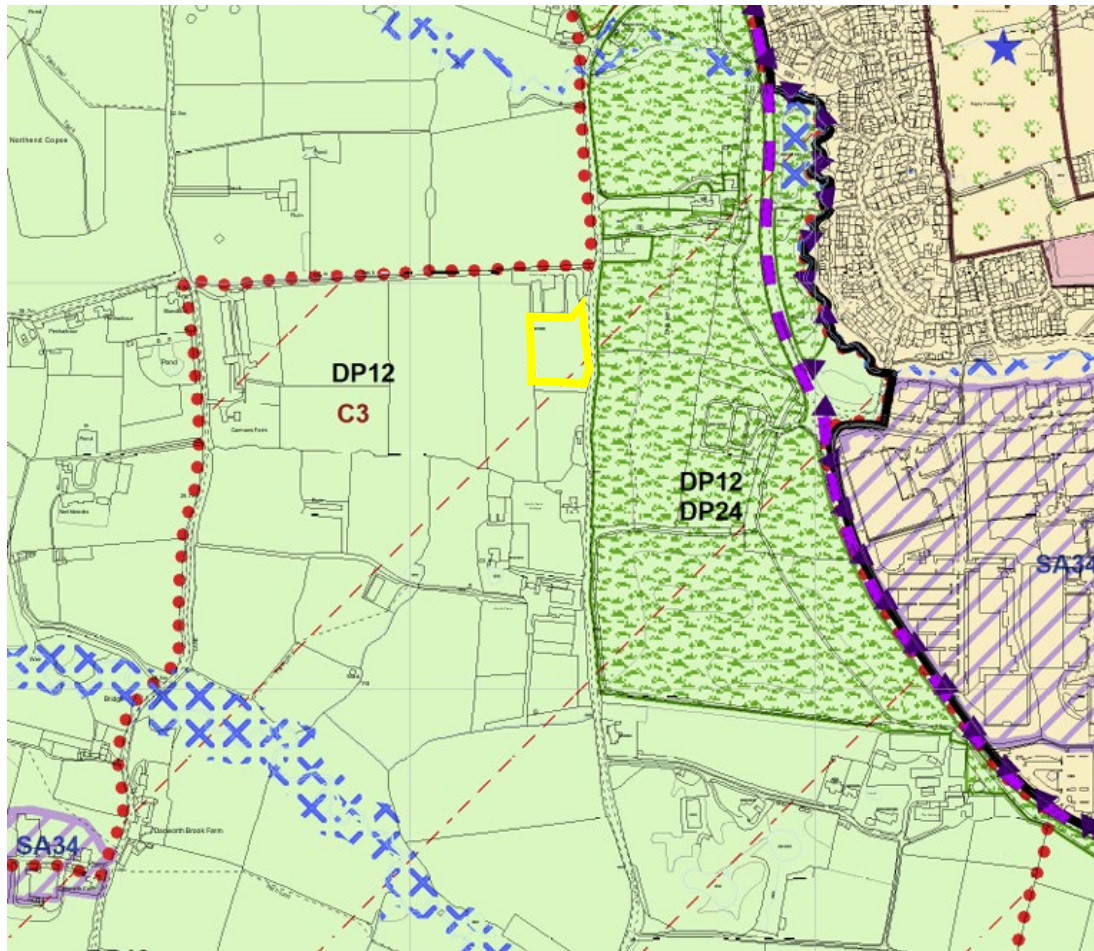
*Above: Residential development (red) to the south of the application site (yellow). (© Google).*



*Above: Residential development (red) to the north of the application site (yellow). (© Google).*

