

Appeal by Gladman Developments Ltd

Scamps Hill, Lindfield

Appeal on the Grounds of Non-Determination

“Outline planning application for the erection of up to 90 dwellings including affordable housing, with public open space, landscaping, sustainable drainage system (SuDS) and vehicular access. All matters reserved except for means of access.”

APP/D3830/W/24/3350075

Proof of Evidence

of

Mr John Mackenzie BSc (Hons) MRTPI



November 2024

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1 PREAMBLE

1.1 Qualifications

1.1.1 I am John Mackenzie. I hold a Diploma in Town and Country Planning from the University of Central England in Birmingham and I am a Member of the Royal Town Planning Institute, to which I was elected in 1998. I am a Planning Director at Gladman Developments Ltd of Gladman House, Congleton Business Park, Congleton and am responsible for overseeing the promotion of housing sites through the planning process.

1.1.2 I joined Gladman in December 2013. Before this, I built up over 16 years' experience in planning work in the United Kingdom, working in planning consultancy, and most recently held the position of Senior Associate Director at Nathaniel Lichfield & Partners (now Lichfields), where I had worked since 2007. I have provided planning advice to both public and private sector clients on a wide range of development proposals, including large scale housing and mixed-use projects. I have given evidence relating to planning matters at both development plan Examinations in Public and at Section 78 planning appeals.

1.1.3 I am familiar with the appeal site, the planning policies of Mid Sussex District Council (MSDC) and its evidence base documents. I confirm that this proof of evidence is true and has been prepared in accordance with the guidance of the RTPI, of which I am a member. I further confirm that the opinions expressed in my evidence are my true and professional opinions. I am aware that my duty as a professional planner is to the Inquiry, irrespective of by whom I am employed.

1.2 Scope of my Evidence

1.2.1 In my proof, I address matters of planning policy together with relevant development control matters, concluding with my assessment of the appropriate planning balance in this case.

1.2.2 In assessing the proposals against the provisions of the statutory Development Plan and other material considerations, and undertaking a planning balance, I will place reliance (where relevant) on the conclusions reached in the accompanying Proofs of Evidence of the following witnesses:

- Mr Ben Pycroft (Emery) – Housing Land Supply
- Ms Gail Stoten (Pegasus) – Heritage
- Mr Gary Holliday (FPCR) – Landscape and Visual Impact

1.2.3 I do not produce a separate 'Summary Proof' but, for ease of reference, my 'Summary and Conclusions' are produced at Section 14.

1.2.4 The following documents are provided as appendices to my evidence:

- Appendix 1 – Affordable Housing Needs Statement
- Appendix 2 – Surface Water Drainage Note

2 THE APPEAL APPLICATION

2.1 Appeal Proposals

2.1.1 This Proof of Evidence (PoE) is in relation to the appeal made by Gladman Developments Ltd ('the Appellant') against MSDC's non-determination of outline application DM/24/0446:

"Outline planning application for the erection of up to 90 dwellings with vehicular access point, public open space, landscaping and sustainable drainage systems (SuDS). All matters reserved except for means of access".

2.1.2 In summary, the appeal proposals comprise:

- Up to 90 residential dwellings adjacent to the sustainable settlement of Lindfield;
- 30% affordable housing (up to 27 affordable homes);
- Vehicular access via a single priority junction from Scamps Hill;
- Provision of a pedestrian access on to Scamps Hill as well as shared footway/cycleway infrastructure within the site;
- 3.94 hectares of green infrastructure and public open space (62.4% of the site) including new recreational routes and equipped children's play area;
- New landscape planting, planting for biodiversity and the retention and positive management of key landscape features; and,
- A sustainable Drainage System (SuDS).

2.1.3 The Illustrative Development Framework Plan for the site demonstrates how the built development will be set within a framework of open space and green infrastructure. It establishes the broad parameters for the proposed development.

2.2 Site and Surroundings

2.2.1 A description of the appeal site and surroundings is provided in the Appellant's Statement of Case (SoC) for the appeal, as well as in the general Statement of Common Ground (SoCG).

2.3 Planning History

2.3.1 The site has not been subject to any previous planning applications of relevance to this appeal proposal.

2.4 The Appeal Application

2.4.1 The appeal application was validated by MSDC on 23rd February 2024 (Application ref: DM/24/0446). The application was accompanied by a comprehensive suite of technical reports in accordance with the LPA's planning application validation requirements.

2.4.2 The Appellant's SoC provides some brief commentary on the appeal application process, which it is not necessary to repeat here.

2.5 The Appeal

2.5.1 The appeal was lodged on the grounds of the non-determination of the outline application.

2.5.2 MSDC has confirmed (SoC paragraph 1.5) that, had it determined the application, it would have refused it for the following reasons:

- 1 *The proposed residential development is outside of the built up area as defined by the Development Plan. The principle of the application therefore conflicts with the Development Plan in terms of what type of development is allowable under Policies DP6, DP12 and DP15 of the Mid Sussex District Plan and Policy 1 of the Lindfield and Lindfield Rural Neighbourhood Plan.*
- 2 *The proposed development will cause less than substantial harm to the Lindfield Conservation Area, and the nearby listed buildings known as Greyfriars and Tythe Cottage. In addition, the proposal will cause a high level of harm to an asset of a high level of significance within the local context, this being the non-designated heritage asset of Walstead Grange. The application therefore conflicts with Policies DP34 and DP35 of the Mid Sussex District Plan and the NPPF.*
- 3 *There is insufficient ecological information available on protected species for determination of this application. There is outstanding survey work on hazel dormice, otters, water voles and great crested newts (with no information either regarding the district licence on the great crested newts) meaning there is no certainty on the likely impacts from the development on these protected species. The application therefore conflicts with Policy DP38 of the District Plan and the NPPF.*

- 4 *In the absence of a signed legal agreement, the proposal fails to secure the required infrastructure contributions, the necessary affordable housing and the delivery and monitoring of the biodiversity net gain. The application therefore conflicts with Policies DP20, DP24, DP31 and DP38 of the Mid Sussex District Plan and the Mid Sussex Supplementary Planning Documents 'Affordable Housing' and 'Development Infrastructure and Contributions' and the NPPF.*

3 DEVELOPMENT PLAN CONTEXT

3.1 Introduction

3.1.1 The statutory Development Plan comprises:

- Mid Sussex District Plan 2014-2031 (2018)
- Mid Sussex Site Allocations DPD (2022)
- Lindfield and Lindfield Rural Neighbourhood Plan 2014-2031 (2016)

3.1.2 There are no relevant policies regarding the site contained in the Mid Sussex Site Allocations DPD.

3.2 Mid Sussex District Plan

3.2.1 The Mid Sussex District Plan (MSDP) was adopted in March 2018 and covers the period 2014-2031.

3.2.2 A copy of the MSDP is provided at CD7.1.

3.2.3 In respect of housing, the MSDP (para. 3.10) explains that, in accordance with paragraph 47 of the Framework¹, the plan aimed to meet the full Objectively Assessed Need (OAN) for housing. The evidence base document that sat behind the OAN assessment was the Mid Sussex Housing and Economic Development Needs Assessment (HEDNA) from 2015, which relied on evidence from the 2009 and 2012 Strategic Housing Market Assessment.

3.2.4 The MSDP (para. 3.11) requirement was based on household projections published in 2016, to which a 'market signals' adjustment was applied (para. 3.12), establishing an OAN of 876 dpa. It goes on to explain (para. 3.12-3.17) that, through the 'duty to co-operate' process it was established that Mid Sussex could contribute 1,500 dwellings towards meeting the housing needs of neighbouring authorities. The MSDP specifically identified a strategic allocation at Pease Pottage (located at the north west edge of the district, adjacent to Crawley) as a direct response to unmet needs in Crawley (para. 3.42).

3.2.5 Policy DP4: Housing identifies a minimum housing requirement of 16,390 dwellings in the 17 year period 2014-2031 (964 dpa), based on the Mid Sussex OAN of 14,892 (876 dpa), uplifted by 1,498 dwellings to help address unmet need in neighbouring authorities. Policy DP4 sets

¹ this is a reference to para 47 of the original 2012 Framework that was in place when the MSDP was being prepared.

out a stepped requirement and indicates that the MSDP will deliver a minimum of 876 dpa between 2014-2024; and 1,090 dpa between 2024-2031.

3.2.6 MSDC, in its putative reasons for refusal allege conflict with the following policies:

- DP6 – Settlement Hierarchy
- DP12 – Protection and Enhancement of Countryside
- DP15 – New Homes in the Countryside
- DP34: Listed Buildings and Other Heritage Assets
- DP35: Conservation Areas
- DP38 - Biodiversity

3.2.7 Putative reason for refusal #4 also alleges conflict with policies DP20, DP24, DP31 and DP38 although it is agreed that the alleged conflict falls away on completion of appropriate legal undertaking.

3.2.8 I will address the compliance of the proposals with these policies (and the weight that should appropriately be afforded to them) in responding to the putative reason for refusal and main issues identified by the Inspector.

3.2.9 As general observations at this point however, I note the following:

- It is clear that the strategic policies and spatial development strategy of the MSDC direct additional housing growth to the Category 2 larger villages, including Lindfield. Policy DP4: Housing sets out the broad spatial distribution of the housing requirement and identifies a *minimum* requirement of 3,005 additional dwellings in this tier of settlement over the plan period.
- The accompanying table to Policy DP6: Settlement hierarchy describes the characteristics and functions of each category of settlement in the hierarchy. It describes the Category 2 settlements as:

“Larger villages acting as Local Service Centres providing key services in the rural area of Mid Sussex. These settlements serve the wider hinterland and benefit from a good range of services and facilities, including employment opportunities and access to public transport”

- The accompanying text to Policy DP6 (p.36) makes clear that the preparation of Neighbourhood Plans is part of the strategy for the delivery of housing. A table (p.37) is provided to provide clarity on the role of individual Neighbourhood Plans in meeting the minimum housing requirement. The table identifies a minimum requirement for Lindfield of 571 dwellings over the plan period (and a minimum residual requirement as at April 2017, accounting for completions and commitments) of 540 dwellings.

3.2.10 In respect of the final point above, the accompanying text to Policy DP6 (p.38) makes clear that some settlements had already, at April 2017, identified sufficient completions and commitments to meet their minimum requirements. These include Burgess Hill, Hassocks and Hurstpierpoint. This position is reflected in the distribution table (p.37). Lindfield was clearly not in this position. Rather, Lindfield is identified as having the highest residual requirement in the district (with the exception of East Grinstead) as at April 2017.

3.3 Lindfield and Lindfield Rural Neighbourhood Plan 2014-2031

3.3.1 The Lindfield and Lindfield Rural Neighbourhood Plan 2014-2031 (LLRNP) was formally 'made' in March 2016, at which point it became part of the statutory development plan. The plan covers the period 2014-2031.

3.3.2 The Introductory sections of the LLRNP make clear that it does not propose to allocate land for housing (or any other purpose) and it confines its policies to within the existing settlements of Lindfield and Scaynes Hill (para. 1.6). The introductory text makes clear the plan is based upon information obtained through local community consultation, including a 2011 questionnaire (para. 1.12).

