

IN THE MATTER OF:

CHURCHILL RETIREMENT LIVING

And

LAND AT 68 & 70 KEYMER ROAD, HASSOCKS, WEST SUSSEX.

And

SECTION 78 OF THE TOWN AND COUNTRY PLANNING ACT 1990 [AS AMENDED]

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THE OPENING SPEECH OF THE APPELLANT

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1. Housekeeping:

1.1. List of Appearances:

- 1.1.1. Sasha White KC of Landmark Chambers instructed by Planning Issues intends to call two witnesses in this appeal:
- 1.1.2. Ben Smith – BA [Hons] MACIAT to give the design evidence.
- 1.1.3. Matthew Shellum BA [Hons] DIPTP MRTPI to give the planning evidence.

1.2. Time Estimates of the Appellant:

- 1.2.1. 20 minutes for this opening.
- 1.2.2. 2 hours for XX of Mr Giles.
- 1.2.3. 1 hour in chief with Mr Shellum.
- 1.2.4. 45 minutes to one hour for closing submissions.

2. The structure of this opening speech is as follows:

- 2.1. Section 1 - Introduction – the key case for the Appellant.
- 2.2. Section 2 – The factual background
- 2.3. Section 3 – What the proposal is for?
- 2.4. Section 4 – Who are the Appellant?
- 2.5. Section 5 – The matters not in dispute.
- 2.6. Section 6 – The matters in dispute
- 2.7. Section 8 – The benefits of the proposal.
- 2.8. Section 9 - The planning balance relating to the development plan and other material considerations.
- 2.9. Appendix 1 – The relevant policies of the development plan
- 2.10. Appendix 2 – The chronology in this matter.

## Section 1 - Introduction – the key case for the Appellant.

3. It will be the case of the Appellants that this is a development which could not be more compliant with National and Local Planning Policy in that:
  - 3.1. It will develop a site in the second tier of settlement in the development plan namely just below the three main towns in the district – Burgess Hill, East Grinstead, and Haywards Heath. The second tier comprises 6 settlements including Hassocks of which a minimum number of 3005 houses are sought in the plan period.
  - 3.2. It will bring forward 41 units which will contribute to the Hassocks target of 882 units during the plan period – It is noteworthy that the 882 target for Hassocks is by far the largest requirement for the larger villages in the development plan.<sup>1</sup>
  - 3.3. The site lies within the built-up boundary of Hassocks and the plan seeks to allow such development under Policy DP6.
  - 3.4. It will place development in a larger village which is accepted to have a good range of facilities and services in the development plan.<sup>2</sup>
  - 3.5. It seeks to develop a currently underutilised site which is sought by the NPPF.
  - 3.6. Which lies in a highly sustainable location yards from the town centre which is sought by the NPPF and Policy DP 21 of the district plan and where there is provision of most if not all day-to-day services that the residents of the proposal will need.
  - 3.7. Which will assist the town centre to remain vital and viable with the addition of another 50-60 residents who will use the town centre as their primary shopping and retail destination in accordance with Policy DP 2 and 3 of the district plan.
  - 3.8. Which is located within one of the main settlements in the district as identified in the development plan.
  - 3.9. It protects areas of environmental protection which is pertinent in a district which is severely constrained by the presence of the National Park and the High Weald Area of Outstanding Natural Beauty.<sup>3</sup>
  - 3.10. Which is highly accessible by alternative means of transport to the private car, which is a key aspiration of the NPPF, and a central aim of the development plan is to increase the sustainability of communities within Mid Sussex and reduce the need to travel.<sup>4</sup>
  - 3.11. Which is on mostly brownfield land which is sought to be developed as a priority in the NPPF.
  - 3.12. For a use which is not objected to by the LPA and indeed is identified as critical at National Level in the NPPG and additionally has been identified as requiring many new units in the SHMA of this local authority.
  - 3.13. One of the identified challenges facing the LPA is the increased need for such accommodation.<sup>5</sup>
  - 3.14. Additionally, one of the strategic objectives of this LPA is to provide the amount and type of housing that meets the needs of all sectors of the community.<sup>6</sup>

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<sup>1</sup> Page 37 of the District Plan.