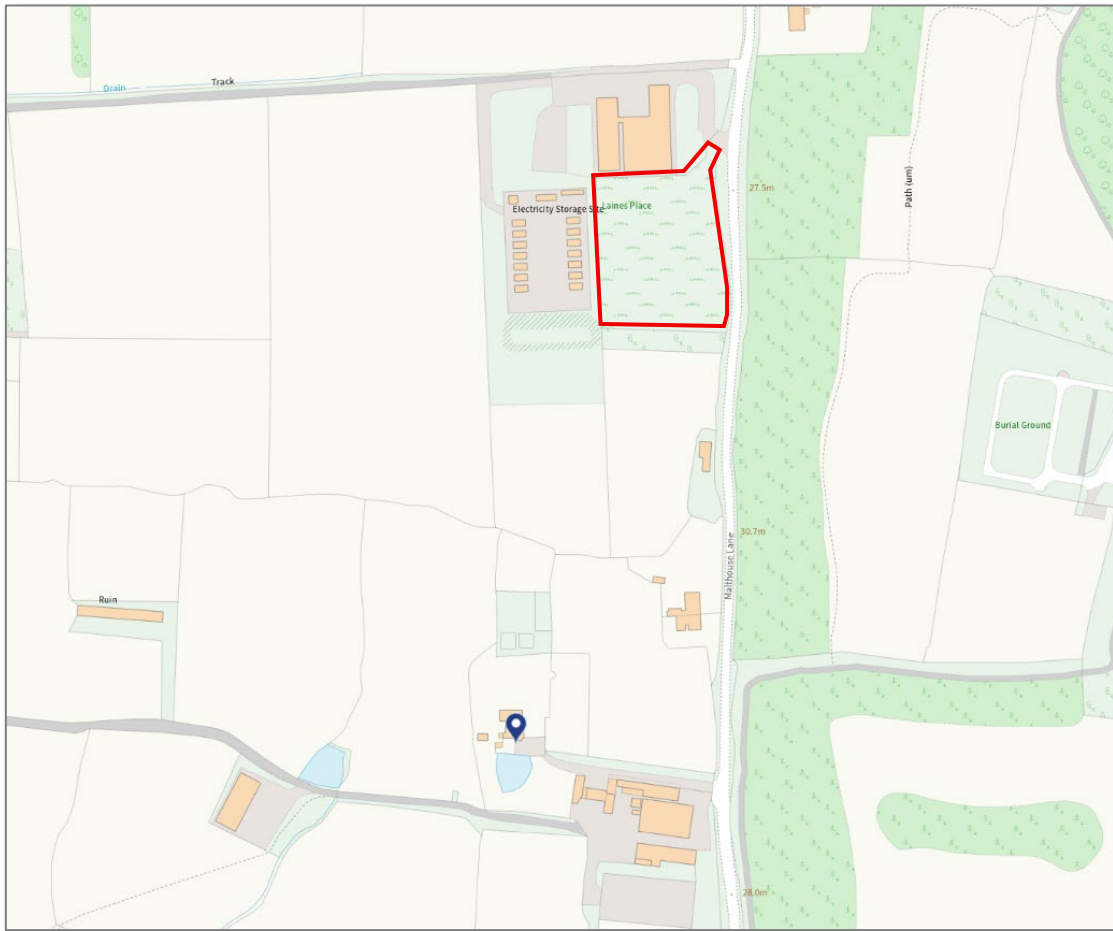


- 2.7 The site is located within the DP12 (Protection and enhancement of countryside) and C3 (Local Gaps and Preventing Coalescence) Planning Policy Zones – see policy map excerpt below.



Above: Policy zone context (site indicated in yellow). (© MSDC).

