

STATEMENT OF COMMON GROUND

For Appeal APP/D3830/W/24/3344121
68 and 70 Keymer Road, Hassocks BN6 8QP

Following the appeal for non-determination of planning application
DM/23/3114 on 10/05/2024 under Section 78 of the Town and Country
Planning Act 1990

DATE
26th July 2024

REVISION
1

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I. Areas of Agreement

1.1 The parties agree to the following matters:

DESCRIPTION OF DEVELOPMENT

1.2 Redevelopment for retirement living accommodation for older people comprising 41no. apartments including communal facilities, access, car parking and landscaping.

USE CLASS OF PROPOSED DEVELOPMENT

1.3 The planning use class of the proposed 41 apartments is C3 dwellinghouses. The occupancy of the dwellinghouses would be restricted to a person aged 60 or over, or a spouse/partner (who is themselves over 55 years old) living as part of a single household with such person, or persons who were living in one of the apartments as part of a single household with a person or persons aged 60 or over who has since died.

APPLICATION SUBJECT OF THIS APPEAL

1.4 The application was submitted on 4th December 2023 and was validated on the 5th December 2023. This appeal is against the Council's failure to determine the application within the statutory time period.

1.5 Following confirmation of the appeal being lodged on the grounds of the Council's failure to determine the application within the statutory period the Council took the application to its planning committee meeting of the 13th June 2024 where it confirmed that had it been able to determine the application it would have refused the application on three grounds which are set out below under 'Issues in Dispute' section.

RELEVANT PLANNING HISTORY

1.6 There is no relevant planning history associated with the appeal site.

SITE DESCRIPTION

1.7 The site consists of two detached properties and their gardens with a combined site area of some 0.45ha, to the south of Keymer Road. The existing property at no.68 is a detached chalet bungalow and the property at no.70 is a detached two storey house, both with substantial rear gardens.

1.8 The site lies within the built-up area of Hassocks, in a predominately residential area.

1.9 To the west is a detached residential property (no.66a) and beyond this a flatted development (Fitzjohn Court), while to the east is the house of 72 Keymer Road and

the rear gardens of detached residential properties in The Minnells which back onto the site. To the rear southern boundary are the rear gardens of 17-27 Dale Avenue. Opposite the site to the north is Adastra Hall are the offices of Hassocks Parish Council and associated car park, along with Adastra Park.

APPEAL DRAWINGS

1.10 The application was considered against the following documents, which are agreed as the list of appeal plans:

PLAN TYPE	REFERENCE	VERSION	SUBMITTED DATE
SITE LOCATION PLAN	20090HK_PL_001	P1	10.04.2024
SITE PLAN	20090HK_PL_002	P3	10.04.2024
GROUND FLOOR PLAN	20090HK_PL_003	P3	10.04.2024
FIRST FLOOR PLAN	20090HK_PL_004	P3	10.04.2024
SECOND FLOOR PLAN	20090HK_PL_005	P3	10.04.2024
ROOF PLAN	20090HK_PL_006	P3	10.04.2024
ELEVATION AA & STREET SCENE	20090HK_PL_007	P2	10.04.2024
ELEVATION BB& CC	20090HK_PL_008	P3	10.04.2024
ELEVATIONS DD	20090HK_PL_009	P3	10.04.2024
SITE DISTANCES & LEVELS PLAN	20090HK_PL_010	P3	10.04.2024
SITE SECTIONS SHEET 1	20090HK_PL_011	P2	10.04.2024
SITE SECTIONS SHEET 2	20090HK_PL_012	P2	10.04.2024
SITE SECTIONS SHEET 3	20090HK_PL_013	P2	10.04.2024
SITE SECTIONS SHEET 4	20090HK_PL_014	P3	10.04.2024
BOUNDARY TREATMENT PLAN	20090HK_PL_015	P3	10.04.2024
URBAN GRAIN DIAGRAM	20090HK_PL_020	P3	10.04.2024
NO 70 SECOND FLOOR	SU 01		05.12.2023
68 & 70 FIRST FLOOR & 70 ELEVATIONS	SU 01		
68 & 70 GROUND FLOOR & 68 ELEVATIONS	SU 01		05.12.2023
TREE PROTECTION PLAN	23106-3		05.12.2023
LANDSCAPE STRATEGY	JBA 23 – 339 – SK02		05.12.2023

