

MID SUSSEX DISTRICT COUNCIL

District Wide Committee

19 APR 2018

RECOMMENDED FOR Permission

Lindfield Rural

DM/17/2271

**LAND TO THE EAST OF HIGH BEECH LANE/ LAND NORTH OF BARRINGTON CLOSE BARRINGTON CLOSE LINDFIELD
OUTLINE APPLICATION FOR THE ERECTION OF 43 (ONE, TWO, THREE, FOUR AND FIVE BEDROOM) DWELLINGS AND THREE SELF/ CUSTOM BUILD PLOTS (USE CLASS C3) WITH ASSOCIATED INFRASTRUCTURE, LANDSCAPING AND ACCESS. ALL MATTERS TO BE RESERVED EXCEPT FOR ACCESS. AMENDED DESCRIPTION 21/8/2017 TO INCLUDE SELF / CUSTOM BUILD.
MR ANDREW MUNTON**

POLICY: Areas of Special Control for Adverts / Built Up Areas / Countryside Area of Dev. Restraint / Classified Roads - 20m buffer / Aerodrome Safeguarding (CAA) / Tree Preservation Order / Tree Preservation Order Points /

ODPM CODE: Smallscale Major Dwellings

13 WEEK DATE: 26th April 2018

WARD MEMBERS: Cllr Chris Hersey / Cllr Linda Stockwell /

CASE OFFICER: Mrs Joanne Fisher

PURPOSE OF REPORT

To consider the recommendation of the Divisional Lead, Planning and Economy on the application for planning permission as detailed above.

EXECUTIVE SUMMARY

Outline planning permission is sought for the erection of 43 (one, two, three, four and five bedroom) dwellings and three self / custom build plots (use class C3) with associated infrastructure, landscaping and access at land to the East Of High Beech Lane / land north of Barrington Close, Lindfield. Matters for consideration at this

outline stage relate to access with all other matters (appearance, scale, landscaping and layout) reserved at this stage.

Planning legislation requires the application to be determined in accordance with the Development Plan unless material circumstances indicate otherwise. As the proposed scheme does not comply with certain aspects of the Development Plan, other material considerations need to be considered in determining the application, including the National Planning Policy Framework (NPPF).

The planning application was considered by planning committee on the 7th September 2017. The Committee resolved to grant planning permission subject to the completion of a S106 legal agreement to secure the necessary financial contributions to infrastructure. The legal agreement is awaiting to be finalised.

Since the resolution by Members to approve the application, the District Plan has been adopted and the Council can now demonstrate a 5 year supply of deliverable housing land. This results in a significant change in circumstances since the application was considered by Committee and is material to how the Council considers the proposals. The Council previously applied the 'presumption in favour of sustainable development' test within para.14 of the NPPF as the Council could not demonstrate a 5 year supply of housing land in its assessment of the proposals at that point.

It is therefore necessary to review the application in light of the changed planning policy position for the application site.

The application site lies in countryside, outside the built up area of Lindfield, and thus would be contrary to policy DP 12 of the District Plan as general housing development is not one of the permitted exceptions to the policy of restraint in the countryside under DP15. The aim of the policy is to protect the countryside in recognition of its intrinsic character and beauty. The application would also be contrary to policy 1 of the Lindfield and Lindfield Rural Neighbourhood Plan which only supports development proposals within the built up area. The proposal is also contrary to policy DP6 of the District Plan as the proposal is for a development of more than ten units on a site that is contiguous with the built up area.

In accordance with the law whilst this breach of policy is the starting point for decision making the Council also must have regard to other material considerations. It is considered that there are other material considerations, specific to this site which are relevant to this application. These include:

There would be a limited adverse impact on the landscape as a result of the proposed development on a greenfield site but this is an inevitable outcome of building on an undeveloped site. The site is well contained and would be seen in context with the existing housing development to the eastern, southern and western boundaries. It is considered that the development of this site would result in the infill of the current built up area boundary of Lindfield forming a more defensible and logical boundary to the open countryside which would be strengthened with additional landscaping.

The site does not lie in an area recognised for its landscape quality, nationally. Locally it lies within area 10 'High Weald Fringes' in the Mid Sussex Landscape Character Assessment but the Council's landscape consultant does not object to the proposals subject to the detailed design of the scheme, tree protection and a landscape strategy. It would not therefore be contrary to the aims of policy DP 12.

Whilst the development lies outside of the built up area of Lindfield, it is situated directly adjacent to the development boundary, a category 2 settlement which is a sustainable location providing good access to services and goods.

The proposal will deliver positive social and economic benefits through the delivery of housing which reflects one of the key objectives of the NPPF. In addition the scheme would secure the delivery of 30% (14 units) affordable housing, 3 self/custom build units and infrastructure payments. The development will provide a positive economic benefit through the New Homes Bonus, construction jobs and an increased population likely to spend in the community. Moreover, the dwellings are in a relatively sustainable location. There would also be drainage improvements as the development can reduce flood risk to neighbouring properties and downstream areas.

There will be a neutral impact in respect of a number of issues such as drainage, sustainability, preserving the character of the area, not significantly affecting neighbouring residential amenity, highway safety and the impact on the Ashdown Forest.

Your officers have reviewed the planning application in the context of the adopted District Plan and other material planning considerations and recommend that planning permission is granted.

The proposal is therefore deemed to comply with the requirements of Policies DP4, DP21, DP26, DP30, DP31, DP37, DP38 and DP41 of the District Plan 2014-31, as well as the broader requirements of the NPPF and will mitigate the risk of flooding to properties to the south of the site by managing the run off or water and provide 30% affordable housing.

RECOMMENDATION

Recommendation A: It is recommended that planning permission be approved subject to the completion of a S106 Legal Agreement to secure affordable housing and infrastructure contributions and the conditions set in Appendix A.

Recommendation B: It is recommended that if the applicants have not submitted a satisfactory signed planning obligation securing the necessary infrastructure payments and affordable housing by the 19th July 2018, then it is recommended that permission be refused at the discretion of the Divisional Lead for Planning and Economy, for the following reason:

'The application fails to comply with policy DP20 and DP 31 of the Mid Sussex District Plan in respect of the infrastructure required to serve the development.'

SUMMARY OF REPRESENTATIONS

1 letter of SUPPORT - proposed access will include traffic calming measures which will benefit users of junction of By Sunte.

1 letter of COMMENTS - regarding the design of the access onto High Beech Lane.

80 letters of OBJECTION received concerning the following points:

- Geological nature of site of underground springs and displacement of ground water upon neighbouring properties and subsidence;
- Dangerous entrance near to Golf Club;
- Significant negative impact on traffic and road safety;
- Safety of pedestrians leaving / walking on High Beech Lane as it is a dangerous and busy road;
- Exacerbate existing flood risk on land south of site;
- No housing need;
- Contrary to Lindfield adopted Neighbourhood Plan which excludes development beyond the built up area;
- Violates the District Plan as not allocated in the Neighbourhood Plan;
- No benefits to development under the 3 dimensions to sustainable development;
- Adverse impacts would significantly and demonstrably outweigh any benefits of scheme;
- Unsuitable location;
- Potential for further greenfield development which will result in precedent for development into farmland to east and north as well as Golf Club to west;
- Loss of vegetation and change character of area;
- Change to area and urbanisation along High Beech Lane;
- Creeping suburbanisation;
- Additional traffic and impact on access to Lindfield and Haywards Heath;
- Visually intrusive;
- Risk of flooding;
- Pressure on local community and infrastructure already under huge strain;
- Static pond at lower end of site would be a breeding ground for insects and vermin during summer months;
- Risk of blockages and overflow of surface water routed through Portsmouth Wood Close;
- Ground surrounding unstable and suffers from subsidence;
- Lacks access to buses and would encourage more car flow;
- Problems of parking in and around village;
- Field is home to variety of animals and birds which would destroy wildlife habitats;
- Planning Inspector concluded site should not be permitted for development in 1988 and 2003;
- Level of site is higher than surrounding houses resulting in loss of privacy, overlooking and new development would be visually overbearing;
- Lindfield has taken its fair share of building in recent years;
- Infilling would damage Wealden character of the area;
- Loss of rural outlook provided by field;
- Extend village further northwards;

- Destroy character of area by additional housing, lighting, pedestrian access and traffic;
- No alternative transport proposals for development - far from local amenities;
- Threat to woodland and protected trees;
- Abuts Ancient Woodland;
- Does not address needs of community;
- Noise and dust pollution/disturbance of construction and after completion;
- Lack of pedestrian walkways along road past Golf Course;
- Drainage and flooding survey still incomplete and does not include impact of potential increased water-run off down Portsmouth Wood Drive;
- Further change and urbanisation of site.

SUMMARY OF CONSULTATIONS

(Full responses from Consultees are included at the end of this report as Appendix B)

WSCC Highways Authority

No objection subject to conditions.

WSCC Planning Officer

Contributions required by formula in relation to school infrastructure contribution, library infrastructure contribution and transport (TAD) contribution.

Landscapes Consultant (East Sussex County Council)

It is recommended that the proposed development can be supported subject to the detailed design and full implementation of tree protection measures and the illustrated landscape strategy.

Ecology Consultant (Calyx Environmental Ltd)

No biodiversity policy grounds for refusal or amendment. Condition recommended.

Heritage Consultant (Surrey County Council)

No objection subject to condition.

MSDC Planning Policy

No objection.

MSDC Urban Designer

Observation and initial comments on the layout only.

MSDC Drainage

No objection subject to conditions.

WSCC Flood Risk Management

No objection subject to conditions.

MSDC Housing Officer

No objection.

MSDC Leisure Officer

Leisure contributions of the following required as part of the development:

- Children's playing space - provision of a LEAP on site and full details regarding the layout, equipment and on-going maintenance will need to be agreed by condition.
- Formal Sport - contribution of £45,725 is required toward pitch drainage at Hickmans Lane Recreation Ground.
- Community Buildings - contribution of £19,862 is required to make improvements to the King Edward Hall in Lindfield.

MSDC Tree Officer

No objections.

MSDC Environmental Protection Officer

No objections subject to conditions.

MSDC Contaminated Land Officer

No objection subject to condition.

MSDC Street Name and Numbering Officer

Informative.

Sussex Police

No detailed comments to make at this stage.

LINDFIELD RURAL PARISH COUNCIL OBSERVATIONS

(Full response from Lindfield Rural Parish Council is included at the end of this report as Appendix B)

The Parish Council strongly objects to this application on the following grounds:

The proposed site is outside the current built up area boundaries of recognised settlements. The application is in contradiction to the Lindfield and Lindfield Rural Neighbourhood Plan and MSDC planning policies. The site is unsuitable due to drainage and stability issues and is unsustainable due to access to the site and distance from available services resulting on reliance on car travel.

Access and Transport

The site is located in a sunken rural lane, overhung by large trees. As it is the exit from Lindfield Village/ Haywards Heath travelling towards Ardingly traffic is fast moving despite the restrictions, visibility is poor and there are no footpaths to the site. Should a footpath be constructed, due to the steep gradient and bends in the road walking would be hazardous at best; and use by those less abled or using mobility scooters would be challenging, if not impossible.

The creation of a wide access road to the site from High Beech Lane will be out of keeping with the rural aspect of the Lane and its location, leading to urbanisation of the area. Despite the suggestions of "improvements" to the access it will still be onto a narrow Lane with poor visibility and no street lighting. If lighting were introduced this would lead to urbanisation of the countryside area and light pollution. The removal of the "drove way" banks and trees will destroy the rural character forever creating an urbanisation sprawl.

Affordable Housing

The previous West Sussex County Council response made it clear that currently there is no spare capacity at primary/secondary schools within the catchment area. It was suggested that contributions should be made to Northlands Wood Primary school which may accommodate pupils with expansion (not in Lindfield). Northlands Wood Primary School is located at Beech Hill in Haywards Heath. This school is 2.6 miles (4.2km) distant from the site; a ten-minute drive (additional traffic permitting), or an hour walk for small children.

The local doctor's surgery also is full to capacity, travel to Northlands Wood Surgery would be necessary.

Therefore, the easily accessed services, which it is indicated may be reached on foot are not in fact accessible. This would have particular impact on residents in social housing who are likely to be on lower incomes and unable to afford or would be disadvantaged by the cost of travelling to essential services.

National Planning Policy Framework (NPPF)

The proposal will not contribute to the achievement of sustainable development in the area in accordance with the NPPF guiding principles relating to economic, social and environmental impact.

LINDFIELD PARISH COUNCIL OBSERVATIONS

(Full response from Lindfield Parish Council is included at the end of this report as Appendix B)

The Parish Council concludes that the proposal is not sustainable, not least by the lack of local infrastructure, which as stated above, cannot be mitigated by money. There are no substantive or economic benefits from the proposal, and any there are will merely be transient, such that they should carry very limited weight. There are no social benefits, as apart from an element of so called affordable housing, it will merely add to the supply of expensive middle and high earner large detached properties in this part of West Sussex. It will simply add to Haywards Heaths growing reputation as a dormitory /commuter town. There are evidently no environmental benefits, as clearly set out above. It is therefore clear on any objective analysis, that the adverse impacts of approving the application, significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole. **The application should therefore be refused.**

Introduction

Outline planning permission is sought for the erection of 43 (one, two, three, four and five bedroom) dwellings and three self / custom build plots (use class C3) with associated infrastructure, landscaping and access at land to the east of High Beech Lane / land north of Barrington Close, Lindfield. Matters for consideration at this outline stage relate to access with all other matters (appearance, scale, landscaping and layout) reserved at this stage.

Relevant Planning History

The site was considered as part of the Councils Small Scale Housing Allocation Development Plan Document (DPD) (2006). However, due to inadequate consultation in relation to sustainability appraisal, the site was not considered suitable to be included in the DPD. Notwithstanding this, the Inspectors report noted that the site does have merits for development as existing built development backs on to the land on three sides and there are protected trees along the southern and western boundaries screening the site from most public views. In addition the Inspector considered that the site is little visible in the wider landscape of the countryside and its containment would significantly mitigate the visual impact of any built development.

The site has recently been assessed in the 2016 Strategic Housing Land Availability Assessment (SHLAA) (site 151). The SHLAA is a comprehensive study of the availability, suitability and likely viability of land to meet the identified need for housing. It forms part of the evidence base and background information which informs the preparation of the Mid Sussex Local Development Framework. This is a background paper only and it is not a statement of Council policy and does not allocate land.

