

## **Planning Statement**

**Outline application for planning permission with all matters reserved except for access from Burleigh Lane, for the erection of up to eight self-build / custom build dwellings, drainage and ancillary works.**

**Land south of Burleigh Lane, Crawley Down**

**December 2025**

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Planning Statement

On behalf of

BKJS Developments Ltd

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December 2025

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### Appendix 1 – Demand Statement

## **1. Introduction**

- 1.1 This Planning Statement has been prepared by DMH Stallard LLP on behalf of BKJS Developments Ltd (“The Applicant”) to support an outline application for planning permission in relation to land to the south of Burleigh Lane, Crawley Down, RH10 4LF (“The Application Site”) for the following proposed development:

*“Outline application for planning permission with all matters reserved except for access from Burleigh Lane, for the erection of up to eight self-build / custom build dwellings, drainage and ancillary works”.*

- 1.2 The application has been submitted following the receipt of pre-application advice provided by Ms Rachel Richardson of Mid-Sussex District Council (MSDC) in June 2025 under reference DM/25/1003.

- 1.3 More details of the advice provided, and the steps taken in response in finalising the scheme for submission are set out later in Section 4 of this Planning Statement.

- 1.4 In addition to this Planning Statement which also includes an affordable housing statement and sets out the heads of terms for a Section 106 Agreement, the applications are supported by a suite of drawings and documentation comprising the following:

- Covering letter prepared by DMH Stallard
- Completed application forms and ownership certificates prepared by DMH Stallard
- Topographical Survey Drawings prepared by Maltby Surveys: Drawing numbers 25-158-100 Overview and sheets 25-158-100A to E inclusive.
- A suite of the following proposed drawings prepared by ABIR Architects:
  - Existing Site Plan (1:500 @ A1) – drawing no 0715.EXG.100
  - Proposed Block Plan (Scale 1:500 @ A1) – drawing no: 0715.PL.001
  - Existing and Proposed Location Plan & Site Section A-A (Scale 1:500 and 1:1,250 @ A1) – drawing no: 0715.PL.002

- Proposed Site Plan (Scale 1:250 @ A1) - drawing no: 0715.PL.003
- Unit Type A & B Typical (A1, B2, B3, A4-8) Floor Plans and Elevations (Scale 1:100 @ A1) – drawing no 0715.PL.004 Rev A
- Landscape Proposal prepared by Nicholas Dexter Landscape Design
- The following suite of landscape drawings prepared by Nicholas Dexter Landscape Design:
  - Landscape scheme (scale 1:300 @ A1 / 1:600 @ A3) – drawing no: 0373-NDLD-L-1001
  - Trees – drawing no: 0373-NDLD-L-3005
  - Hedges – drawing no: 0373-NDLD-L-3006
  - Planting / Meadow – drawing no: 0373-NDLD-L-3010
  - Materials – drawing no: 0373-NDLD-L-4010
  - Biodiversity – drawing no: 0373-NDLD-L-8010
- Design and Access Statement (in two parts) including plot passports prepared by ABIR Architects
- Planning Obligation Instruction Form completed by DMH Stallard LLP
- Self-build and Custom Build Statement completed by DMH Stallard LLP
- Landscape and Visual Impact Appraisal prepared by Landscape Visual Ltd
- Preliminary Ecological Appraisal report prepared by The Ecology Partnership
- Bat Activity Survey 2025 report prepared by The Ecology Partnership
- Dormice Survey Report 2025 prepared by The Ecology Partnership
- Reptiles Presence/Likely Absence Survey 2025 report prepared by The Ecology Partnership
- Biodiversity Net Gain Feasibility Assessment prepared by The Ecology Partnership
- Biodiversity Net Gain Metric completed by The Ecology Partnership

- Tree Planning Report and Arboricultural Method Statement prepared by David Archer Associates
- Flood Risk Assessment and Drainage Strategy prepared by the Civil Engineering Practice
- Transport Statement prepared by Reeves Transport Planning
- Sustainability and Energy Statement prepared by XDA Consulting

1.5 The structure of the remainder of this Planning Statement is as follows:

- Section 2 provides a description of the site.
- Section 3 summarises the relevant planning history.
- Section 4 summarises the pre-application advice received from MSDC.
- Section 5 describes the proposed scheme.
- Section 6 sets out the relevant planning policies and guidance.
- Section 7 sets out the planning considerations.
- Section 8 provides the conclusion.

## **2. Description of the Site**

2.1 The Application Site which extends to approximately 1.77 hectares is located on the south-eastern edge of Crawley Down that is identified as a Category 2 Settlement in Policy DP6 of the Mid-Sussex Adopted District Plan. The site immediately abuts the settlement boundary of Crawley Down. The site is in a reasonably sustainable and accessible position and is within easy walking and cycling distance of the centre of Crawley Down focussed on Station Road, Burleigh Way and Old Station Close.

2.2 The Application Site is bounded by Burleigh Lane to the north, beyond which is land which is highly likely to be developed with housing in the near future as the land is allocated for new housing and is currently subject to a planning application for new

housing which has recently been resolved to be approved by MSDC subject to the completion of a Section 106 Agreement.

- 2.3 To the east, the Application Site adjoins a single dwelling with annex building, Hedgerows. The southern boundary is formed of a tree belt beyond which is pastureland with a sand school. To the west is further pastureland located between the Application Site and the properties located on the eastern side of Sandhill Lane.