LANDSCAPE STRATEGY	JBA 23 2339 – SK02
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1.11 The application also included the following accompanying statements and information:

- Planning Statement by Planning Issues
- Design and Access Statement by Planning Issues Ltd
- Affordable Housing by Planning Issues
- Archaeological Desk Based Assessment by Ecus Consultants
- Ecological Appraisal, Bat Survey Report and Biodiversity Net Gain Assessment by Tetra Tech
- Flood Risk and Drainage Technical Note by Awcock Ward Partnership
- Landscaping Strategy by James Blake Associates
- Statement of Community Engagement by Devcomms
- Air Quality Assessment by Air Quality Consultants
- Sustainability Statement by Focus
- Transport Statement by Paul Basham Associates Ltd
- Tree Protection Plan, Arboricultural Method Statement and Manual for Managing Trees on Development Sites by Barrell Tree Care
- Infographic
- Planning Obligations form

1.12 Additional responses on drainage and highways were submitted following consultation responses in March 2024. These were:

- Flood Risk Assessment by AWP (March 2024).
- Highways Letter by Paul Basham Associates Ltd (13th March 2024)

RELEVANT PLANNING POLICY

1.13 It is agreed that the following are the relevant policy/guidance considerations in respect of this Appeal:

The National Planning Policy Framework (NPPF) (2023)

- Section 2 - Achieving Sustainable Development
- Section 4 - Decision-making
- Section 5 - Delivering a sufficient supply of homes
- Section 8 - Promoting healthy and safe communities
- Section 9 - Promoting Sustainable Transport
- Section 11 - Making Effective use of Land
- Section 12 - Achieving well-designed and beautiful places

Planning Practice Guidance (PPG) 2019

- Effective Use of Land
- Design
- Housing for Older and Disabled People
- Viability

National Design Guide

Mid Sussex District Plan 2014-2031

- DP1 – Sustainable Economic Development
- DP3 – Village and Neighbourhood Centre Development
- DP4 – Housing
- DP6 – Settlement Hierarchy
- DP20 – Securing Infrastructure
- DP21 – Transport
- DP26 – Character and Design
- DP27 – Dwelling Space Standards
- DP28 – Accessibility
- DP29 – Noise, Air and Light Pollution
- DP30 – Housing Mix
- DP31 – Affordable Housing
- DP37 – Trees, Woodland, and Hedgerows
- DP38 – Biodiversity
- DP39 – Sustainable Design and Construction
- DP41 – Flood Risk and Drainage
- DP42 – Water Infrastructure and the Water Environment

1.14 The policies considered most important to the determination of this appeal are policies DP4 (Housing), DP20 (Securing Infrastructure), DP26 (Character and Design) and DP31 (Affordable Housing) of the Mid Sussex District Plan, and Policy 9 (Character and Design) of the Hassocks Neighbourhood Plan.

Hassocks Neighbourhood Plan

- Policy 4 – Managing Surface Water
- Policy 5 – Enabling Zero Carbon
- Policy 8 – Air Quality Management
- Policy 9 – Character and Design
- Policy 14– Residential Development Within and Adjoining the Built-Up Area Boundary of Hassocks
- Policy 17 – Affordable Housing

Site Allocation Development Plan

- SA38 - Air Quality

Supplementary Planning Documents

- Affordable Housing SPD
- Design Guide SPD
- Development Viability SPD
- Development Infrastructure and Contributions SPD

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

1.15 The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) was published for public consultation on 12th January 2024 for six weeks and was submitted for Examination on 8th July 2024.

THIRD PARTY REPRESENTATIONS

1.16 A total of 21 letters of objection and 1 letter of support were received during the course of the application.

LIST OF SUGGESTED CONDITIONS

1.17 A list of suggested conditions is attached at Appendix A.

PRINCIPLE OF DEVELOPMENT

1.18 The site is located within the settlement boundary of Hassocks, therefore the principle of new residential development, including specialist accommodation for older people, is acceptable in accordance with policy DP6 of the Mid Sussex District Plan.