The assessment of this site within this 2016 SHLAA indicates that it is suitable for development as it is well related to the existing built up area boundary and is enclosed by built development on three sides. It considers that development would have a limited impact on surrounding countryside. In addition, it considers that the site relates fairly well to existing services and facilities, however, the assessment noted that without a footpath link through Portsmouth Wood Close, the site will be less accessible to these services. The SHLAA identifies that the site would require allocation through relevant Neighbourhood Plan or DPD. However, the site has not been identified as an allocated site in the made Lindfield and Lindfield Rural Neighbourhood Plan which does not allocate any sites for development. It was not allocated in the District Plan as that only allocates strategic sites of 500+ units.

Outline planning application was recently withdrawn under reference DM/16/2333 for the erection of 49no. one, two, three, four and five bedroom dwellings (use class C3) following officer concerns in relation to the impact on the character of High Beech Lane through the loss of trees and vegetation and drainage issues.

This current application has previously been considered by Members at the District Planning Committee in September 2017. The resolution was to grant planning permission subject to the completion of a S 106 Obligation. The S106 was not completed prior to the adoption of the District Plan, which represents a material change in circumstance since the application was previously considered. Given that the permission was not issued the proposals must be reconsidered in the context of the new circumstances and accordingly the application has been brought back to committee.

Site and Surroundings

The site itself is a field with vegetation and trees on the boundaries with further fields to the north. The site slopes to the west and south, with a significant change in levels with the dwellings beyond the site at a lower level.

The proposed access is to be from High Beech Lane. This is a classified 'C' road which retains a rural character with trees and vegetation along the highway. The land to the east of this lane is set at a higher level and currently forms fields.

The site is situated on the edge of the development boundary of Lindfield and on the edge of existing housing development to the eastern, western and southern boundaries. These dwellings are set at a lower level and have vegetation on their boundaries. A number of the trees on the southern and western boundaries are subject to Tree Preservation Orders.

The site is contiguous with the development boundary of Lindfield on part of the eastern and western boundaries and along the whole of the southern boundary of the site.

The application site is situated within the Countryside Area of Development Restraint as defined in the District Plan.

Application Details

Outline planning permission is sought for the erection of up to 43 one, two, three, four and five bedroom dwellings and three self / custom build plots (Use Class C3) with associated infrastructure, landscaping and access at land to the east of High Beech Lane / land north of Barrington Close, Lindfield. All matters to be reserved except for access.

Matters for consideration at this outline stage relate to access with all other matters (appearance, scale, landscaping and layout) reserved at this stage.

Plans show that the development will be accessed off High Beech Lane to the north-west of the site and will form a long access road set within a parkland setting. The access will remove minimal trees and vegetation currently along High Beech Lane and the development would incorporate further tree and vegetation planting from the access along the new vehicle driveway into the development.

As part of the development, the proposal is to provide 3no self / custom build dwellings. The Government requires Local Authorities to keep a register of individuals and associations of individuals who are seeking to acquire serviced plots of land in the authority's area for their own self-build and custom housebuilding as set out in the Self-build and Custom Housebuilding Act 2015. The Agent has identified that there is a clear need for self/ custom build plots to be provided for within the District as there are currently in excess of 300 individuals / association on the Councils register.

An illustrative masterplan has been provided as part of the scheme. However, this is not a material consideration as this application is only looking at the principle and means of access of the development. Notwithstanding this, the illustrative plan shows that this development could be accommodated within the main field to the east of Portsmouth Wood Close with development set within an estate style development with one vehicular access into the site from High Beech Lane set within a parkland setting with further tree and vegetation screening around the highway and also the northern boundary of the site.

The application has been accompanied with the following supporting documents;

- Design and Access Statement;
- Planning Statement;
- Sustainability and Energy Statement;
- Transport Statement;
- Phase 1 Habitat Survey & Protected Species Report;
- Tree Survey, Arboricultural Impact Assessment and Method Statement;
- Flood Risk Assessment;
- Flood Risk and Surface Water Run-Off Assessment;
- Affordable Housing Statement;
- Archaeological Desk Based Assessment;
- Ground Investigation Report;
- Phase II Ground Investigation Report;
- Self / Custom Build note; and

- Utilities Statement.

List of Policies

Neighbourhood Plan

The Lindfield and Lindfield Rural Neighbourhood Plan is a 'made' plan. It carries full weight in the determination of planning decisions but does not itself allocate any housing sites.

Relevant policy:

Policy 1 - A Spatial Plan for the Parishes

District Plan

DP4 - Housing
DP6 - Settlement Hierarchy
DP12 - Protection and enhancement of countryside
DP15 - New Homes in the Countryside
DP21 - Transport
DP26 - Character and Design
DP29 - Noise, Air and Light Pollution
DP30 - Housing Mix
DP31 - Affordable Housing
DP37 - Trees, Woodlands and Hedgerows
DP38 - Biodiversity
DP41 - Flood Risk and Drainage

National Policy and Legislation

National Planning Policy Framework (NPPF) (March 2012)

The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 7 sets out the three dimensions to sustainable development, such that the planning system needs to perform an economic role, a social role and an environmental role. This means ensuring sufficient land of the right type to support growth; providing a supply of housing and creating a high quality environment with accessible local services; and using natural resources prudently. An overall aim of national policy is to 'boost significantly the supply of housing.'

Para 12 states "This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise."

Paragraph 17 of the NPPF sets out 12 principles that the planning system should play that underpin both plan making and decision taking. This paragraph confirms

that planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. It also confirms that planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.

With specific reference to decision-taking the document provides the following advice:

Para 150 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

Para 187 states that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

Para 196 states that the planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Para 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Para 198 states that where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted.

National Planning Policy Guidance

Technical Housing Standards

Assessment (Consideration of Key Issues)

It is considered that the main issues that need to be considered in the determination of this application are as follows;

- The principle of development;
- Impact on the character of the area;
- District Plan spatial strategy
- Highways;
- Ecology and trees;
- Drainage and flooding;
- Impact on amenities of surrounding occupiers;
- Infrastructure;
- Ashdown Forest;
- Other material considerations; and

- Planning Balance and Conclusion.

Principle of development

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Specifically Section 70 (2) of the Town and Country Planning Act 1990 states:

"In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to application,*
- b) And local finance considerations, so far as material to the application, and*
- c) Any other material considerations."*

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

"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 plan unless material considerations indicate otherwise."

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

Using this as the starting point the development plan in Mid Sussex consists of the adopted District Plan and the made Lindfield and Lindfield Rural Neighbourhood Plan.

The District Plan has been adopted and the Council can demonstrate a 5 year supply of deliverable housing land.

As the proposed development is located within the countryside the proposal is contrary to Policy DP12 of the District Plan.

The proposal is also contrary to policy DP6 of the District Plan as the proposal is for a development of more than ten units on a site that is contiguous with the built up area

Policy 1: A spatial plan for the parishes, of the Lindfield and Linfield Rural Neighbourhood Plan only supports proposals for development within a built up area of Lindfield or Scaynes Hill unless they are appropriate to a countryside location. The application is thus contrary to this policy.

The application proposal is thus contrary to the Development Plan. In accordance with the law it is necessary to have regard to other material considerations to ascertain whether or not a decision should be made otherwise than in accordance the Plan.

Other Material Considerations

Impact on the character of the area

As the proposed development is located within the countryside the proposal is contrary to Policy DP12 of the District Plan. However, it is important to understand the intention behind the policy. The principal aim of Policy DP12 of the District Plan states: *"The countryside will be protected in recognition of its intrinsic character and beauty."* The supporting text sets out the following:

"The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there. At the same time, it seeks to enhance the countryside, support the rural economy by accommodating well designed, appropriate new forms of development and changes in land use where a countryside location is required and where it does not adversely affect the rural environment. It is therefore necessary that all development in the countryside, defined as the area outside of built up area boundaries, must seek to maintain or enhance the intrinsic beauty and tranquillity of the countryside."

This policy aim follows national policy with one of the core planning principles of the NPPF is to *"take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it."*

It is therefore necessary to consider the impact of the proposal in the local landscape in terms of the visual impact on the area.

The site currently consists of two fields with trees and vegetation on the boundaries. The land slopes to the south and also to the west. To the east, west and south of the site is residential estate development and the development boundary of Lindfield. In addition, to the north-west is High Beech Lane which is the main highway leading from Lindfield to Ardingly. This is of a verdant nature. Opposite the proposed access is Haywards Heath Golf Course which is screened by trees and vegetation. The access to the Golf Course is on the opposite side of the lane to the application site set to the south of the proposed access. The access to the Golf Course consists of a brick wall to either side of the access and a wide access to accommodate two vehicles.

The site falls outside of the High Weald Area of Outstanding Natural Beauty. However, it sits within the High Weald Fringes Landscape Character area 10, as defined by the Mid Sussex District Landscape Character Assessment (2004). The key characteristics of this area which are relevant to the site are:

- Densely-wooded southern flanks of the High Weald Forest Ridge, dissected gentle gill streams draining west to the River Adur and east to the River Ouse. Includes the settlements of Cuckfield, Haywards Heath and Lindfield.
- Significant woodland cover, a substantial portion of it ancient, and a dense network of shaws, hedgerows and hedgerow trees.

- Pattern of small, irregular-shaped assart fields and larger fields, and small pockets of remnant heathland.
- Some busy lanes and roads including A and B roads bounding the area to the west, and other roads crossing north to south.

The site has characteristics which are typical of the High Weald AONB landscape and in particular the small irregular shaped fields with well-defined and wooded field boundaries. Notwithstanding this, the site is not considered to be valued landscape in the context of the NPPF. In addition, the character of High Beech Lane is of a rural sunken lane enclosed by dense tree cover.

The proposal would alter the character and appearance of the area by virtue of introducing housing and its related infrastructure into what is effectively a greenfield site. However, it is the harm that may result from this change and the effect that this would have on the character and appearance of the area that needs to be assessed.

Whilst the site has no specific landscape designation in adopted planning policy terms, a lack of formal designation or protection does not necessarily mean that the site's landscape is without worth or value. Policy DP12 of the District Plan seeks to protect the landscape and intrinsic character and beauty of the countryside.

It is acknowledged that the proposed access will change the character of the lane in this location and would have a suburbanising effect. However, it would also be seen in close proximity to other accesses along the lane to the south and the entrance to Haywards Heath Golf Course. The proposed access onto High Beech Lane would require the removal of some trees to accommodate the access road and sight lines. In order to mitigate the impact of the access from both the highways and through the existing field leading to the proposed housing development additional planting is proposed. As such it is considered that whilst there would be a change to the character of the lane through the formation of a new access, its environmental harm will be limited through additional planting proposed. Therefore, it is considered that High Beech Lane will still retain its verdant character in the vicinity of the site.

The proposed landscape strategy would provide an opportunity to create new parkland to the north west of the site with the benefit of public open space. The woodland associated with this will provide a well-defined edge between the proposed development and countryside to the north. If the development were to be approved a long term management plan should be required as a condition in order to conserve and enhance the existing trees and woodland and any new planting in perpetuity. This should include positive management and replanting where necessary of the trees to be retained on either side of the access onto High Beech Lane.

It is acknowledged that there will be some harm to the landscape as a result of the change from a green field site to a housing site. However this is the inevitable consequence of developing on a green field site.

The development would form an infill to the current built-up area of Lindfield which is set around the site between Portsmouth Wood Close to the west, Portsmouth Wood Drive and Barrington Close to the south and also Savill Road to the east. As such the site is enclosed by built development on three sides. The site is contiguous with

the existing development boundary and would result in a suitable extension to the settlement of Lindfield and create a defensible northern boundary to the settlement.

Due to the levels of the land further to the north of the site, wider views of the development would be limited and mitigated by the proposed planting. The development would therefore be little visible in the wider landscape of the countryside and the containment of the site would mitigate its visual impact of any built development.

As the application is for outline permission the precise design layout and details of hard and soft landscaping will be considered at the reserved matters stage. However, the illustrative plan indicates that the development would be screened on the northern boundary with the wider countryside by tree and vegetation planting.

The Council's Landscape Consultant has considered the application and supports the development subject to the detailed design, full implementation of tree protection measures and the illustrated landscape strategy. As such, the landscape impact of the development is considered to be limited.

It is therefore considered that the proposal would appear isolated from the wider countryside, have no material harm on its intrinsic character and beauty and not result in further encroachment into open countryside.

District Plan Spatial Strategy

The NPPF sets out the principles of sustainable development. The District Plan spatial strategy sets out a settlement hierarchy to deliver development to support their economic, infrastructure and social needs. The scale of growth at these settlements will be guided by the Settlement Hierarchy at DP6 of the District Plan. Lindfield is designated as a Category 2 settlement which is a large village which acts as a local service centre providing key services in the rural area of Mid Sussex. These settlements benefit from a good range of services and facilities including employment opportunities and access to public transport. An outline application was granted by the Secretary of State for 200 homes on 1st March 2018 at Scamps Hill/Scaynes Hill Road Lindfield, West Sussex ahead of the adoption of the District Plan on 28th March 2018.

The application site is thus, in principle, considered to be a suitable and sustainable location for residential development.

Access, Parking and Impact on Highway Safety

Paragraph 32 of the National Planning Policy Framework states:

"All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- *the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
- *safe and suitable access to the site can be achieved for all people; and*
- *improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."*

Policy DP21 of the District Plan seeks to ensure that schemes are sustainably located to minimise the need for travel, and protect the safety of road users and pedestrians, and seeks to provide adequate parking in relation to development proposals.

The proposed access into the site is to the north-west of the main development area, accessed via a new priority junction onto High Beech Lane. The posted speed limit in the vicinity of the access is 30mph. For non-motorised road users, two access points are proposed; one adjacent to the proposed access road onto High Beech Lane and another onto Portsmouth Wood Close. There are currently no footways along High Beech Lane in the immediate vicinity of the access onto this. Further works are shown within the highway to provide a link to the existing footway on the western side of the High Beech Lane by the Golf Club. This route then continues southwards. The Portsmouth Wood Close pedestrian access is indicatively shown as a ramped arrangement due to the level differences between the site and the Close which are substantial.

A scheme of traffic management is proposed on High Beech Lane in the vicinity of the proposed vehicular access. These details comprise improved gateway features (signing and lining) for the start of the 30mph speed limit and a vehicle activated sign on the southbound approach to the proposed access. The measures as detailed, would need to be secured as a s106 obligation and delivered by the applicant as a s278 agreement.