### **3. Relevant Planning History**

- 3.1 According to the MSDC on-line planning register there is no previous planning history associated with the Application Site itself. However, at the time of preparing this Planning Statement there were two applications considered of relevance on adjoining sites.
- 3.2 The first application relates to the land to the immediate north of the application site on the northern side of Burleigh Lane. Application reference DM/25/1593 was submitted on 20 June 2025 and proposes the following development: *“The demolition of numbers 9-11 Woodlands Close together with the demolition of other existing buildings on site and 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.”* The site is allocated for development in the Site Allocations DPD under site reference SA22.
- 3.3 The application was considered by the members of the District Planning Committee at its meeting held on 20 November 2025 where it was resolved to grant planning permission subject to the completion of a Section 106 Agreement.
- 3.4 The second application relates to the dwelling known as Hedgerows to the immediate east of the application site located on the southern side of Burleigh Lane. Application reference DM/25/0657 was submitted on 13 March 2025 and proposed the following

development: *“Erection of an annexe for ancillary use to the main dwellinghouse.”* The annex is located at the southern end of the plot, close to the south-eastern corner of the application site. Planning permission was granted for this development on 06 August 2025 and the annex has now been built.

#### **4. Pre-application Advice & Feedback from MSDC**

- 4.1 DMS Stallard on behalf of the Applicant has sought pre-application advice from MSDC for this scheme. A formal request for advice was submitted on 14 April 2025. A site meeting with the planning officer was held on 21 May 2025 and a formal letter of advice subsequently issued on 11th June 2025 (MSDC ref: DM/25/1003). Separate pre-application advice was also secured from West Sussex County Council acting as highways authority on 12 October 2023.
- 4.2 The advice provided by MSDC indicated that whilst the proposed development is considered unacceptable in principle by the Council as it is located outside the defined built-up area boundary set out in the District Plan, nevertheless the development needs to be considered in the context of the presumption in favour of sustainable development. The advice notes that if the development is found to be sustainable, this would weigh heavily in favour of the granting planning permission under the tilted balance exercise set out in paragraph 11(d) of the NPPF.

#### **5. The Proposed Scheme**

- 5.1 Outline planning permission is sought for the development of eight self-build custom build plots to comprise 6 no five-bedroom two storey houses and 2 no single storey three-bedroom units. Access to the site is proposed to be fixed at this stage with the remaining matters reserved for future consideration.



5.2 Given the nature of the proposal, it is anticipated that separate reserved matters applications would be submitted by each individual occupier of the plots. As required in planning policy, plot passports for each of the eight plots are included in the Design and Access Statement submitted as part of this application.

5.3 The proposed description of development is as follows:

*“Outline application for planning permission with all matters reserved except for access from Burleigh Lane, for the erection of up to eight self-build / custom build dwellings, drainage and ancillary works”.*

## **6. The Development Plan and Policy Guidance**

6.1 The following development plan policies are considered relevant to the determination of these applications.

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

- DP4                Housing
- DP6                Settlement Hierarchy
- DP12              Protection and Enhancement of the Countryside
- DP15              New Homes in the Countryside
- DP17              Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)
- DP21              Transport
- DP26              Character and Design
- DP27              Dwelling Space Standards
- DP30              Housing Mix
- DP31              Affordable Housing
- DP37              Trees, Woodlands and Hedgerows
- DP38              Biodiversity

- DP39 Sustainable Design and Construction
- DP41 Flood Risk and Drainage
- DP42 Water Infrastructure and the Water Environment

The policies and explanatory text are available to view here:

<https://www.midsussex.gov.uk/media/3406/mid-sussex-district-plan.pdf>

#### **Crawley Down Neighbourhood Plan (made in January 2016)**

- CDNP01 Securing Sustainable Local Infrastructure
- CDNP05 Control of New Developments
- CDNP06 Sustainable Drainage Systems
- CDNP09 Protect and Enhance Biodiversity
- CDNP10 Promoting Sustainable Transport
- CDNP11 Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA)

The policies and supporting text are available to view here:

<https://www.midsussex.gov.uk/media/2769/crawley-down-neighbourhood-plan.pdf>

6.2 Other relevant policy and guidance appears in the National Planning Policy Framework (NPPF), with the most recent version published in December 2024 and the supporting Planning Practice Guidance as well as the MSDC produced 'Mid Sussex Design Guide'. The District Council is also in the process of updating its Local Plan with the Phase 1 of the Examination having been completed in October 2024 although at the time of writing, in light of the Initial Post Hearings Findings letter of the Examining Inspector

who has found that the new Plan has failed the Duty to Cooperate test for plan preparation, the examination has paused.

- 6.3 Since the Stage 1 hearings concluded, the Council has been in correspondence with the Examination Inspector and the position at the time of writing this Planning Statement is the Inspector has agreed to allow a further Examination session to discuss matters in relation to the Duty to Cooperate that is scheduled to take place no earlier than January 2026. Depending upon the outcome of this further session, the plan could progress to the more detailed Stage 2 hearings.
- 6.4 In addition, the Government has confirmed that it is removing the requirement under the Duty to Cooperate from the current plan-making process and this will cease to apply when the regulations for the new system come into force early in 2026 and so the expectation is that the Local Plan Review will progress to conclusion.
- 6.5 Whilst the weight that can be attributed to policies contained within the Submission Draft Local Plan is limited, unlike the adopted Local Plan, the plan does include a bespoke policy dealing specifically with Self and Custom Build Housing (DPH6) and the applicant and team have had regard to this policy in preparing this outline planning application.