1.19 The Council allege non-compliance with 4 policies of the adopted development plan - 3 policies of the District Plan (DP20, DP26 & DP31) and one policy of the Hassocks Neighbourhood Plan (Policy 9). The proposed scheme complies with all other adopted development plan policies.

FIVE-YEAR LAND SUPPLY POSITION

1.20 The local planning authority can demonstrate a 5.04 year supply of deliverable housing sites, against a requirement of 4-years according to the tests of NPPF

paragraph 226 as of October 2023. The most up-to-date position (with a base date of 1st April 2024) has been submitted by the local planning authority to its District Plan Review examination. This shows a housing land supply in excess of 4-years.

SPECIALIST OLDER PERSONS ACCOMMODATION

- 1.21 Paragraph 63 of the National Planning Policy Framework states that within the context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.
- 1.22 Planning Practice Guidance (June 2019) identifies that the need to provide housing for older people is 'critical', and that 'Plan-making authorities should set out clear policies to address the housing needs of groups with particular needs such as older and disabled people'. These policies can set out how the plan-making authority will consider proposals for the different types of housing that these groups are likely to require.
- 1.23 The PPG also states that 'it is up to the plan-making body to decide whether to allocate sites for specialist housing for older people. Allocating sites can provide greater certainty for developers and encourage the provision of sites in suitable locations. This may be appropriate where there is an identified unmet need for specialist housing.'
- 1.24 The PPG also states that 'where there is an identified unmet need for specialist housing, local authorities should take a positive approach to schemes that propose to address this need.'
- 1.25 The Mid Sussex Strategic Housing Market Assessment (SHMA) (2021) identifies that up to 2038 there is expected to be an overall population growth of 33,000 people; with 14,000 of this being people over the age of 65 years. This equates to the population of people aged 65 and over, accounting for 42.5% of the total projected population change. Based on the increasing ageing population, the SHMA goes on to identify the future projected need for suitable older persons housing. This has been calculated and identifies for housing with support (sheltered housing), there is a shortfall of 816 units up to 2038, 801 of these units are required in the open market sector.
- 1.26 The emerging Mid Sussex District Plan 2021-2039, which was submitted for examination on 8th July 2024, identifies the shortfall in policy DPH4: Older Persons' Housing and Specialist Accommodation for all forms of older persons housing need. This policy proposes to "make provision for older persons' accommodation as part of

the following site allocations:-DPSC1: Land to west of Burgess Hill/ North of Hurstpierpoint; DPSC2: Land at Crabbet Park, Cophorne; DPSC3: Land to the south of Reeds Lane, Sayers Common; and DPA9: Land to west of Turners Hill Road, Crawley Down. Two additional sites are allocated specifically for older persons' specialist accommodation: DPA18: Land at Byanda, Hassocks (where a 60 bedroom residential care facility (C2) was approved on 12/09/2023 ref: DM/23/0002); and DPA19 Land at Hyde Lodge, London Road, Handcross. The precise yield and accommodation type will be determined following further work with site promoters/landowners and commensurate increases to overall yields. This type of accommodation can be provided at higher densities.

HIGHWAYS

- 1.27 It is agreed that the proposed development would not give rise to an unacceptable impact on highway safety.
- 1.28 It is agreed that the proposed scheme provides sufficient parking to meet the needs of the development and complies with Policy DP21 of the Mid Sussex District Plan.

AFFORDABLE HOUSING AND VIABILITY

- 1.29 The parties agree that the appeal proposal can currently only viably deliver a sum of £114,727 towards affordable housing and other CIL compliant planning infrastructure obligations.
- 1.30 It is agreed that the provision of affordable housing in this case be provided by off-site affordable housing provision.

RESIDENTIAL AMENITY

- 1.31 The proposed scheme would not result in an unacceptable level of direct overlooking to any adjoining neighbouring property.
- 1.32 The allegation of significant harm to 66a Keymer Road is from noise and disturbance, and light pollution arising from the proposed car parking area and scooter store.