<sup>2</sup> See Table on page 36 of the District Plan.

<sup>3</sup> See Figure 4 – Mid Sussex Environmental Constraints – page 12 of the District Plan.

<sup>4</sup> See paragraph 3.6 of the District Plan on page 15.

<sup>5</sup> Bullet point 3, page 6 of the adopted district plan.

<sup>6</sup> Strategic objective 13, page 8 of the adopted district plan.

- 3.15. Which will boost the supply of housing with the addition of 41 net units as is sought by the NPPF and again one of the central aims of the development plan is that housing needs are met over the plan period.<sup>7</sup>
- 3.16. Which will bring forward economic benefits as sought by the NPPF.
- 3.17. Which will bring forward social benefits as sought by the NPPF.
- 3.18. Which will bring forward environmental benefits as sought by the NPPF.

## Section 2 – The factual background

4. Please see the chronology as set out in Appendix 1.

## Section 3 – What the proposal is for?

5. It is worth setting out in detail what the proposal is actually for:
  - 5.1. 41 retirement living apartments which will be restricted by occupation to those over 60 or those with a spouse or partner over 55.
  - 5.2. There will be 27 one-bedroom flats.
  - 5.3. There will be 14 two-bedroom flats.
  - 5.4. The overall density of the development is 89 dwellings per hectares.
  - 5.5. 28% of the site will be covered by the building, 15% by the parking areas and access road and the remaining 57% will be landscaping and amenity areas.
  - 5.6. A guest suite for use by all residents guests via a booking system.
  - 5.7. A lodge manager will be available during working hours.
  - 5.8. A communal lift.
  - 5.9. A communal garden area which will be landscaped.
  - 5.10. Communal car parking area comprising 18 spaces.
  - 5.11. An owners lounge for use by all residents.
  - 5.12. A video entry system.

## Section 4 – Who are the Appellant?

6. CRL are one of the leading providers of specialist retirement living in the UK today. They have been providing such accommodation in excess of 20 years and now operate and own in excess of 190 sites in the UK today. Those 190 sites amount in total to over 6000 units.
7. The business operation is well known and successful.
8. They aim to provide very comfortable, secure, well-located accommodation for those who are in their advanced years. The average age of purchasers is 78 years, and the average age of occupiers is in the late 80s.
9. The decision to purchase a flat is predominantly needs based with residents choosing to live in such accommodation because of:

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<sup>7</sup> See paragraph 3.10 of the district plan on page 16.

- 9.1. The existing accommodation is no longer suitable by reasons of size, cost, and convenience.
- 9.2. They cannot access the services they need or require.
- 9.3. The death of a partner.

#### Section 5 – The matters not in dispute.

10. The following matters are not in dispute between the main parties as set out in the SoCG and the respective proofs of each side:
  - 10.1. Matter of Agreement 1 – The proposed 41 apartments fall within Class C3 of the UCO. [SoCG 1.3].
  - 10.2. Matter of Agreement 2 – The occupancy of the apartments would be age restricted [SoCG 1.3] and as set out in proposed condition 18 in the SoCG.
  - 10.3. Matter of Agreement 3 – There is no relevant planning history associated with this site [SoCG 1.6].
  - 10.4. Matter of Agreement 4 – The site has a combined size of 0.45 hectares comprising two residential properties [No 68 and 70 KR] [SoCG 1.7].
  - 10.5. Matter of Agreement 5 – The site lies within the built-up area of Hassocks [SoCG 1.8].
  - 10.6. Matter of Agreement 6 – The site is within the settlement boundary of Hassocks [SoCG 1.18].
  - 10.7. Matter of Agreement 7 – The principle of new residential development is acceptable [SoCG 1.18].
  - 10.8. Matter of Agreement 8 – The principle of specialist accommodation for elderly people is acceptable [SoCG 1.18].
  - 10.9. Matter of Agreement 9 – The LPA allege 4 policies of the development plan are breached [SoCG 1.19] which includes two policies in RoR3 which has now been agreed.
  - 10.10. Matter of Agreement 10 – All other DP policies are complied with [SoCG 1.19].
  - 10.11. Matter of Agreement 11 – The LPA can demonstrate a 5.04-year HLS position [SoCG 1.20].
  - 10.12. Matter of Agreement 12 – The current relevant requirement is 4 years per NPPF 226 [SoCG 1.20].
  - 10.13. Matter of Agreement 13 – The PPG identifies the need for older persons housing is “critical” [SoCG 1.22].
  - 10.14. Matter of Agreement 14 – The MS SHMA identifies an overall population growth up to 2038 of 33,000 people of which 14,000 will be over 65 years [SoCG 1.25].
  - 10.15. Matter of Agreement 15 – The MS SHMA identifies a shortfall of sheltered housing of the elderly of 816 units up to 2038 [SoCG 1.25].
  - 10.16. Matter of Agreement 16 – Of those 816 units, 801 of those units are required to be provided in the open market section [SoCG 1.25].
  - 10.17. Matter of Agreement 17 – There is no contention of unacceptable impact on highway safety [SoCG 1.27].
  - 10.18. Matter of Agreement 18 – There is sufficient parking provided to meet Policy DP 21 [SoCG 1.28].
  - 10.19. Matter of Agreement 19 – The payment of £99,000 is the correct amount for affordable housing considering the issue of viability [SoCG 1.29].