## **7. Planning Considerations**

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise'.
- 7.2 The application is considered to raise the following key issues:
- Principle of self and custom build housing in this location

- Indicative site layout and plot coverage
- Landscape and visual impact
- Impact on setting of heritage assets
- Ecological impact and Biodiversity Net Gain
- Impact on trees
- Drainage and Flood Risk
- Access and highway impact
- Sustainability
- Planning Obligations

#### **Principle of self and custom build housing in this location**

7.3 Policy DP6 of the District Plan sets out the settlement hierarchy. The growth of settlements will be supported where the scheme meets identified local housing needs. Outside defined built-up 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.

7.4 The proposals are for 8 self-build / custom build dwellings and so comply with criteria

1. The Application Site is located on the southern side of Burleigh Lane and notwithstanding the opinion of the local planning authority set out at pre-application stage, in our judgement, the site can be said to be contiguous with the built-up boundary of Crawley Down. Burleigh Lane itself forms the boundary of the built-up area

boundary and the Application Site directly abuts the southern side of the Burleigh Lane carriageway and therefore can be considered to be contiguous. In our view, the site complies with criteria 2. As is set out later in this section, the Application Site is considered to be located in a reasonably sustainable location in a category 2 settlement as defined in the settlement hierarchy in Policy DP4.

7.5 Moreover the District Council cannot currently demonstrate a 5-year housing land supply as required by the NPPF and therefore its housing policies should be considered to be out of date and the application should be determined in accordance with paragraph 11(d) of NPPF which means granting planning 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 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. We consider the implications of both limbs later in this section.

7.6 The current adopted plan does not include a bespoke policy in relation to self-build or custom house building. Notwithstanding this, we are aware that the Council, as obliged under the Self-Build and Custom Housebuilding Act 2015 maintains a Self-Build register. The Council's website shows that as at 30 October 2024 there were some 23 people registered on this of which 21 had local connections. For Crawley Down there are 8 people with a preferred location in Crawley Down. In addition, in terms of the number of preferred bedrooms, there are three people that would prefer 3 bedrooms, 15 that would prefer 4 bedrooms and 8 that would prefer 5 bedrooms or more.

7.7 We are further aware that the Council has recently granted outline planning permission for a large development on the western edge of Crawley Down on land west of Turners

Hill Road and south of Huntsland (MSDC Ref: DM/25/0014) for 200 units. Condition 42 of the outline planning permission notice dated 05.09.25 refers to the scheme providing two self / custom build plots.

- 7.8 The Applicant considers that the level of registrations listed on the Council's Self-build register very considerably under-represents the true level of interest for self and custom house building plots within the district. A Demand Statement prepared by Custom Build Homes is provided at **Appendix A** and this shows the number of people currently subscribed at the time of production (September 2025) to the Right to Build Register held by Custom Build Homes. In the entirety of Mid-Sussex District, the total number of people registered is 907 of which some 131 reside within Worth Parish.
- 7.9 The data contained within the Custom Build Homes Demand Appraisal is considered robust and creditable and more reflective of the demand for such housing than the Council's own Self Build Register.
- 7.10 Whilst the current adopted District Plan does not include a separate, bespoke policy in relation to self and custom build developments, the Regulation 19 District Plan Review contains draft Policy DPH6 that deals with Self and Custom Build Housing. As the policy is included in a draft document, it is acknowledged that this has limited weight, nevertheless the policy shows the likely future 'direction of travel', and we therefore provide our assessment against the policy below.
- 7.11 It is noted in Criteria 1 that 'proposals for self or custom build housing will be supported on suitable sites and subject to compliance with other relevant policies within the District Plan'. Criteria 2 and 3 are not directly relevant as they relate to the provision of such housing on regular housing development sites. We can confirm that the serviced plots proposed will have access to water supply, foul and surface water drainage, as evidenced by the Flood Risk Assessment and Drainage Strategy Report prepared by the Civil Engineering Practice, telecommunications, and an electricity supply at the plot

boundary and a legal access to a public highway at Grange Road via the privately owned Burleigh Lane and then Sandhills Lane (Criteria 4).

- 7.12 Criteria 5 deals with affordable housing. In this case, the applicant proposes to make a financial contribution towards off-site affordable housing rather than provide serviced land at nil cost or through the provision of serviced plots at nil cost. This is consistent with what would have been agreed for planning application DM/24/2400 had the application not been refused, which was an outline application for the erection of up to 8 self/custom build dwellings, public open space, new woodland, drainage and ancillary works on land at Gibbshaven Farm, north of Felbridge Road, Furnace Wood. The magnitude of the financial contribution will be discussed with officers as part of the application process.
- 7.13 The applicant notes the requirement of criteria 6 and agrees that a Design Code will need to be prepared and agreed with the Council via a planning condition. The Design and Access Statement prepared by ABIR Architects includes individual plot passports for each of the eight proposed plots.
- 7.14 The applicant notes that each self or custom build plot will be required to form a separate phase of development in order to facilitate the timely submission of a reserved matters application by the intended occupant of each plot (Criteria 7).
- 7.15 The applicant notes and accepts the cascade of requirements for the marketing of the plots set out in criteria 8 as well as the requirement for the plots to be offered at competitive prices supported by an RICS valuation and agreed through the Section 106 Agreement set out in criteria 9.

#### **Indicative site layout and plot coverage**

- 7.16 Section 3 of the Design and Access Statement prepared by ABIR Architects sets out the design philosophy for the scheme. The scheme proposes a mix of 3 and 5 bedroom detached family houses and bungalows and includes associated roadway, pedestrian

footways and a designed landscape by Nicholas Dexter Landscape Design which comprises both private and public amenity spaces. The perimeter woodland around the site is to be retained and will be enhanced with a planting ribbon to maintain natural screening around the site.