3.3.3 The LLRNP was clearly prepared (in order to meet Basic Conditions) to be in general conformity with the strategic policies of the 2004 Mid Sussex Local Plan (para. 2.12), which was superseded by the 2018 MSDP (i.e. it preceded the currently adopted MSDP). The LLRNP (para. 2.18) suggests that it sought to reflect the policy direction of the (then) emerging 2018 MSDP, where relevant. However, it makes clear (para 2.18) that "*...the new plan will take some time to come forward and, as the LLRNP will precede it, the policies of the Pre-Submission District Plan cannot be used to justify the LLRNP*".

3.3.4 MSDC, in its putative reasons for refusal allege conflict with the following:

- Policy 1: A Spatial Plan for the Parishes (LLRNP)

3.3.5 I will address the compliance of the proposals with the above policy, as well as the appropriate weight that should be afforded to it for development management purposes, in responding to the putative reasons for refusal and main issues identified by the Inspector.

3.3.6 As general observations at this point however, I note that:

- The LLRNP is, as a matter of fact fairly old, having been made almost 9 years ago, and is based on evidence that is significantly older than this. It has not been reviewed or updated.
- The LLRNP is clearly not in compliance with the MSDP. It does not allocate land in order to meet the Policy DP6 requirement for Lindfield of 571 dwellings over the plan period or the minimum residual requirement of 540 dwellings from April 2017. This is not surprising given that it predates the MSDP and was prepared to be in compliance with 2004 local plan that preceded it.
- The built up area boundary identified on the LLRNP proposals map is not consistent with the currently adopted development plan policies map. Furthermore, it does not reflect the extent of the built-up area of Lindfield. Significant areas of greenfield land, outside of the LLRNP proposals map boundary, have been released for housing development, in order to help meet local needs. This includes:
 1. Land at Gravley Lane and Scamps Hill, which was granted permission in March 2017 for 130 dwellings (application ref. DM/16/5648), and is now built out and occupied. This is located to the south of the appeal site.
 2. Land south of Scamps Hill / Scaynes Hill Road, Lindfield, allowed on appeal in March 2018 (200 dwellings)², which is currently under construction and is part occupied.
 3. Land east of High Beech Lane, Lindfield, which was granted permission for 46 dwellings (application ref. DM/17/2271) in April 2018.

3.3.7 The built-up area boundary cannot be considered to be up to date in this context.

3.3.8 Even before the sites listed above were released for development, concerns about the LLRNP built up area boundary not reflecting earlier development commitments and housing development under construction in Lindfield were raised by the Examining Inspector

² APP/D3830/W/16/3152641

appointed to review the neighbourhood plan. A copy of the Report by Examiner Graham Self (May 2015) forms CD7.3. The Examiner (para. 25) comments on the problematic timing of the LLRNP preparation, which had to be general conformity with the 2004 Local Plan, despite the fact that the (then) emerging MSDP would have provided a more up to date context for the neighbourhood plan.

- 3.3.9 The Examining Inspector highlighted the somewhat circular issue arising between the then emerging LLRNP and the MSDP. He states (para. 58) that:

"...the Neighbourhood Plan is seeking to become part of the statutory development plan ahead of the District Plan; the District Plan is aiming to rely on neighbourhood plans for the allocation of housing land; but this Neighbourhood Plan does not make any such provision because it is ahead of the District Plan and so the policy context is uncertain. If all neighbourhood plans in this situation were to quote such uncertainty as a reason for not allocating any land for residential development, housing needs might never be met"

- 3.3.10 The Inspector was critical of the draft LLRNP, clearly finding that it failed to have sufficient regard to the status of Lindfield and its suitability to accommodate new housing; and that the built-up area boundary failed to reflect the position on the ground arising from planning permissions (para.65). He further comments that at least one site should be allocated for housing in the LLRNP, with the most suitable candidate being a site referred to as SHLAA site 6 (para. 68)³.

- 3.3.11 Overall, the Inspector concluded (para.96) that the submission version of the LLRNP, unless amended, would not comply with national policy and would not support local development needs. A number of recommended amendments were suggested⁴ (para. 98), including that the boundary of the built-up area be amended so that a site that had been granted planning permission in 2013, coloured purple on plan X and the land immediately to the north west (referred to as SHLAA site 6) are included in the built up area (para.98(2)). For reference purposes, a copy of 'Plan X' as referred to by the Inspector forms CD7.4.

- 3.3.12 In finalising the LLRNP, the Examiners recommendations were incorporated, with the notable exception of allocating land for housing and amending the built-up area boundary to include SHLAA site 6. It is clear from the Cabinet Report of 30 November 2015 (CD7.5) that the neighbourhood planning officers had concerns about allocating SHLAA site 6 and amending

³ This is Land at Gravleye Lane and Scamps Hill, which was granted permission in March 2017 for 130 dwellings (application ref. DM/16/5648), and is now built out and occupied.

⁴ Albeit Inspector Self notes (para. 101) that the recommendations of a neighbourhood plan examiner are not binding

the built-up area boundary around this site, as this would have required to plan to go through a strategic environmental assessment process and for plan preparation to go back to the Regulation 14 stage, resulting in delay (para. 28). Furthermore, the officer, in the Cabinet Report (para. 31), placed reliance on the point that the LLRNP did not need to be in conformity with the (then) emerging MSDC; but, rather the 2004 local plan that preceded it. The 2016 'made' version of the LLRNP doesn't allocate SHLAA site 6 for housing, or make any other housing allocations; nor, does the built-up area boundary 'take in' SHLAA site 6.

3.4 Mid Sussex Site Allocations DPD

- 3.4.1 The Mid Sussex Site Allocations DPD (MSSA) was formally adopted in June 2022. The key aim of the MSSA is to allocate sufficient housing and employment sites to meet the residual development requirements of the MSDP, adopted in March 2018. A copy of the MSSA forms CD7.6.
- 3.4.2 Policy SA10 and the accompanying Table 2.3 updates the table at Policy DP4 of the MSDP. It sets out that overall (as at 01 April 2021), taking account of completions since the base date of the MSDP, housing commitments and a windfall allowance, there was a residual housing requirement of at least 797 dwellings, in order to meet the minimum MSDP housing requirement of at least 16,390 dwellings between 2014 and 2031, for the district.
- 3.4.3 Policy SA10 (Table 2.4) indicates that, of the 3,005 dwelling requirement for the Larger Village settlement category (as prescribed by MSDP Policy DP4), the minimum residual housing figure to be planned for through the allocations DPD was 198 dwellings. Notwithstanding this residual requirement, the MSSA DPD identified only 3 sites in the Larger Village settlement category (Site SA22 in Crawley Down, SA23 in Cuckfield, and SA24 in Hassocks), as set out at Policy SA10 (Table 2.5), with a combined capacity of 105 dwellings (i.e. the plan identified insufficient land to meet the stated spatial distribution of the housing requirement, as prescribed by MSDP Policy DP4).
- 3.4.4 Whilst noting this under provision in the Larger Villages tier, as a whole, I accept that this was an issue addressed by Inspector Fox in examining the MSSA DPD, who concluded that no overall soundness issues were raised by the under provision. His report to MSDC of 30 May 2022 (provided at CD7.7) states (para. 74):

Policy SA10 updates District Plan policy DP4 and makes provision for an updated minimum residual housing figure of 198 units for the six second tier, larger villages; the submitted Plan allocates 105 units, i.e. a reduction of 93 units below the District Plan

figure. However, the residual District Plan housing figure, as updated, represents a small percentage of the total District Plan provision for Mid Sussex, and the shortfall in the Plan before me, of 93 dwellings, is only 3.1 percent of the total District Plan provision for category 2 settlements, whilst three of the six settlements in this category have specific allocations and the remaining three villages – Cophorne, Hurstpierpoint and Lindfield - are located close to urban areas (Crawley, Hassocks and Haywards Heath respectively). For the above reasons, no soundness issues are raised by the level of provision in the larger villages.

3.4.5 The MSSA DPD does not allocate any sites for housing development in Lindfield.

3.5 The Role of the Development Plan in Guiding Development in Lindfield and Meeting Requirements

3.5.1 As stated above, the MSDP⁵ establishes a minimum requirement over the plan period of 571 dwellings and a minimum residual requirement of 540 additional dwellings, taking into account commitments and completions as at 01 April 2017. In terms of how the current statutory development plan planned to deliver this, it is clear that:

- The MSDP did not identify any strategic allocations in Lindfield;
- The LLRNP, which was anticipated to have a role in allocating land to meet the MSDP requirements, predated the MSDP, did not allocate any specific housing sites for development, and had a settlement boundary and policy framework that was inconsistent with the MSDP and incapable of accommodating minimum development plan housing requirements for Lindfield.
- The MSSA DPD slightly under allocated in the Larger Villages tier, as a whole and did not allocate any housing sites in Lindfield.

3.5.2 In the context of the foregoing, I do not consider that the statutory development plan establishes a clear plan-led vision or policy framework for meeting needs in Lindfield. The sites that have most recently delivered housing in Lindfield, for example land at Gravleye Lane and Scamps Hill (approved in March 2017) and land south of Scamps Hill / Scaynes Hill Road (allowed on appeal in March 2018) largely predate the adoption of the MSDP; and were determined in the context of the earlier 2004 local plan and a shortfall in the 5 year land supply position that existed in advance of the MSDP being adopted. Moreover, as far as the clearly

⁵ through Policy DP6 and the accompanying table at p.37

stated MSDP minimum residual requirement (of 540 dwellings) from 01 April 2017 is concerned, I am not aware that there have been sufficient sites released for development (since 01 April 2017) to meet this requirement.

3.6 Is the Statutory Development Plan Up to Date?

Lindfield and Lindfield Rural NP

3.6.1 The LLRNP was made in 2016. It predated the MSDP and was prepared to be in compliance with 2004 local plan that preceded it. It is clearly not in compliance with the MSDP. It does not allocate sites for housing development or plan to meet the MSDP Policy DP4 housing requirement or the Policy DP6 requirement for Lindfield of 571 dwellings over the plan period (or the minimum residual requirement of 540 dwellings from April 2017). It is out of date on this basis alone.

3.6.2 Housing requirements have of course moved on since the MSDP was adopted and the local housing needs figure for the district is higher than the MSDP Policy DP4 requirement (as I will set out in the following section). The LLRNP is further out of date in this context.

3.6.3 The built-up area boundary identified on the LLRNP proposals map, which is used for applying policies (including Policy 1, as referred to in the putative reasons for refusal) does not reflect the extent of the built-up area of Lindfield. Furthermore, it is not capable of accommodating the housing requirements of the MSDP for Lindfield. Significant areas of greenfield land, outside of the LLRNP proposals map boundary, have been released for housing development, in order to help meet requirements. The built-up area boundary cannot be considered to be up to date in this context. It is simply not an effective planning policy tool for meeting the MSDP requirement for Lindfield and is even less capable of helping accommodate current local housing needs. It is woefully out of date.

Mid Sussex District Plan

3.6.4 The strategic housing policies of the MSDP fail to reflect local housing needs, as required by the Framework (para.61). The housing policies are underpinned by an Objectively Assessed Need (OAN) figure of 876 dpa for Mid Sussex, which falls significantly below the current local housing need figure of 1039 dpa for the district. The MSDP Policy DP4 requirement has been departed from by MSDC and is no longer used as a basis for planning to meet housing needs. The MSDP is inconsistent with the Framework in this respect and out of date.