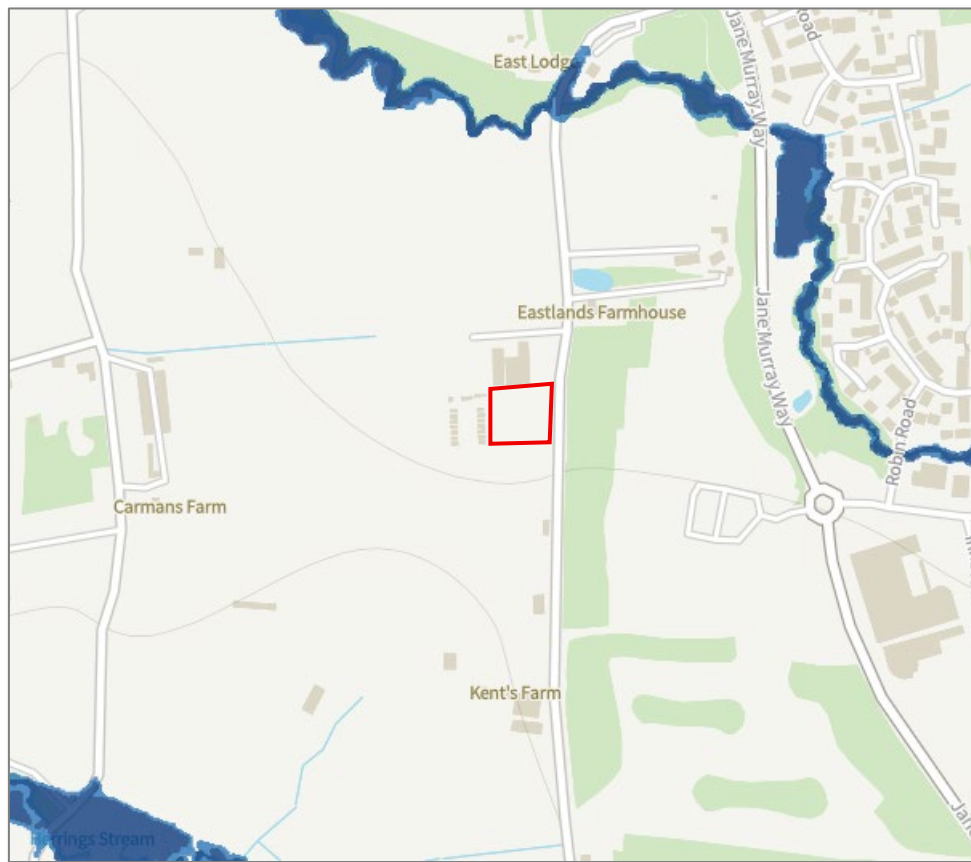
- 2.8 The site is not in a Conservation Area and there are no Article 4 restrictions specific to the locality.
- 2.9 The site is approximately 220m north of the Grade II listed building, Kent's Farmhouse. The application site cannot realistically be perceived within the backdrop of views of the church looking West along Shelley Road, given the distance of separation and the number of intervening trees. This is shown on the map below. As such it is not considered that any public or critical viewpoints of the proposals and the built heritage exist in the same context.



*Above: Listed Buildings (marker) in the vicinity of the application site (red line). (© Historic England).*

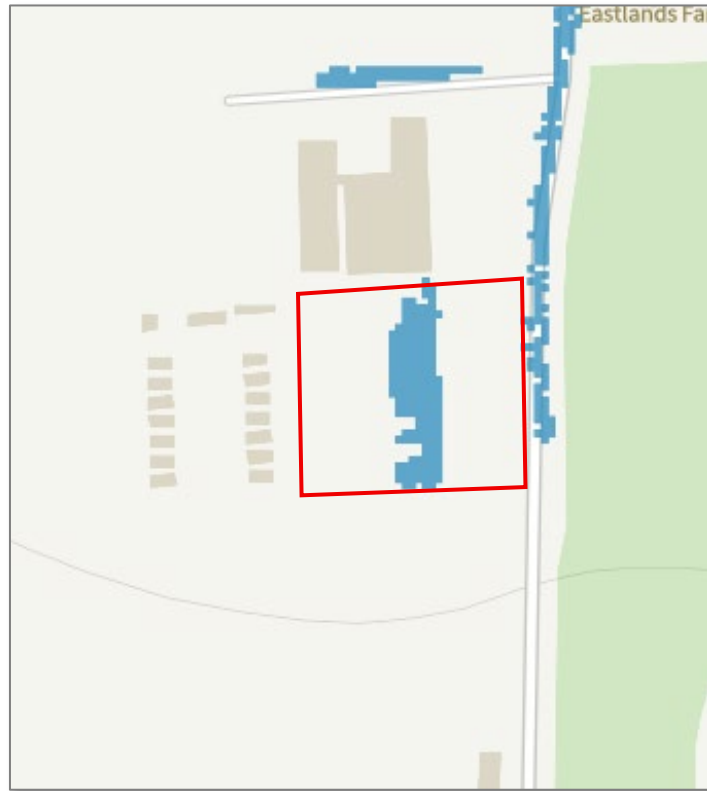
- 2.10 The previous approval for the Class E (Office) building was deemed to be acceptable on this site in terms of its impact on the listed building. It is considered that the current proposal of 7 dwellings would have a significantly lower impact, due to the more broken-down form and dispersed massing of multiple smaller residential units, providing a more sensitive layout that respects the setting and visual prominence of the listed building.
- 2.11 Given the above, the proposal can have no material impact on the setting of the listed building. Heritage impact is therefore not considered any further within this statement. A separate Heritage Statement will also be submitted with the application.
- 2.12 The site is within Flood Zone 1. Therefore, there are no concerns regarding flooding from rivers or the sea (see map below).