- 7.17 The scale of the dwellings has been designed to be sympathetic to the surrounding context and references the larger existing detached houses located on both Burleigh Lane and Sandhill Lane. The plot passports contained in the Design and Access Statement provide the maximum dimensions and siting parameters for the proposed dwellings.

#### **Landscape and Visual Impact**

- 7.18 A comprehensive Landscape and Visual Impact Appraisal (LVIA) has been prepared by Landscape Visual Ltd and is included as part of the application documentation. This report provides the following conclusions:

*“The Proposal would result in wholesale change to the interior of the Site, with the retention and enhancement of the boundary vegetation which provides both enclosure and screening from adjacent landscape character areas and the public right of way which follows Burleigh Lane.*

*The location of vegetated plot boundaries ca. 15 m from Burleigh Lane, and self-build / custom-build dwellings located ca. 25 to 30 m from Burleigh Lane, moderates the landscape and visual impacts of the Proposal.*

*The Proposal is located within a transitional landscape character area (Southern Fringe) between the suburban townscape of Crawley Down to the north and the rural landscape of the High Weald Plateau to the south. The Proposal has been sensitively designed to a scale and density which responds to the existing character of this fringe landscape.*

*The assessment concludes that no adverse landscape or visual effects would arise as a result of the Proposal ”.*



- 7.19 Given the conclusions of the LVIA Report, we consider that the limited impact of the proposal on the landscape is acceptable in the context of the relevant local plan policies and those contained within the December 2024 NPPF.

#### **Impact on Setting of Heritage Assets**

- 7.20 There is a single heritage asset located in proximity to the Application Site, Burleigh Cottage which is Grade II Listed and is located approximately 110 metres to the west of the north-western corner of the Application Site on the northern side of Burleigh Lane. At its closest the curtilage to Burleigh Cottage is located some 60 metres from the north-western corner of the Application Site.
- 7.21 The list description for Burleigh Cottage states: *“C17. Two storeys. Two windows. Ground floor painted brick, above faced with tarred weather-boarding. Tiled roof with pentice to west. Casement windows. Large modern gabled porch. Tall brick end stack.”*
- 7.22 The proposed development will alter the appearance of the Application Site and would affect the setting of the listed building. However, due to the separation distance of the Application Site from the heritage asset and the intervening vegetation and treed boundary to Burleigh Lane, it is considered that there would be no appreciable impact on the setting of any Heritage asset and the impact can be best described as neutral. Even if there was considered to be some harm it would be negligible – at the lowest end of the ‘less than substantial’ range, as there would be no element of the building’s intrinsic architectural or historic interest that would be changed or any ability to appreciate those interests lost as a result of the proposed development.
- 7.23 In accordance with paragraph 215 of the NPPF, any such low level of less than substantial harm should be weighed against the public benefits of the proposed development. In addition, this low level of less than substantial harm is such that this would not provide a strong reason to refusing the development proposed and thus paragraph 11(d)i in the NPPF is not engaged.

- 7.24 The public benefits of the proposed development are set out in the concluding section of this Planning Statement but in our assessment, the proposal does not conflict with District Plan Policy DP34.

#### **Ecological impact and Biodiversity Net Gain**

- 7.25 A Preliminary Ecological Appraisal (PEA), various protected species surveys and a Biodiversity Net Gain Report and Metric has been prepared by The Ecology Consultancy and the reports are included in the application documentation.
- 7.26 The conclusion to the PEA states: *“The site does not lie within or adjacent to any designated sites. A number of statutory sites and non-statutory sites are located within the surrounding area, including Ashdown Forest, located c.5.9km south-east. As the site falls within the 7km ZOI for this designation, SANG/SAMM contributions will be required to mitigate against increases in recreational pressure. Other than this, no residual negative impacts are anticipated due to the small-scale nature of the development, the distances between the site and all designated sites, and the lack of any related habitat to be lost.*

*Lowland mixed deciduous woodland, a priority habitat, is present on site and two areas are proposed for removal to facilitate site access. On-site scrub planting is recommended to help offset this loss.*

*The majority of the site is comprised of other neutral grassland, regularly mown to a short sward, which is not considered to be ecologically significant. The loss of this habitat will result in site level impacts only.*

*Two PRF-I trees were identified on site, however these trees are proposed to be retained as part of the development, so further surveys are not required. However as a precaution, sufficient tree protection should be implemented during construction and there should be no increase in illumination from artificial light in the immediate area.*

*The boundary woodland was considered suitable to support foraging and commuting bats and further bat activity surveys have been conducted. Common and widespread species were recorded during the survey period. A sensitive lighting strategy has been outlined including dark corridors around the site boundaries.*

*No evidence of badgers was identified on site. Sensitive working practices have been recommended to ensure that no individuals are harmed throughout development.*

*The boundary woodland has the potential to support dormice. As such, dormice nesting tube surveys have been recommended to inform sufficient mitigation. These surveys concluded likely absence of dormice.*

*The boundary woodland edge habitat and small areas of tall grass/ bracken throughout have the potential to support reptiles. As such, reptile presence/ likely absence surveys have been recommended to inform sufficient mitigation. These surveys concluded likely absence of reptiles.*

*The site contained no ponds, though 12 are present within 250m of the site, including two with confirmed GCN presence approximately 120m west and an existing EPSM licence 200m north. As such, the site is presumed likely to support GCN in their terrestrial phase and a District Licence or Natural England EPSM licence will be required prior to development.*

*Any clearance of suitable nesting bird habitat, including scattered trees and underlying scrub and hedgerows, should be undertaken outside nesting bird season after a nesting bird check by a qualified ecologist.*

*A pre-clearance check of any scrub being removed should be undertaken in order to prevent harm to hedgehogs who may be present on site”.*

- 7.27 In light of the conclusions of the Preliminary Ecological Assessment including Ecological Impact Assessment and the various protected species surveys, it is considered that the proposed development complies with the requirements of Policy DP38 of the Mid

Sussex District Plan 2014-2031 and the relevant policies within the December 2024 NPPF. In addition, as the applicant is prepared to acquire off-site BNG credits to secure the mandatory 10% net gain in biodiversity, the proposals are acceptable in this regard too.