The Highways Authority has not raised any objections to the application proposal subject to conditions. In their detailed comments, they conclude that *"the National Planning Policy Framework states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe. The LHA are satisfied that based on the information presented that a severe impact would not result from this development."*

Concerns have been raised by residents over the increase in traffic and vehicle movements. It is considered that the development would not result in an unacceptable impact in highway safety. Whilst the development would generate additional traffic on the local highway network, the Highways Authority considers that vehicle movements will quickly disperse and be negligible in relation to existing background traffic.

The NPPF seeks to encourage development in sustainable locations. The NPPF however acknowledges opportunities to maximise sustainable transport solutions will vary from urban to rural areas. The site is on the edge of the built-up area.

Understandably this influences walking and cycling times to nearby services. There are still services within reasonable walking and cycling distance. There are also continuous footways on key routes towards local services. It is therefore considered that the site is within a relatively sustainable location due to its proximity to the development boundary of Lindfield.

Consequently the application is deemed to comply with Policy DP21 of the District Plan and the aims of the NPPF

Ecology and Trees

Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) lists species of animal (other than birds) which are provided special protection under the Act. Under Section 13 of the Wildlife and Countryside Act 1981 (as amended), all wild plants are protected from being uprooted without the consent of the landowner. In addition to the protection afforded by the Wildlife and Countryside Act 1981 (as amended), certain species are also covered by European legislation. These species are listed in Schedule 2 of the Conservation (Natural Habitats, 7c.) Regulations 1994 (as amended).

In respect of the policy context, para 109 of the NPPF highlights that the planning system should contribute to and enhance the natural and local environment by, amongst other things protecting and enhancing valued landscapes and minimising impacts on biodiversity and providing net gains where possible.

In addition, paragraph 118 of the National Planning Policy Framework states:

"When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles [such as]:

- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- opportunities to incorporate biodiversity in and around developments should be encouraged.*
- planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh its loss."*

Policy DP38 of the District Plan seeks to protect and enhance biodiversity within new developments by contributions and taking opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, and ensuring development protects existing biodiversity so that there is no net loss.

The applicant has submitted a Phase 1 Habitat and Protected Species Survey Report to accompany the application. This identifies that the site has potential for nesting birds, hedgehogs, badgers and bats and that Dormice have been recorded using the hedgerows close to the site. A single grass snake was recorded during the reptile presence/likely absence survey indicating that the site supports a low

population of the species. Great crested newt surveys were found to be absent from the only pond within 250m of the site and the site is considered to be unconstrained by the species. It concludes that the new formal landscaping scheme within the development footprint will protect and enhance the existing hedgerows and provide a mosaic of habitats which will be valuable to local wildlife. In addition the proposal will result in an increase in variety of habitats on site post development.

The Council's Ecologist Consultant has considered the proposal. He has raised no objections to the proposal and considers that there are no biodiversity policy reasons for refusal, subject to the reserved matters application being supported by a number of details secured by a condition.

In respect of trees, to the western and southern boundaries of the site are a number of trees which are protected by Tree Preservation Orders. As the application is outline with all matters reserved except access, it is difficult to fully consider the impact on these trees. However, the illustrative plan shows that development would be set away from the boundaries. The full impact to the trees would need to be fully considered at any subsequent reserved matters stage.

In respect of the trees along High Beech Lane, whilst there would be some trees removed, these are not subject to a Tree Preservation Order. The Council's Tree Officer has considered the application and raises no objection to the principle. He considers that the *"entrance from High Beech Lane has been improved to allow further trees to be retained. Whilst it is regretted that these will be lost, the character of the area shall largely be retained thanks to mitigation planting ensuring the area adopts a woodland feel. This is also valuable for wildlife and carbon sinking."*

Residents have raised concerns on the loss of Ancient Woodland. However, the site and its boundaries do not form part of Ancient Woodland. Therefore there would be no loss of such a habitat through this development.

It is thereby considered that the application complies with policy DP38 of the District Plan and paras 109 and 118 of the NPPF.

Drainage and Flooding

The proposed development is within Flood Zone 1 and is deemed as low fluvial flood risk. The proposed development is not within an area identified as having possible pluvial flood risk. However, there are historic records of flooding occurring in this area.

The Council's Drainage Engineer has been consulted on the scheme and has raised no objection subject to conditions. He advises that as this is an outline application that seeks approval of the principle of the proposed development, that *"it has been shown that the development can manage surface water run-off from the development without creating or exacerbating local flood risk."* Details of such drainage can be controlled by condition.

The Drainage Engineer notes that *"Under existing conditions, there is some flood risk associated to properties that abut the site. This appears to be as a result of the*

clayey ground conditions and the relatively steep incline of the site. The proposed development intends improve this situation by capturing surface water run-off and attenuating it on site for all storm events up to the 1:100 year storm plus an extra 40% capacity for possible climate change. This means that the existing properties that abut the site will be less likely to flood after the proposed development."

The development will therefore result in a positive impact to surrounding properties and downstream areas in relation to drainage.

The proposal is thereby considered to comply with policy DP41 of the District Plan.

Impact to the amenities of surrounding and future occupiers of the development

Policy DP26 of the District Plan seeks to protect neighbour amenity and requires proposals to demonstrate that development:

"does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution."

As this application only seeks permission for the principle of the development and the means of access it is difficult to examine relationships with existing residents at this stage.

However, illustrative plans have been submitted for the proposal showing a potential layout of the development. These do not form part of the application and concerns are raised over this by the Urban Designer. The layout and scale are to be matters in relation to any subsequent reserved matters stage where this would need to be fully considered. Notwithstanding this, the illustrative plans show the development could be accommodated within the site without resulting in detriment to the neighbouring amenities on the eastern, western or southern boundaries.

However, these relationships would be considered further at any subsequent reserved matters stage.

Infrastructure / Affordable Housing

The National Planning Policy Framework sets out the government's policy on planning obligations in paragraphs 203 and 204. Respectively, these paragraphs state:

"Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition."

and:

"Planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;*
- directly related to the development; and*
- fairly and reasonably related in scale and kind to the development."*

All requests for infrastructure payments must meet the 3 tests of the Community Infrastructure Levy (CIL) Regulations 2010, which are as set out above.

West Sussex County Council Contributions:

Education (Primary) - formula
Education (secondary) - formula
Library - formula
Transport (TAD) - formula

District Council Contributions

Formal Sport: £48,675 (Hickmans Lane Recreation Ground)
Community Buildings: £19,862 (King Edward Hall, Lindfield)
Local Community Infrastructure Contribution: £25,866 (Lindfield Common car park re-surfacing)

It is considered that the above contributions are justified and would meet the test of the CIL Regulations.

The additional population will impose additional burdens on existing infrastructure and the monies identified above will mitigate these impacts. As Members will know developers are not required to address any existing deficiencies in infrastructure; it is only lawful for contributions to be sought to mitigate the additional impacts of a particular development.

The applicant is proposing a development of up to 46 dwellings giving rise to a requirement for 14 affordable housing units (30%). The Councils Housing Officer is satisfied with the mix and tenure split of affordable housing that is to be provided. The provision of affordable housing should attract significant positive weight in the determination of the application as there is a clear need for such accommodation.

In relation to the mix of market housing it is considered that the proposal delivers a suitable mix in accordance with policy DP30 of the District Plan. Of the 32 market units, 3 of these are to be self / custom build.

Impact on Ashdown Forest

Under the Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations'), the competent authority - in this case, Mid Sussex District Council - has a duty to satisfy itself that any plans or projects that they regulate (including plan making and determining planning applications) is not likely to have a significant effect on a European site of nature conservation importance. For most developments

in Mid Sussex, the European sites of focus are the Ashdown Forest Special Protection Area (SPA) and Ashdown Forest Special Area of Conservation (SAC). Planning permission cannot be granted by the District Council where the likelihood of significant effects exists. The main issues are recreational disturbance on the SPA and atmospheric pollution on the SAC, particularly arising from traffic emissions.

This application has been screened for its potential effects on the SPA and SAC. This exercise has indicated that there is no likelihood of significant effects. A screening assessment sets out the basis for this conclusion.

Other material considerations

Turning to other relevant material considerations, all aspects of the development must be weighed up in the planning balance, as set out in the NPPF as a whole. In particular, this development must be assessed against the 3 limbed definition of sustainable development at paragraph 7, in which the planning system should perform an economic, social and environmental role.

The Economic Role

Part 6 of the Localism Act was enacted on 16th January 2012. This requires the LPA to have regard to local finance considerations (so far as material to the application) as well as the provisions of the Development Plan and any other material considerations. The New Homes Bonus commenced in April 2011, and will match fund the additional council tax raised for new homes and empty properties brought back into use, with an additional amount for affordable homes, for the following six years. The New Homes Bonus is now a material planning consideration and if permitted the LPA would receive a New Homes Bonus for each the units proposed.

The proposal would also result in financial contributions towards school infrastructure for Harlands Primary School and Oathall Community College, the extension of Haywards Heath Library, transport contributions on pedestrian, cycle and traffic safety improvements at the junction of Lewes Road and High Street, Lindfield; establishing a dedicated safe cycle route from Scaynes Hill to Lindfield and traffic calming works across Lindfield. In addition, there would be leisure contributions towards formal sport for pitch drainage at Hickmans Lane Recreation Ground and community buildings to make improvements to the King Edward Hall in Lindfield; as well as Local Community Infrastructure Contribution towards Lindfield Common car park re-surfacing.

The economic dimension is met by this proposal owing to the New Homes Bonus, the provision of construction jobs and an increased population likely to spend in the community.

The Social Role

The NPPF seeks to promote a "strong, vibrant and healthy community by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and supports it health, social and cultural well-being".

The dwellings will make a positive contribution to additional housing in the district, including the provision of 30% affordable housing as part of the scheme as well as 3 self/custom build dwellings. In addition there will be infrastructure contributions to provide school infrastructure for the nearby primary and secondary schools, transport and leisure contributions.

Due to the location of the site on the settlement edge adjacent to a category 2 settlement where there are a number of services, it is considered that the location of the site is sustainable.

In addition, the Councils Drainage Engineer has advised that the development would result in a positive benefit in drainage terms to surrounding residents and downstream areas.

These matters are given positive weight in the planning balance.

However, the Council can demonstrate a five-year housing land supply. National planning policy states that planning should be genuinely plan led. As the application site falls within the countryside outside of the development boundary of Lindfield, the principle of housing in this location is considered to be contrary to the Development Plan and emerging District Plan. This weighs substantially against the proposal.

The Environmental Role

The environmental role as set out in para 7 of the NPPF requires developments to contribute *"to protecting and enhancing our natural, built, and historic environment"*.

There is an overriding need to ensure that the intrinsic character and beauty of the countryside is recognised and that development should contribute to protecting and enhancing the natural, built and historic environment. While there are clearly detailed matters that need to be carefully considered, for the purposes of this application it is considered that the proposal would result in a suitable extension to the settlement of Lindfield and is well related to the existing built up area boundary. The development would create a defensible northern boundary to the settlement and be little visible in the wider landscape.

Due to the levels of the land further to the north of the site, views of the development would be limited and mitigated by the proposed planting. As such, the development would not result in significant detriment to the character of the countryside and the wider area. Whilst the formation of the access on to High Beech Lane will result in a suburbanising effect on the character of the lane, its impact will be minimised through the retention of trees and vegetation as well as additional tree planting to compensate for the loss of trees to the new access. This new access would also be seen in context with other accesses to the south of the site. As such it is considered that the access would seek to retain the verdant character of this lane and would not result in significant detriment to the character of the area.

It is considered that the impact on the character of the area will be acceptable and that the environmental role as set out in the NPPF is satisfied.

CONCLUSION

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the development plan and then to take account of other material planning considerations including the NPPF.

National planning policy states that planning should be genuinely plan led. The Council has a recently adopted District Plan and is able to demonstrate that it has a five year housing land supply. Planning decisions should therefore be in accordance with the development plan unless material considerations indicate otherwise.

The application site lies in countryside, outside the built up area of Lindfield, and thus would be contrary to policy DP 12 of the District Plan as general housing development is not one of the permitted exceptions to the policy of restraint in the countryside set out in DP 15. The aim of the policy is to protect the countryside in recognition of its intrinsic character and beauty. The application would also be contrary to policy 1 of the Lindfield and Lindfield Rural Neighbourhood Plan which only supports development proposals within the built up area unless they are appropriate to a countryside location. The proposal is also contrary to policy DP6 of the District Plan as the proposal is for a development of more than ten units on a site that is contiguous with the built up area

In accordance with the law whilst this breach of policy is the starting point for decision making the Council also must have regard to other material considerations. It is considered that there are other material considerations, specific to this site, which are relevant to this application. These include:

There would be a limited adverse impact on the landscape as a result of the proposed development on a greenfield site but this is an inevitable outcome of building on an undeveloped site. The site is well contained and would be seen in context with the existing housing development to the eastern, southern and western boundaries. It is considered that the development of this site would result in the infill of the current built up area boundary of Lindfield forming a more defensible and logical boundary to the open countryside which would be strengthened with additional landscaping.

The site does not lie in an area recognised for its landscape quality, nationally. Locally it lies within area 10 'High Weald Fringes' in the Mid Sussex Landscape Character Assessment but the Council's landscape consultant does not object to the proposals subject to the detailed design of the scheme, tree protection and a landscape strategy. It would not therefore be contrary to the aims of policy DP 12.

Whilst the development lies outside of the built up area of Lindfield, it is situated directly adjacent to the development boundary, a category 2 settlement which is a sustainable location providing good access to services and goods.

The proposal will deliver positive social and economic benefits through the delivery of housing which reflects one of the key objectives of the NPPF. In addition the

scheme would secure the delivery of 30% (14 units) affordable housing, 3 self/custom build units and infrastructure payments. The development will provide a positive economic benefit through the New Homes Bonus, construction jobs and an increased population likely to spend in the community. Moreover, the dwellings are in a relatively sustainable location. There would also be drainage improvements as the development can reduce flood risk to neighbouring properties and downstream areas.

There will be a neutral impact in respect of a number of issues such as sustainability, preserving the character of the area, not significantly affecting neighbouring residential amenity, highway safety and the impact on the Ashdown Forest.

Your officers have reviewed the planning application in the context of the adopted District Plan and other material planning considerations and recommend that planning permission is granted.

The proposal is therefore deemed to comply with the requirements of Policies DP4, DP21, DP26, DP30, DP31, DP37, DP38 and DP41 of the District Plan 2014-31, as well as the broader requirements of the NPPF.

APPENDIX A – RECOMMENDED CONDITIONS

1. Approval of the details of the appearance, landscaping, layout and scale of the site (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority, prior to the commencement of development on site.

