

The Chief Planning Officer
Mid Sussex District Council
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

13th February 2025

Dear Sir,

RE: Application for Permission in Principle for a New Dwelling at Coombe Hill Road, East Grinstead

This letter should be read in conjunction with the application for Permission in Principle (PIP) for the construction of a new residential dwelling on a parcel of land located at Coombe Hill Road, East Grinstead. Please find the necessary details and supporting information outlined below for your consideration.

Application documents submitted alongside this letter are listed below:

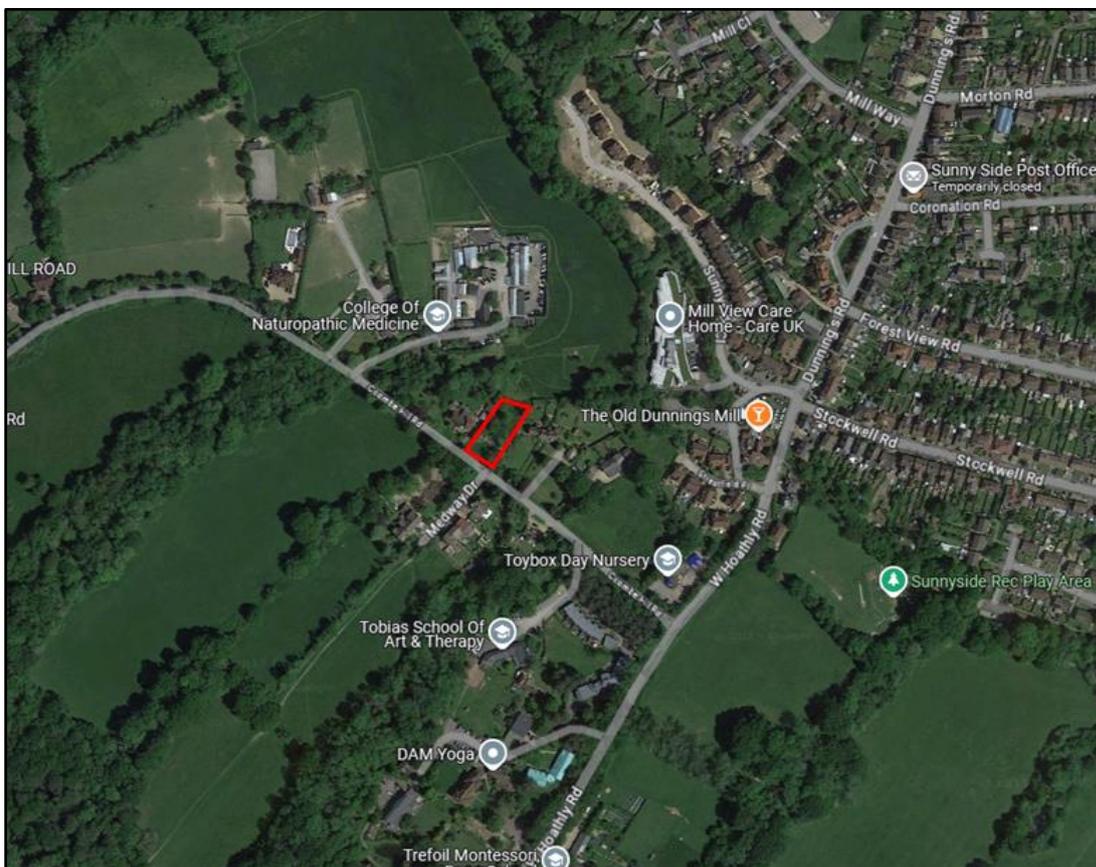
- Application Forms
- 2314-CAL-XX-ZZ-DR-A-SK01_S1-P1-Indicative Massing
- 2314-CAL-XX-ZZ-DR-A-SK02_S1-P1-Indicative Concept Plans
- 2314-CAL-XX-ZZ-DR-A-SK04_S1-P1-Existing Site Plans (Redline Plan)
- Coombe Hill Road - Design and Access Statement