*Above: Flood zone context (site indicated). (©gov.uk).*

2.13 There is an area of surface water risk in the centre of the site (see map below).



*Above: Surface water flood risk context (red line). (©gov.uk).*

- 2.14 The proposed drainage strategy includes permeable block paving and 4no. 'Rainsmart Ellipse' soakaway modules with a silt filter trap.

*Application site and immediate street scene*

- 2.15 The site is a brownfield site in a semi-rural location on the western outskirts of Burgess Hill measuring 0.6ha. A large poultry shed was previously housed on the site, which has since been demolished after permission was granted for the office building under planning ref. DM/21/1118.
- 2.16 The site is accessed via Malthouse Lane, which runs on a north south axis. The lane is characterised with long hedgerows and extensive mature planting to both sides.
- 2.17 The immediate area is characterised by residential, commercial and agricultural uses, as evidence by the map and images below.



*Above: Map showing various land uses along Malthouse Lane. (© Google).*





*Above: Viewpoint A – Agricultural use 'Kents Farm'. (© Google).*



*Above: Viewpoint B – Commercial use 'Contego Safety Solutions'. (© Google).*





*Above: Viewpoint C – Residential use 'East Lodge'. (© Google).*



*Above: Viewpoint D – Residential use 'Little Turrets'. (© Google).*





*Above: Viewpoint E – Residential use 'Eastlands Farmhouse'. (© Google).*

- 2.18 The site is well screened by established trees, hedgerows, and vegetation, particularly when approaching along Malthouse Lane from both the north and south, which significantly reduces its visual impact and helps to assimilate the development into its rural surroundings. See images below.



*Above: View of application site when approaching from the north. (© Google).*





*Above: View of application site when approaching from the south. (© Google).*

### 3 PLANNING HISTORY

- 3.1 The planning history of the site is presented below. Attention is drawn to applications which represent extant and existing permissions (07/03319/FUL, DM/21/1118). It is also relevant to note that a restrictive permission regarding delivery was removed (via DM/24/2932).
- 3.2 02/01358/FUL – The Widening of existing entrance way. Approved 26 Nov 2002.
- 3.3 03/00196/FUL – Erection of temporary storage shed for the storage of site/farm maintenance equipment. Approved 27 Mar 2003.
- 3.4 05/02674/FUL – To install temporary accommodation in the form of two portacabins to house staff who will be working on the site during improvement works to the existing B8 building. Planning permission approved. Approved 10 Feb 2006.
- 3.5 06/02207/FUL – To demolish existing building and replace in a similar size and form a building for B1 use. Withdrawn 07 Jan 2008.
- 3.6 07/00230/FUL – Demolition of existing storage shed and proposed extension of existing warehouse to provide additional storage space. Incorporating change of use of part of land. Approved 30 Mar 2007.

- 3.7 07/03319/FUL – Construction of a new building at East Lodge Farm comprising B1 (office) floor space following the demolition of a chicken coop and the removal of a portacabin. Approved 18 Dec 2007.
- 3.8 DM/17/4445 – Lawful Development Certificate for the permission granted under planning reference 07/03319/FUL to remain extant and the continued development of the site as a lawful existing operation. Approved (relevant details included at Appendix NJA/1). Approved 29 Jan 2018.
- 3.9 DM/18/4419 – Proposed construction of Class B1 (Business) building with carpark, new vehicle access and associated landscaping. Approved 06 Sep 2019.
- 3.10 DM/21/1118 – Erection of Class E(g) building to include a mix of office, research and development and industrial processes with carpark, new vehicle access onto Malthouse Lane and associated landscaping. 'Corrected Preliminary Ecological Appraisal received 2 September 2021 and corrected Sustainability Statement received 8 September.' Approved 26 Oct 2021.
- 3.11 DM/24/2932 – Proposed variation of conditions 17 and 18 relating to planning application DM/21/1118 to allow 24 hours access to the site for 365 days a year with no exceptions and deliveries during the night. Approved 17 Apr 2025.
- 3.12 DM/24/2995 - Non Material Amendment to planning application DM/21/1118 - to allow changes to the roof design. Reduction in the number of windows and repositioning of windows. Refused 16 Apr 2025.