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

The development hereby permitted must be begun either not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

Approved Plans

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

Pre-commencement conditions

3. No development shall take place, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- 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 erection and maintenance of security hoarding,
- 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.

Reason: In the interests of highway safety and the amenities of the area and to accord with Policy DP21 of the District Plan 2014 - 2031.

4. No development shall commence until visibility splays of 2.4 metres by 70 metres have been provided at the proposed site vehicular access onto High Beech Lane 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 District Plan 2014 - 2031.

5. Prior to development, or any preparatory work and to support the Reserved Matters application, construction work shall not commence until a scheme for the protection of the existing neighbouring properties from dust has been submitted to, and approved in writing by, the local planning authority. The scheme as approved shall be operated at all times during the demolition/construction phases of the development.

Reason: To protect the amenity of local residents from dust emissions and to accord with Policy DP29 of the District Plan 2014 - 2031.

6. Prior to development, or any preparatory work and to support the Reserved Matters application, the following details shall be submitted:

- An updated ecological assessment of the detailed layout / reserved matters proposals and proposed measures to avoid /protect, mitigate and compensated for any significant impacts on wildlife and habitats during site clearance and construction;
- a lighting plan showing measures to be used to minimise light pollution of wildlife habitats and light sensitive species, including bats;
- detailed proposals for habitat enhancements and a long-term habitat management plan (which may be integrated with a landscape management plan), including details for provision of funding, monitoring, updating and identification of the organisation or other body responsible for its delivery

If, for any reason, there is a delay greater than 18 months between the date of this decision and the submission of the reserved matters application, the ecological details shall be supported by an updated ecological impact assessment report or evidence that there have been no significant ecological changes within the zone of influence.

The approved details shall be implemented in full, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the proposals avoid adverse impacts on protected and priority species and contribute to a net gain in biodiversity, in accordance with 109 and 118 of the NPPF.

7. No development shall commence, until the applicant, or their agents or successor in title, has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: In order to ensure that archaeological heritage assets will be conserved and properly recorded (as appropriate) before development, in accordance with para 128 of the NPPF.

8. Prior to the commencement of the development the details of the proposed foul and surface water drainage and means of disposal for that phased shall be submitted and approved in writing by the Local Planning Authority. This includes details of the proposed method of surface water disposal and all supporting permissions and agreements of connection. No dwelling shall be occupied until such time as 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 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 District Plan 2014 - 2031.

9. No development shall commence 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 and these works shall be carried out as approved.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP26 of the District Plan 2014 - 2031.

10. 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 2014 - 2031.

11. No development above ground floor slab level shall commence unless and until there has been submitted to and approved in writing by the Local Planning Authority full details of materials and finishes to be used for external walls and roofs of the

proposed dwellings have been submitted to and approved by the Local Planning Authority.

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.

12. If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the LPA), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the LPA. The remediation measures shall be carried out as approved and in accordance with the approved programme. If no unexpected contamination is encountered during development works, on completion of works and prior to occupation a letter confirming this should be submitted to the LPA. If unexpected contamination is encountered during development works, on completion of works and prior to occupation, the agreed information, results of investigation and details of any remediation undertaken will be produced to the satisfaction of and approved in writing by the LPA.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

13. No dwelling shall be occupied until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), has been submitted to and approved in writing by the LPA. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the LPA. The scheme shall include the following elements:

- details on the conservation and enhancement of existing trees and woodland on the site;
- detail extent and type of new planting including that on either side of the access onto High Beech Lane, (NB planting to be of native species);
- details of maintenance regimes;
- details of any new habitat created on site;
- details of management responsibilities

Reason: In order to conserve and enhance the existing trees and woodland and any new planting in perpetuity, and for the enhancement of the nature conservation value of the site and to accord with Policy DP37 of the District Plan 2014 - 2031.

14. No development shall commence until details have been submitted to and approved by the Local Planning Authority in respect of the submission of a Slope Stability Report and Intrusive Ground Investigation works in relation to properties on Savil Road and Barrington Close. The development shall be carried out in accordance with the details agreed in such a report.

Reason: To ensure the ground is suitable for the construction of the dwellings due to the ground levels and to accord with Policy DP26 of the District Plan 2014 - 2031.

15. No development shall take place until details of existing and proposed site levels have been otherwise than in accordance with such details.

Reason: For the avoidance of doubt and to ensure that the development does not prejudice the amenities of adjacent residents or the appearance of the locality and to accord with Policy DP26 of the District Plan 2014 - 2031.

Construction Phase

16. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:

Monday - Friday 08:00 - 18:00 Hours
Saturday 09:00 - 13:00 Hours
Sundays and Bank/Public Holidays no work permitted.

Reason: To protect the amenity of local residents and to accord with Policy DP26 of the District Plan 2014 -2031.

17. No burning of demolition or construction waste material shall take place on the site.

Reason: To protect the amenity of neighbouring residents and to accord with Policy DP26 of the District Plan 2014 - 2031.

Pre-occupation conditions

18. No part of the development shall be first occupied until the vehicular access serving the development has been constructed in accordance with the approved planning drawing.

Reason: In the interests of road safety and to accord with Policy DP21 of the District Plan 2014 - 2031.

19. No dwelling shall be occupied until such time as a footway has been provided from the development to High Beech Lane in accordance with plans and details submitted to and approved by the Local Planning Authority. Such details shall also include the provision of suitable dropped pedestrian crossing points across High Beech Lane.

Reason: In the interests of road safety and to accord with Policy DP21 of the District Plan 2014 - 2031.

INFORMATIVES

1. You are advised that this planning permission requires compliance with a planning condition(s) **before development commences**. You are therefore advised to contact the case officer as soon as possible, or you can obtain further information from: <http://www.midsussex.gov.uk/9276.htm> (Fee of £97 will be payable). If you carry out works prior to a pre-development condition being discharged then a lawful start will not have been made and you will be liable to enforcement action.
2. The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader

(01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

3. The proposed development will require formal address allocation. You are advised to contact the Council's Street Naming and Numbering Officer before work starts on site. Details of fees and developers advice can be found at www.midsussex.gov.uk/streetnaming or by phone on 01444 477175.
4. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Location Plan	RD1643-F3-L02-009	A	31.05.2017
Location Plan	RD1643-F3-L02-007	A	31.05.2017
Survey	RD1643-GA200		31.05.2017
Access Plan	12/1205/SK01	E	31.05.2017
Planning Layout	RD1643-F3-GA100		31.05.2017

APPENDIX B – CONSULTATIONS

WSCC Highways Authority

West Sussex County Council, in its role as Local Highway Authority, has previously issued comments on a similar planning application for this location. This was submitted under DM/16/2333/OUT. No highway objections were raised to this application.

In summary, with the exception of the slight relocation of the vehicle access and the reduction in the total number of units, the current application, in highway terms at least, remains identical to that commented upon previously. The LHA's comments made on DM/16/2333/OUT therefore remain applicable and are largely repeated below.

The application is supported with a Transport Statement (TS), the scope of which has been agreed with the Local Highway Authority (LHA). Outline planning permission is sought with only matters of access to be approved at this stage.

The site is proposed to be accessed via a new priority junction onto High Beech Lane. The proposed vehicular access is being relocated a short distance southwards of the location previously shown. The re-siting by such a small degree does not affect the principle of the previously accepted access.

The posted speed limit in the vicinity of the access is 30mph. The speed survey data summarised within the report however indicates higher 85th percentile vehicle speeds. The recorded 85th percentile speeds have therefore been used for the stopping sight distances (SSDs)/visibility splays for the proposed junction.

The summarised 85th percentile speeds have been quoted as 40.5mph northbound and 41.5mph southbound. In accordance with current guidance, the recorded speeds have been adjusted to wet weather speeds. Whilst the speed design is noted, the raw speed survey data should be provided.

Notwithstanding the lack of raw speed data, the SSDs are based upon the guidance within Manual for Streets. It is acknowledged that MfS2 suggests the use of Design Manual for Roads and Bridges SSD parameters where speeds are over 40mph for the majority of the day. In this location, the posted speed limit is still 30mph, recorded speeds are only just over 40mph, and taking account of the context of the area, MfS rather than the Design Manual for Roads and Bridges (which relates more to the design of high speeds, heavily trafficked roads) is considered the more appropriate design guidance. Visibility splays of 2.4 by 70 metres are demonstrated. These comply with the MfS SSD requirements in light of the recorded vehicle speeds.

For non-motorised road users, two access points are proposed; one adjacent to the proposed access road onto High Beech Lane and another onto Portsmouth Wood Close. There are no footways along High Beech Lane in the immediate vicinity of the access onto this. Further works are shown within the highway to provide a link to the existing footway on the western side of the High Beech Lane. This route then continues southwards.

The Portsmouth Wood Close access is indicatively shown as a ramped arrangement. This is understandable as the level differences between the site and the Close are substantial. It is assumed that the applicant has sufficient controls to alter the existing retaining structure on Portsmouth Wood Close as well as to create a ramp into the site that is compliant with the requirements within Inclusive Mobility. The exact details of this will form part of the reserved matters application.

A scheme of traffic management is proposed on High Beech Lane in the vicinity of the proposed vehicular access. These details comprise improved gateway features (signing and lining) for the start of the 30mph speed limit and a vehicle activated sign on the southbound approach to the proposed access. The measures as detailed, which would need to be secured as a s106 obligation and delivered by the applicant as a s278 agreement, are considered proportionate and related to the proposed development.

The applicant should note that WSCC have recently adopted further guidance on the installation of vehicle activated signs. This includes specific criteria on the siting and location of this type of signage. As part of the detailed design, it will be necessary for the applicant to review the VAS sign against this guidance.

All of the highway works are reviewed as part of a Stage One Road Safety Audit. Although the RSA raises a number of problems, these have all been accepted by the scheme designer or are matters to be reviewed as part of the detailed design. the Audit raises no fundamental issues with the highway works proposed.

The TS includes estimates of potential traffic generation. These are based upon TRICS data. TRICS is a large database of traffic surveys from other completed developments. The database can be refined so as to use sites that are comparable with the development proposed. The TRICS outputs should have been provided to support the trip rates summarised in the TS.

Even so, based on the data within the TS, the development is forecast to generate 21 (6 arrivals, 16 departures) two way vehicle trips in the AM network peak period, and 23 (15 arrivals, 7 departures) in the PM network peak. It is standard practice to consider the impact of the development during the network peak hour as these are most sensitive to change.

Given the number of vehicle movements at peak times, the threshold included within the WSCC TA Guidance to require off-site junctions to be assessed in terms of capacity is not met. Whilst the site will generate additional traffic on the local highway network, vehicle movements would quickly disperse and would be negligible in light of existing background traffic.

The site lies on the edge of the build-up area. Understandably this influences walking and cycling times to nearby services. There are still services within reasonable walking and cycling distance. There are also continuous footways on key routes towards local services. A Travel Plan Statement is also proposed to highlight alternative travel options to future residents.

Paragraph 32 of the National Planning Policy Framework requires plans and decisions to take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site. Whilst the limitations of the site (due primarily to the location) are acknowledged, for some journey purposes residents would have a realistic choice of travel options.

Matters relating to the on-site layout are taken as indicative at this stage. As observations,:

- In principle a shared surface access road would be appropriate given the light traffic flows. The applicant may wish to reconsider the inclusion of what are presumed as raised features within this.
- Features along the road edge would need to be set back to avoid being struck by passing vehicles and to provide space for pedestrians to step out of the path of oncoming vehicles should the need arise.
- Car parking within the development would be informed by the proposed mix and tenure of dwellings. Unallocated/visitor parking would need to be provided throughout the development.
- Turning for the standard refuse vehicle used by the District Council should be provided to ensure that this can manoeuvre and turn within the site.
- Greater consideration needs to be given to the integration of the pedestrian routes within the development. Neither of the two routes at present are well overlooked and both pass through open space. There may be perceived safety issues with the use of these routes especially during darkness.

In conclusion, the National Planning Policy Framework states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe. The LHA are satisfied that based on the information presented that a severe impact would not result from this development.

No highway objection would be raised.

If minded to permit this application the following conditions / informatives / obligation are recommended.

Access

No development shall commence until the vehicular access serving the development has been constructed in accordance with the approved planning drawing.

Reason: In the interests of road safety.

Visibility

No development shall commence until visibility splays of 2.4 metres by 70 metres have been provided at the proposed site vehicular access onto High Beech Lane 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.

Construction Management Plan

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. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- 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 erection and maintenance of security hoarding,
- 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.

Reason: In the interests of highway safety and the amenities of the area.

Footway onto High Beech Lane

No dwelling shall be occupied until such time as a footway has been provided from the development to High Beech Lane in accordance with plans and details submitted to and approved by the Local Planning Authority. Such details shall also include the provision of suitable dropped pedestrian crossing points across High Beech Lane.

INFORMATIVE

Section 278 Agreement of the 1980 Highways Act - Works within the Highway

The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

S106 OBLIGATION

No dwelling shall be first occupied until the scheme of traffic management works indicatively shown on drawing number 12/1205/SK04 Revision C or other such works as agreed with the Local Highway Authority have been implemented.

WSCC Planning Officer

Without prejudice to the informal representations of the County Council in respect of the above planning proposal, I am writing to advise you as to the likely requirements for contributions towards the provision of additional County Council service infrastructure, other than highways and public transport that would arise in relation to the proposed development.

The proposal falls within the Mid Sussex District and the contributions comply with the provisions of Mid Sussex District Local Development Framework Supplementary Planning Document- Development and Infrastructure February 2006.

The planning obligation formulae below are understood to accord with the Secretary of State's policy tests outlined by the in the National Planning Policy Framework, 2012.

The advice is as follows:

1. School Infrastructure Contribution

1.1 The Director for Children and Young People's Services advises that it appears that at present primary and secondary schools within the catchment area of the proposal currently would not have spare capacity and would not be able to accommodate the children generated by the assumed potential residential development from this proposal. Accordingly, contributions would need to be requested. However, the situation will be monitored and further advice on all of the main education sectors, (i.e. Primary/Secondary/Further Secondary) should be sought if this planning application is to be progressed.

1.2 Financial Contribution

The financial contribution sought by the County Council would be based on: the estimated additional population that would be generated by the proposed development, reduced to reflect any affordable dwellings, with a 33% discount, for occupation by persons already residing in the education catchment area; the County Council's adopted floorspace standard for education provision; and the estimated costs of providing additional education floorspace. As the housing mix is not known at this stage, I propose the insertion of a formula into any legal Agreement in order that the school infrastructure contribution may be calculated at a later date. The formula should read as follows:

The Owner and the Developer covenant with the County Council that upon Commencement of Development the Owner and/or the Developer shall pay to the County Council the School Infrastructure Contribution as calculated by the County Council in accordance with the following formula:-

DfE Figure x ACP = School Infrastructure Contribution where:

Note: x = multiplied by.