Application Site

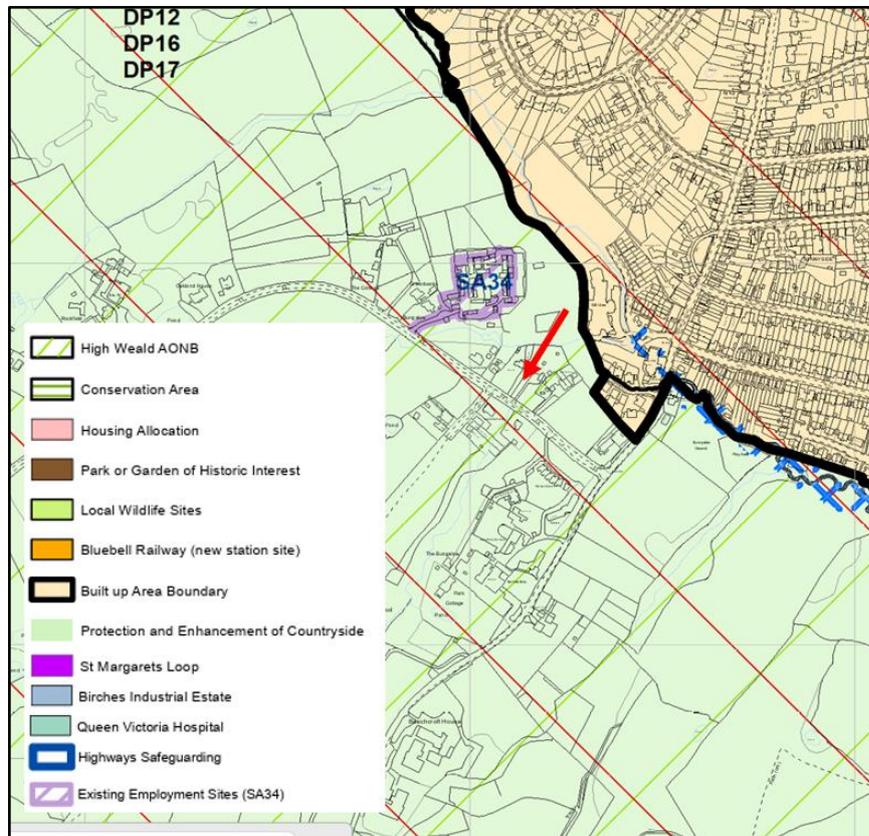
The site comprises a rectangular plot of land positioned adjacent to the built-up area boundary of East Grinstead, with direct access from Coombe Hill Road. It is surrounded by clusters of residential properties and commercial premises, while the 'Sunnyside' suburbs of East Grinstead lie approximately 170 metres to the northeast. The town centre is just a 20-minute walk to the north, providing access to primary amenities.

To the west, the site is bordered by 'Grenestede House,' a substantial building set back from the road and surrounded by gardens. To the east, it directly adjoins a large property that has been subdivided into three separate dwellings, each set within its own plot and enclosed by mature vegetation.

The surrounding area features a mix of schools, homes, and commercial premises, with key services concentrated within East Grinstead to the north.