3.6.5 As a point of qualification, it is not my case here that Framework paragraph 11(d) is triggered solely as a consequence of the increase in local housing need, compared with the need figure

that underpinned the MSDP. It is however material that the MSDP simply does not reflect or plan for current local housing needs and was prepared to meet a significantly lower housing need figure for the district. As far as this appeal is concerned, my view is that it is of particular relevance in determining whether built-up area boundaries can reasonably be considered to be up to date. My position is that, as they were drawn up to deliver a housing need figure that is significantly lower than current local housing needs, they are not.

4 EMERGING POLICY AND GUIDANCE

4.1 Proposed Reforms to the NPPF

4.1.1 On 30 July 2024, the Government published its proposed revisions to the Framework for consultation until September 2024. The proposed amendments include reversing the key changes brought about by December 2023 iteration, but also add new policies, and are accompanied by a new standard method for calculating housing need.

4.1.2 I accept the appeal proposals should be determined under the provisions of the December 2023 Framework until such time that these proposed revisions to national planning policy are formally brought into effect. However, the proposed changes to the Framework clearly set the tone and direction of the newly elected Government in their approach to planning reform and growth.

4.1.3 Within the 30 July 2024 WMS, the SoS for Housing, Communities and Local Government emphasises the intention to strengthen the presumption in favour of sustainable development. In this regard, the draft Framework is accompanied by an extensive consultation statement which sets out the Government's rationale and provides detailed context. The consultation statement simply and forcefully reiterates the function of the presumption (emphasis added):

"The primary function of the presumption is to provide a fallback to encourage planning permission to be granted where plan policies are not up-to-date, including where there is an insufficient supply of land. It broadly does this in two ways. It brings land into scope of potential development where it has not been specifically allocated for development (e.g. a site on the edge of existing settlements), or where land is allocated for another purpose (e.g. where housing may be proposed on a site allocated for employment uses). Additionally, it 'tilts the balance' towards approval by making clear that permission should be granted unless doing so would cut across protections for safeguarded areas, like National Parks and habitat sites, or the adverse impacts would 'significantly and demonstrably' outweigh the benefits when assessed against the NPPF taken as a whole."

4.1.4 This explanation of the current presumption, or tilted planning balance, has clear parallels with the appellant's case in the present appeal, taking account of Mr Pycroft's position on the deliverable supply of housing land. The appellant's case is also consistent with the example given in explanation, i.e. edge of settlement proposals.

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- 4.1.5 The proposed amendments to paragraph 11 in the consultation draft also make clear that that the tilted balance would be triggered “where the policies ***for the supply of land*** are out of date” (emphasis added), which continues to include situations where an authority is unable to demonstrate a five-year housing land supply. This change removes the emphasis from the “most important policies”, making clear that the primary role the presumption is intended to play is in addressing inadequate land supply and to provide a route to make up any shortfall in housing delivery if the plan led approach is failing to do so.
- 4.1.6 The proposed Framework seeks to restore a requirement for all authorities to continually be able to demonstrate 5 years of specific, deliverable sites for housing. Where authorities are unable to demonstrate a 5 year supply, the tilted presumption in favour of sustainable development applies. The current December 2023 Framework requires that, for authorities (such as Mid Sussex) that have an emerging plan that has been submitted for examination (and the circumstances of paragraph 226 apply), they need only demonstrate a 4 year supply. The Government considers that the 4 year ‘protection’ policy is undermining supply and proposes to restore the requirement for authorities to be able to demonstrate a deliverable 5 year supply, regardless of local plan status.
- 4.1.7 The proposed Framework reverses a change introduced in the December 2023 version and reintroduces the 5% buffer to be applied to all 5 year housing land supply calculations, to provide an important buffer of sites and ensure choice and competition in the market.
- 4.1.8 The Government is proposing to revise the standard method for assessing a local planning authority’s local housing need figure. Essentially, it is proposing a move away from the use of household projections in calculating the requirement. The current approach uses 2014 household projections, which are now 10 years old and no longer considered fit for purpose in reflecting current housing needs, projecting forward past trends and resulting in artificially low projections in some places. The proposal is to adopt a ‘stock based’ approach, which is seen as supporting a more ambitious house building strategy and aligning more closely with the Government’s aspirations for the housing market.
- 4.1.9 The outcome of the proposed revised approach to the standard method would result in a requirement to plan for 1,276 dpa within the Mid Sussex district, compared with the current standard method figure of 1,039 dpa.
- 4.1.10 The implications of the proposed Framework on the 5 year housing land supply calculation are set out in the accompanying evidence of Mr Pycroft. In short, the implication of the proposed changes coming into force, as far as housing land supply is concerned, is that MSDC

would be unable to demonstrate a sufficient deliverable supply by a significant margin on its own supply figure.

4.1.11 As outlined above, the consultation draft of the Framework is a clear direction of the new Government's intentions with regard to national policy, so it is capable of being considered a material consideration for the purposes of decision-making. In this respect, some of the changes that are now being proposed will take national planning policy back to a position that existed from 2012 to December 2023, being the product of extensive consultation on the various previous iterations of the Framework.

4.1.12 However, for the purposes of the present case, I recognise that the proposed revisions remain the subject of further consultation and are yet to be brought into effect, which temper the weight that can be attached to these at the present time.

4.2 Emerging Mid Sussex District Plan 2021-2039

4.2.1 MSDC is in the process of reviewing its development plan. The emerging District Plan is intended to cover the period 2021-2039. Once adopted it will replace the 2018 MSDP.

4.2.2 The Submission Draft (Regulation 19) version of the emerging plan was submitted for Examination in July 2024.

4.2.3 Paragraph 48 of the Framework states that decision makers may give weight to relevant policies in emerging plans according to: (a) the stage of preparation of the emerging plan; (b) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (c) the degree of consistency of relevant policies to the policies in the Framework. The emerging plan has not yet passed through the Examination process and there remain a significant number of unresolved objections, including in respect of matters of fundamental importance to the plan being able to be found sound.

4.2.4 Given the current stage of the plan review process, and the extent of unresolved objections, I consider that the emerging plan can be afforded only limited weight for the purposes of determining the appeal. MSDC agrees with this position (SoCG paragraph 3.3.2).

5 HOUSING LAND SUPPLY

5.1 Introduction

5.1.1 There is a dispute between the parties on whether MSDC is able to demonstrate the minimum supply of deliverable housing sites in the authority area, as is required by the Framework paragraph 77.

5.1.2 Given the stage that emerging Mid Sussex District Plan has reached, I accept that the provisions of Framework paragraph 226 apply. As such, MSDC is currently required to demonstrate a minimum of 4 years worth of housing against local housing need.

5.1.3 MSDC's position is that it can demonstrate a 4.71 year supply.

5.1.4 The accompanying evidence of Mr Ben Pycroft provides a critical appraisal of MSDC's claimed position. It demonstrates that the claimed position overstates the deliverable supply position; and, that the actual deliverable supply is 3.25 years.

5.2 A 4 Year Land Supply is a Minimum

5.2.1 Notwithstanding the dispute between the parties on the actual position, I note for context that the Framework [paragraph 77] requires that a local authority (where the provisions of Framework 226 apply) should be able to demonstrate a *minimum* of 4 years worth of housing. The existence of a 4 year supply of housing land is not a reason in itself to withhold planning permission for sustainable housing development, such as that proposed through the instant appeal application.

5.2.2 My view is that even where a 4 year land supply can be demonstrated, the delivery of additional housing remains an important planning benefit in the context of the Government's very clear objective [Framework paragraph 60] of significantly boosting the supply of homes. It is also a material consideration that the Government is proposing to restore the requirement for authorities to be able to demonstrate a deliverable 5 year supply, regardless of local plan status, as the 4 year 'protection' policy is undermining supply.

5.2.3 The importance of housing delivery is even greater in circumstances such as those in the Mid Sussex area, where minimum requirements are not being met.

5.3 Implications

5.3.1 The inability of MSDC to be able to demonstrate a sufficient supply of deliverable housing land, as required by the Framework has implications for the application of policy and the planning balancing exercise to be undertaken in determining this appeal. I consider the key implications to be that:

1. The 'most important' development plan policies for determining the application are out-of-date as a consequence of Framework Footnote 8. The Framework 11(d)(ii) 'tilted balance' is thus engaged.
2. The development plan strategy for the delivery of housing is out-of-date and does not provide an effective policy framework for securing housing requirements. Intervention in the development plan policy approach is required and additional land should be released for housing in order to help ensure that needs can be met. Currently defined built up area boundaries should not be seen as inviolable⁶ and policies controlling housing development should be applied more flexibly as a means of bringing land forward additional land for development.
3. Whilst the delivery of additional housing in the context of the national policy objective to boost significantly the supply of housing is an important planning benefit irrespective of housing land supply, the weight to be afforded to the benefit that arises from the delivery of additional housing is increased even further here as MSDC is unable to demonstrate the minimum 4 year supply.

5.4 Weight to be Afforded to the Delivery of Housing as a Benefit

5.4.1 I consider that the delivery of additional housing, as proposed through this appeal is an important public benefit in the context of the Framework [paragraph 60] objective to significantly boosting the supply of housing. My view is that the delivery of additional housing is a very important benefit, irrespective of housing land supply. The benefit of delivering additional housing in this location is even more significant as MSDC is unable to demonstrate

⁶ I have explained elsewhere my position that the built up area boundary of the LLRNP is woefully out of date in absolute terms. Furthermore, the built up area boundaries on the adopted Mid Sussex policies map were drawn up to accommodate a policy requirement that does not reflect (and is significantly lower) than local housing needs. They are not up to date in this context. This is irrespective of housing land supply.

a 4 year supply of housing. The appeal site is capable of being delivered quickly and making an important contribution towards addressing the housing land shortfall.

- 5.4.2 In the context of the foregoing, the delivery of additional housing is a benefit that should be afforded significant weight. I will return to the weighting of benefits in undertaking my planning balancing exercise.

6 PUTATIVE RFR#1

6.1 The Reason for Refusal

6.1.1 Putative RfR#1, as set out in MSDC's SoC (paragraph 1.5), is concerned with the principle of development, having regard to the statutory development plan. It states that the appeal site is outside of the built up area, as defined by the development plan, and that the principle of development therefore conflicts with Policies DP6, DP12 and DP15 of the MSDP and Policy 1 of the LLRNP.

6.1.2 The MSDC SoC (paragraphs 3.8-3.16) sets out its position on the compliance of the appeal proposal with these policies. Whilst it notes that the appeal site is located outside of the currently defined built up area boundary for Lindfield and is therefore does not accord in principle with Policies DP6, DP12 and DP15 of the MSDP and Policy 1 of the LLRNP, it does not identify any practical land use planning harm that arises from this.

6.1.3 It is a matter of fact and it is common ground that the appeal site is located outside of, although contiguous with, the currently defined built up area boundary for Lindfield. Cognisant of this, I will provide comment below on the compliancy of the proposal with these policies, the harm that arises from any conflict, as well as the appropriate weight that should be afforded to the policies (and any acknowledged breach) for determining the appeal.

6.2 MSDP Policy DP6: Settlement Hierarchy

6.2.1 As a contextual point, it is trite to say that the purpose of the MSDP settlement hierarchy is to promote well located development and steer growth to the settlements where services, employment and transport choices are present. Ultimately, the purpose of the settlement hierarchy is to secure sustainable patterns of development and provide opportunities for people to live and work within their communities, reducing to need to travel.