#### 4 DESCRIPTION OF THE PROPOSAL

- 4.1 Erection of 7 new dwellings (C3 Residential) and associated parking.
- 4.2 Please refer to the full drawings package and accompanying design and access statement.



## 5 ASSESSMENT OF THE PROPOSAL

### *PLANNING CONSIDERATIONS*

5.1 In this instance, the main planning considerations are:

- Principle of the development (housing in the countryside);
- Standard of accommodation
- Residential amenity
- Environmental amenity (noise, odour, air quality);
- Impact on listed building;
- Sustainable transport;
- Flood risk.

### *PRINCIPLE OF DEVELOPMENT*

#### *Housing in the Countryside*

5.2 The proposal will result in a net gain of 7no new C3 units.

5.3 As a general principle, proposals for residential development in the countryside must be assessed against both national and local planning policy, including policies that seek to protect the character and function of rural areas. Policy DP6 (Settlement Hierarchy) aims to direct growth to the most sustainable locations and limits development outside defined settlement boundaries. Policy DP12 (Protection and Enhancement of Countryside) restricts development in the countryside unless it is necessary for a countryside location and does not undermine the rural character of the area. Policy DP15 (New Homes in the Countryside) sets out the limited circumstances in which residential development may be acceptable beyond settlement boundaries, such as for rural workers or the reuse of rural buildings. Development in such locations must therefore be justified through site-specific circumstances or an identified and supported need.

5.4 Paragraph 11(d) of the NPPF establishes a presumption in favour of sustainable development where relevant policies for the supply of housing are out-of-date. This includes situations where the planning authority cannot demonstrate a five-year supply of deliverable housing land (as per footnote 8).

5.5 While Mid Sussex achieved a Housing Delivery Test (HDT) result of 142% in 2023, indicating strong recent housing delivery performance, the Council is currently unable to demonstrate a five-year housing land supply, with a shortfall equating to approximately 3.38 years. As such, it is considered that the Development Plan policies and the presumption against development in the countryside is out of date and the 'tilted balance' in paragraph 11(d)(ii) is engaged.

- 5.6 The result of this is that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. The proposal for 7 new dwellings would make a meaningful contribution to local housing supply in a district with an acknowledged shortfall. The site is located adjacent to Burgess Hill, offering good connectivity to local services and sustainable transport opportunities, and has been carefully designed to respect the rural character and environmental qualities of the area.
- 5.7 The site is not subject to any restrictive designations listed in footnote 7 of the NPPF (e.g. AONB, Green Belt, SSSI, heritage assets), and there are no overriding technical or environmental constraints. Accordingly, there are no adverse impacts which would significantly and demonstrably outweigh the benefits, and planning permission should therefore be granted in line with the presumption in favour of sustainable development.

*Scale of development – Spirit of Paragraph 73 of the NPPF*

- 5.8 The development is a small/medium windfall proposal. Although outside of the settlement, the weight attributed to such development should not be diminished, and when attributing weight in the balance, the spirit of paragraph 73 should be engaged. The NPPF states;

*‘73. Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:...*

*d) 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.’*

- 5.9 It is noted that the revised wording specifically references small/medium enterprise developers, such as the applicant and the essential role of small/medium sites to housing delivery.
- 5.10 Given all of the relevant context and related planning benefits of this proposal, there is clearly substantial cumulative weight in favour of the proposal.

*STANDARD OF ACCOMMODATION FOR OCCUPANTS (DP27)*

*Internal amenity*

- 5.11 DM27 ‘Dwelling Space Standards’ states the following with regards to internal space standards:

*‘Minimum nationally described space standards for internal floor space and storage space will be applied to all new residential development.’*