Aerial Image of the Site



Policy Map Extract

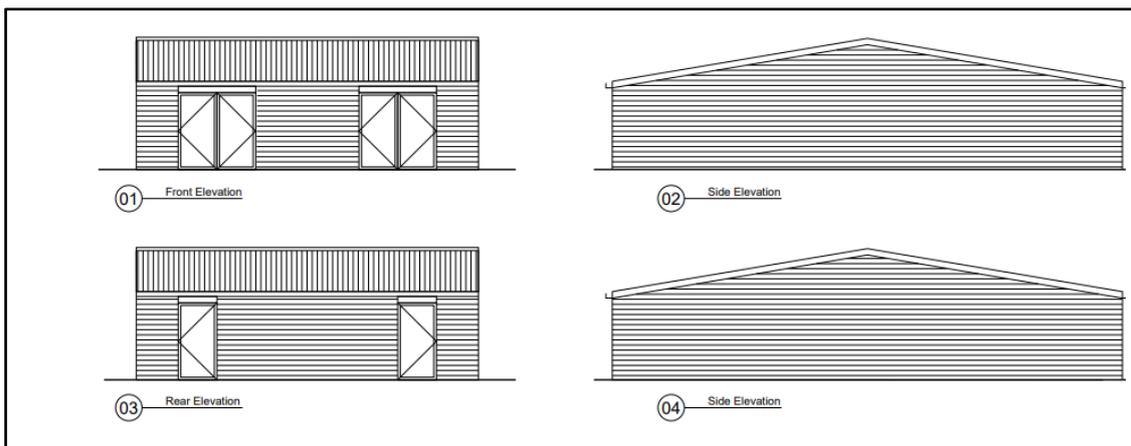
Planning History

A search of the online register has been undertaken and revealed one planning application pertaining to the site, details below:

DM/21/3119 | Proposed erection of replacement storage building of same footprint. | Store Adjacent to The Brook Coombe Hill Road East Grinstead West Sussex RH19 4LZ

This application was approved in November 2021 and implemented in accordance with the conditions imposed, and works are currently ongoing. Although not indicative of the Council's view on a residential dwelling, the approved storage building establishes the principle of a development in this location.

In considering the erection of a large storage building, the officer concluded that, “Whilst the proposal would not be used for an agricultural purpose due to the fairly modest design and the positioning of the development, it would protect the intrinsic character and beauty of the countryside which is the core objective of policy DP12.” This establishes that development in this location would not cause visual harm and is acceptable in line with Policy DP12.



Approved drawings DM/21/3119

Planning Considerations

Permission in Principle considers the location, land use and amount of development on a site. This section outlines these matters alongside several other key planning policy matters.

Location

The site is located within the countryside policy DP12 area, Policy area DP17 Ashdown Forest 7km Zone of Influence and Policy area DP16 - High Weald AONB. The site is also located approximately 120m from the built-up area boundary of East Grinstead.

The proposed development of a single dwelling in this location would be considered as a “windfall” development as it is a single house on an unallocated site. The Local Plan relies on windfall sites to ensure delivery of sufficient houses to meet the identified need and targets for new homes.

- The 2018 District Plan (the adopted development plan) allows for 450 windfall units to meet its housing targets.
- The 2022 Site allocations DPD allows for 420 Windfall units to meet housing target.
- The 2024 Housing supply trajectory topic paper (2012-2040) is a background document to the emerging Mid Sussex Local Plan, and relies on 1,768 windfalls in the plan period to 2040, or an average of 93 windfalls per year on average from 2022-2040

There is no wording in the MSDC Local Plan that suggests windfall sites must be located within the development boundary; this site will therefore help address the identified need.

In addition, in a recent MSDC Committee report (13th February 2025 planning committee report for DM/23/2699 paragraph 12.10) it was stated that:

“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.”

The council does not have A 5-year housing land supply. This means paragraph 11 (d) of the NPPF is engaged.

Paragraph 11 (d) states, “Plans and decisions should apply a presumption in favour of sustainable development”.

For decision taking this means “where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

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

In light of the above, this application should be considered in the context of paragraph 11 (d) of the NPPF, and it would be necessary to assess whether the policies most important to the determination of the application within the Mid Sussex District Plan are up-to-date or not.

DP12 and DP15 Countryside and New Homes within the Countryside

The proposed development is located outside the designated development boundary, conflicting with Policies DP6 and DP12 of the local plan. However, when assessed against the National Planning Policy Framework (NPPF) as a whole, and considering the Council cannot demonstrate a 5 year housing land supply position, the adverse impacts of this conflict do not significantly and demonstrably outweigh the benefits. As a result, the presumption in favour of sustainable development applies, supporting the grant of planning permission.

In assessing the suitability of the location, Policy DP15 guides the development of new homes outside established settlements, requiring decision-makers to promote sustainable rural development in line with government guidance. Notably, paragraphs 82 and 83 of the 2024 NPPF emphasise that planning decisions should be responsive to local circumstances. They also highlight that to support sustainable rural development, housing should be located where it enhances or maintains the vitality of rural communities, acknowledging that development in one settlement can contribute to services in a neighbouring settlement.