6.2.2 Policy DP6 is generally permissive of development within built up area boundaries. Outside of defined built up area boundaries, the expansion of settlements is supported where:

- 1 The site is allocated in the MSDP, a Neighbourhood Plan or subsequent DPD or where the development is for fewer than 10 dwellings; and,
- 2 The site is contiguous with an existing built up area; and,
- 3 The development is demonstrated to be sustainable, including by reference to the settlement hierarchy.

- 6.2.3 Turning to my position on compliance with Policy DP6 (specifically the criteria concerning development outside of defined boundaries), I comment as follows:
- 1 The appeal site is, as a matter of fact, not allocated for housing development and the scale of development exceeds 10 dwellings. As such, the proposal does not comply with criterion #1.
 - 2 The proposal complies with criterion #2 as the appeal site is contiguous with the existing built up area.
 - 3 The proposal is considered to be sustainable, having regard to the settlement hierarchy, in that it directs housing to a Larger Village (Category 2 settlement), which actually functions as part of Haywards Heath (Category 1 settlement). There is no specific allegation in the RfR or the MSDC SoC that the release of the appeal site for housing would undermine the overall settlement hierarchy or result in an unsustainable pattern of development. Rather, it is clearly common ground (SoCG section 4.16) that the appeal proposal is locationally sustainable and residents of the proposed development would have good access to shops, services and facilities, accessible by walking and public transport
- 6.2.4 In the context of the foregoing, whilst the appeal proposal complies with 2 out of the 3 criteria, relevant to development outside of the built-up area boundary, I accept that the appeal proposal does not accord with criterion #1 and thus, there is some conflict with Policy DP6.
- 6.2.5 Notwithstanding this, I do not consider that any significant practical land use harm arises from this. The appeal proposal directs growth to a sustainable location, contiguous with the existing built-up area and complies with the key objectives and purpose of the settlement hierarchy in that it secures a sustainable pattern of development. On this basis, I do not consider that the acknowledged conflict with Policy DP6 should weigh heavily in the planning balance.
- 6.2.6 In any event, there are material considerations in play, which reduce the weight that should appropriately be afforded to Policy DP6, for the purposes of decision making. In particular, the built-up area boundaries have been drawn up to accommodate a MSDP housing requirement that is lower than current housing need. The boundaries will need to flex to accommodate local housing need. They should not be seen as inviolable in this context.
- 6.2.7 Furthermore, MSDC cannot demonstrate the minimum housing land supply, as required by Framework paragraph 74, and therefore development plan policies that seek to restrict

housing delivery should not be applied with full rigour. Policy intervention is required and additional land outside of built up area boundaries should be released.

6.3 MSDP Policy DP12: Protection and Enhancement of the Countryside

6.3.1 Policy DP12 is clearly concerned with protection of the countryside and provides that the countryside will be protected in recognition of its intrinsic character and beauty.

6.3.2 The policy is permissive of development in the countryside (i.e. all areas outside of currently defined built up area boundaries), provided that it maintains the quality of the landscape character of the district; and,

- Is necessary for the purposes of agriculture; or,
- Is supported by a specific policy reference elsewhere in the development plan.

6.3.3 MSDC makes no allegation that the appeal proposal harms the overall purpose of the policy, which is to protect the countryside and maintain the quality of landscape character. It is common ground (SoCG para. 5.15.1) that the appeal proposal will successfully integrate into its local surroundings without unacceptable landscape or visual effects. MSDC's SoC (paragraph 3.15) further confirms its view that the proposed development is "*deemed to maintain the quality of the rural and landscape character*" in compliance with Policy DP12. The accompanying evidence of Mr Holliday further supports this position.

6.3.4 MSDC notes in its SoC that, whilst the proposal maintains the quality of local landscape character, it does not meet either of the supplementary criteria, as the development is not necessary for agricultural purposes and is not specifically supported by reference to other policies in the development plan or DPD.

6.3.5 As a broad matter of principle, I agree (as a statement of fact) that the appeal proposal does not meet either of the supplementary Policy DP12 tests. It is not in accordance with Policy DP12 on this basis. Notwithstanding this, my position is that no significant practical harm arises from this. The proposal clearly complies with the fundamental purpose and planning objective of the policy, which is to maintain and protect the character of the countryside. The acknowledged conflict with Policy DP12 should not weigh heavily in the planning balance in this context.

6.3.6 In any event, there are material considerations that affect the weight to be afforded to Policy DP12, as far as it directs housing development to within currently defined built up area boundaries. In particular:

1. The current statutory development plan built up area boundaries are not capable of accommodating current local housing needs and must 'flex' accordingly. They should not be seen as inviolable in this context. Constraining housing to within these out-of-date built-up area boundaries does not align with the Framework (paragraph 60) objective of 'significantly boosting' the supply of housing.
2. MSDC cannot demonstrate the minimum housing land supply, as required by Framework paragraph 74, and therefore development plan policies that seek to restrict housing delivery should not be applied with full rigour. Policy intervention is required and additional land outside of built up area boundaries should be released.

6.3.7 MSDC takes no issue with the appeal proposal on the basis that it involves the loss of agricultural land. Furthermore, it is not an issue that has been identified by the Inspector in his note of the CMC. Notwithstanding this, I acknowledge that the appeal proposal does result in the loss of approximately 6.6ha of agricultural grazing land, which is a matter dealt with in Policy DP12.

6.3.8 The explanatory text for Policy DP12 (MSDP p.56) indicates that a large proportion of the district (63.8%) comprises Grade 3 land, with the potential to be classified as Grade 3a (i.e. best and most versatile agricultural land). The analysis does not break down the district into sub grades 3a and 3b however, and therefore it is not possible from the MSDP or its evidence base to identify what proportion of Grade 3 land comprises BMV.

6.3.9 The part of Policy DP12 that relates to agricultural land is concerned only with BMV. It indicates agricultural land of Grade 3a and above will be protected from non-agricultural development; and, where 'significant' development of agricultural land is necessary, proposals should seek to use areas of poorer quality land in preference to higher quality.

6.3.10 In terms of the agricultural land quality of the appeal site, no detailed site field surveys have been undertaken, nor were they requested by MSDC during the application process. The Natural England Agricultural Land Classification (ALC) mapping⁷, identifies that the appeal site, the wider Lindfield area and all land on the edge of urban area of Haywards Heath comprises Grade 3 land. The mapping does not break down Grade 3 land into sub grades 3a and 3b. It is therefore not possible to confirm from this whether the site comprises BMV or not, albeit the mapping indicates that the appeal site is of a quality typical of that surrounding Lindfield

⁷ ALC Map for London and the South East (ALC007). Extract provided at CD8.1

and Haywards Heath (and much of the district). Consequently, it is not possible (based on the evidence before the Inquiry) to confirm if any tension with Policy DP12 arises, due to the loss of BMV.

6.3.11 In terms of what implications this has for decision making, my view is that even if a worst case scenario is adopted and the site is assumed to comprise Grade 3a (and thus BMV) land, the loss of approximately 6.6ha of land is not significant and should not be afforded any significant weight for the planning balancing exercise.

6.3.12 I draw some support for this position from the Sustainability Appraisal⁸ (SA) that underpins the emerging plan. In considering the implications of the plan on natural resources⁹ the SA (p.43) notes that in the absence of site specific survey information to distinguish between Grades 3a and 3b, all Grade 3 land is assumed to be BMV. It notes that development on Grades 1,2 and 3a land is expected to have a negative impact on natural resources. In quantifying the impact, it places weight on the 20ha Natural England threshold¹⁰ and states that:

“Development proposals which would result in the loss of less than 20ha of greenfield land, of which is classed as ALC Grades 1,2 and/or 3, would be expected to have a minor negative impact”

6.3.13 Drawing support from the SA’s analysis that a site up to 20ha of even Grade 1 or 2 land would be classified as having a minor negative impact, I consider that the impact of the loss of approximately 6.6ha or Grade 3 land has a very minor impact. MSDC do not seem to disagree with this, as a matter of principle and have raised no issue with the appeal proposal based on loss of agricultural land.

6.4 MSDP Policy DP15: New Homes in the Countryside

6.4.1 Policy DP15 is permissive of new homes in the countryside, provided that they would not conflict with Policy DP12 and where special justification exists. Special justification is defined as:

- Essential agricultural or forestry workers accommodation; or

⁸ Mid Sussex District Plan (Regulation 19) Sustainability Appraisal Nov 2023.

⁹ SA Objective 6.

¹⁰ The DMPO requires planning authorities to consult NE on non-agricultural development applications resulting in the loss of more than 20ha of BMV.

- Isolated new homes of exceptional design quality; or
- Rural exceptions sites (in accordance with Policy DP32); or,
- The development meets the requirements of Policy DP6.

6.4.2 I accept that it is not supported by Policy DP15, in that general market housing does not meet any of the special justification criteria as defined within the policy wording.

6.4.3 In terms of the practical implications of this, the policy is essentially a counterpart policy to policies DP6 and DP12. The policy sets out a very limited range of exceptions whereby new housing outside built up area boundaries (which DP6 and DP12 establish a broad presumption against) is supported. General market housing is not one of these exceptions and thus I place no reliance on Policy DP15 in justifying that the principle of the appeal proposal is compliant with the development plan.

6.5 LLRNP Policy 1: A Spatial Plan for the Parishes

6.5.1 Policy 1 only supports development proposals within the built up area boundaries of Lindfield and Scaynes Hill, as shown on the LLRNP Proposals Map. The explanatory text for the policy (paragraph 4.5) makes clear that the policy effect is to *"confine housing and other development proposals to the established built up area boundaries of Lindfield and Scaynes Hill, unless they are appropriate to a countryside location"*.

6.5.2 As a matter of principle, the appeal proposal directs housing development to a location outside of the built up area boundary for Lindfield, as identified on the LLRNP proposals map (p.32). As such, it conflicts with Policy 1.

6.5.3 Notwithstanding this acknowledged conflict, the effectiveness of Policy 1, in meeting housing needs, relies on the defined built up area boundary being up to date. In this context (as I have set out at section 3), I note that:

- The LLRNP is inconsistent with the MSDP and was prepared to be in compliance with 2004 local plan that preceded it.
- The LLRNP fails to set out an effective strategy for meeting the minimum MSDP Policy DP6 development requirements for Lindfield. It does not allocate land in order to meet the requirement for Lindfield of 571 dwellings over the plan period or the minimum residual requirement of 540 dwellings from April 2017.

- The built up area boundary identified on the LLRNP proposals map does not reflect the extent of the built up area of Lindfield. Significant areas of land shown as being outside of the built-up area boundary as currently defined LLRNP proposals map boundary, have been released for housing development in order to help meet local needs (and are built out and occupied). The built-up area boundary cannot be considered to be up to date in this context.
- Further to the above, Policy 1 is out of date also as a consequence of the housing land supply shortfall in the district.

6.5.4 LLRNP Policy 1, applied with reference to the currently defined built up area boundary shown on the proposals map, serves no useful function in planning to meet current local housing needs in Lindfield. As such, I consider that the acknowledged conflict with LLRNP Policy 1 should be afforded very limited weight for determining this appeal.