- 10.20. Matter of Agreement 20 – That provision is appropriate off-site [SoCG 1.30].
- 10.21. Matter of Agreement 21 – The proposed development would not result in any unacceptable direct overlooking to any adjoining neighbourhood property [SoCG 1.31].
- 10.22. Matter of Agreement 22 – There is no issue on the proposed materials [SoCG 1.33].
- 10.23. Matter of Agreement 23 – There is no objection to the Keymer Road elevation in respect of scale and massing [SoCG 1.34].
- 10.24. Matter of Agreement 24 – There is no objection on the Ashdown Forest SPA or SAC and no mitigation is required [SoCG 1.35].
- 10.25. Matter of Agreement 25 – The proposal complies with Policy DP 27 in terms of space standards [SoCG 1.33].
- 10.26. Matter of Agreement 26 – There is no issue of impact on any of the retained trees [SoCG 1.36].
- 10.27. Matter of Agreement 27 – If an appropriately worded and agreed Section 106 is provided then there is no longer any issue on affordable housing [SoCG 2.1, third bullet point].
- 10.28. Matter of Agreement 28 – Hassocks is identified as a tier 2 category settlement in the development plan [Shellum paragraph 5.5].
- 10.29. Matter of Agreement 29 – Within settlement boundaries Policy DP6 allows for redevelopment [Shellum paragraph 5.6].
- 10.30. Matters of Agreement 30 – The formal position of Hassocks Parish Council is to support the application [Smith paragraph 3.1.8].

## Section 6 – The matters in dispute

- 11. Therefore, the main issues in dispute are twofold:
  - 11.1. Issue 1 – Whether the proposal is an overdevelopment of the site, and whether due to the footprint, scale, and mass of the development it would harm the character and appearance of the area?
  - 11.2. Issue 2 – Whether the proposal will result in an unacceptable harm to the living conditions of the occupiers of neighbouring residential properties with particular regard to privacy, noise disturbance and light pollution?

Issue 1 – Whether the proposal is an overdevelopment of the site, and whether due to the footprint, scale, and mass of the development it would harm the character and appearance of the area?

- 12. The reason of refusal 1 stated: *The proposal is considered to be an over development of the site and due to the footprint, scale, and mass of the proposed building, it is considered that the development would harm the character and appearance of the area by reason of the overdevelopment of the site in conflict with the predominant positive characteristics of the area. The proposal therefore does not comply with Policy DP26 of the District Plan, Policy 9 of the Hassocks Neighbourhood Plan and the design principles set out in the Design Guide SPD.*<sup>8</sup>

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<sup>8</sup> See CD 3.2, page 2.

13. To consider this issue there need to be 3 sub-topics:
  - 13.1. Matters of introduction about the reason of refusal
  - 13.2. The relevant policy tests.
  - 13.3. Does the concern of the LPA justify weight in the planning balance?