This approach to countryside development has been well considered by the Planning Inspectorate in an appeal (APP/C1435/W/24/3345361, Land at Church Lane, Danehill, Haywards Heath RH17 7EU). Within this decision the inspector determined that single dwellings outside of the identified BUAB which can be accessed within a 10-minute walk from residential amenities or transport nodes should be considered sustainable.

Occupants of the proposed development at Coombe Hill Road could reasonably access East Grinstead's services by foot or cycle they could also access services in nearby settlements by bus or train. Occupants would therefore would not be wholly reliant on use of a private motor vehicle.

The proposed development would be in an accessible location and provide opportunity to enhance or maintain the vitality of rural communities, with options to travel and support services in nearby settlements and therefore would satisfy the principles of government policy and guidance.

High Weald AONB

Policy DP16 states that:

'Development within the High Weald Area of Outstanding Natural Beauty (AONB), as shown on the Policies Maps, will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan, in particular;

- the identified landscape features or components of natural beauty and to their setting;
- the traditional interaction of people with nature, and appropriate land management;
- character and local distinctiveness, settlement pattern, sense of place and setting of the AONB; and
- the conservation of wildlife and cultural heritage.

Small scale proposals which support the economy and social well-being of the AONB that are compatible with the conservation and enhancement of natural beauty will be supported.

Development on land that contributes to the setting of the AONB will only be permitted where it does not detract from the visual qualities and essential characteristics of the AONB, and in particular should not adversely affect the views into and out of the AONB by virtue of its location or design.'

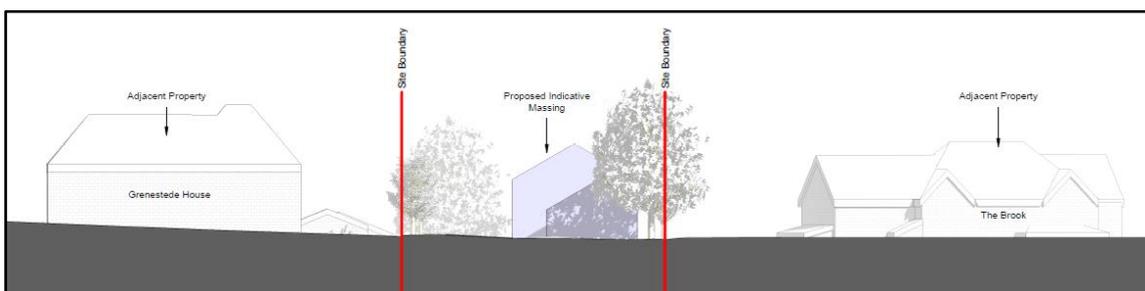
While details of design and scale are not required for a Permission in Principle application, indicative views have been submitted alongside the location plan for consideration regarding potential visual impacts.

Policy DP16 seeks to manage development within the High Weald AONB, ensuring that visual impact and land use are carefully assessed.

Although detailed design matters will be addressed at the full planning stage, the proposal at this stage is in keeping with the scale and form of neighbouring dwellings. It does not represent an intrusive addition to the AONB. Views from the south will remain unaffected, as the established built environment of East Grinstead provides a backdrop that allows the modest scale of the proposed dwelling to integrate seamlessly into its surroundings.

Similarly, views into the site from the east and west would be unchanged, as the dwelling would sit between large, existing properties. Views from the north, looking into the AONB from East Grinstead, are already limited. The key public viewpoints, Bulrushes Business Park, Sunnyside Close, and the car park to the rear of the Old Dunnings Mill, are all bounded by mature treelines and vegetation. Additionally, the site itself is enclosed by mature trees on all sides, further obscuring any views of the development.

Given these factors, the proposed single dwelling would comply with Policy DP16, would not cause harm to the AONB and would conserve the established settlement pattern and residential character of the locality.



Indicative elevation

Ashdown Forest

The site falls within 7km of the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC).