6.6 Conclusion on RfR#1

6.6.1 It is common ground that the appeal site is outside of the built up area, as defined by the development plan, and that (as a consequence of this) the principle of development does not accord with Policies DP6, DP12 and DP15 of the MSDP and Policy 1 of the LLRNP. I further accept that, as the appeal site is outside of the current built up area boundary, the appeal proposal does not accord with statutory development plan as a whole. The degree of conflict is however, limited and focussed.

6.6.2 In determining the weight that should be afforded to this acknowledged development plan conflict, I consider it relevant to take into account the practical impact of the policy breach. In this case, whilst the site does lie outside of the currently defined built up area boundary (and therefore in the countryside for the purposes of applying policy), the objectives that the relevant policies were put in place to achieve (i.e. securing a sustainable pattern of development and maintaining landscape character) are met by the proposed development and the practical land use planning harm that arises from the acknowledged breach is limited.

6.6.3 I draw some support for this position from the approach of MSDC officers in considering an application for 46 dwellings on a greenfield site to the east of High Beech Lane and north of Barrington Close, Lindfield (application ref DM/17/2271), approved in April 2018. A copy of the officer report forms CD8.2. The application was determined shortly after the adoption of the MSDP, when the Council was able to demonstrate a 5 year housing land supply. At the point of determination, the site was outside of the defined built-up area boundary for

Lindfield¹¹. The Executive Summary of the officer report notes that the site is in the countryside, outside of the built-up area boundary for Lindfield and is thus contrary to policy DP12; that general housing is not one of the permitted exceptions to the policy of restraint in the countryside under policy DP15; that the proposal would be contrary to LLRNP Policy 1 which only supports development within the built up area boundary; and that it is contrary to policy DP6 as it is for more than ten units. It is analogous with the appeal proposal in this respect.

6.6.4 In considering the weight to be given to the development plan policy breach, arising from the delivery of housing outside of the (then) defined built-up area boundary, the officer clearly considers it material to take into account any practical harm that arises. The officer clearly gives weight to the fact that:

- The adverse landscape and visual impacts of the development are limited and that the proposal would not be contrary to the purpose of Policy DP12, which is to protect the countryside; and,
- That whilst the development lies outside of the built up area of Lindfield, it is situated adjacent to the boundary of a category 2 settlement, which is a sustainable location, providing good access to services and goods.

6.6.5 I consider that the approach taken by MSDC officers in assessing application ref. DM/17/2271 was correct and aligns with my approach to considering the appeal proposal.

6.6.6 In any event, there are other material considerations in play, which should be taken into account, as identified above. In particular, the LLRNP is woefully out of date. MSDP is inconsistent with the Framework as it does not provide an effective planning strategy for delivering local housing needs. The built-up area boundaries were not drawn up to accommodate local housing needs and need to flex accordingly. They should not be seen as inviolable in this context.

6.6.7 Furthermore, MSDC is unable to demonstrate a sufficient housing land supply, as required by the Framework. The development plan policy framework that restricts the supply of housing should thus not be applied with full vigour and additional land should be released for housing to help address the housing supply shortfall.

¹¹ The adopted development plan policies map has subsequently been amended to include this site

7 PUTATIVE RFR#2

7.1 The Reason for Refusal

7.1.1 RfR#2 indicates that the proposed development will cause 'less than substantial harm' to Lindfield Conservation Area, and the nearby Grade II listed buildings known as Greyfriars and Tythe Cottage. It further alleges that the proposal will cause a high level of harm to the non-designated heritage asset of Walstead Grange. As a consequence of the alleged impacts, the RfR indicates that the appeal proposal conflicts with MSDP policies DP34 and DP35 and the Framework.

7.1.2 The impact of the appeal proposals on heritage assets is addressed in the accompanying evidence of Gail Stoten. I rely on the conclusions reached in the accompanying evidence for my position on the compliance of the appeal proposals with national and local planning policy. I also rely on the assessment of any harm to heritage assets for undertaking my planning balancing exercise.

7.2 Summary of the Heritage Evidence of Gail Stoten

7.2.1 The accompanying evidence of Gail, Stoten, considers the impact of the proposed development on the significance and setting of Lindfield Conservation Area, the Grade II listed buildings known as Greyfriars and Tythe Cottage and the non-designated heritage asset of Walstead Grange.

7.2.2 In terms of designated heritage assets, the accompanying evidence demonstrates that:

- The site does not contribute to the significance of the Lindfield Conservation Area through setting, and the change to the intrinsic character of the site, resulting from the proposed development, will cause **no harm** to the heritage significance of the asset.
- In respect of the Grade II Listed Greyfriars, the site appears to be functionally unrelated to the asset and makes a minimal contribution to its heritage significance through being illustrative of its wider rural setting. The change to the character of the site, as a consequence of the proposed development, would result in **less than substantial harm to Greyfriars at the lowermost end of the spectrum.**
- With regards to the Grade II Listed Tythe Cottage, despite some limited intervisibility with the asset, the site is not considered to contribute to its heritage significance

through setting. It is separated from the asset by the buildings of the Walstead Grange complex. Whilst the proposed development will change the character of part of the site, built form will be significantly set back from Tythe Cottage, with the retention and strengthening of intervening planting to soften any glimpses possible from the asset. The parkland character of the wider grounds of Walstead Grange will be restored. Following development all elements which positively contribute to the heritage significance of the asset through setting will be retained, and the sense of separation will not be reduced. Development will not be an incongruous or intrusive element in the wider surrounds. **No harm** to the heritage significance of the asset will be caused.

7.2.3 In terms of non-designated heritage assets, the accompanying evidence identifies Walstead Grange as a non-designated heritage asset, of a higher level of significance within the range for such assets. In terms of the impact of the appeal proposal on this asset, the evidence demonstrates that:

- The site makes a low/moderate contribution to the heritage significance of the asset.
- The proposal has been designed to be very sensitive to the heritage significance of Walstead Grange. Development is set back very largely beyond the former parkland area. The intervening area will have its parkland character restored through appropriate scattered tree planting and will be used as public open space.
- Built form will be visible in views from the house, its curtilage and drive, but will be set back significantly and will lie beyond retained and supplemented planting, to soften it in views. Those elements of the setting which principally contribute to the significance of the asset, including the outbuildings, immediate curtilage, and coach road will retain their legibility, and the legibility of the parkland will be enhanced. With development conserving part of the contribution which the site makes to the heritage significance of the asset through setting, a **minor level of harm** to the overall heritage significance of the asset is anticipated.

7.3 Compliancy with Policy DP34: Listed Buildings and Other Heritage Assets; and the Framework

Listed Buildings

7.3.1 In respect of listed buildings, the relevant¹² provisions of Policy DP34 states that:

“Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- *A thorough understanding of the significance of the listed buildings and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*
- *Special regard is given to protecting the setting of a listed building”*

7.3.2 In terms of the meaning of the policy and its consistency with the Framework, I note that the opening sentence indicates a policy requirement to ‘protect’ listed buildings and their settings. I do not take this to be a policy bar on any harm. I draw some support for this position from the fact that the list of criteria to be complied with, in order to achieve the requirement to protect listed buildings and their settings, suggest that a degree of harm can occur without compromising the overall objective.

7.3.3 In terms of compliance with policy DP34, the accompanying evidence of Gail Stoten demonstrates that a heritage led approach to the design of the proposed development has been taken, based on a thorough understanding of the significance of the listed buildings. Careful regard has been given to protecting the setting of the listed assets. In respect of impacts, the accompanying evidence demonstrates that no harm is caused to the significance of the Grade II Listed Tythe Cottage; and, less than substantial harm (at the lowermost end of the spectrum) is caused to Greyfriars (i.e. the magnitude of harm to listed assets overall is very low). Accordingly, based on a plain reading of the policy and my interpretation that Policy DP34 is not intended as a bar to any harm to the significance of listed assets, I do not consider that any material conflict is caused by the appeal proposal.

7.3.4 Moreover, if the policy DP34 requirement is a bar on any harm to the significance of a listed building, this is inconsistent with the Framework, and the policy is out of date. Of particular relevance to the appeal proposal, Framework paragraph 208 makes clear that where a proposal will lead to ‘less than substantial harm’ to the significance of the heritage asset, the harm should be weighed against the public benefits of the proposal. This is the appropriate

¹² The policy lists other criteria to be met in ensuring that development protects listed buildings and their setting, which have I have not quoted as I do not consider them to be relevant to the proposal. These relate to alterations and extensions to listed buildings, including changes of use.

development management test¹³ in this case in relation to any adverse impacts of the proposals on the significance of listed buildings.

7.3.5 In this context, I will undertake a heritage balance as a precursor to my overall planning balancing exercise at section 13 of my evidence. I note here though that, based on the very low magnitude of harm identified to designated listed buildings in the accompanying evidence; and the significant planning benefits, which I consider to be delivered through the appeal proposal, my view is that the public benefits of the proposal far outweigh the identified harm. I reach this view cognisant of Framework paragraph 205 and the requirement to afford great weight to the conservation of a heritage asset.

Non-designated Heritage Asset

7.3.6 In respect of non-designated heritage assets, Policy DP34 is supportive of development that retains buildings that are not listed but are of architectural or historic merit, in preference to their demolition or redevelopment. It further states that the Council will seek to “*conserve heritage assets in a manner appropriate to their significance*”. Finally, Policy DP34 indicates that proposals affecting such heritage assets will be considered in accordance with the relevant policies in the Framework.

7.3.7 The Framework (paragraph 209) requires the effect of a proposal on the significance of a non-designated heritage asset to be ‘*taken into account*’ for the purposes of decision taking and that ‘*a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*’.

7.3.8 Turning to the compliance of the proposal with Policy DP34, informed by the accompanying evidence of Gail Stoten, I consider that:

- The proposal clearly does not result in the loss of a non-designated heritage asset;
- The proposal has been designed to be very sensitive to the heritage significance of Walstead Grange and generally conserves it as a heritage asset in a manner appropriate to its significance. Whilst a degree of harm does arise to the setting of the asset, this results in a minor level of harm to its overall heritage significance.
- In the context of the Framework paragraph 209 requirements, whilst Walstead Grange has a relatively high level of significance for a non-designated asset, the scale or

¹³ It is common ground that the impacts of the appeal proposal on designated heritage assets is ‘less than substantial’.

magnitude of the harm is minor. It is this minor degree of harm to a non-designated asset that I will carry forward into my planning balancing exercise.

7.3.9 On the basis of the foregoing, my view is that the acknowledged impact of the proposal on Walstead Grange does not result in a conflict with Policy DP34. Furthermore, it does not give rise to conflict with the Framework. The acknowledged harm does need to be factored into the planning balancing exercise, albeit, based on the accompanying evidence it is a minor level of harm to be weighed against the proposal.

7.4 Compliancy with Policy DP35: Conservation Areas

7.4.1 Policy DP35 primarily relates to development *in* a conservation area. The appeal site is not within the Lindfield Conservation Area and thus, much of the policy guidance is not relevant. Policy DP35 also states:

"Development will also protect the setting of the conservation area and in particular views into and out of the area"

7.4.2 The accompanying evidence of Gail Stoten demonstrates that the appeal site does not contribute to the significance of the Lindfield Conservation Area through setting, and the localised change to the intrinsic character of the site, resulting from the proposed development, will cause no harm to the heritage significance of the asset.