5.12 The relevant extract of the tabulated National Standards (NDSS) is presented below.

**Table 1 - Minimum gross internal floor areas and storage (m<sup>2</sup>)**

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

*Above: Extract from the Nationally Described Space Standards.*

6.32 The proposed units are compared against the NDSS below.

Unit	No. of bedrooms	No. of occupants	National standard (m <sup>2</sup> )	Proposed GIA (m <sup>2</sup> )
Plot 1	3	5	93.0	124.0
Plot 2	3	5	93.0	124.0
Plot 3	3	5	93.0	124.0
Plot 4	3	5	93.0	124.0
Plot 5	4	8	124.0	165.0
Plot 6	4	8	124.0	165.0
Plot 7	4	8	124.0	165.0

*Table 1: Proposed unit sizes vs National standards, for comparative purposes*

5.13 The proposed units all exceed the relevant national standards. Regarding plots 1-4, the proposed 124.0m<sup>2</sup> exceeds the 93m<sup>2</sup> indicated as appropriate for a 2-storey 3B5P units. Regarding plots 5-7, the proposed 165m<sup>2</sup> exceeds the 124m<sup>2</sup> indicated as appropriate for a 2-storey 4B8P units. As such, this is a solid indication that the proposal would provide sufficient floorspace to be considered acceptable for residential accommodation.

- 6.33 In terms of bedroom sizes, the national standards require a double bedroom to be at least 11.5m<sup>2</sup> and a single bedroom to be at least 7.5m<sup>2</sup>. The proposed single and double bedrooms in both house types exceed the minimum standards.
- 6.34 The scheme demonstrates a functional arrangement and layout which achieves good functionality and internal amenity levels for future occupants.
- 6.35 Each unit would benefit from generous levels of natural light.

*External amenity*

- 5.14 The units would benefit from significant private external amenity spaces as well as the use of a communal seating area and central courtyard.

*ENVIRONMENTAL AMENITY (DP29)*

- 5.15 Policy DP29 of the Mid Sussex District Plan seeks to ensure that development proposals do not result in, or are not exposed to, unacceptable levels of noise, air or light pollution. This policy is especially relevant for sensitive uses, such as residential development, where the surrounding context includes commercial or industrial uses.
- 5.16 The application site lies adjacent to a commercial unit to the north, currently in use for the sale of safety equipment, and a battery energy storage facility to the west. Both uses are relatively low impact in nature.
- 5.17 The commercial unit operates primarily during normal business hours and is not associated with significant levels of noise, odour or emissions. The battery storage site is a static and unmanned installation, and while it contains equipment that may emit low-frequency operational noise, the facility is set within a secure compound and separated from the proposed residential site by vegetation and landscape buffers.
- 5.18 The proposed layout will ensure that the dwellings are positioned with appropriate separation distances from these operations, with boundary planting and acoustic fencing included as mitigation, where necessary.
- 5.19 Given the absence of heavy industry or traffic-related sources of pollution in the vicinity, the site is considered to offer a suitable environment for residential use. There will be no excessive artificial lighting associated with the development, and any external lighting will be designed to be downward-facing and time-controlled to avoid unnecessary light spill. The proposal therefore complies with the requirements of Policy DP29 and national policy on environmental protection.

*IMPACT ON NEIGHBOURING AMENITY (DP26, DESIGN GUIDE SPD)*

- 5.20 The proposed development is considered to be in compliance with Policy DP26: Character and Design of the Mid Sussex District Plan. This policy requires that new



development respects the character of the area and safeguards the amenity of existing and future residents.

- 5.21 The site is surrounded to the north and west by commercial and utility uses, with no existing residential dwellings in close proximity. This separation ensures that the proposal will not give rise to unacceptable impacts on neighbouring amenity through issues such as overlooking, overshadowing, or loss of privacy. The absence of nearby dwellings also means that the introduction of new homes in this location will not appear incongruous or result in overdevelopment within an established residential area.
- 5.22 Furthermore, the proposed layout of the scheme allows for appropriate spacing between the proposed dwellings, ensuring that issues such as overlooking, overshadowing, or loss of privacy will not arise between the units themselves. Accordingly, the development is capable of integrating into its surroundings without adverse impact and is consistent with the aims of DP26.

#### *IMPACT ON HIGHWAYS (DM5)*

- 5.23 DM5 is also the relevant policy for assessing highways impacts (including parking, journeys by car and road safety) and requires that new developments:
- ‘vi) include a layout and design which: take account of potential users of the site; create safe conditions for access, egress and active travel (walking and cycling) between all locations; provide good links to integrated public transport; and have acceptable parking arrangements (in terms of amount and layout);’*
- 5.24 DM5 viii) further identifies that development should avoid giving rise to *‘vehicular movements resulting in severe cumulative impacts on the road network’*.
- 5.25 There would be no inherent requirement for occupants to require daily use of a private vehicle, given the sustainability of the location and the ready access to public transport (see below and Section 3).