### **Impact on Trees**

- 7.28 A Tree Planning Report and Arboricultural Method Statement of the outline proposals has been prepared by David Archer Associates and the report is included as part of the application documentation. The survey has been taken fully into account in the preparation of the indicative site layout.

### **Drainage and Flood Risk**

- 7.29 A Flood Risk Assessment and Drainage Strategy have been prepared for the site by The Civil Engineering Practice and their report is included in the application documentation.
- 7.30 The report concludes as follows: *“The site is located within Flood Zone 1 and is not at risk of flooding from tidal or fluvial sources, or groundwater.*

*The Environment Agency’s online flood maps indicate surface water ponding to a depth of 30cm in the northwest corner of the site during the 1 in 30-year storm for both the current year event and future year 2040-2060 event. The risk of surface water ponding can be however mitigated in the detailed design for the development proposals.*

*There are no historic records of flooding from any source affecting the site or its immediate area.*

*The geology of the area is predominantly clay and is unlikely to provide suitable permeability to accommodate an infiltration drainage system.*

*A suitable SuDS drainage system is proposed which accords with the requirements of national and local policy.*

*Preliminary calculations indicate that surface water runoff generated by the proposed development can be attenuated on site for all rainfall events up to the 1 in 100 year event including an allowance for climate change.*

*Water quality improvement will be provided to mitigate against any risk to any receiving waterbody.*

*An onsite pumping station will be required to lift foul water and discharge it to the existing public foul sewer located beneath Sandhill Lane to the west of the site.*

*Alternatively foul water could be collected into individual cess pits within each curtilage and tankered away on a monthly basis.*

*In terms of flood risk planning the proposed development is safe and will manage surface water from all rainfall events up to the 1 in 100 year plus climate change event so as not to increase flood risk elsewhere.*

*The development proposals are suitable at this location”.*

- 7.31 In light of conclusions of the Flood Risk Assessment and Drainage Strategy Report it is considered that the scheme complies with Policy DP41 of the Mid Sussex District Plan 2014-2031 and the relevant policies contained within the December 2024 NPPF. In addition whilst the report notes at section 5.3 that the Environment Agency’s online flood maps indicate surface water ponding to a depth of 30cm in the northwest corner of the site during the 1 in 30 year storm for both the current year and future year 2040 to 2060 event, topographical data does not suggest that the ponding is due to surface water entering the site via overland flow but that this ponding occurs due to site levels falling to a low point at the northeast corner of the site and the risk of surface water ponding can be mitigated in the detailed design for the development proposals. For this reason, the surface water flood risk cannot be said to provide a strong reason for refusing the development proposed under paragraph 11(d) of the NPPF.

### **Access and highway impact**

7.32 A Transport Report has been prepared by Reeves Transport Planning and is included in the application documentation. In addition, pre-application advice was sought from West Sussex County Council as highways authority that was dated 12 October 2023.

7.33 The summary and conclusions to this report state:

*“Reeves Transport Planning is appointed to provide a Transport Report in support of an application to develop greenfield land south of Burleigh Lane, Crawley Down.*

*The site is well connected for a rural settlement, with amenities and bus stops located within an eight-minute walk. Burleigh Lane is part of PRow WOR-56W, and Sandhill Lane is PRow WOR-55W. National Cycle Route 21 runs through Crawley Down, providing direct links to East Grinstead and Three Bridges train stations. In addition, local bus services connect to these stations, offering residents convenient and sustainable travel options.*

*The proposal includes eight self-build dwellings with on-site parking and turning provision. A new access from Burleigh Lane will be constructed via the north west corner, which will retain the rural nature of a shared space.*

*The proposed access will be 5 metres wide and provide visibility splays of 2.4metres × 25metres, and upgraded passing bays, are considered suitable and would benefit all users of Burleigh Lane.*

*The TRICS data informs that the proposed eight self-build dwellings could generate circa three vehicle trips during the peak periods. This equates to circa one vehicle every 20minutes. Overall, it is considered that the proposal will only have a minimal impact on the existing road network and is therefore unlikely to result in any adverse effects.*

*West Sussex County Council’s 2020 Guidance on Parking at New Developments suggests that a total of 19.2 spaces should be provided on-site. The development provides ample*

*on-site parking and cycle storage, slightly exceeding policy standards and ensuring convenient, safe access for all residents.*

*Taking all relevant factors into account, including the minor increase in peak hour traffic, the proximity to local amenities, public transport and cycle route, the provision of sufficient on-site parking and cycle storage, and the upgraded access with adequate visibility and passing bays, it is considered that the proposed development will not have an unacceptable impact on highway safety or severe impact on highway capacity and is therefore compliant with the National Planning Policy Framework and should not be refused on transport grounds.”*

- 7.34 In light of the conclusions of the Transport Report, it is considered that the proposals comply with policy DP21 of the Mid Sussex District Plan 2014-2031 and the relevant policies contained within the December 2024 NPPF.