7.4.3 Furthermore, the evidence demonstrates that the site has very limited intervisibility with the Conservation Area; and, that the limited glimpses of the site from the Conservation Area are not considered to contribute to the heritage significance of the asset.

7.4.4 Based on the accompanying evidence, no conflict with Policy DP35 arises.

7.5 Conclusions and Implications for Planning Balance

7.5.1 Based on the accompanying evidence of Gail Stoten, I do not consider there to be any material conflict with MSDP policies DP34 and DP35. Notwithstanding this, I accept that there is a degree of harm to weigh in the planning balance. This is summarised as follows:

- Less than substantial harm (at the lowermost end of the spectrum) is caused to the Grade II Listed Greyfriars.
- A minor level of harm to the overall heritage significance of Walstead Grange, as a non-designated heritage asset.

8 PUTATIVE RFR#3

8.1 The Reason for Refusal

8.1.1 The putative RfR indicated that there was insufficient ecological information available on protected species for determination of this appeal proposal. Specifically, it indicated that there was outstanding survey work on hazel dormice, otters, water voles and great crested newts (with no information either regarding the district licence on the great crested newts). In the absence of the information, the putative RfR indicated that the proposal conflicts with MSDP Policy DP38 and the Framework.

8.2 Progress since the Lodging of the Appeal

8.2.1 With a view to addressing the concerns of the MSDC in respect of the adequacy of the ecological information available, the Appellant has provided the following additional information to MSDC and Place Services:

- FPCR Letter to Place Services of 08 October (CD10.1)
- Clarification email on final Water Vole survey results (CD10.3)
- Hazel Dormouse: Outline Mitigation Strategy (16 October 2024) (CD10.4)

8.2.2 In addition, the Appellant has committed to joining the Mid Sussex District Licence for great crested newts, as administered through NatureSpace.

8.2.3 In the light of the above, the Appellant reasonably expects the putative RfR to 'fall away' and for it to be common ground that the appeal proposals will have no adverse impact on protected species. Furthermore, it is reasonably expected to be common ground that the appeal proposals do not give rise to any conflict with MSDP Policy DP38. Rather, the proposals are supported by Policy DP38 in that they will secure a net gain in the biodiversity value of the site, when compared with the pre-development position. I will return to this point in identifying the benefits of the proposed development and in undertaking my planning balancing exercise.

9 PUTATIVE RFR#4

9.1 The Reason for Refusal

9.1.1 The putative RfR indicated that, in the absence of a signed legal agreement, the proposal fails to secure the required infrastructure contributions; the necessary affordable housing; and the delivery and monitoring of the biodiversity net gain. It states that the proposal therefore conflicts with MSDP Policies DP20, DP24, DP31 and DP38; the Mid Sussex Supplementary Planning Documents 'Affordable Housing' and 'Development Infrastructure and Contributions'; and the Framework.

9.1.2 As a matter of principle, the RfR only 'bites' in the absence of a legal agreement. The RfR 'falls away' on completion of a satisfactory legal agreement.

9.2 Progress with the Preparation of the S106

9.2.1 The main parties have instructed legal representatives for the purposes of preparing a tripartite agreement. There are no disputes in principle over the broad terms of the necessary obligations.

9.2.2 The reasonable expectation is that a draft S106 agreement, provisionally agreed by the relevant parties will be available 10 days before the opening of the Inquiry; and that a satisfactory S106 agreement will be completed before the end of the Inquiry. It follows that the RfR will be addressed in full and that no conflict will arise with MSDP Policies DP20, DP24, DP31 and DP38; the Mid Sussex Supplementary Planning Documents 'Affordable Housing' and 'Development Infrastructure and Contributions'; or the relevant provisions of the Framework.

10 AFFORDABILITY AND AFFORDABLE HOUSING

10.1 Introduction

10.1.1 It is not expected to be a controversial proposition for the purposes of this appeal that the delivery of more affordable housing is a key national and local planning objective; there is a shortfall of affordable housing in the Mid Sussex area; and, that the contribution that the appeal proposal will make to the delivery of affordable housing is an important benefit to be weighed in the planning balance.

10.1.2 Notwithstanding this, the Appellant has undertaken an Affordable Housing Needs Statement, which forms Appendix 1 to this Proof. This uses MSDC's own evidence base, information on the housing register and affordability ratios to assess the local affordable housing position and housing affordability.

10.1.3 Informed by the accompanying statement, I will briefly consider the compliance of the proposal with relevant development plan policy; the local affordable housing need position; and housing affordability below, which will inform my assessment of weight to affordable housing provision as a benefit.

10.2 Compliance with Policy DP31: Affordable Housing

10.2.1 In terms of context, housing affordability issues are identified in the MSDP as a key issue facing the district. The MSDP (paragraph 2.9) highlights that house prices in Mid Sussex are high relative to average incomes and that this causes affordability issues, particularly for young people. The accompanying text to Policy DP31 highlights that the evidence base underpinning the MSDP indicates that 44.2% of newly forming households in Mid Sussex cannot afford to rent or buy on the open market.

10.2.2 The relevant provisions of Policy DP31 make clear that the Council will seek the provision of 30% on site affordable housing provision on developments of 11 dwellings or more; and, that a mix of tenures should be provided, normally 75% social / affordable rent : 25% intermediate homes, unless the best available evidence supports a different mix.

10.2.3 Having regard to the policy requirements, the formal consultation response on the appeal application from the Housing Enabling Team Manager (CD4.8) confirms that the proposed development should secure an affordable housing tenure mix of 75% social / affordable rent : 25% First Homes.

10.2.4 The Appellant commits to ensuring that the appeal proposal complies in full with the requirements of Policy DP31. The appropriate level and type of provision is secured through the S106 agreement.

10.3 Affordable Housing Need

10.3.1 The accompanying statement at Appendix 1 identifies that, as of March 2024, there were 2,099 households listed on the Mid Sussex housing register (para. 4.2.2). This is an exceptionally high number of households in need of an affordable home.

10.3.2 The statement further shows (para. 4.2.3) that the number of households on the housing register has increased by over 19%, compared with the position at 2014 (which is the base date of the current MSDP period). This signposts a worsening position with an increasing number of households falling into housing need over the plan period to date.

10.3.3 Of the 2,099 households listed on the district wide housing register, 86 households specified Lindfield and Lindfield Rural as their preferred choice of location, which points to an unmet local need as well as the exceptionally high unmet district wide need.

10.4 Affordability Ratios

10.4.1 The accompanying statement (para. 4.2.8) highlights, with reference to ONS data¹⁴, particular housing affordability issues in Mid Sussex. It identifies a median affordability ratio (house price to earnings) of 12.09 (at 2023). This means people earning median wages in Mid Sussex will need over twelve times their income to afford a median priced house. It shows (table 5 / para 4.2.10) that the median affordability ratio in Mid Sussex is above the South East England regional average (of 10.39) and significantly above the national average of 8.26. It also shows that affordability has worsened since 2014 (the base date of the MSDP).

10.4.2 The statement (para 4.2.11) indicates that significant affordability issues are also being felt at the lower end of the property market, which tends to create issues for potential first time buyers and households on lower incomes. In particular, it highlights that for residents seeking a lower quartile property (typically considered to be the more affordable sector of the housing market) in Mid Sussex, the ratio of lower quartile house prices to lower quartile earnings is 12.07. This also means that those on the lowest incomes in Mid Sussex that are seeking to

¹⁴ The Office for National Statistics (ONS) publish data outlining the ratio between house prices and household earnings or the affordability ratio for each local authority.

purchase a home in the lower end of the property market now need to find over twelve times their annual income to do so.

10.5 Conclusion and Weighting

10.5.1 In conclusion, I consider that recent data signposts a significant housing affordability issue in Mid Sussex along with significant unmet affordable housing need. The fact that the appeal proposal makes provision for 30% affordable housing is an important benefit in this context.

10.5.2 I consider that very significant weight should be given to the provision of affordable housing in determining the appeal proposal. I will undertake my planning balancing exercise on this basis.

11 OTHER BENEFITS

11.1 Introduction

11.1.1 In addition to the delivery of housing and affordable housing, the proposed development will deliver a package of other benefits, which are material to the consideration of the appeal proposals.

11.2 Economic Benefits

11.2.1 Through the development of the site, a significant amount of investment will be made in the area, in terms of the construction value of the project and associated spend during the construction period. The construction industry and house building in particular makes an important contribution to both the local and national economy in terms of job creation.

11.2.2 The Socio-Economic Sustainability Statement [CD1.17] that formed part of the appeal application provides an estimation of key economic benefits arising from the proposal as follows:

- An estimated construction spend of £15.9 million, contributing to GDP.
- Supporting approximately 130 direct Full Time Equivalent (FTE) construction jobs and 177 FTE indirect jobs, elsewhere in the economy.
- An estimated resident's gross expenditure of circa £3.2 million annually, a proportion of which will be spent locally.

11.2.3 These are real and tangible benefits that arise from this particular proposal. As is clear from its SoC (paragraph 3.66) and the SoCG (section 4.10), MSDC agree that a number of economic benefits would accrue from the appeal proposal and that these are a positive factor to weigh in the planning balance.

11.2.4 I consider that the economic benefits that flow from the appeal proposal are important and should be afforded moderate weight in the planning balance.

11.3 Green Infrastructure, Public Open Space and Recreational Routes

11.3.1 It is a strategic objective of the MSDP (objective 5) to create easily accessible green infrastructure and spaces around towns and villages to provide wildlife corridors, leisure and recreational routes. A further strategic objective (objective 15) is to create places that encourage a healthy and enjoyable lifestyle by providing informal leisure space and opportunities to walk and cycle.

- 11.3.2 In terms of promoting healthy communities, the Framework (paragraph 98) recognises that access to a network of high-quality open spaces and opportunities for physical activity is important.
- 11.3.3 The appeal application was accompanied by an Illustrative Framework plan. This illustrates how the site is intended to be developed to deliver green infrastructure and public open space. It shows a Local Equipped Area of Play (LEAP) and an extensive area of open space, comprising the whole of the eastern field parcel of the appeal site, where new parkland will be created for informal recreation. This will also include a community orchard. The precise detail of this would be subject to agreement at the Reserved Matters stage but it is clear that the proposals will deliver large new areas of public open space within the development, available for use by residents of the proposed development and the wider community.
- 11.3.4 In terms of compliance with the development plan, the proposed development will deliver green infrastructure and public open space in accordance with MSDP Policy SP24 and the Mid Sussex Development Infrastructure and Contributions SPD (CD7.8). MSDC takes no issue with this¹⁵.
- 11.3.5 In terms of the level of provision, the SPD requires LEAP's to be 400 sq m with a 20m buffer zone, as shown on the Illustrative Framework plan. Formal sports provision is provided for through a financial contribution in accordance with the SPD guidance for developments of this scale. In terms of informal open space, the SPD makes clear (paragraph 3.63) that MSDC does not lay down specific standards for the provision of this type of space within development sites. I consider it to be fairly self-evident however, that the appeal proposal makes provision for an exceptionally high quantity of publicly accessible open space for the scale of development proposed.
- 11.3.6 I consider that the delivery of additional public open space, particularly at the level proposed, is a benefit that weighs in favour of the proposed development and should be afforded moderate weight in the planning balance.
- 11.3.7 I note here that MSDC, in its SoC (paragraph 3.67), disputes that the provision of additional public open space is a benefit of the appeal proposal. It seeks to justify its position on the basis that *"on site open space is a policy requirement and likely to be used only by future*

¹⁵ Whilst RfR#4 makes reference to a potential conflict with Policy DP24, this is only on the basis that 'in the absence of a signed legal agreement' the required contribution towards formal sport provision is not committed to. This 'falls away' on completion of an appropriate legal undertaking.

residents of the site given its location". I do not accept this proposition for the following reasons:

- As a matter of principle, the fact that a proposal is required to deliver something in order to comply with policy does not diminish the real and practical benefit that might arise from its delivery. Whilst public open space is required to serve the new residents of the proposed development, the fact that the proposed open space is available for use by the wider community and opens up new recreational opportunities is clearly a benefit. This is particularly so in this case, given the extensive areas of public open space to be delivered.
- It is clear to me, given the location of the site adjacent to the existing built-up area of Lindfield, that the new public open space would be accessible to the wider community as well as the new residents of the development.