#### *IMPACT ON LISTED BUILDING (DP34)*

- 5.26 A Heritage Statement has been prepared by Landivar Architects in support of this application. The statement provides a detailed assessment of the potential impact of the proposed development on the Grade II listed Kent’s Farmhouse, located in the wider setting of the site.
- 5.27 The assessment concludes that, due to the intervening distance, the presence of mature vegetation, and the lack of any direct visual or functional relationship between the site and the listed building, the proposal will not give rise to any harm to the setting, character or significance of Kent’s Farmhouse. The proposed dwellings are positioned and designed to ensure that they do not intrude upon the heritage asset or diminish its value, in accordance with the requirements of Policy DP34 of the Mid Sussex District Plan.
- 5.28 It is noted that historically, the LPA’s Conservation Officer identified a ‘less than substantial harm’ (lower end) for development on this site. Should the officer find this

proposal results in ‘less than substantial harm’ then, Paragraph 215 of the NPPF states that:

*‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.’*

**Public Benefit**

- 5.29 In this instance, there are clear **public** benefits.
- 5.30 The public **social** benefit is the provision of 7 units, against the backdrop of a 2.38 year HLS, which must be afforded significant weight.
- 5.31 There would also be positive **economic** public benefits – through the spend during the build phase and continued local spend.
- 5.32 Considering the ‘**environmental**’ benefits, it is appropriate to consider the previous permissions pre-dated the BNG legislation, and therefore did not benefit from a net gain.
- 5.33 This current proposal is subject to the BNG and it will therefore result in a 10% net gain, whether on or off site, this is a merit that the existing permissions are not bound by.

*SUSTAINABLE TRANSPORT (DP21)*

- 5.34 The proposal aligns with the strategic transport objectives set out in DP21 by ensuring that development is supported by appropriate, timely infrastructure that promotes sustainable communities and efficient transport networks.
- 5.35 The site is sustainably located within close proximity to Burgess Hill. It is located close to Burgess Hill Green Circle Network (BHGCN), which provides safe, direct, and convenient pedestrian and cycling routes connecting the site to surrounding destinations, including:
- Tesco (Jane Murray Way) - 20 min walk
  - Southway Recreation Ground - 15 min walk
  - Southway Junior School - 19 min walk
- 5.36 Each unit will provide 4no. secure cycle spaces to encourage cycling.
- 5.37 Policy DP21 states that proposals should provide adequate car parking for the proposed development, taking into account the accessibility, type, mix and use of the development and the availability and opportunities for public transport.
- 5.38 The proposed provision of 2 car parking spaces per dwelling for each of the dwellings, along with 8 visitor spaces, including 2 wheelchair-accessible bays, is considered to meet the requirements of Policy DP21. This level of provision is consistent with the

expectations of the West Sussex County Council Guidance on Parking at New Developments, which forms the basis for assessing parking demand in Mid Sussex.

- 5.39 The allocation reflects the type and mix of the dwellings, the likely car ownership levels, and the semi-rural location, where access to public transport may be more limited and private car use remains a primary mode of travel.
- 5.40 The inclusion of visitor spaces ensures that there is no undue pressure on surrounding roads, while the provision of accessible parking bays ensures that the scheme supports inclusive design and mobility needs.
- 5.41 In this context, the parking strategy is well balanced and appropriately supports the development in line with the aims of DP21 to provide adequate parking while facilitating a sustainable and inclusive transport network.
- 5.42 When comparing the existing permissions to the proposed – the existing ‘fall back’ positions would ultimately result in a greater level of traffic generation. The proposed residential scheme therefore represents a much more sustainable form of development.
- 5.43 It is also worth noting that a previous condition restricting deliveries to the commercial unit has been removed via DM/24/2932. This raised concern amongst local residents. It is reasonable to suggest that vehicles associated with residential properties are highly unlikely to cause such a concern.
- 5.44 Turning to The Framework, Paragraph 110 states that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Therefore, there is an explicit acknowledgement of the difference between urban and rural and this must be taken into account in decision making. Some flexibility can be applied for rural locations.
- 5.45 Again, we would ask the decision makers to reflect on the benefits of the current proposal, as compared to the existing approvals.