ACP (Additional Child Product) = The estimated additional number of school age children likely to be generated by the development calculated by reference to the total number of dwellings, less any allowance for affordable dwellings, as approved by a subsequent reserve matters planning application. The following criteria are used to generate a child product:

	Dwelling Size		Occupancy
	House		Flat
1 bed	= 1.5		1.3
2 bed	= 1.9		1.9
3 bed	= 2.5		2.4
4+ bed	= 3.0		2.8

Using the above occupancy rates to determine an overall population increase the following factors are applied. According to 2001 census data, there are 14 persons per 1000 population in each school year group for houses and 5 persons per 1000 population in each

school year group for flats. There are 7 year groups for primary (years R to 6) and 5 for secondary (years 7 to 11). For Sixth Form, a factor of 0.54 is applied to the Child Product figure as this is the average percentage of year 11 school leavers who continue into Sixth Form colleges in West Sussex.

DfE Figure = Department for Education (DfE) school building costs per pupil place (for pupils aged 4 to 16) as adjusted for the West Sussex area applicable at the date when the School Infrastructure Contribution is paid (which currently for the financial year 2014/2015 are - Primary £15,558, Secondary £23,442, Further Secondary £25,424), updated as necessary by the Royal Institute of Chartered Surveyors Building Cost Information Service All-In Tender Price Index.

1.3 The contributions generated by this proposal shall be spent on expansion at Harlands Primary School.

The contributions generated by this proposal shall be spent on a permanent solution to the temporary huts at Oathall Community College.

2. Library Infrastructure Contribution

2.1 The County Librarian advises that the proposed development would be within the area served by Haywards Heath Library and that the library would not currently be able to adequately serve the additional needs that the development would generate.

However, a scheme is approved to provide additional floorspace at the library. In the circumstances, a financial contribution towards the approved scheme would be required in respect of the extra demands for library services that would be generated by the proposed development.

2.2 Financial Contribution

The financial contribution sought by the County Council would be based on: the estimated additional population that would be generated by the proposed development, reduced to reflect any affordable dwellings (by which we mean Social Rented dwellings, but NOT Shared Equity, Intermediate or Key Worker status dwellings) for occupation by persons already residing in the library's catchment area; the County Council's adopted floorspace standard for library provision; and the estimated costs of providing additional library floorspace. As the housing mix is not known at this stage, I propose the insertion of a formula into any legal Agreement in order that the library contribution may be calculated at a later date. The formula should read as follows:

The Owner and the Developer covenant with the County Council that upon Commencement of Development the Owner and/or the Developer shall pay to the County Council the Libraries Infrastructure Contribution as calculated by the County Council in accordance with the following formula:-

$L/1000 \times AP = \text{Libraries Infrastructure Contribution}$ where:

Note: x = multiplied by.

AP (Additional Persons) = The estimated number of additional persons generated by the development calculated by reference to the total number of dwellings, less any allowance for affordable dwellings, as approved by a subsequent reserve matters planning application. The following figures are given as a guideline:

	Dwelling Size		Occupancy
		House	Flat
1 bed	=	1.5	1.3
2 bed	=	1.9	1.9
3 bed	=	2.5	2.4
4+ bed	=	3.0	2.8

L/1000 = Extra library space in sqm. per 1,000 population x the library cost multiplier (which currently for the financial year 2016/2017 are 30sq.m and £4,560 per sqm respectively).

2.3 The contributions generated by this proposal shall be spent on the extension of Haywards Heath Library. Should the funds required for this scheme be greater than the S106 monies collected, the contributions should be spent on the significant internal redesign of Haywards Heath Library.

3. Transport (TAD) Contribution

3.1 The Total Access Demand Contribution will be calculated by the County Council in accordance with the following formula:

Total Access Demand Contribution = Sustainable Access Contribution + Infrastructure Contribution, where:

Sustainable Access Contribution = (C - D) x E, where:

C (Total Access) = (A (number of dwellings) x B (Occupancy per dwelling)) using the following figures as a guideline:

	Dwelling Size		Occupancy
		House	Flat
1 bed	=	1.5	1.3
2 bed	=	1.9	1.9
3 bed	=	2.5	2.4
4+ bed	=	3.0	2.8

D = Parking Spaces provided by the residential development element of the Proposed Development

E = Standard multiplier of £600

Infrastructure Contribution = D x F, where:

D = Parking Spaces provided by the residential development element of the Proposed Development

F = Standard multiplier of £1200

Where affordable dwellings are involved, the appropriate discount is applied to the population increase (A x B) before the TAD is formulated.

The contributions generated by this proposal shall be spent on:

- Pedestrian, cycle and traffic safety improvements at the junction of Lewes Road and High Street, Lindfield.
- Establish a dedicated safe cycle route from Scaynes Hill to Lindfield

- Traffic Calming works across Lindfield

General points

Please ensure that the applicants and their agents are advised that any alteration to the housing mix, either size, nature or tenure, may generate a different population and require re-assessment of contributions. Such re-assessment should be sought as soon as the housing mix is known and not be left until signing of the section 106 Agreement is imminent.

It should be noted that the figures quoted in this letter are based on current information and will be adhered to for 3 months. Thereafter, if they are not consolidated in a signed S106 agreement they will be subject to revision as necessary to reflect the latest information as to cost and need.

Review of the contribution towards the provision of additional County Council services should be by reference to an appropriate index, preferably RICS BCIS All-In TPI. This figure is subject to annual review.

Should you require further general information or assistance in relation to the requirements for contributions towards the provision of County Council service infrastructure please contact, in the first instance, the Planning Applications Team officer, named above.

Where the developer intends to keep some of the estate roads private we will require provisions in any s106 agreement to ensure that they are properly built, never offered for adoption and that a certificate from a suitably qualified professional is provided confirming their construction standard.

Where land is to be transferred to the County Council as part of the development (e.g. a school site) that we will require the developer to provide CAD drawings of the site to aid design/layout and to ensure that there is no accidental encroachment by either the developer or WSCC.

Landscapes Consultant (East Sussex County Council)

Landscape Policy Context

1. The NPPF requires development to be sustainable as well as contribute to and enhance the natural environment by protecting and enhancing valued landscapes (para. 109). Further to this great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. (para115).
2. Section 7 of the NPPF addresses the issue of good design and recommends that planning decisions should aim to ensure that developments respond to local character and distinctiveness. Paragraphs 56- 68 require that planning policies and decisions should aim to ensure that developments create a **strong sense of place and add to the quality of an area**. Developments are required to respect local character and materials in both built form and open space detailing.
3. If permitted the proposed development would need to incorporate suitable landscape mitigation measures to ensure that it would meet the design requirements of the NPPF and this would include appropriate design details for external works.

Landscape Character and Visual Context and Potential Impacts

4. The site sits within the High Weald Fringes Landscape Character area 10, as defined by the Mid Sussex District Landscape Character Assessment (2004). The key characteristics of this area which are relevant to the site are:

- Densely-wooded southern flanks of the High Weald Forest Ridge, dissected gentle gill streams draining west to the River Adur and east to the River Ouse. Includes the settlements of Cuckfield, Haywards Heath and Lindfield.
- Significant woodland cover, a substantial portion of it ancient, and a dense network of shaws, hedgerows and hedgerow trees.
- Pattern of small, irregular-shaped assart fields and larger fields, and small pockets of remnant heathland.
- Some busy lanes and roads including A and B roads bounding the area to the west, and other roads crossing north to south.

5. The site has characteristics which are typical of the High Weald AONB landscape and in particular the small irregular shaped fields with well-defined and wooded field boundaries. The site is not considered to be valued landscape in the context of the NPPF. The site is of local landscape value as undeveloped land with some historic features, including mature trees and hedges on the boundaries. The rural character of the site is reduced by the presence of the residential development on three sides.

6. The character of High Beech Lane is of a rural sunken lane enclosed by dense tree cover. The proposed access will change the character of the lane in this location and would have a suburbanising effect. This needs to be considered in the context of other development along the lane to the south and the entrance to Haywards Heath Golf Course. The proposed access onto High Beech Lane would require the removal of some trees to accommodate the access road and sight lines. These trees are a self-seeded mix of ash, oak and birch which are of value as a group of trees, but there are no veteran or irreplaceable specimens in the group. These trees do require enhanced management to ensure the long term health and vitality of individual specimens and to prevent overcrowding. It is noted that the design of the access will minimise tree loss along the lane and the landscape strategy will provide new tree planting within the site to compensate for the loss of trees to the new access.

7. It is acknowledged that the majority of trees and woodlands and field boundary features would be conserved as part of the landscape strategy and that the development would have a low impact on these. All trees and other vegetation to be retained should be protected during construction in accordance with the submitted Tree Protection Plan and BS 5837:2012, Trees in Relation to Design, Demolition and Construction.

8. The proposed landscape strategy would provide an opportunity to create new parkland to the north west of the site with the benefit of public open space. The woodland associated with this will provide a well-defined edge between the proposed development and countryside to the north. If the development were to be approved a long term management plan should be required as a condition in order to conserve and enhance the existing trees and woodland and any new planting in perpetuity. This should include positive management and replanting where necessary of the trees to be retained on either side of the access onto High Beech Lane.

9. The extensive tree planting within the development in the Green infrastructure spaces and as street trees is welcomed. Careful consideration needs to be given to the specification of trees and that appropriate species are selected adjacent to houses and as street trees. The woodland areas should be comprised of mixed native woodland trees and understorey shrubs. Native species planting should be of locally characteristic species for this part of the

weald. Proposed hedges should be of mixed native species to help to integrate the development into the local area and maximise the potential wildlife value.

10. As the application is for outline permission the precise design layout and details of hard and soft landscaping can be reviewed at the detailed application stage. It is acknowledged that the proposed development is of a low density and would on the whole conserve the key characteristic landscape features of the site.

11. The proposal to have more informal road layouts to reflect the rural location is welcomed. The avoidance of formal kerbs, pavements and tarmac surfacing to create a home zone or shared surface character would be appropriate in this setting.

12. The site is of low visual sensitivity as there are no views into the area from public roads or footpaths. There would be glimpses across the site from adjacent residential properties. The proposed retention of existing vegetation on the site boundaries and the landscape strategy to reinforce these boundaries with additional planting should mitigate these potential visual impacts.

Conclusion and Summary Recommendations

13. It is recommended that the proposed development can be supported subject to the detailed design and full implementation of tree protection measures and the illustrated landscape strategy.

Ecology Consultant (Calyx Environmental Ltd)

In my opinion, there are no biodiversity policy reasons for refusal or amendment of the proposals, subject the reserved matters application being supported by the following details:

- An updated ecological assessment of the detailed layout / reserved matters proposals and proposed measures to avoid /protect, mitigate and compensated for any significant impacts on wildlife and habitats during site clearance and construction;
- a lighting plan showing measures to be used to minimise light pollution of wildlife habitats and light sensitive species, including bats;
- detailed proposals for habitat enhancements and a long-term habitat management plan (which may be integrated with a landscape management plan), including details for provision of funding, monitoring, updating and identification of the organisation or other body responsible for its delivery

If, for any reason, there is a delay greater than 18 months between the date of this decision and the submission of the reserved matters application, the ecological details shall be supported by an updated ecological impact assessment report or evidence that there have been no significant ecological changes within the zone of influence.

The approved details shall be implemented in full, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the proposals avoid adverse impacts on protected and priority species and contribute to a net gain in biodiversity, in accordance with 109 and 118 of the NPPF.

Heritage Consultant (Surrey County Council)

I have no change to make to my comments on a previous application for this site (DM/16/2333) of 29/06/2016, copied below for reference:

The Archaeological Desk-Based Assessment produced by CgMs Consulting and submitted with this application forms the first stage of the archaeological scheme of work necessary to safeguard any archaeology that may be present on the site. The Assessment concluded on the basis of the available information, that the archaeological potential was low, but also recognised that this conclusion was based on very limited archaeological investigation in the area. I would therefore more accurately describe the archaeological potential as 'unknown'. Particularly given this lack of archaeological research in the area, it is disappointing to note that there has been no analysis of aerial photographs, or LiDAR data as part of the production of the Assessment. Analysis of aerial photographs has the potential to reveal the presence of archaeological earthworks, and for this site I would have expected the Assessment to include a full review of those available.

Nonetheless given the potential for previously unknown heritage assets to be present on the site, that the site is of a significant size, and that the proposed development will lead to the destruction of any archaeological assets that may be present, in line with the National Planning Policy Framework and policy B18 of the Mid Sussex Local Plan, I recommend further archaeological work is required. In the first instance, the archaeological work should comprise an archaeological evaluation trial trenching exercise within those areas of the site where groundworks proposed as part of the development have the potential to impact on archaeological assets. This may include areas proposed for landscaping, parking, and access, as well as the area proposed for residential development. The evaluation will aim to establish rapidly what archaeological assets are and may be present, and the results of the evaluation will enable suitable mitigation measures to be developed. I will need to agree a specification for the evaluation before the trenching can begin.

Given that the Assessment does not indicate remains of a significance to warrant preservation in-situ on the site, I do not recommend that the archaeological work need be carried out in advance of planning permission; but in this instance would recommend that the work be secured by a condition requiring a scheme of archaeological work once, and if, planning permission is granted. To ensure the required archaeological work is secured satisfactorily, the following condition is appropriate and I would recommend that it be attached to any planning permission that may be granted:

"No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority."

MSDC Planning Policy

This site has been assessed in the Strategic Housing Land Availability Assessment (site 151). The assessment indicates that the site is suitable for development, subject to consideration of the proposed access and allocations through a relevant Neighbourhood Plan or DPD.

The site is not allocated within the Lindfield Neighbourhood Plan and is being considered ahead of the preparation of a site allocations DPD.

The District Plan Inspector identified that the Council has a 5.2 year housing land supply. The supply is based on the Liverpool approach, which distributes any unmet backlog need over the whole Plan period, and includes a 20% buffer. The Inspector noted that the housing

land supply is not 'hugely comfortable', and that the Council should consider how its 5 year position could be strengthened through Policy Modifications.