#### Issue 1 - Matters of introduction about the reason of refusal

14. The following pertinent points can be made about this reason of refusal:
  - 14.1. This site is not within a conservation area.<sup>9</sup>
  - 14.2. The site falls within no other designation which would affect how any redevelopment should take place.
  - 14.3. This site has no specific design policy which is applicable to it.
  - 14.4. The allegation only relates to the footprint, scale, and mass of the proposal.
  - 14.5. It is noteworthy that there is no issue about the proposed design in terms of how it looks.
  - 14.6. It is noteworthy there is no issue with dwelling space standards [DP 27]
  - 14.7. It is noteworthy there is no issue about accessibility [DP 28]
  - 14.8. It is noteworthy there is no issue about noise, air, and light pollution in the context of Policy DP 29.
  - 14.9. Or housing mix [Policy DP 30].
  - 14.10. It is noteworthy that there is no issue as to the effect on Keymer Road which is of course by far the most visible façade of the proposed development.
  - 14.11. The two policies on which the reason relies on are DP26 and Policy 9.
  - 14.12. The only two policies relied on by the LPA are generic, at a high level and require a subjective judgment.
  - 14.13. It is noteworthy there is no allegation of breach of Policy DP 6 which has a test of appropriate scale and a test of effect on the character of the settlement.
  - 14.14. Therefore, the area of dispute is small and solely relates to three matters – footprint, scale, and mass of the proposal.
  - 14.15. That debate must also be informed by counter policy objectives which are ignored in the LPA approach:
    - 14.15.1. Policy DP 6 expressly seeks that a development must satisfy the LPA that a proposal does not represent an underdevelopment of the site with regard expressly to Policy DP 26.<sup>10</sup>

#### Issue 2 - The relevant policy tests

15. The key policies are Policy DP 26 and Policy 9.
16. The important points regarding Policy DP 26 are as follows:
  - 16.1. The policy has 11 criteria and there is no indication on the policy that all hurdles are required to be met but an overall judgment is made on compliance.

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<sup>9</sup> See page 68 of the Hassocks NP for the two conservation areas in Hassocks.

<sup>10</sup> See page 35 of the District Plan – Policy DP6.

- 16.2. Even on the LPA's case only some of the criteria at most are breached. Noticeably it is not contended that there is any harm to the public or private realm [Criteria 2], to the protection of open space, trees, and gardens [Criteria 4], to the protection of valued landscapes [criteria 5], to creating pedestrian friendly layouts [criteria 6], encourages community interaction [criteria 9] or optimises the potential of the site to accommodate development [criteria 11]
- 16.3. Many of the criteria are clearly not in dispute therefore it is simply not straightforward or correct even on the LPA's case to say the policy is breached.
- 16.4. The real battleground is criteria 1 which deals with high quality design and layout and criteria 6 which deals with residential amenity addressed in reason of refusal 2.
- 17. The important points regarding Policy 9 are as follows:
  - 17.1. Development Proposals have to have regard to the Hassocks Townscape Appraisal.
  - 17.2. Is a generic policy setting out considerations to be considered.
  - 17.3. Again, many of the criteria are complied with out of the 10.
  - 17.4. Arguably the only issue between the parties relates to criteria 1, 3 and 6.

Issue 3 - Does the concern of the LPA justify weight in the planning balance?

- 18. It will be the evidence of the Appellant in this matter that:
  - 18.1. The only concern appears to be about the footprint, scale, and mass.
  - 18.2. It is difficult to understand the concerns frankly because the evidence is very light.
  - 18.3. There needs to be actual material harm, not just identification of difference or visibility because those intrinsically are not harmful.
  - 18.4. The harm is difficult to grapple with.
  - 18.5. It really relates solely to appearance.
  - 18.6. In terms of character the LPA contend the area is predominantly residential and that is what is proposed. The residential use proposed is identical to that currently there and will not generate harm.
  - 18.7. In terms of appearance of course the proposal is much larger than that exists but frankly so what? Mr Smith will give evidence that after very careful design and consideration of the Design Review Panel issues the proposal has evolved to be proportionate and appropriate.
  - 18.8. However, one cannot consider this issue without consideration of the clear policy injunctive to use such land with a view to optimise its contribution.
  - 18.9. This is an authority with a very large existing and future housing requirement in a heavily constrained district.
  - 18.10. Such sites need to be optimised.
  - 18.11. The footprint seeks to make best use of the site as required by Government policy and the development plan.
  - 18.12. It however is proportionate and respectful of material considerations.
  - 18.13. In terms of scale and mass the building really is not significantly different from buildings just to the west of the proposal and.
  - 18.14. The reality is that Churchill developments fit properly and appropriately in the locations they are put.