DESIGN

- 1.33 There is no objection to the palette of proposed materials.
- 1.34 It is agreed that the Council's concerns relate to the scale and massing of the proposed building as it extends back into the site. There is no objection to the Keymer Road elevation in respect to scale and massing.

OTHER MATTERS

1.35 It is agreed that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development. It is agreed no mitigation is required in relation to the Ashdown Forest SPA or SAC.

1.33 It is agreed that the proposed scheme meets the minimum nationally described space standards and complies with Policy DP27 of the District Plan.

1.36 It is agreed that the proposed scheme causes no impact on retained trees.

2. Issues in dispute

2.1 The main issues in dispute are summarised below:

- Whether the proposal is an overdevelopment of the site, and whether due to the footprint scale and mas the development would harm the character and appearance of the area.
- Whether the proposal would result in unacceptable harm to the living conditions of the occupants of neighbouring residential properties, with a particular regard to privacy, noise disturbance and light pollution.
- Subject to agreement of an appropriately worded S106 agreement there is no longer any dispute in respect of affordable housing.

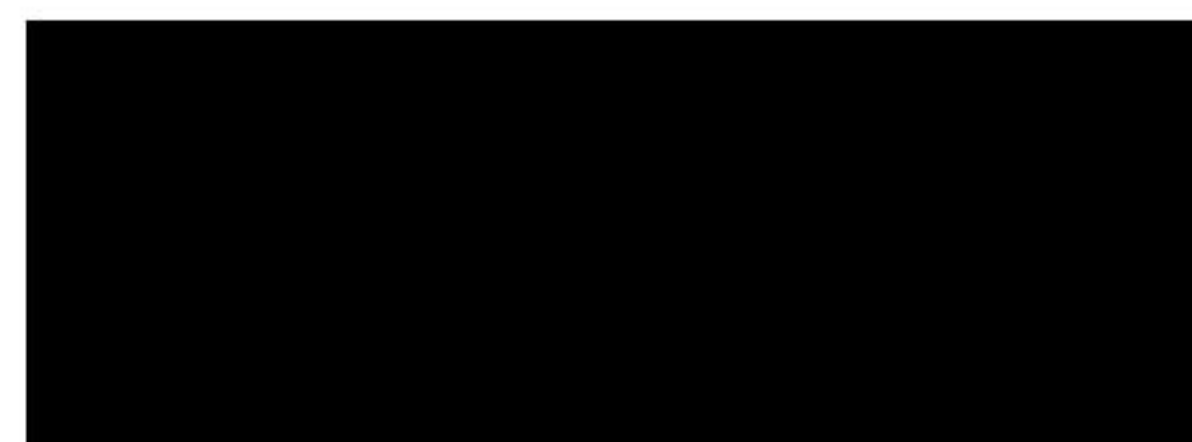
Signed.....



Mr. Matthew Shellum, Planning Issues Ltd on behalf of Churchill Retirement Living Ltd.

Date.....26/07/24.....

Signed.....



Mr. Gareth Giles, Whaleback Ltd on behalf of Mid Sussex District Council.

Date.....26/07/24.....

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APPENDIX A SUGGESTED CONDITIONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
2. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall provide the following details
 - the anticipated number, frequency and types of vehicles used during construction, the method of access and routing of vehicles during construction,
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the storage of plant and materials used in construction of the development,
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - details of public engagement both prior to and during construction works.

Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period.

Reason: In the interests of highway safety and the amenities of the area and to accord with Policy DP21 of the Mid Sussex District Plan.