The emerging District Plan is a material consideration in the decision making process. However, policies relating to housing in the District Plan are yet to be subject to public consultation, and until that consultation has been completed, respondents' comments reviewed and the Inspector has completed his report, they can be given little weight. The five year housing land supply position is also subject to the satisfactory completion of the Habitats Assessment, Sustainability Appraisal and Equalities Impact Assessment.

Paragraph 14 of the NPPF requires that local planning authorities '*should positively seek to meet the development needs of their area.*' In addition, paragraph 47 of the NPPF requires that '*local planning authorities should significantly boost the supply of housing*'. In this context, a five year housing land supply is a material consideration in the determination of planning applications, but so too is the Council's significant housing need and the general presumption in favour of sustainable development. This application needs to be determined on this basis.

Self-build plots

I note the possibility of some plots being provided as self-build, however this offer is not reflected in the description of the application or the supporting documents. Therefore it is not clear how such plots will be delivered based on the information.

The District Council maintains a self-build and custom housebuilding register, the housing team will be able to advise how many people have registered their interest.

The emerging District Plan makes provision of custom build and self-build plots to ensure that demands for self-build and custom housebuilding are met. Policy DP28: Housing Mix states that housing development will make provision for different group including serviced plots for self-build. The little weight can be given to this policy as it has significant major amendments which will be subject to main modification consultation.

The policy DP 9: Strategic allocation at Burgess Hill seeks the provision of serviced self-build plots (if applicable i.e. if there is demand).

The Council will also be preparing a Site Allocations DPD which will allocate land for housing, and provides an opportunity to allocate land for the purposes of self-build and custom housebuilding.

Therefore whilst the offer of the provision of self-build plots is welcomed it is unclear how these will be delivered in practice. It may be worth considering if this issue could be addressed at reserved matters stage.

MSDC Urban Designer

This is an outline scheme in which appearance, design, landscaping and scale are reserved matters. Being an outline proposal, the scheme is short on drawings, with only an indicative layout being supplied. This makes it difficult to assess its design merits in detail. These observations are therefore initial comments on the layout only (they do not assess the impact upon the landscape beyond the red line boundary as this is for the case officer / our landscape consultant and arboriculturist to assess).

The proposed layout has a similar approach previous to the previous outline application (DM/16/2333). Effort has been made to address my previous criticisms, but the layout is still

unconvincing because the main open space / play area and footpath connection to the existing built-up area is predominately located at the rear of the houses where it will not benefit from the level of overlooking / natural surveillance that it would if they were located at the front of houses, and because it is less integrated / more hidden-away from the rest of the public realm, these areas risk feeling like semi-private space. The DAS suggests there will be enough overlooking between gaps in the vegetation and two of the houses to the south of the play area have been re-orientated so they face more towards the play area. The latter now unfortunately back-on to the access road and the southern approach to the play area; their gardens also look uncomfortably squeezed-in for such large houses. Elsewhere it will be difficult to control the level of planting at the rear of houses, and the level of surveillance. In conclusion the underlying problems of this arrangement still remain, and the attempts to resolve it generate further issues.

The open area (referred to as parkland in the DAS) at the site entrance is less likely to attract recreational use because the access road runs through it, and it is peripherally positioned for pedestrians.

Although the houses on the east and west side still back-on to, and screen, the adjacent mature tree belts, an attempt has been made to re-orientate the buildings on the southern boundary so they face the attractive tree belt. However, as a consequence the layout is confusing in this area with some buildings facing the access road to the north and others facing the tree belt to the south. The plot boundary of the house in the south east corner is not clear, and nor is the extent of public access.

A car park has been incorporated in the south west corner of the site in place of a soft landscaped space that featured in the previous pre-application layout. The blocks of flats here feature predominately hard-edged thresholds and parking that is uncomfortably close to the building frontages, although the juxtaposition with the access road benefits from proposed trees and soft landscaping along the boundaries.

The further drawing now more clearly defines the public/private boundary edge in the south-east corner. However, it does not seem to offer natural surveillance over the public realm which also suffers from being a dead-end, and it therefore raises community safety concerns.

MSDC Drainage

No objection subject to conditions.

Summary and overall assessment

This is a resubmission of application DM/16/2333. We originally raised concerns regarding existing run-off and its association with flooding to the West Common Stream and properties downhill of the site. These concerns have been looked at by the developers, and 2D modelling has been undertaken to help identify the flood risk across all reasonable storm events. This highlighted that there are two main flow paths - west onto High Beech Lane and southeast to the rear of Savill Road; a third could manifest in higher storm intensities to the rear of Portsmouth Wood Close. The 1 in 1 year greenfield rate has been calculated to be 20.0 ls-1, with the 1:30 at 50.6 ls-1 and the 1:100 at 66.9 ls-1.

Under existing conditions, there is some flood risk associated to properties that abut the site. This appears to be as a result of the clayey ground conditions and the relatively steep incline of the site. The proposed development intends improve this situation by capturing surface water run-off and attenuating it on site for all storm events up to the 1:100 year storm plus an extra 40% capacity for possible climate change. This means that the existing properties that

about the site will be less likely to flood after the proposed development. In addition, the development proposes to discharge the attenuated surface water into the local surface water system at 10 ls-1 for all storm events up to the 1:100+cc. This is half the rate of the existing 1:1 greenfield rate; and as the existing run-off eventually drains to the local system via private drainage and roads, this is a significant betterment over the existing situation.

The exact location of where the 10 ls-1 discharge will be taken to is yet to be established. However, WSCC have indicated that they may be able to accept connection on the basis that the local highway system would be upgraded via S278 agreement; and Southern Water would accept connection into their system, but this too would require the laying of new pipes adjacent to the highway system.

As this is an Outline Application that seeks approval of the principle of the proposed development, we can confirm that we do not object as it has been shown that the development can manage surface water run-off from the development without creating or exacerbating local flood risk. However, the success of the proposal is dependent upon the appropriate means of disposing surface water. Therefore, we have amended the standard drainage condition for developments like this one to ensure that a suitable and fully agreed means of surface water disposal is established prior to any construction. We will also require detailed plans and supporting calculations that support the design.

In addition to establishing the outfall, in order to meet with the condition this proposed development will need to fully consider how it will manage surface water run-off. Guidance is provided at the end of this consultation response for the various possible methods. The hierarchy of surface water disposal will need to be followed and full consideration will need to be made towards the development catering for the 1 in 100 year storm event plus extra capacity for climate change. As this is for multiple dwellings, we will need to see a maintenance and management plan that identifies how the various drainage systems will be managed for the lifetime of the development, who will undertake this work and how it will be funded.

The proposed development drainage will need to:

- Follow the hierarchy of surface water disposal.
- Protect people and property on the site from the risk of flooding
- Avoid creating and/or exacerbating flood risk to others beyond the boundary of the site.
- Match existing greenfield rates and follow natural drainage routes as far as possible.
- Calculate greenfield rates using IH124 or a similar approved method. SAAR and any other rainfall data used in run-off storage calculations should be based upon FEH rainfall values.
- Seek to reduce existing flood risk.
- Fully consider the likely impacts of climate change and changes to impermeable areas over the lifetime of the development.
- Consider a sustainable approach to drainage design considering managing surface water at source and surface.
- Consider the ability to remove pollutants and improve water quality.
- Consider opportunities for biodiversity enhancement.

Flood Risk

The proposed development is within flood zone 1 and is deemed as low fluvial flood risk. The proposed development is not within an area identified as having possible pluvial flood risk.

There are historic records of flooding occurring in this area.

Surface Water Drainage Proposals

It is proposed that the development will attenuate surface water with controlled discharge to local surface water networks at 10 ls-1.

Foul Water Drainage Proposals

It is proposed that the development will utilise existing local system.

Suggested Conditions

C18F - Multiple Dwellings

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. This includes details of the proposed method of surface water disposal and all supporting permissions and agreements of connection. 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 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, Policy CS13 of the Mid Sussex Local Plan, Policy DP41 of the Pre-Submission District Plan (2014 - 2031) and Policy ...'z'... of the Neighbourhood Plan.

Further Drainage Advice

Applicants and their consultants should familiarise themselves with the following information:

Flood Risk and Drainage Information for Planning Applications

The level of drainage information necessary for submission at each stage within the planning process will vary depending on the size of the development, flood risk, site constraints, proposed sustainable drainage system etc. The table below provides a guide and is taken from the Practice Guidance for the English non-statutory SuDS Standards.

Pre-app	Outline	Full	Reserved	Discharge	Document submitted
√	√	√			Flood Risk Assessment / Statement (checklist)
√	√	√			Drainage Strategy / Statement & sketch layout plan (checklist)
	√				Preliminary layout drawings
	√				Preliminary "Outline" hydraulic calculations

	√				Preliminary landscape proposals
	√				Ground investigation report (for infiltration)
	√	√			Evidence of third party agreement for discharge to their system (in principle / consent to discharge)
		√		√	Maintenance program and on-going maintenance responsibilities
		√	√		Detailed development layout
		√	√	√	Detailed flood and drainage design drawings
		√	√	√	Full Structural, hydraulic & ground investigations
		√	√	√	Geotechnical factual and interpretive reports, including infiltration results
		√	√	√	Detailing landscaping details
		√	√	√	Discharge agreements (temporary and permanent)
		√	√	√	Development Management & Construction Phasing Plan

Additional information may be required under specific site conditions or development proposals

Useful links:

Planning Practice Guidance - Flood Risk and Coastal Change

Flood Risk Assessment for Planning Applications

Sustainable drainage systems technical standards

Water.People.Places.- A guide for master planning sustainable drainage into developments

Climate change allowances - Detailed guidance - Environment Agency Guidance

Further guidance is available on the Susdrain website at <http://www.susdrain.org/resources/>

Guidance for the level of information required is set out below:

For a development located within Flood Zone 2, Flood Zone 3, which is greater than 1 hectare in area, or where a significant flood risk has been identified:

A Flood Risk Assessment (1) will need to be submitted that identifies what the flood risks are and how they will change in the future. Also whether the proposed development will create or exacerbate flood risk, and how it is intended to manage flood risk post development.

(1) This level of assessment will need to be carried out to our satisfaction by a suitably qualified person.

For the use of SuDS (1) (2) (3):

Written Statement (HCWS 161) - Department for Communities and Local Government - sets out the expectation that sustainable drainage systems will be provided to new developments wherever this is appropriate.

Percolation tests, calculations, plans and details will need to be submitted to demonstrate that the development will be able to cater for the 1 in 100 year storm event plus climate change percentages, for some developments this will mean considering between 20 and 40% additional volume for climate change but scenarios should be calculated and the worst case taken as this will be precautionary (4). A maintenance and management plan will also need to be submitted that shows how all SuDS infrastructure will be maintained so it will operate at its optimum for the lifetime of the development. This will need to identify who will undertake this work and how it will be funded. Also, measures and arrangements in place to ensure perpetuity and demonstrate the serviceability requirements, including scheduled maintenance, inspections, repairs and replacements, will need to be submitted. A clear timetable for the schedule of maintenance can help to demonstrate this.

(1) Suitable SuDS Guidance can be found using CIRIA Guidance Document C697 "SuDS Manual"

(2) Climate Change consideration should be calculated following Environment Agency Guidance

(3) Approved method of soakaway design include BRE - Digest 365 "Soakaway Design"

(4) Submitted SuDS designs will need to be undertaken by a suitably qualified person

For the use of attenuation, swales and soakaways (1):

Percolation tests, calculations, plans and details will need to be submitted to demonstrate that the development will be able to cater for the 1 in 100 year storm event plus have 40% capacity for climate change(2).

(1) Approved method of soakaway design include BRE - Digest 365 "Soakaway Design"

(2) Climate Change consideration should be calculated following Environment Agency Guidance

For the use of Public Sewers (1):

Copies of the approval of the adoption of foul and surface water sewers and/or the connection to foul and surface water sewers from the sewerage undertaker, which agrees a rate of discharge, will need to be submitted.

(1) Any design and construction of sewers should follow the standards of the WRC guidance "Sewers for Adoption" and should be agreed with the appropriate sewerage authority.

For the proposal of works to an Ordinary Watercourse:

If works (including temporary works) are undertaken within, under, over or up to an Ordinary Watercourse these works are likely to affect the flow in the watercourse and an Ordinary Watercourse Consent (OWC) may need to be applied for. OWC applications can be discussed and made with Mid Sussex District Council, Scott Wakely, 01444 477 005. There is guidance and a form available here

For the use of watercourse to discharge surface water (1):

Calculations, plans and details will need to be submitted that demonstrate that discharge from the proposed development will be restricted to Greenfield run-off rate or QBar run-off rate, whichever provides the better rate of discharge(2). This will need to be for up to the 1 in 100 year storm event plus 40% capacity for climate change.

(1) In accordance with The Land Drainage Act 1991.

(2) Approved methods to calculate this include:

Institute of Hydrology - Report 124 - "Flood Estimation for Small Catchments"

Centre for Ecology & Hydrology 1999 - "Flood Estimation Handbook" - (FEH)

WinDes Software - Generated FEH Output

(For Highway) DMBR Standards HA106/04 - "Drainage of Runoff from Natural Catchments"

For the presence of an Ordinary Watercourse running through or adjacent to the site:

Consultation will need to be made with Mid Sussex District Council if there is a watercourse running through or adjacent to the proposed development. It is common practice to require the development to leave a strip of land, at least 5 to 8 metres wide, in order to provide access for future maintenance.

For the presence of a Public Sewer running under or adjacent to the proposed development: Consultation will need to be made with the sewerage undertaker if there is a Public Sewer running under or adjacent to the proposed development. Building any structure over or within close proximity to such sewers will require prior permission from the sewerage undertaker (1). Evidence of approvals to build over or within close proximity to such sewers will need to be submitted.

(1) Southern Water and Thames Water provide suitable online guidance notes for the building over or near Public Sewers.

For the presence of a Mid Sussex District Council (MSDC) owned culvert running under or adjacent to the site:

Consultation will need to be made with Mid Sussex District Council if there is a MSDC owned culvert running under or adjacent to the proposed development. Building any structure over or within close proximity to such culverts will require prior permission from Mid Sussex District Council. Normally it will be required that an "easement" strip of land, at least 5 to 8 metres wide, is left undeveloped to ensure that access can be made in the event of future maintenance and/or replacement. This matter can be discussed with Mid Sussex District Council, Scott Wakely, 01444 477 055.

WSCC Flood Risk Management

West Sussex County Council (WSCC), in its capacity as the Lead Local Flood Authority (LLFA), has been consulted on the above proposed development in respect of surface water drainage.