11.3.8 I also find the proposition surprising given the comments of Inspector Bust in the Albourne appeal decision, which MSDC has appended to its SoC. At paragraph 135 of the decision she states:

*"A number of proposed community facilities are proposed, including provision of a community building to accommodate a shop, together with the land for the primary school and land for car parking. **Greater public access to the countryside in the form of a community orchard and the managed parkland open space would be provided.** I acknowledge that these elements constitute benefits, however for the reasons I have set out they are not necessary to make the development acceptable. Collectively, they attract limited weight, **except for the community orchard and managed parkland open space which in my view should attract moderate weight**" (emphasis added)*

11.3.9 I draw some support for the conclusions of Inspector Bust on this matter for my overall position that the proposed open space and green infrastructure is a benefit that should be afforded moderate weight in the planning balance.

11.4 Biodiversity Enhancements

11.4.1 The appeal application was accompanied by a Biodiversity Net Gain Assessment. This demonstrates that the proposed development provides a framework for biodiversity enhancements and that the scheme can deliver a biodiversity net gain of 13.55% for habitats

and 19.70% for hedgerows. The precise gain would have to be recalculated at the reserved matters stage but the Appellant commits to delivering a net gain of at least 10% through the development package. This position has been agreed by MSDC¹⁶

11.4.2 The biodiversity net gains committed to through the development package go beyond any development plan policy requirement for biodiversity net gain. In this context, I note that MSDP Policy DP38 seeks to ensure that existing biodiversity is protected so that there is no net loss; and opportunities to improve, manage and enhance biodiversity so that there is a net gain are taken.

11.4.3 The proposed development supports the objectives of the Framework paragraphs 174 and 180(d), which seek to support opportunities to improve biodiversity as part of developments, especially where this can secure measurable net gains for biodiversity or enhance public access to nature.

11.4.4 My view is that the delivery of at least a 10% biodiversity net gain through the development, when compared with the pre-development situation, is a benefit of the appeal proposals that should be afforded moderate weight in the planning balance.

11.4.5 In terms of MSDC's position on biodiversity net gain, as a benefit to be weighed in the planning balance, its SoC (paragraph 3.67) indicates that:

"10% BNG is a legal requirement and only the level above the mandatory minimal level can be considered an additional benefit"

11.4.6 I do not agree with this position. Whilst I accept that, in general terms, it is now a mandatory requirement (under Schedule 7A of the Town and Country Planning Act 1990), for developments such as the appeal proposal to secure a 10% biodiversity net gain, I do not consider that the benefit delivered is diminished by virtue of it being a mandatory requirement.

11.4.7 The mandatory requirement was introduced as part of an ambitious government strategy to make sure that habitat for wildlife is in a better state than it was before development. The proposed development contributes positively to this objective. It delivers real and tangible benefits in that the biodiversity value of the site will be significantly better post development, when compared with the pre-development baseline. Furthermore, the site will be managed so that this benefit remains in perpetuity (providing a level of future protection not afforded

¹⁶ SoCG Section 4.5

to agricultural land). It is not mitigation. It achieves a beneficial outcome (irrespective of being a mandatory requirement) and should be weighed positively in the planning balance. For these reasons, I maintain my position that the proposed biodiversity net gain is a benefit that should be afforded moderate weight in the planning balance.

11.5 Surface Water Management and Flood Risk

11.5.1 The application was accompanied by a Flood Risk Assessment and Drainage Strategy (CD1.11). This was subject to scrutiny by the Environment Agency and MSDC's Flood Risk and Drainage Team and it is common ground that the appeal proposal is acceptable from a flood risk and drainage perspective (SoCG section 4.12).

11.5.2 A further technical note from the Appellant's drainage engineers has been produced, which forms Appendix 2. The purpose of this is to comment on the practical impact of the proposed surface water drainage scheme. This explains that the proposed surface water drainage scheme controls surface water and discharges it into the adjoining Scrase Stream at a controlled flow rate. This results in a betterment when compared with the existing, undeveloped position, whereby surface water runoff from the site flows into Scrase Stream in an uncontrolled way, contributing to the existing mapped area of surface water flooding that adjoins Scrase Stream and extends into the existing housing and employment area off Noahs Ark Lane (to the north of the site).

11.5.3 I consider that this betterment is a benefit that can be taken into account in determining the appeal proposals. Moreover, it is hoped that the stated position provides some comfort to interested parties who have noted the existing flooding issue around Scrase Stream, which affect the employment uses and housing to the north, and expressed concerns that the proposal will exacerbate the problem.

11.5.4 Notwithstanding the foregoing, I appreciate that it is not possible to quantify the practical benefit that will arise from the betterment from the evidence available and the Appellant makes no claim that the proposal will prevent the mapped flooding events from taking place. In this context, I consider that the betterment can be afforded limited weight.

12 RESPONSE TO THIRD PARTIES

12.1 General Comment

12.1.1 I have considered the representations made by third parties in response to the appeal application.

12.1.2 As a general point, I do not consider that third parties raise any substantive issues which have not either:

- Been specifically addressed to the satisfaction of MSDC officers, relevant statutory consultees or other specialist advisors to MSDC during the appeal application process; or,
- Been addressed in the evidence for this appeal.

12.2 Landscape and Visual Impacts

12.2.1 MSDC, on the basis of advice from its professional land adviser, agrees that the appeal proposal is acceptable from a landscape and visual impact perspective. Its position is that the appeal proposal complies with MSDP Policy DP12, in as far as it will maintain the character and beauty of the countryside. Furthermore, its position is that the proposal complies (MSDC SoC paragraph 3.64) with MSDP Policy DP26 (Character and Design), which requires all development proposals to be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside.

12.2.2 Whilst the acceptability of the appeal proposal from a landscape and visual perspective is not a matter that is contested by MSDC or its professional landscape advisers, it is raised as a concern by third parties. As such, the Inspector has identified¹⁷ landscape and visual impact as a matter that needs to be given some consideration in determining the appeal.

12.2.3 The Appellant's position on landscape and visual impacts is set out in the accompanying evidence of Mr Holliday. The evidence demonstrates that:

- The appeal site is well contained by existing development and physical features;

¹⁷ Case Management Conference Note paragraph 12

- There are no statutory or non-statutory landscape designations covering the Site. The appeal site is considered to be of "*Medium*" landscape value and it does not form part of a "*Valued Landscape*" for the purposes of paragraph 180a of the Framework.
- The overall landscape effects of the appeal scheme on National Character area NCA 122 High Weald are negligible. At a district level, the landscape effects on the 'Ouse Valley' landscape character area are considered to be minor adverse / negligible.
- The primary change to the site's landscape resource would arise as a direct result of the replacement of fields with residential development and associated infrastructure. Whilst built development would inevitably alter the physical fabric and character of the site, the proposals will retain and enhance existing landscape features where feasible and introduce new green infrastructure. The proposals have responded to the constraints of the site including topography, views and existing landscape features and retains and enhances the vast majority of green infrastructure across the Site. The proposals would not erode the wider landscape setting of Lindfield. The overall landscape effects upon the site and the immediate landscape arising from the proposals are assessed as moderate adverse at completion and moderate/minor adverse at year 15.
- In terms of visual effects, the visual envelope is very restricted. Changes to views are largely limited to those from the road past the site, Scamps Hill and from the adjacent housing and employment units. The majority of visual effects are at a minor level.
- Overall, there would be very limited and localised landscape and visual effects arising from the appeal scheme.

12.2.4 Whilst the accompanying evidence of Mr Holliday demonstrates that the appeal proposal is acceptable from a landscape and visual perspective, which is a position that MSDC agrees with, he does identify a degree of harm, which arises as a consequence of releasing a currently undeveloped site for residential development. This should be reflected in the planning balancing exercise. The magnitude of harm is however very limited and should not weigh heavily in the planning balance.

13 PLANNING BALANCE

13.1 Development Plan Conflict

13.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

13.1.2 In my evidence, I have acknowledged some, albeit limited conflict with the development plan.

13.1.3 Specifically, the conflict arises as the appeal site is outside of (albeit contiguous with) the built-up area, as defined by the development plan. As a consequence of this, the principle of development does not accord with Policies DP6, DP12 and DP15 of the MSDP and Policy 1 of the LLRNP. I further accept that, as the appeal site is outside of the current built up area boundary, the proposal does not accord with the statutory development plan as a whole. The degree of conflict is however, limited and focussed.

13.1.4 Whilst the site does lie outside of the currently defined built up area boundary (and therefore in the countryside for the purposes of applying policy), the objectives (i.e. securing a sustainable pattern of development and maintaining landscape character) that the relevant policies were put in place to achieve are met by the proposed development and the practical land use planning harm that arises from the acknowledged breach is limited.

13.1.5 Overall, the conflict with the development plan is limited and should not weigh heavily against the proposal. In any event, there are important material considerations that further justify a departure from the plan.

13.2 Heritage: Framework Para 11d(i) and Footnote 7

13.2.1 Based on the accompanying evidence of Gail Stoten, I do not consider there to be any material conflict with MSDP policies DP34 and DP35. Notwithstanding this, I accept that there is a degree of harm to a designated heritage asset, which needs to be factored into the planning balancing exercise. In the context of Framework Para 11d(i) and footnote 7, policies relating to designated heritage assets can provide a clear reason for refusing a development proposal. As such, it is necessary to consider the proposal in the context of the relevant policies of the Framework to form a view on whether footnote 7 policies are engaged.

13.2.2 It is common ground that the harm to designated heritage assets is 'less than substantial'. The relevant Framework policy is therefore that set out at paragraph 208. This provides that

where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. I will undertake a balancing exercise below, cognisant of the requirements of Framework paragraph 205 and the need to give great weight to the asset's conservation.

13.2.3 Based on the accompanying evidence of Gail Stoten, the harm to a designated heritage asset to be taken into account is the less than substantial harm (at the lowermost end of the spectrum) to the Grade II Listed Greyfriars. My view is that this low magnitude of harm is overwhelmingly outweighed by the public benefits identified by the appeal proposals (including the delivery of additional market and affordable housing; economic benefits; and additional green infrastructure, open space and biodiversity net gains) such that paragraph 208 of the Framework is 'passed'.