Issue 2 – Whether the proposal will result in an unacceptable harm to the living conditions of the occupiers of neighbouring residential properties with particular regard to privacy, noise disturbance and light pollution?

19. The reason of refusal [2] states: *It is considered that the proposed development would result in an unneighbourly form of development and would give rise to a perceived impact on privacy to the rear gardens of adjoining properties from habitable windows. In addition, it is considered that the location of the parking area and scooter storage in close proximity to the rear garden of 66a Keymer Road would be unneighbourly and likely to cause noise and disturbance, and light pollution from their use and would cause unacceptable harm to their residential amenity. The proposal would therefore not comply with Policy DP26 of the District Plan, Policy 9 of the Hassocks Neighbourhood Plan and the residential amenity principles set out in the Design Guide SPD.*<sup>11</sup>
20. To consider this issue there need to be 3 sub-topics:
- 20.1. Matters of introduction about the reason of refusal
  - 20.2. The relevant policy tests.
  - 20.3. Does the concern of the LPA justify weight in the planning balance?

Issue 1 - Matters of introduction about the reason of refusal

21. The following pertinent points can be made about the reason of refusal:
- 21.1. The reason of refusal makes 3 allegations of harm – to the privacy, noise and disturbance and light pollution of existing neighbours.
  - 21.2. The allegation of privacy to the rear gardens appears to no longer be contended as a result of the change in glazing proposed just perceived overlooking.
  - 21.3. Therefore, the principal concern now appears to relate to 66A KR alone.
  - 21.4. The reason relies on the same two policies as relate to RR1 – DP 26 and Policy 9.
  - 21.5. There is no allegation of Policy DP 29 which directly deals with noise and light pollution which is noteworthy.

Issue 2 - The relevant policy tests

22. It is important to stress that the development plan establishes high hurdles for this consideration:
- 22.1. Policy DP 26 sets a test that new development does not cause significant harm to amenities of existing nearby residents but in particular concerning:
    - 22.1.1. Privacy – alleged in the RoR.
    - 22.1.2. Outlook – not alleged in the RoR.
    - 22.1.3. Daylight and sunlight – not alleged in the RoR.
    - 22.1.4. Noise – alleged in the RoR.
    - 22.1.5. Air pollution – not alleged in the RoR.

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<sup>11</sup> See CD 3.2, page 2.



- 22.1.6. Light pollution – alleged to one property.
- 22.2. Policy 9 of the NP sets the threshold of acceptability at needing to cause unacceptable harm to the amenities of existing nearby residents but in particular concerning:
- 22.2.1. Privacy – alleged in the RoR.
- 22.2.2. Outlook – not alleged in the RoR.
- 22.2.3. Daylight – not alleged in the RoR.
- 22.2.4. Sunlight – not alleged in the RoR.
- 22.2.5. Security – not alleged in the RoR.

23. In essence the position on residential amenity can be summarised below:

ISSUE	REASON OF REFUSAL ALLEGATION	POLICY DP 26 OF THE DP	POLICY 9 IN THE NP	WHICH RECEPTOR?
PRIVACY	YES	YES	YES	9-10 THE MINNELS AND 72 KEYMER ROAD
OUTLOOK	NO	YES	YES	N/A
DAYLIGHT	NO	YES	YES	
SUNLIGHT	NO	YES	YES	
NOISE AND DISTURBANCE	YES	YES	NO	66A KEYMER ROAD
AIR POLLUTION	NO	YES	NO	N/A
LIGHT POLLUTION	YES	YES	NO	66A KEYMER ROAD
SECURITY	NO	NO	YES	N/A