The following is the detailed comments of the LLFA relating to surface water drainage and flood risk for the proposed development and any associated observations and advice.

Current surface water flood risk based on uFMfSW:	Low risk
<p>Comments: Current uFMfSW mapping shows the site is at a low risk from surface water flooding.</p> <p>Any existing surface water flow paths across the site must be maintained.</p> <p>Reason: NPPF paragraph 103 states – ‘When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere..’</p> <p>Therefore, a wholesale site level rise via the spreading of excavated material should be avoided. Any excavated material kept on site should be located in areas designed and designated for that purpose.</p>	
Modelled groundwater flood hazard classification:	Low risk
<p>Comments: The proposed development site is shown to be at low risk from groundwater flooding.</p> <p>This risk and appropriate mitigation should be considered in any future designs especially with regard to underground structures and utilities.</p> <p>Ground water contamination and Source Protection Zones. The potential for ground water contamination within a source protection zone has not been considered by the LLFA. The LPA should consult with the EA if this is considered as risk.</p>	
Records of any ordinary/culverted watercourses within or in close vicinity to the site:	No

Comments: Current Ordnance Survey mapping shows no ordinary watercourses within the site boundary.

Local or field boundary ditches, not shown on Ordnance Survey mapping, may exist around the site. If present these should be maintained and highlighted on future plans.

No development should take place within 5m of any ordinary watercourse and access of future maintenance must be considered during planning. If works are undertaken within, under, over or up to an Ordinary Watercourse, even if this is temporary, an Ordinary Watercourse Consent (OWC) may need to be applied for from the District or Borough Council.

Records of any historic flooding within the site or within close vicinity to the site:	Yes
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Comments: We are aware that adjacent land/carrageway has been subject to historic flooding in the past.

Future development - Sustainable Drainage Systems (SuDs)

The FRA/Drainage Statement included with this application proposes that attenuation with restricted discharge to the main sewer system/highway system would be used to restrict the runoff from the development. This method would, in principle, meet the requirements of the NPPF, PPG and associated guidance documents. Further investigation and upgrade of the highway system will be necessary.

Development should not commence until finalised detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles, for the development have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should demonstrate that the surface water runoff generated up to and including the 1 in 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event.

Development should not commence until full details of the maintenance and management of the SuDs system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs.

Please note that Schedule 3 of the Flood and Water Management Act 2010 has not been implemented and WSCC does not currently expect to act as the SuDS Approval Body (SAB) in this matter.

MSDC Housing

The applicant is proposing a development of 46 dwellings which gives rise to an onsite affordable housing requirement of 30% (14 units). The proposed housing mix will meet a broad range of housing needs and consists of 2 x 1 bed, 7 x 2 bed and 5 x 3 bed dwellings. The tenure split will comply with current policy, with 75% of the properties to be provided as rented units and 25% as shared ownership. The applicant is adopting a tenure blind approach in order to aid social integration and create a sustainable development.

In addition to the provision of affordable dwellings, we welcome the inclusion in this application of 3 x serviced plots for self or custom build which will assist the local authority in meeting both our statutory duty and the demand for self and custom build in the district.

MSDC Leisure

The following leisure contributions are required to enhance capacity and provision due to increased demand for facilities in accordance with the Local Plan policy and SPD which require contributions for developments of over 5 units.

CHILDRENS PLAYING SPACE

The developer has indicated that they intend to provide a LEAP on site and full details regarding the layout, equipment and on-going maintenance will need to be agreed by condition.

FORMAL SPORT

In the case of this development, a financial contribution of £45,725 is required toward pitch drainage at Hickmans Lane Recreation Ground.

COMMUNITY BUILDINGS

The provision of community facilities is an essential part of the infrastructure required to service new developments to ensure that sustainable communities are created. In the case of this development, a financial contribution of £19,862 is required to make improvements to the King Edward Hall in Lindfield.

In terms of the scale of contribution required, these figures are calculated on a per head formulae based upon the total number of units proposed and an average occupancy of 2.5 persons per unit (as laid out in the Council's Development and Infrastructure SPD) and therefore is commensurate in scale to the development. The Council maintains that the contributions sought as set out are in full accordance with the requirements set out in Circular 05/2005 and in Regulation 122 of the Community Infrastructure Levy Regulations 2010.

MSDC Tree Officer

Having reviewed the submitted documents, I can confirm I am largely satisfied with the proposals. However before this application progresses to more than an outline, I would like to point out that the positioning of the two houses in the south west corner would not be acceptable; due to the shading and seasonal nuisance they are likely to incur.

Following on from this, the property and subsequent garage blocks in the north east corner of the site are uncomfortably close to the existing trees and do not seem to allow for much growth potential here. Meaning that the new occupiers will encounter issues fairly quickly.

The entrance from High Beech Lane has been improved to allow further trees to be retained. Whilst it is regretted that these will be lost, the character of the area shall largely be retained thanks to mitigation planting ensuring the area adopts a woodland feel. This is also valuable for wildlife and carbon sinking.

MSDC Environmental Protection Officer

Environmental Protection has no objection to this application, subject to the conditions below.

Conditions:

- Construction hours: Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:

Monday - Friday 08:00 - 18:00 Hours
Saturday 09:00 - 13:00 Hours
Sundays and Bank/Public Holidays no work permitted.

Reason: To protect the amenity of local residents.

- Minimise dust emissions: Demolition/Construction work shall not commence until a scheme for the protection of the existing neighbouring properties from dust has been submitted to, and approved in writing by, the local planning authority. The scheme as approved shall be operated at all times during the demolition/construction phases of the development.

Reason: To protect the amenity of local residents from dust emissions.

- No burning materials: No burning of demolition/construction waste materials shall take place on site.

Reason: To protect the amenity of local residents from smoke, ash, odour and fume.

MSDC Contaminated Land Officer

I have reviewed the following supporting information:

- Archaeological desk-based assessment. CgMs, May 2016, reference LM/22157;
- Ground investigation report. Reside, no date or reference;
- Phase II ground investigation report. Soils Limited, September 2016, reference 15740/GIR; and
- Letter report summarising gas and groundwater monitoring. Soils Limited, January 2017, reference 15740/LR/Rev1.02.

Based on the information presented, combined with information contained within the GIS, and the sensitivity and scale of the proposed development, it is recommended that the following precautionary condition is placed on any permission granted:

- If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the LPA), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the LPA. The remediation measures shall be carried out as approved and in accordance with the approved programme. If no unexpected contamination is encountered during development works, on completion of works and prior to occupation a letter confirming this should be submitted to the LPA. If unexpected contamination is encountered during development works, on completion of works and prior to occupation, the agreed information, results of investigation and details of any remediation undertaken will be produced to the satisfaction of and approved in writing by the LPA.

MSDC Street Name and Numbering Officer

Please could I ask you to ensure that the following informative is added to any decision notice granting approval:

Informative: Info29

The proposed development will require formal address allocation. You are advised to contact the Council's Street Naming & Numbering Officer before work starts on site. Details of fees

and advice for developers can be found at www.midsussex.gov.uk/streetnaming or by phone on 01444 477175.

Sussex Police

The National Planning Policy Framework demonstrates the government's commitment to creating safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion, and with the level of crime and anti-social behaviour in Mid Sussex district being below average when compared with the rest of Sussex, I have no major concerns with the proposals, however, additional measures to mitigate against any identified local crime trends should be considered.

Given that this outline application is only to determine the means of access and to seek approval in principle, I have no detailed comment to make at this stage. At the reserved matters stage I would encourage the applicant to update the Design and Access Statement to include appropriate measures for crime prevention and community safety using the principles of Secured by Design and the attributes of safe, sustainable places. These are:

- Access and movement - places with well-defined routes, spaces and entrances that provide for convenient movement without compromising security.
- Structure - places that are structured so that different uses do not cause conflict.
- Surveillance - places where all publicly accessible spaces are overlooked.
- Ownership - places that promote a sense of ownership, respect, territorial responsibility and community.
- Physical protection - places that include necessary, well designed security features.
- Activity - places where the level of human activity is appropriate to the location and creates a reduced risk of crime and a sense of safety at all times.
- Management and maintenance - places that are designed with management and maintenance in mind, to discourage crime in the present and the future.

LINDFIELD RURAL PARISH COUNCIL OBSERVATIONS

The Parish Council strongly objects to this application on the following grounds:

The proposed site is outside the current built up area boundaries of recognised settlements. The application is in contradiction to the Lindfield and Lindfield Rural Neighbourhood Plan and MSDC planning policies. The site is unsuitable due to drainage and stability issues and is unsustainable due to access to the site and distance from available services resulting on reliance on car travel.

The Proposed Site

The proposed site sits within the High Weald Fringes of Landscape Character area 10, as defined by the Mid Sussex District Landscape Character Assessment (2004). The key characteristics are:

- Densely-wooded southern flanks of the High Weald Forest Ridge, dissected streams draining west to the River Adur and east to the River Ouse.

- Significant woodland cover, a substantial portion of it ancient, and a dense network of shaws, hedgerows and hedgerow trees.
- Pattern of small assart fields and larger fields. The site is of local landscape value.
- As undeveloped landscape with historic features. The nature of High Beech Lane is that of a sunken rural lane enclosed by dense tree cover, probably an ancient drove way.
- It is on the fringes of the High Weald AONB

The site is outside the current boundaries of the recognised settlements. In November 2015, Mid Sussex District Council issued a strategic land availability Assessment which viewed this site. It was stated that the site needed to be allocated via the Neighbourhood Plan which did not occur; as the site's suitability was rejected for the reasons detailed below:

"The site is considered to have low landscape capacity for development. This is due to the proximity of the ridge crest that creates a distinct boundary to this side of the town (LUC Assessment). This site extends 230m into countryside beyond the northernmost boundary of the built-up area and would be obtrusively visible from the wider area to the north.

Difficult access arrangements and potential significant impact on highway network in vicinity and distant to strategic routes. Lindfield High Street within 1.6km therefore only fair access to local services and facilities on foot. There are also some TPOs adjacent to the site to the south.

Town Wood Ancient Woodland borders to east. The site would require allocation through the relevant Neighbourhood Plan.

Development of this site would be harmful in landscape terms, and the role it plays in the setting of the town. Development would create an isolated incursion into the countryside which would not relate or integrate well with the existing settlement or its boundaries. Would extend the presence of built development, north along High Beech Lane forming unsympathetic ribbon-like development. Access likely to be onto High Beech Lane this would also be an issue."

The site is steeply sloped, criss-crossed with small streams and underground springs and there is a history of localised flooding with which local residents are well acquainted. The site sits on a natural fault line upon a mixture of Tunbridge Wells sand and clays. The site is similar to that at Franklands Village which was subject to landslip in the 1990's. Housing development there was evidently considered suitable until events proved otherwise.

Land stability Policy CS21 of the local plan stipulated that developments on areas of known or suspected land instability should only be permitted where it can be demonstrated that the site can be developed and used safely without adding instability of the site or adjoining land.

Para 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict contaminated or unstable land, where appropriate.

DP24 of the emerging District Plan stipulates that developments should be pedestrian-friendly, safe and well connected and should not cause significant harm to the amenities of existing nearby residents or future residents of dwellings. The applicants have sought to propose mitigating drainage measures, which will not address the local flooding issue. Indeed, the evidence of the flood risk assessment fails to correctly spell the sites supposedly considered and the ground investigation report is a desk-top exercise performed in Gloucestershire.

Some adjacent homes have been subject to subsidence and it is feared that this development will cause additional water run off which will impact on lower lying properties.

The site is approximately 10 miles from Ashdown Forest. The occupants of the proposed developments will be required to drive to all available services except perhaps to the small local grocery store/delicatessen. In Mid Sussex, most residents travel to work by car. About 25% travel to London, about the same percentage to Crawley/Gatwick and about 15% to Surrey. To access these locations from this site will require travel via B2028 to link with M23 or across Ashdown Forest to link with the A22. The "Wealden case" and the accumulated impact of traffic pollution and increased human activity is relevant to this development, which added to other developments already permitted within the Parish would be environmentally detrimental.

Access and Transport

The site is located in a sunken rural lane, overhung by large trees. As it is the exit from Lindfield Village/ Haywards Heath travelling towards Ardingly traffic is fast moving despite the restrictions, visibility is poor and there are no footpaths to the site. Should a footpath be constructed, due to the steep gradient and bends in the road walking would be hazardous at best; and use by those less abled or using mobility scooters would be challenging, if not impossible.

The applicant's transport statement claims that schools are within walking distance. The report includes a school "Summerhill and Tavistock" which no longer exists. There are no vacant school places at local schools within walking distance. There are places at Northlands Wood School in Haywards Heath or in the village of Ardingly. Neither could be reached on foot and there are no direct public transport links to either location from this site. Car travel would be essential. The local secondary school currently has places for 11-16 year olds, but Central Sussex College (the sixth form college mentioned in the report) is due for closure and over 16's still in education will need to travel to Brighton or Horsham. There is no direct train or bus route to Horsham College from this site or from Hayward's Heath. The transport report also mentions Lindfield Medical Centre as being within walking distance, the nearest Doctors surgery taking new patients is at Northlands Wood. The Nuffield Hospital mentioned is a private hospital, not available to those without private medical insurance or able to pay.

The distances that occupants of the new homes will actually have to travel has therefore been underestimated. The reality is that the new occupants will have to drive to wherever they need to get to.

The creation of a wide access road to the site from High Beech Lane will be out of keeping with the rural aspect of the Lane and its location, leading to urbanisation of the area. Despite the suggestions of "improvements" to the access it will still be onto a narrow Lane with poor visibility and no street lighting. If lighting were introduced this would lead to urbanisation of the countryside area and light pollution. The removal of the "drove way" banks and trees will destroy the rural character forever creating an urbanisation sprawl.

Affordable Housing

It is indicated that the proposed development would include 14 "affordable homes" of mixed tenure. The comments made to support the suitability of the site for affordable homes is the available access to local services and facilities.

The previous West Sussex County Council response made it clear that currently there is no spare capacity at primary/secondary schools within the catchment area. It was suggested

that contributions should be made to Northlands Wood Primary school which may accommodate pupils with expansion (not in Lindfield). Northlands Wood Primary School is located at Beech Hill in Haywards Heath. This school is 2.6 miles (4.2km) distant from the site; a ten-minute drive (additional traffic permitting), or an hour walk for small children.

The local doctor's surgery also is full to capacity, travel to Northlands Wood Surgery would be necessary.