### **Sustainability**

- 7.35 XDA Consulting has prepared a Sustainability and Energy Statement which has been submitted as part of the application documentation.
- 7.36 The conclusion to this report states: *“The Proposed Development has been designed to deliver a sustainable and environmentally responsible scheme that aligns with the policies of the Mid Sussex District Plan, the National Planning Policy Framework, and relevant West Sussex guidance. The Part L assessment demonstrates that the scheme can achieve a 66.5% reduction in carbon emissions through passive design measures, including high-performance building fabric, energy-efficient lighting, use of natural ventilation, and the installation of air source heat pumps. Alongside this, the development incorporates water-efficient systems, robust flood risk and SuDS measures, biodiversity protection and enhancement, sustainable transport provision, and the responsible sourcing and use of materials. This comprehensive approach supports climate resilience, reduces environmental impact, and ensures long-term sustainability. Collectively, these measures demonstrate that the scheme contributes positively to*

*district-wide environmental objectives and will deliver benefits for future occupants and the surrounding area.”*

- 7.37 In light of the conclusions of the Sustainability and Energy Report, it is considered that the proposals comply with the relevant policies with the Mid Sussex District Plan 2014-2031 and those of relevance policies contained within the December 2024 NPPF.

### **Planning Obligations**

- 7.38 The applicant is aware that the nature and scale of the proposed development is such that Planning Obligations will be sought by the District Council. We envisage that the following matters will need to be addressed in a Section 106 Agreement. We include a completed Planning Obligation Instruction Form.

- Ensuring the development is implemented as a Self and Custom House Building scheme;
- The payment of an off-site contribution towards the provision of affordable housing;
- A financial contribution towards the provision of off-site SANGS and associated SAMM payment;
- Managing the provision of the on-site BNG;
- Securing the provision of the necessary off-site BNG credits to secure the 10% net gain:
- A potential financial contribution towards Primary Education facilities if a need is proven in the locality;
- A potential financial contribution towards Secondary Education facilities if a need is proven in the locality;
- A potential financial contribution towards Sixth Form Education facilities if a need is proven in the locality;
- A financial contribution towards library facilities in East Grinstead if a need is proven in the locality;



- A financial contribution towards Sustainable Access as part of the Total Access Demand.

7.39 We confirm that the Applicant will instruct a Planning Solicitor at the appropriate time in seeking to agree the contents of a Section 106 Agreement.

## **8. Conclusions including Planning Balance**

- 8.1 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. The Development Plan for Mid Sussex comprises the Mid Sussex District Plan 2018.
- 8.2 Outline planning permission is sought for the erection of eight self-build / custom build dwellings on the Application Site which is located outside but, in our judgement, contiguous with the built-up urban area boundary of Crawley Down, which is a tier 2 settlement within the defined settlement hierarchy and therefore is capable of accommodating a development of this nature.
- 8.3 Given both the age of the currently adopted local plan and the fact that Mid-Sussex District Council is currently unable to demonstrate a five-year supply of deliverable housing sites as required by the NPPF the tilted balance as set out in paragraph 11(d) of the NPPF is engaged.
- 8.4 There are considerable benefits associated with the scheme including the provision of eight new dwellings which is a planning benefit that substantial weight should be given to. The provision of these high quality units, provided in a landscape setting as self-build / custom build units will assist with meeting the need as is expressed in the Council's Self-build Register which in itself is considered to substantially under represent the need for this type of accommodation. This should also be given considerable weight.

- 8.5 Other benefits include the delivery of social and community benefits in terms of the financial contributions towards off-site affordable housing provision and other infrastructure contributions as set out in section 7 above. Given the nature of the self-build / custom build units, the development will also be more likely to deliver benefits in terms of the provision of local jobs in the short term through the construction of the units that will assist the local economy. In our view, the scheme will achieve the economic, social and environmental objectives as set out in paragraph 8 of the NPPF and therefore the scheme is considered to represent sustainable development.
- 8.6 The Application Site lies within the setting of the Grade II listed Burleigh Cottage but due to the distance and relationship of the Application Site from the property ie on the opposite side of Burleigh Lane, together with the intervening vegetation means that the impact on the setting of the heritage asset would be neutral, but even if considered to result in any harm it would be at the lower end of the spectrum of less than substantial harm and the benefits set out above would more than outweigh this small degree of harm.
- 8.7 Furthermore, the technical studies that have been undertaken and are submitted in support of the scheme clearly demonstrate that there are no overriding technical reasons why outline planning permission should be refused.
- 8.8 It is accepted that in order for the development to be acceptable in planning terms, planning conditions will need to be attached that will require the approval of reserved matters for each plot as well as other matters and, separately, planning obligations as listed in section 7 above will need to be agreed and committed to by the Applicant through the completion of a Section 106 Agreement.
- 8.9 For the above reasons we request that outline planning permission is granted and acknowledge that a Section 106 Agreement will need to be completed to secure the necessary planning obligations.