### Issue 3 - Does the concern of the LPA justify weight in the planning balance?

24. It will be the contention of the Appellant that this concern does not merit any material weight in the planning balance for the following reasons:
- 24.1. There is no issue contended on any of the proposed 41 units.
- 24.2. The LPA accepts in terms of the proposed flats all 41 will have immaculate residential amenity.
- 24.3. The issue solely relates to the existing amenity of 4 properties alone.
- 24.4. The LPA appear to accept no harm to the Dale Avenue properties now.
- 24.5. The issue in relation to those four properties is only privacy, noise, and light pollution.
- 24.6. In terms of privacy only 3 properties are affected.
- 24.7. All three of those properties will be significant distances away from the proposal with the garden of the proposal, a fence, vegetation, including trees and their own gardens lying in the middle.
- 24.8. Those separation distances are comfortable and acceptable.

- 24.9. In relation to 72 KR, it is the side façade alone of the building.
- 24.10. In terms of noise and disturbance one needs to consider only one property – 66A KR.
- 24.11. It will be the contention of the Appellant this simply does not justify refusal because:
- 24.11.1. The LPA have no formal evidence of noise and disturbance, just the allegation made by a planner.
- 24.11.2. The property will have a buffer of vegetation and fence of 1.8 metres separating it from the appeal site.
- 24.11.3. Immediately adjacent to the property will be a scooter store and a refuse area both with a roof which will affect the noise.
- 24.11.4. The survey of a comparative property shows that the movements in the evening are minimal from a CRL development.

### Section 8 – The benefits of the proposal

25. It will be the case of the Appellant that the following benefits should be considered in the planning balance:

	BENEFIT	WEIGHT	PARA IN SHELLUM EVIDENCE
1.	PROVISION OF RESIDENTIAL ACCOMMODATION	SUBSTANTIAL	7.4
2	MEETING NATIONAL HOUSING NEEDS	SUBSTANTIAL	7.18
3	REDEVELOPMENT OF PDL	SUBSTANTIAL	7.20
4	SUSTAINABLE LOCATION	SUBSTANTIAL	7.21
5	EFFICIENT USE OF LAND	SUBSTANTIAL	7.25
6	ECONOMIC BENEFITS	SUBSTANTIAL	7.31
7	SOCIAL BENEFITS	SUBSTANTIAL	7.37
8	ENVIRONMENTAL BENEFITS	MODERATE	8.2
9	RELEASE OF UNDER OCCUPIED HOUSING STOCK	SUBSTANTIAL	8.2
	CUMULATIVE WEIGHT	SUBSTANTIAL	8.2

### Section 9 - The planning balance relating to the development plan and other material considerations.

26. It will be the contention of the Appellant for the reasons set out above:
- 26.1. That the proposal is clearly overall compliant with the development plan.
- 26.2. Even if you accept the LPA's case the breach of two policies cannot and must not justify a finding that overall, the development plan is breached when one is considering 24 policies.
- 26.3. The other material considerations in play in this inquiry are clearly supportive of that conclusion overall as the evidence will show.