Therefore, the easily accessed services, which it is indicated may be reached on foot are not in fact accessible. This would have particular impact on residents in social housing who are likely to be on lower incomes and unable to afford or would be disadvantaged by the cost of travelling to essential services.

Lindfield and Lindfield Rural Neighbourhood Plan (LLRNP)

The proposed development is contrary to the principles of the LLRNP. The LLRNP was formally made by Mid Sussex District Council on 23rd March 2016 and is supported by the District Plan. The principles of the Neighbourhood Plan are to encourage modest development inside the built-up boundary which can be accommodated without undermining the quality of life of local people; and to protect the special historic and landscape character of the parishes and their surroundings.

Paragraph 198 of the NPPF states that: "where a planning application conflicts with a neighbourhood plan that has been brought into force planning consent should not normally be granted."

The proposed site is outside the current built up area boundaries. The resistance to include the site as part of the LLRNP, through the examination process was supported by MSDC. The LLRNP supports development of housing windfall sites within the built-up boundary identified.

It is apparent that under paragraph 49 of the NPPF housing policies whether contained in a Local Development Plan or Neighbourhood Plan are considered "out of date" by virtue of the fact that the Local Planning Authority has no 5-year housing land supply, nevertheless such policies must be given significant weight.

Emerging District Plan

The Sustainability Appraisal for the District Plan has shown that the District can accommodate the level of housing required, taking into account environmental and other constraints. The significant proportion of proposed development is in the south of the district; the remainder of development will be delivered by other towns and villages to support their economic, infrastructure and social needs.

The Housing and Economic Development Needs Assessment estimates the number of houses needed for Lindfield Rural Parish over 17 years as being 204 homes; this equates to 12 homes per year for Lindfield Rural Parish. Homes under construction or which have planning consent now totals 461 homes, more than double the 17-year requirement. The recent response made by MSDC regarding the District Plan is that 876dpa should be agreed especially in light of the "Wealden case"; in which case, the Parish has already absorbed half of the annual requirement for the whole District. This proposed development is an encroachment into the countryside to provide housing that is not needed in this area.

The proposal does not meet the requirements of DP4, which states that development will only be permitted if it is appropriate both in scale and function to its location, including the

character and amenities of the surrounding area. The Policy also states that the proposal should be in accordance with the relevant neighbourhood plan; clearly it is not in accordance with LLRNP. It is not in accordance with LLRNP as the site is outside the built-up boundary and does not protect the special historic and landscape character of the Parish. The proposal does not meet the objectives of Policy DP 10 which seeks to protect and enhance the countryside.

The proposal does not meet the requirements of Policy DP11, which seeks to prevent coalescence. In this case the development will create ribbon development between Lindfield and Ardingly.

National Planning Policy Framework (NPPF)

The proposal will not contribute to the achievement of sustainable development in the area in accordance with the NPPF guiding principles relating to economic, social and environmental impact.

Economic role

The MSDC District Plan has identified the right land of the right type in the District. This proposed development is not the right development in the right place.

Social role

This proposal does not provide the supply of housing to meet local needs and impacts upon the social and cultural well-being of Lindfield by developing housing with no essential services locally to support it. The only services available, especially to support those in social housing are not accessible by public transport from this point. i.e. there is no direct route to Princess Royal Hospital without a walk of at least a mile to the nearest bus link. Age UK centre for the elderly is not accessible by bus from this site and is 3 miles distant; and the nearest community centre is 1.5 miles away. This proposal will result in the creation of an isolated community, reliant on car travel for participation in any social activity.

Environmental role

This development destroys not enhances the natural and historic environment and damages biodiversity. This site is too far removed from available services and facilities; this will encourage car use and result in air pollution and congestion. The main access road is via problematic road junction with poor visibility. The site also presents potential localised flooding issues. This development is an unnecessary encroachment into the countryside.

The proposal will therefore not meet the requirements of Para 61 of the NPPF which states that planning policies and decisions should address the connections of people and places and the integration of new developments into the natural built and historic environment.

The proposal does not address the infrastructure deficit of providing more housing in Mid Sussex other than by allocating s106 (CIL) monies to mitigate the problems.

There are no environmental benefits as clearly set out. The adverse impacts of the proposals in this application significantly outweigh the benefits. This application should therefore be **refused**.

LINDFIELD PARISH COUNCIL OBSERVATIONS

This response focuses on the provisions of the National Planning Policy Framework (NPPF).

This provides that "at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both planning and decision taking. For decision taking this means that where the development plan is absent, silent or relevant policies are out of date, out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in this Framework indicate development should be restricted."

Set out below is a series of adverse impacts (enshrined in Plan policy), which would significantly and demonstrably outweigh the benefits of the proposal, and which will demonstrate that the proposal is far from sustainable.

As regards the Mid Sussex Local Plan 2004:

- The proposal will not respect the character of the locality , contrary to Policy B1(a) , nor will it maintain or enhance the quality of the rural character of the District at the fringes of Lindfield, and the High Weald Area of Natural Outstanding Beauty immediately to the north of the site.
- The proposal is contrary to Policy B3 in that the proposal will lead to a loss of amenity, and potential overlooking of nearby or adjoining properties, despite mitigation by screening. Tree and hedge screening is generally ineffective in the summer months.
- The proposal is contrary to the objectives of Policy B6 in that the area is one of recreational, conservation, and wildlife value. This policy applies to private areas of open space.
- The proposal does not accord with Policy C1, which seeks to protect the countryside. The area is designated as a Countryside Area of Development Restraint, and there are no exceptional circumstances, which could justify such a development. It is noted that the Policy seeks to protect the countryside for its own sake. Indeed, it is submitted that this is a valuable green lung and natural green space between existing settlements to the east and west of the site. There remain deep concerns about compliance with Policy C6, in that the site has been shown to be a natural habitat for a number of animal species, and a location for a number of wildlife habitats in the area. Whilst it is noted that further work has been done by the applicant in this respect, it can only ever be presumed that proposed mitigation measures will work. There is no evidence to suggest that animal species will return to their former habitats, once they are consumed within a housing development. The environmental damage that will occur as a result of development in this area, contributes significantly to the unsustainability of this proposal.
- The significance of the traffic and road safety issues, which do not meet the objectives of Policy T4 of the 2004 Local Plan or of policies in the emerging District Plan, are particularly significant in this area. Developers and West Sussex County Council Highways , appear to view planning applications in isolation, but it is the cumulative effects of development in this part of mid Sussex that it putting an intolerable strain on the local road network, much of which is of course rural in nature. High Beech Lane is already a fast and well used road, and the proposal will simply create yet another dangerous junction within the confines of Lindfield. Indeed, this road is one of the focal points of the Parish Councils ongoing traffic survey. This has shown that traffic calming is already required to cope with existing use and capacity, and if the application is to succeed, additional measures suggested by the applicant to address the acknowledged issues, must be backed up by proper legal agreements, and be fully funded by the applicant.

- Policy C6 seeks to resist development resulting in the loss of trees. It now seems clear that the requirement to install visibility splays at the access road and at Roundwood Lane will require the removal of a number of trees, and lead to the urbanisation of what is currently a visually pleasing rural road. It is also noted that some of the new dwellings will be built right up against a line of Oaks bordering the site (just behind Barrington Close), which are the subject of Tree Preservation Orders. Therefore, the possible long term, adverse effect on those trees of the development, needs to be properly addressed.

- Mid Sussex District Council has already accepted many of the above principles, because the site was originally assessed as unsuitable for development in its own Strategic Housing Land Availability Assessment study. The site is clearly not sustainable being situated far from local facilities and amenities, given that any that could be regarded as nearby are already at capacity. This development is simply an opportunistic bolt on development on a green field site, with no ability for anything other than the use of vehicles as a means of getting around. There is no certainty or guarantee regarding the possibility of a pedestrian access into Portsmouth Wood Close, and High Beech Lane is devoid of safe pavement areas for pedestrians. It is noted that WSCC Highways appear to take the view that it will simply be a safe thing to attempt to cross the road, with a few indicative markings.

As regards the emerging District Plan:

- The proposal does not meet the requirements of Policy DP4, which state that development will only be permitted if it is appropriate in scale and function to its location, including the character and amenities of the surrounding area. If Lindfield is to retain its village status and character, and if the already overstretched amenities are not to collapse altogether, the application should be refused.

- The proposal fails to take account of Policy DP5, which sets out an informed and strategic basis for the future delivery of housing requirements across Mid Sussex, and which acknowledges the significant contribution of Neighbourhood Plans.

- The proposal does not meet the objectives of Policy DP 10, which seeks to protect and enhance the countryside (which is to be valued for its own sake).

- The proposal does not meet the objectives of Policy DP1 3 in that there can be no special justification for this development. It is not needed in the wider context of the strategic requirement for additional housing in the District. That need is recognised by most people, but it should be planned in a proper and orderly way, as set out in the emerging District Plan. It is clear that even the NPPF steers away from opportunist development for profit, in inappropriate and unsustainable locations.

- There are major issues regarding meeting the requirements of Policy DP41 as regards potential flooding issues. Underground water flows down Savill Road whenever it rains, throughout the year. The Water Board confirms that there are no water leaks from any of their pipes in this area. There is significant run-off of rainwater from the house driveways in this road area. Consequently, when it rains, water pours down the road like a river. It is understood that these underground springs occur due to a geological fault (where the sandstone ridge meets the clay subsoil). It is believed that this fault line runs across the top of the hill in Savill Road and then westwards across the field that the applicant wishes to build on. Objectors are extremely concerned that if just one episode of trench digging caused this underground spring to emerge - what would be the effect if the top of this hill were to be built over? It could displace the water underground, and new springs could then arise. There is also a history of land subsidence to properties on this wet hillside and in the immediate vicinity to the proposed building site. There is a grave concern that the situation, which occurred at Frank lands Village, Haywards Heath where, it is believed that new build

was constructed over an area of underground springs resulting in a massive subsidence to the properties below it, will be repeated. The application should not succeed on this ground alone, until far more research has been done into the well-known and documented flooding problems in this area. It is no good the development site being nice and dry, if the flooding issue is simply exacerbated elsewhere. Indeed, it needs to be clear, by the attachment of appropriate conditions, that if developers propose mitigation measures, such as Sustainable Drainage Systems, then if such measures do not work (as increasingly seems to be the case, e.g. when balancing ponds overflow) the developer remains fully liable for the consequences. This needs to go further than simply ongoing maintenance and repair for a period of time.

As regards the National Planning Policy Framework (NPPF):

- The proposal will not meet the requirements of paragraph 61 of the NPPF, which states that planning policies and decisions should address the connections of people and places and the integration of new development into the natural, built, and historic environment.

- As regards the potential for flooding, the proposal does not meet the objectives of paragraphs 100 to 103 of the NPPF for the reasons stated above. The applicants Flood Risk Assessment may seek to address the potential problem of flooding within the site, but is very light on addressing the already pressing issue of surface water run-off, existing underground water pressure, and storm event water run-off, on existing roads and houses to the south of the site, in terms of the additional effects of building over the field at the top of the hill. Existing drainage capacity, which the report appears to rely on to resolve the issue, is already inadequate. The land is not flat, and given that water will always find its own level, there is clearly a valid concern.

- The proposal does not meet the objectives of paragraph 109 of the NPPF in that the natural environment will be neither conserved nor enhanced.

- The proposal does not accord with paragraphs 165 and 166 of the NPPF in that it fails to take into account the need to meet the demands of the natural environment.

- The proposal does not address the infrastructure deficit of providing more and more housing in Mid Sussex, other than by agreeing to allocate money to the problems. This does not help the aspirations and objectives of Policy DP18 of the District Plan. It is contended that s.106 monies (and/or CIL monies in the future) are simply not delivering the level of infrastructure requirements and improvements that are needed to make such developments anything like sustainable. The provision of such appropriate infrastructure and the weight being attached to the lack of it should be given very significant consideration, and is a matter stressed in the NPPF as a weighty planning matter. The provision of adequate infrastructure cannot be defined by the level of developer contributions, which then simply accumulate and sit in a section 106 pot. Actual infrastructure requirements must be properly addressed before any further large scale housing development is permitted, and indeed many objectors have referred to the severe pressures on existing services. It should be noted that Lindfield has absorbed some 500 houses over the past 5 years (with possibly a further 200 on the way, if a planning appeal is upheld) with zero investment in associated infrastructure, such as school places, doctor's surgeries, social care, and community facilities. This alone makes any further high yield housing development unsustainable.

What then are the benefits? A small contribution towards some affordable housing, which Mid Sussex District Council has a well thought out strategy for delivering across the District, in consultation with communities through Neighbourhood Plans.

General comments:

- The Parish Council is aware that a decision for political reasons, not planning reasons, has been taken, despite conflicting case law, to attach limited (if any) weight to the Lindfield and Lindfield Rural neighbourhood Plan (LLRNP), which was made by MSDC on 23rd March 2016. It may therefore be that housing policies in the LLRNP are deemed to be out of date. However, it should be considered that paragraph 198 of the NPPF is not a housing policy, and in the context of the introductory paragraph above, is in fact a specific policy. This provides quite simply and plainly, where a planning application conflicts with a neighbourhood plan that has been brought into force, planning consent should not normally be granted. This must surely mean that exceptional circumstances have to apply for a decision maker to decide in favour of an application. The provision cannot just be ignored.

- In the Parish Council's submission, it is simply a matter of common sense, given that the District Plan is close to approval, and the Objectively Assessed housing Need agreed by the Planning Inspector, that the process of getting it right for the benefit of both current communities (and residents of the District), and for future inhabitants, which is encouraged by the NPPF, should not be undermined by having piecemeal development imposed on inappropriate locations across the District. One should not override the other. Accordingly, the needs of Mid Sussex should be spread across the district in a way which reflects the needs of future generations, without impacting on the needs of existing generations, towns and villages. Indeed, the Government has recognised the validity of the principle of prematurity, where a District Plan has made significant progress. This must surely be a point that MSDC would want to advance in its own interest.

For all of the above reasons, the Parish Council concludes that the proposal is not sustainable, not least by the lack of local infrastructure, which as stated above, cannot be mitigated by money. There are no substantive or economic benefits from the proposal, and any there are will merely be transient, such that they should carry very limited weight. There are no social benefits, as apart from an element of so called affordable housing, it will merely add to the supply of expensive middle and high earner large detached properties in this part of West Sussex. It will simply add to Haywards Heaths growing reputation as a dormitory /commuter town. There are evidently no environmental benefits, as clearly set out above. It is therefore clear on any objective analysis, that the adverse impacts of approving the application, significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole. **The application should therefore be refused.**