3. During construction the hours of work activities, including demolition, site clearance, construction, deliveries, loading and unloading, shall be restricted to the following times: 0800-1800 Monday to Friday 0900-1300 Saturdays No work on Sundays and Bank Holidays And no burning of demolition and other waste on site.
Reason: to protect neighbouring amenities and to accord with MSDC Policy DP29: Noise, Air and Light Pollution.
4. No development shall be carried out above ground slab level unless and until there has been submitted to and approved in writing by the Local Planning Authority samples and details of materials and finishes to be used for external walls, windows, doors and roofs of the proposed building. The works shall be carried out in accordance with the approved details.
Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve buildings of visual quality and to accord with Policy DP26 of the District Plan 2014 - 2031.
5. The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the local planning authority. No building shall be occupied until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the

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development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements, and Policy DP41 of the Mid Sussex District Plan (2014 – 2031).

6. No part of the development shall be first occupied until such time as the vehicular access, turning area and car parking area serving the development has been constructed in accordance with the details shown on the approved drawings. These spaces shall thereafter be retained at all times for their designated use.
Reason: In the interests of road safety and to provide adequate on-site car parking to accord with Policy DP21 of the Mid Sussex District Plan.
7. No part of the development shall be first occupied until visibility splays of 2.4 metres by 43m metres have been provided at the proposed site vehicular access onto the B2116 Keymer Road in accordance with the approved planning drawings. Once provided, the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.
Reason: In the interests of road safety and to accord with Policy DP21 of the Mid Sussex District Plan.
8. No part of the development shall be first occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the proposed site vehicular access onto the B2116 Keymer Road in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority after consultation with the Highway Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.
Reason: In the interests of road safety and to accord with Policy DP21 of the Mid Sussex District Plan.
9. No part of the development shall be first occupied until such time as the existing vehicular accesses onto B2116 Keymer Road have been physically closed with kerbs and footway reinstatement to full height.
Reason: In the interests of road safety and to accord with Policy DP21 of the Mid Sussex District Plan.
10. No part of the development shall be first occupied until covered and secure cycle and mobility scooter parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority after consultation with the Highway Authority
Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and to accord with Policy DP21 of the Mid Sussex District Plan.

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11. No development shall be carried out above ground slab level unless and until there has been submitted to and approved in writing by the Local Planning Authority full details of both hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development, details of new planting, the treatment of the boundaries and the defensible space around the ground floor bedrooms these works shall be carried out as approved.

Hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP26 of the District Plan.

12. The development shall be carried out in accordance with the submitted Tree Protection Plan, Arboricultural Method Statement and Manual for Managing Trees on Development Sites by Barrell Tree Care.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policies DP26 and DP37 of the District Plan.

13. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (Tetra Tech, November 2023) and the Bat Roost Assessment and Bat Survey Report (Tetra Tech, November 2023), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.
Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with policies DP38 of the Mid Sussex District Plan and 180 of the NPPF.

14. No development shall commence until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".

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- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with policies DP38 of the Mid Sussex District Plan and 180 of the NPPF.

15. No development shall be carried out above ground slab level unless and until there has been submitted to and approved in writing by the Local Planning Authority a Biodiversity Enhancement Strategy for protected and Priority species prepared by a suitably qualified ecologist shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long -term maintenance (where relevant). The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with policies DP38 of the Mid Sussex District Plan and 180 of the NPPF.

16. The development hereby permitted shall not be occupied/brought into use until a lighting design scheme for biodiversity has been submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external

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lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with policies DP38 of the Mid Sussex District Plan and 180 of the NPPF

17. No development or preliminary groundworks of any kind shall take place until:

(i) a programme of archaeological investigation has been secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved in writing by the local planning authority.

(ii) No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the Written Scheme of Investigation defined in (i) above.

(iii) The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report. The work will comprise an archaeological trial-trenching evaluation of the proposed development site, focused on the footprint of the proposed building. Depending on the results of the evaluation, it may then be followed by excavation areas focused on any archaeological deposits identified, and/or monitoring of groundworks associated with the development.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policy DP34 of the District Plan.

18. Each dwelling hereby permitted shall be occupied only by: (i) a person aged 60 years or over; (ii) a person aged 55 years or older living as part of a single household with the person in (i); or (iii) a person aged 55 years or older who were living as part of a single household with the person identified in (i) who has since died.

Reason: In the interests of highway safety and the amenities of the area and to accord with Policy DP21 of the Mid Sussex District Plan.