#### *FLOOD RISK (DP41)*

- 5.46 There is an area of ‘High chance’ surface water flooding in the middle of the site. Policy DP41 outlines the preferred hierarchy of managing surface water drainage, the first being ‘infiltration’. The proposed drainage strategy includes permeable block paving and 4no. ‘Rainsmart Ellipse’ soakaway modules with a silt filter trap. This sustainable drainage solution supports infiltration at source and is considered to be compliant with the objectives of Policy DP41, ensuring that surface water is effectively managed on-site without increasing flood risk elsewhere.

## 6 BALANCING AND CONCLUSION

- 6.1 Ultimately, the decision must be made in the planning ‘balance’.

### *Planning Balance*

- 6.2 It is common ground that there is no 5YHLS.
- 6.3 The application presents the opportunity to secure 7no C3 units in the context of a significant shortfall in the Housing Land Supply position. It is a matter of fact that the Mid Sussex District Plan is ‘out of date’.
- 6.4 Paragraph 11d) is engaged with a resulting presumption in favour (‘tilted balance’) and only diminished weight applied if there are any alleged local policy conflicts. The result of this is that planning permission should be granted *‘unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole’*.
- 6.5 In this instance, there is no such harm identified. Indeed, if some harm were found, it could clearly not outweigh the obvious benefit of the scheme – notably the provision of housing, which must attract significant weight in the balance.
- 6.6 The social, environmental and economic benefits have been clearly identified and must attract substantial weight.
- 6.7 If the LPA were to find some harm owing to the ‘rural’ location, the NPPF accepts opportunities for sustainable development can vary between urban and rural.
- 6.8 Further, the existing permissions are in fact a material consideration. In reality, this proposal now presents an opportunity for a development that exhibits significantly more sustainability benefits than the current approvals, and indeed, an improved environmental offer via the application of BNG legislation, requiring a 10% gain.
- 6.9 It is accepted that the scale of this development is that of a small / medium scheme - however, the weight attributed to the provision of small / medium scale housing should not be diminished. The Framework actually acknowledges the importance of small / medium sites, as they are generally built out more quickly.
- 6.10 Turning back to the existing permissions, it is plausible either could be built out – however, neither scheme proposes housing. Notwithstanding the improved sustainability and environmental benefits of the proposed housing scheme when compared to the existing permissions, there is an overriding identified need for housing.
- 6.11 In light of all of the above, it is categorically clear there can be no such harm that would outweigh the positive merits of this proposal.
- 6.12 Finally, owing to the recent situation with the proposed local development plan, it is unlikely there will be any plan in the near term and as such the lack of HLS is likely to be continued for the foreseeable future. The benefits of applications such as this must



therefore be given the relevant significant weight when such a development plan vacuum exists.

- 6.13 When considering this proposal in the round, the balance tips unequivocally in favour of the proposal for 7 no.C3 family dwellings.

### *Conclusions*

- 6.14 In conclusion, it can be demonstrated that the proposal would:

- Contribute to housing supply;
- Result in a net gain of 7no new C3 units;
- Provide sustainable residential development at an appropriate density;
- Optimise the potential of the site;
- Have no detrimental visual impact;
- Not result in any demonstrable harm to the countryside;
- Have no detrimental impact on heritage assets;
- Not result in any harm to the existing residential amenity;
- Exceed relevant internal amenity standards;
- Exceed the Nationally Described Space Standards;
- Be located within walking distance of shops, services and outdoor amenity areas;
- Adequately deal with surface water flooding;
- Represent a sustainable development;
- Represent a development that is more sustainable than the existing approvals and addresses a greater need
- Provide environmental, social and economic benefits
- Address a clearly identified housing need where there is an out-of-date local plan and where no new plan is imminent
- Be in full accordance with the NPPF.

- 6.15 Accordingly, we respectfully urge the LPA to issue planning permission without delay.

- 6.16 In the spirit of Paragraph 39 of the NPPF, should the LPA wish to discuss any aspect of the proposal, please contact the agent directly.