## **Appendix 1 – Demand Statement**



# Demand Appraisal

Custom and self-build housing

Request for data

December 2025

[righttobuildregister.co.uk](http://righttobuildregister.co.uk)









#### Request for data

<b>Enquiry from:</b>	DMH Stallard LLP
<b>Date:</b>	16/12/25
<b>Site or area related to request:</b>	RH10 4LD
<b>Local Planning Authority:</b>	Mid Sussex Distict Council
<b>Parish Council or Ward area(s)</b>	Worth Parish

## Demand in the area

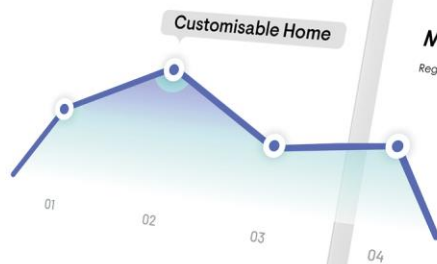
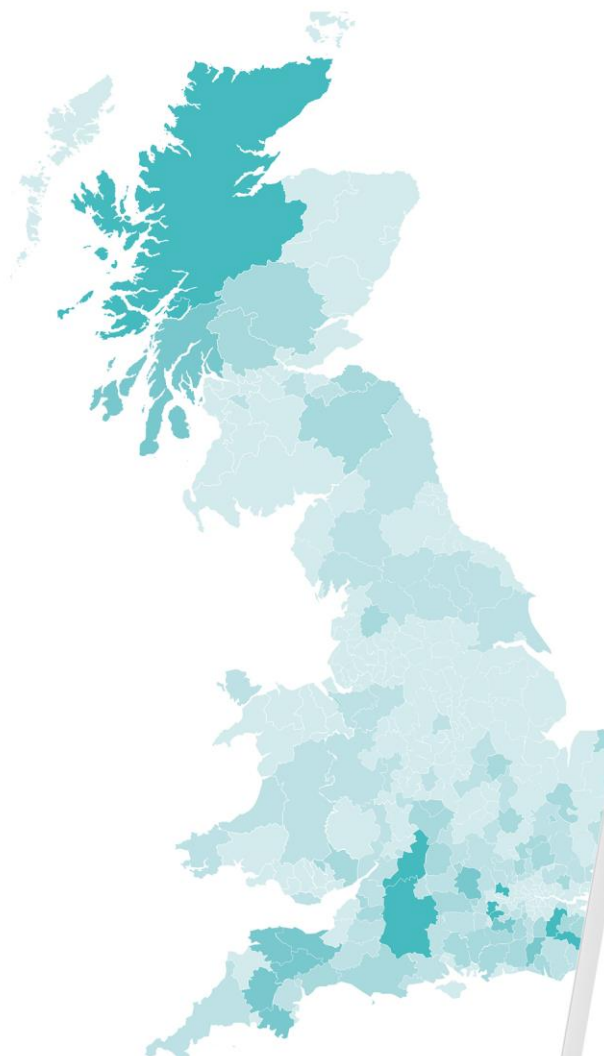
This Demand Appraisal comprises the number of people currently subscribed to the Right to Build Register, held by Custom Build Homes, who want to custom or self-build their home within the local authority area.

Where requested, the number of people currently subscribed who live in a specific Parish/Ward and who want to custom and self-build in the local authority area is also provided.

All demand figures by specified postcode area are set out in Table 1 below.

Table 1: Demand Figures

Area	Relevant postcode areas	Number of Subscribers
Mid Sussex District Council	BN1 8, BN45 7, BN5 9, BN6 0, BN6 8, BN6 9, BN8 4, RH10 2, RH10 3, RH10 4, RH10 5, RH10 7, RH11 9, RH13 6, RH15 0, RH15 5, RH15 8, RH15 9, RH16 1, RH16 2, RH16 3, RH16 4, RH16 9, RH17 5, RH17 6, RH17 7, RH18 5, RH19 1, RH19 2, RH19 3, RH19 4, RH19 9	<b>907</b>
Worth Parish	RH10 2, RH10 3, RH10 4, RH19 2	<b>131</b>
5-mile radius from RH10 4LD	RH1, RH10, RH11, RH16, RH17, RH18, RH19, RH6, RH7, RH77, RH9	<b>2,219</b>
10-mile radius from RH10 4LD	BN8, RH1, RH10, RH11, RH12, RH13, RH15, RH16, RH17, RH18, RH19, RH2, RH5, RH6, RH7, RH77, RH8, RH9, TN22, TN3, TN6, TN7, TN8	<b>2,325</b>





## How is our data collected?

The data is collected by consumers signing up to the Right to Build Register at [www.righttobuildregister.co.uk](http://www.righttobuildregister.co.uk).

The data is provided voluntarily by private individuals wishing to custom or self-build their own home in local authority areas across England, Scotland, and Wales.

The Right to Build Register mirrors the statutory processes in place to determine whether an applicant benefits from the “Right to Build” as set out in the Self-build and Custom Housebuilding Act 2015 (as amended). To register, subscribers are required to confirm:

- Being 18 years of age or over
- Current address, postcode, telephone number and email address
- Being a British Citizen, a national of an EEA state other than the UK or a national of Switzerland
- Their nationality
- Seeking to acquire a serviced plot of land to build a house to be their main house of residence

## What data do we hold?

The Right to Build Register holds data including personal information, contact information and where people wish to custom or self-build their own homes. It also captures many other datasets relating to applicants housing preferences and status. These include, but not limited to:

- Preference of house type, size, and specification
- Employment and current living situation
- Budget and payment method
- Reasons for custom or self-building
- Desire to build as part of a group

Parish/Ward level demand data is derived from the number of applicants registered to live in the local authority area that are currently registered in that Parish/Ward. This data set is therefore a subset of the local authority area demand population.

Detailed Demand Assessments and bespoke surveys can be prepared on request.