**10 September 2024.**

**SASHA WHITE K.C.  
LANDMARK CHAMBERS.**

## Appendix 1 – The relevant policies of the development plan

	POLICY	PAGE	COMPLIANCE OR BREACH ALLEGED BY THE LPA
<b>MID SUSSEX DISTRICT PLAN 2018</b>			
1.	DP 1 – SUSTAINABLE ECONOMIC DEVELOPMENT	23	NO
2.	DP 3 -VILLAGE AND NC DEVELOPMENT	29	NO
3.	DP 4 – HOUSING	31	NO
4.	DP 6 – SETTLEMENT HIERARCHY	35	NO
5.	DP 20 – SECURING INFRASTRUCTURE	67	NOT ANY MORE WITH AGREEMENT ON THE SECTION 106 [CF SOCG 1.19]
6.	DP 21 – TRANSPORT	69	NO [SOCG 1.28]
7.	<b>DP 26 – CHARACTER AND DESIGN</b>	<b>75</b>	<b>YES [SOCG 1.19 AND GG PARA IX OF PROOF]</b>
8.	DP 27 – DWELLING SPACE STANDARDS	77	NO [SOCG 1.33]
9.	DP 28 – ACCESSIBILITY	78	NO
10.	DP 29 – NOISE, AIR AND LIGHT POLLUTION	80	NO
11.	DP 30 – HOUSING MIX	82	NO [GG PARA 4.4]
12.	DP 31 – AFFORDABLE HOUSING	83	NOT ANY MORE WITH AGREEMENT ON THE SECTION 106 [CF SOCG 1.19]
13.	DP 37 – TREES, WOODLAND, AND HEDGEROWS	91	NO
14.	DP 38 – BIODIVERSITY	92	NO
15.	DP 39 – SUSTAINABLE DESIGN AND CONSTRUCTION	94	NO
16.	DP 41 – FLOOD RISK AND DRAINAGE	96	NO
17.	DP 42 – WATER INFRASTRUCTURE AND ENVIRONMENT	98	NO
<b>SITE ALLOCATIONS DEVELOPMENT PLAN 2022</b>			
18.	SA 38 AIR QUALITY	104	NO
19.	SA 39 – SPECIALIST ACCOMMODATION FOR OLDER PEOPLE	105	NO [GG 4.6] – AGREED NOT TO BE RELEVANT.
<b>HASSOCKS NEIGHBOURHOOD PLAN 2020</b>			
20.	POLICY 4 – MANAGING SURFACE WATER	24	NO
21.	POLICY 5 -ENABLING ZERO CARBON	25	NO
22.	POLICY 8 – AIR QUALITY MANAGEMENT	28	NO
23.	<b>POLICY 9 – CHARACTER AND DESIGN</b>	<b>30</b>	<b>YES [SOCG 1.19]</b>
24.	POLICY 14 – RESIDENTIAL DEVELOPMENT IN AND ADJOINING BUILT UP AREA OF HASSOCKS	43	NO
25.	POLICY 17 – AFFORDABLE HOUSING	48	NO
<p><b>SUMMARY OF LPA'S POSITION ON THE DEVELOPMENT PLAN – 24 POLICIES ARE RELEVANT FOR THE PURPOSES OF THE DEVELOPMENT PLAN BUT ONLY 2 NOW BREACHED BY THE PROPOSAL ALTHOUGH THE LPA CONCLUDE THE DEVELOPMENT PLAN IS OVERALL BREACHED BY THE PROPOSAL</b></p>			

Appendix 2 – The chronology in this matter.

DATE	EVENT	CD reference number
2008	Hassocks Village Design Statement Part one	CD 8.8
28 March 2018	Adoption of the Mid Sussex District Plan	CD 4.1
July 2020	Hassocks Neighbourhood Plan made.	CD 4.3
29 June 2022	Site Allocations Development Plan	CD 4.2
24 November to 3 December 2023	Online consultation undertaken by CRL	
4 December 2023	Planning application for 41 units submitted to the LPA.	CD 1.1
5 December 2023	Planning application validated by the LPA [Ref DM/23/3114.]	
21 December 2023	New NPPF published by the Government.	CD 8.12
17 January 2024	Presentation to the Mid Sussex Design Review Panel	
March 2024	Additional responses submitted by the Appellant relating to drainage and highways.	
10 April 2024	Application amended by the Applicant.	CD 2
10 May 2024	Planning appeal submitted by the Appellant for non-determination of the application.	CD 7.4
6 June 2024	Publication of the Planning Officers Report to be considered by members.	CD 3.1
6 June 2024	Applicant writes to the Planning Officer indication that all fenestration on the southern boundary would be obscure glazed.	
13 June 2024	Planning application considered by the LPA Planning Committee to consider the putative reasons of refusal.	CD 3.3
5 July 2024	LPA statement of case issued to PINS	CD 7.5
8 July 2024	Submission Plan sent to PINS.	
17 July 2024	The LPA agree the position on viability resulting in a payment of £114,727.	
23 July 2024	Virtual CMC held.	CD 7.6
26 July 2024	SoCG agreed and Mr Giles visits site for the first time.	CD 7.2
30 July 2024	Consultation issued regarding proposed amendments to the NPPF.	CD 8.12.
20 August 2024	Exchange of proofs of evidence.	CD 9
10 September 2024	Commencement of the public inquiry.	
22 October 2024	Commencement of EIP into the submission draft Mid Sussex District Plan 2021-2039.	