The PPG in relation to Permission in Principles states:

'Permission in principle must not be granted for development which is habitats development. From 28 December 2018 habitats development means development which is likely to have a significant effect on a qualifying European site or a European offshore marine site, referred to as habitats sites in the National Planning Policy Framework (either alone or in combination with other plans or projects); is not directly connected with or necessary to the management of the site, and; the competent authority has not given consent, permission, or other authorisation in accordance with regulation 63 of the Conservation of Habitats and Species Regulations 2017.

This means for sites where development is likely to have a significant effect on a qualifying European site or a European offshore marine site without any mitigating measures in place, the local planning authority should ensure an appropriate assessment has been undertaken before consideration of the grant of permission in principle. If the local planning authority is satisfied, after taking account of mitigation measures in the appropriate assessment and concluding that the development will not adversely affects the integrity of the protected site, then, subject to compliance with other statutory requirements regarding the permission in principle process, it can grant permission in principle.' (Paragraph: 005 Reference ID: 58-005-20190315)

In addition, it states:

'Local planning authorities may agree planning obligations at the technical details consent stage where the statutory tests have been met. Planning obligations cannot be secured at the permission in principle stage. Local planning authorities can inform applicants that planning obligations may be needed at the technical details consent stage.' (Paragraph: 022 Reference ID: 58-022-20180615)

Within the PPG for Appropriate Assessments and the guidance on the use of Habitats Regulations Assessment paragraph 009 (Reference ID: 65-009-20190722) states:

'Up to December 2018 legislation did not permit a competent authority to approve a neighbourhood plan, permission in principle, and certain development orders, where screening identifies a 'likely significant effect.' The People over Wind judgment means that it is no longer possible to apply mitigation measures at the screening stage. Therefore, some plans and orders where there could be a likely significant effect on a habitats site were unable to progress, irrespective of what mitigation is proposed, which was not the policy intention. In order to address this issue the Conservation of Habitats and Species and Planning (Various amendments) (England and Wales) Regulations 2018 amend legislation to allow that where a likely significant effect on the environment is identified, a competent authority may undertake an appropriate assessment to consider impacts and any mitigation measures, and then make a decision whether or not to approve the plan or order. This applies to the following plans and orders:

- neighbourhood plans, where the prescribed basic condition relating to habitats has been amended to take account of the full Habitats Regulations Assessment.
- permission in principle.
- special development orders.
- local development orders.
- neighbourhood development orders.
- simplified planning zones.
- enterprise zones.'

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

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

The potential effects of development on Ashdown Forest have been assessed during the Habitats Regulations Assessment (HRA) process for the Mid Sussex District Plan 2014-2031. This process identified likely significant effects on the Ashdown Forest SPA from recreational disturbance and on the Ashdown Forest SAC from atmospheric pollution.

A Habitats Regulations Assessment has therefore been undertaken for the proposed development in this application. This approach was confirmed as acceptable and legally robust in the determination of PIP application DM/23/3072 dated 8th January 2024.

Land Use

The proposed land use is for C3 residential development of one dwellinghouse positioned in line with each neighbouring dwelling either side. As noted above, the site is within the countryside, and although not 'by definition' contiguous with the BUAB the site is considered as a sustainable location by reason of its proximity to the BUAB.

There are pavements and streetlights for pedestrians on routes to local services and the site is in proximity to local public transport hubs such as bus stops, and a train station, as set out in appeal decision APP/C1435/W/24/3345361.

Amount of Development

The site plot is approximately 57m long and 18m wide, which is sufficient for a single dwelling. Having regard to the adjacent and surrounding dwelling sizes and their associated plots, this amount of development would be entirely appropriate.

Conclusion

The proposed development seeks Permission in Principle for a single residential dwelling at Coombe Hill Road, East Grinstead.

While the site is located outside the built-up area boundary and within policy-designated areas such as the High Weald AONB and Ashdown Forest 7km Zone of Influence, the application demonstrates that the development would be in a sustainable location, in keeping with the character of the surrounding area, and would not cause harm to key landscape views or protected habitats.

The proposal aligns with the principles of sustainable development and the established built environment, and as such, merits approval in principle.

If you have any questions regarding this application, please contact Luke Carter or Toby Deacon at Lewis and Co Planning.

Yours faithfully,

Luke Carter MRTPI

Director - Lewis & Co Planning