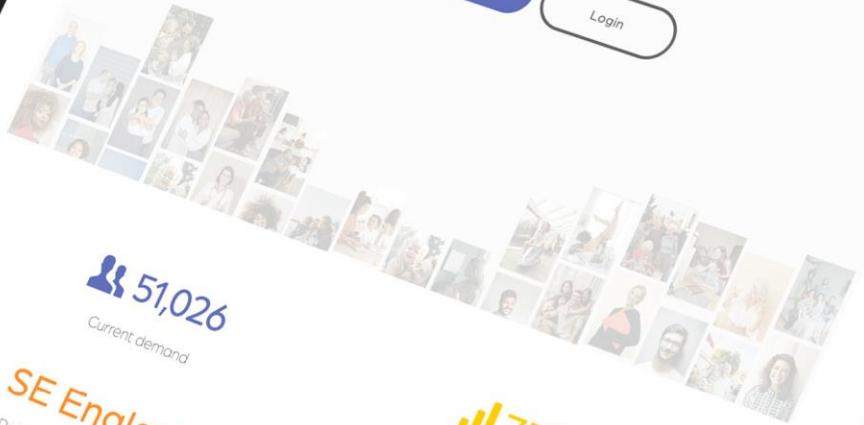


## Together we can build better

Be part of the housing "evolution", where consumer demand and primary legislation can harness the wills and skills of landowners and professional developers to enable you to custom and self-build your home.

Sign up

Login



 **51,026**  
Current demand

**SE England**  
Region with highest demand

 **7,715**  
New this month

**Wiltshire**  
Council with highest demand

Join the housing  
**Revolution**

**Why sign up to the Right to Build Register?**

Applicants who register on the Right to Build Register receive the benefit of emailed updates on upcoming serviced plot and custom home opportunities, as well as “tips and tricks” from Custom Build Homes and BuildStore relating to accessing, delivering, and financing a custom or self-build project. These communications add value to consumers with a desire to build their own homes, they build confidence in consumer's ability to build a home successfully and increases their likelihood of engaging with an opportunity to access a plot when they come to market.

While it is not possible to individually qualify the seriousness of every applicant, the sign-up process is robust, with a series of detailed questions that must be answered in full to complete a registration. Given our extensive industry experience, those who are not genuinely interested in finding a plot will not take the time to provide such detailed information.

Therefore, given the comprehensiveness of the sign-up process, and the fact individual benefit from being on the Right to Build Register, the dataset reflects a more accurate measure of demand when compared to local authority Self-build and Custom Housebuilding Registers which are typically not promoted, offer no specific benefit to applicants and are often subject to local eligibility criterion and/or the payment of registration fees.

**How important  
is this data?**

All 'relevant authorities' in England have a legal duty under the Self-build and Custom Housebuilding Act 2015 (as amended) to keep a register of individuals and associations of individuals who are seeking to acquire serviced plots of land in the authority's area and to have regard to that register when carrying out their planning, housing, land disposal and regeneration functions. Unless exempt, they also have a legal duty to grant sufficient 'development permissions' to meet the demand for Self-build and Custom Housebuilding in their area on an annual basis.

These duties are complemented by the policy in the revised National Planning Policy Framework which asks that local planning authorities plan for the needs of different groups with specific housing requirements as part of their overall housing need and that land with permission is developed without unnecessary delay.

Practice has shown that local authority self-build and custom housebuilding registers only provide a short-term, supply-led, picture because they rely on people knowing about the register and then registering their interest. Given its 'opt-in' nature and high dependency on publicity, promotion, registration fees and eligibility criteria being applied, a local register cannot predict longer-term demand for plots in an area. Indeed, the lack of local awareness of local registers was underlined in the Government commissioned Bacon Review (Independent review into scaling up self-build and custom housebuilding: report, 21 August 2021) which concluded that a very high proportion of the public (83-87%) are not aware of local registers and therefore demand for custom and self-build housing is higher than data on local registers would suggest. This is also increasingly recognised in planning appeals.

In this context, the Government's Planning Practice Guidance advises that local planning authorities should use the demand data from the register, supported as necessary by additional data from secondary sources and other wider market signals, when planning for the delivery of a sufficient supply of homes.



Right to Build Register is a trading style of BuildStore Custom Build Ltd. t/a Custom Build Homes.

It generates consumer demand data from those wishing to custom or self-build homes in local authority areas in England, Scotland, and Wales. It provides “live analysis” of the data it holds and presents this across various reports that are accessible to landowners, developers, housebuilders, consultants, and local planning authorities.

The dataset held on the Right to Build Register is industry leading. The lists are cleaned annually, and at any given time there are tens of thousands of applications from people looking for an opportunity to build their own homes in their preferred local authority areas.



Custom Build Homes (CBH) is the preeminent Enabler of custom and self-build housing development projects in the UK. It harnesses a deep understanding of the planning and delivery processes to deliver custom and self-build housing nationally on behalf of landowners, developers, housebuilders, and local planning authorities. These projects are designed to reflect the individual preferences of those subscribed to the Right to Build Register, and subscribers can offer notices of interest for new plots coming to market.

CBH was developed as a subsidiary of BuildStore Ltd. BuildStore is the UK's leading financial services provider to the custom and self-build market, having manufactured many of the mortgage, insurance, and protection services that thousands of custom and self-builders utilise annually.

BuildStore Ltd remains the single largest shareholder in CBH.



The Right to Build Register is operated by Custom Build Homes

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Front cover photograph: 15 completed self-build homes on serviced plots enabled by Custom Build Homes at Long Four Acres, Mulbarton, Norfolk

**Disclaimer**

Illustrations shown within this document are artist's impressions only and may not accurately depict our products. The information detailed in this document is correct at the time of issue. We operate a live database and the demand figures will change with time.