13.2.4 In the context of the foregoing, my view is that there are no 'footnote 7' policies engaged, and the policies of the Framework do not provide a clear reason for refusing the development.

13.2.5 It is common ground (SoCG paragraph 3.4.2) that there are no footnote 7 policies in play that would provide a clear reason for refusing the development. However, MSDC's position in this respect does appear to be inconsistent with the position expressed in its SoC (para 3.49).

13.3 Framework Paragraph 11d and the 'Tilted Balance'

13.3.1 I consider that the tilted balance at paragraph 11(d)(ii) of the Framework is engaged as a consequence of MSDC being unable to demonstrate an adequate supply of housing (and the operation of footnote 8 of the Framework).

13.3.2 Paragraph 11d of the Framework states the following for decision taking:

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

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁷; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

13.3.3 I invite the Inspector to undertake the planning balancing exercise on this basis.

13.4 Weight to be Attributed to Benefits

13.4.1 I have identified a range of important benefits associated with the proposals, as set out in detail in the preceding section of my evidence. In summary, I afford **significant weight** to the provision of new market housing on the site to address the shortfall in the housing land supply position. I afford **very significant weight** to the provision of affordable housing, given the level of affordable housing need and relative affordability issues identified. Furthermore, **moderate weight** should be afforded to the economic benefits of the proposal, which are unique to the site. **Moderate weight** is afforded to the commitment to providing biodiversity betterments on site in line with a key national policy imperative. **Moderate weight** is afforded to the provision of new public open space. A degree of betterment also arises from the delivery of a surface water drainage scheme, which controls surface water runoff compared to the undeveloped situation whereby surface water run-off from the site flows into Scrase Stream in an uncontrolled way contributing to the existing mapped area of surface water flooding. I afford this **limited weight**.

13.5 Weight to be Attributed to Harms

13.5.1 A degree of conflict with the development plan has been identified, as the appeal site lies outside of the currently defined built-up area boundary. However the practical land use planning harms that arise from this are limited. The acknowledged development plan conflict should not weigh heavily against the proposal in the planning balance.

13.5.2 In terms of adverse impacts, I have (based on the accompanying evidence of Gail Stoten) identified some heritage harm to weigh in the planning balance. This comprises:

- Less than substantial harm (at the lowermost end of the spectrum) to the Grade II Listed Greyfriars.
- A minor level of harm to the overall heritage significance of Walstead Grange, as a non-designated heritage asset.

13.5.3 Overall, it is a low magnitude of harm to be weighed in the planning balance.

13.5.4 Although it is common ground that the landscape and visual impacts are acceptable, I have acknowledged that there will be a degree of landscape and visual harm. However, in light of the magnitude of harm outlined in the accompanying landscape evidence, I afford **limited weight** to this.

13.5.5 Furthermore, whilst MSDC take no issue with the proposed development due to loss of agricultural land, I have acknowledged that there will be small loss of land that is potentially BMV and that this is a minor harm to be weighed in the planning balance. I afford this **very limited weight** in the planning balance.

13.6 Overall Planning Balance (Tilted Balance)

13.6.1 Overall, I have acknowledged that some conflict with the development plan exists. However, as stated, I have explained why the degree of conflict is limited. I have also identified that some harm arises as a consequence of the development. However, this is limited in terms of magnitude and should not weigh heavily against the proposals.

13.6.2 I have identified a range of important planning benefits that will be delivered through the proposed development. The importance of these benefits has been explained in the preceding sections of this proof and the appropriate weight that should be afforded to them in the planning balance. Overall, it is considered that the full package of benefits should be given significant weight.

13.6.3 Turning to my overall planning balancing exercise, I invite the Inspector to determine the appeal on the basis that the Framework 11(d) 'tilted balance' is engaged. In this context, the policy conflict and the limited adverse impacts identified would not 'significantly and demonstrably' outweigh the benefits of the proposal. I do not consider the balancing exercise to be close. The planning balance tips firmly in favour of a grant of planning permission.

13.7 Overall Planning Balance (Flat Balance)

13.7.1 My position is that the Framework 11(d) 'tilted balance' is engaged and I invite the Inspector to determine the appeal on this basis. Notwithstanding this, my view is that even on a flat or unweighted basis, there are important material considerations and benefits that outweigh the limited conflict with the development plan and justify the grant of outline planning permission, as proposed.

13.7.2 In the light of the foregoing, it is respectfully requested that the appeal is allowed and outline planning permission granted.

14 SUMMARY AND CONCLUSIONS

14.1 Introduction

14.1.1 This section provides a summary of my case, made in response to the putative RfR issued by MSDC, and the conclusions that I reach on the main issues identified by the Inspector for this appeal.

14.2 Response to RfR#1 (Principle)

14.2.1 It is common ground that the appeal site is outside of the built up area, as defined by the development plan, and that (as a consequence of this) the principle of development does not accord with Policies DP6, DP12 and DP15 of the MSDP and Policy 1 of the LLRNP. I further accept that, as the appeal site is outside of the current built up area boundary, the appeal proposal does not accord with the statutory development plan as a whole. The degree of conflict is however, limited and focussed.

14.2.2 In determining the weight that should be afforded to this acknowledged development plan conflict, I consider it relevant to take into account the practical impact of the policy breach. In this case, whilst the site does lie outside of the currently defined built up area boundary (and therefore in the countryside for the purposes of applying policy), the objectives that the relevant policies were put in place to achieve (i.e. securing a sustainable pattern of development and maintaining landscape character) are met by the proposed development and the practical land use planning harm that arises from the acknowledged breach is limited.

14.2.3 In any event, there are other material considerations in play, which should be taken into account. In particular, the LLRNP is woefully out of date. MSDP is inconsistent with the Framework as it does not provide an effective planning strategy for delivering local housing needs. The built-up area boundaries were not drawn up to accommodate local housing needs and need to flex accordingly. They should not be seen as inviolable in this context.

14.2.4 Furthermore, MSDC is unable to demonstrate a sufficient housing land supply, as required by the Framework. The development plan policy framework that restricts the supply of housing should thus not be applied with full vigour and additional land should be released for housing to help address the housing supply shortfall.

14.3 Response to Putative RfR#2 (Heritage)

14.3.1 In terms of the impacts of the appeal proposal on heritage assets, the evidence of Gail Stoten demonstrates that:

- The appeal site does not contribute to the significance of the Lindfield Conservation Area and the proposed development will cause **no harm** to the heritage significance of the asset.
- The impact on the Grade II Listed Greyfriars is that it would result in **less than substantial harm to Greyfriars at the lowermost end of the spectrum**.
- With regards to the Grade II Listed Tythe Cottage, **no harm** to the heritage significance of the asset will be caused.
- In terms of non-designated heritage assets, the proposal has been designed to be very sensitive to the heritage significance of Walstead Grange. Overall, a **minor level of harm** to the heritage significance of the asset is anticipated as a consequence of the development.

14.3.2 In terms of compliance with policy DP34, the accompanying evidence of Gail Stoten demonstrates that a heritage led approach to the design of the proposed development has been taken, based on a thorough understanding of the significance of the listed buildings. Careful regard has been given to protecting the setting of the listed assets. Accordingly, based on my interpretation that Policy DP34 is not intended as a bar to any harm to the significance of listed assets, I do not consider that any material conflict is caused by the appeal proposal.

14.3.3 Moreover, if the policy DP34 requirement is a bar on any harm to the significance of a listed building, this is inconsistent with the Framework, and the policy is out of date. Of particular relevance to the appeal proposal, Framework paragraph 208 makes clear that where a proposal will lead to 'less than substantial harm' to the significance of the heritage asset, the harm should be weighed against the public benefits of the proposal. This is the appropriate development management test in this case in relation to any adverse impacts of the proposals on the significance of listed buildings. In this context, I will undertake a heritage balance as a precursor to my overall planning balancing exercise.

14.3.4 In respect of non-designated heritage assets, my view is that the acknowledged impact of the proposal on Walstead Grange does not result in a conflict with Policy DP34. Furthermore, it does not give rise to conflict with the Framework. The acknowledged harm does need to be

factored into the planning balancing exercise, albeit, based on the accompanying evidence it is a minor level of harm to be weighed against the proposal.

14.3.5 In terms of Lindfield Conservation Area, the accompanying evidence demonstrates that the appeal site does not contribute to the significance of the asset through setting, and the localised change to the intrinsic character of the site, resulting from the proposed development, will cause no harm to the heritage significance of the asset. Furthermore, the evidence demonstrates that the site has very limited intervisibility with the Conservation Area; and, that the limited glimpses of the site from the Conservation Area are not considered to contribute to the heritage significance of the asset. Based on the accompanying evidence, no conflict with Policy DP35 arises.

14.3.6 Whilst I do not consider there to be any material conflict with MSDP policies DP34 and DP35, I accept that there is a degree of harm to weigh in the planning balance. This is summarised as follows:

- Less than substantial harm (at the lowermost end of the spectrum) is caused to the Grade II Listed Greyfriars.
- A minor level of harm to the overall heritage significance of Walstead Grange, as a non-designated heritage asset.

14.4 Response to Putative RfR#3 (Ecology)

14.4.1 The Appellant reasonably expects the putative RfR to 'fall away' and for it to be common ground that the appeal proposals will have no adverse impact on protected species. Furthermore, it is reasonably expected to be common ground that the appeal proposals do not give rise to any conflict with MSDP Policy DP38. Rather, the proposals are supported by Policy DP38 in that they will secure a net gain in the biodiversity value of the site, when compared with the pre-development position.

14.5 Response to Putative RfR#4 (S106)

14.5.1 The reasonable expectation is that a satisfactory S106 agreement will be completed before the end of the Inquiry. It follows that the RfR will be addressed in full and that no conflict will arise with MSDP Policies DP20, DP24, DP31 and DP38; the Mid Sussex Supplementary Planning Documents 'Affordable Housing' and 'Development Infrastructure and Contributions'; or the relevant provisions of the Framework.

14.6 Planning Balance

- 14.6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 14.6.2 I have acknowledged some, albeit limited conflict with the development plan. Specifically, the conflict arises as the appeal site is outside of (albeit contiguous with) the built-up area, as defined by the development plan. As a consequence of this, the principle of development does not accord with Policies DP6, DP12 and DP15 of the MSDP and Policy 1 of the LLRNP. I further accept that, as the appeal site is outside of the current built up area boundary, the proposal does not accord with statutory development plan as a whole. The degree of conflict is however, limited and focussed.
- 14.6.3 Whilst the site does lie outside of the currently defined built up area boundary (and therefore in the countryside for the purposes of applying policy), the objectives (i.e. securing a sustainable pattern of development and maintaining landscape character) that the relevant policies were put in place to achieve are met by the proposed development and the practical land use planning harm that arises from the acknowledged breach is limited.
- 14.6.4 Overall, the conflict with the development plan is limited and should not weigh heavily against the proposal. In any event, there are important material considerations that further justify a departure from the plan.

Heritage: Framework Para 11d(ii) and FN7

- 14.6.5 In the context of Framework Para 11d(i) and footnote 7, policies relating to designated heritage assets can provide a clear reason for refusing a development proposal. As such, it is necessary to consider the proposal in the context of the relevant policies of the Framework to form a view on whether the footnote 7 policies are engaged.
- 14.6.6 It is common ground that the harm to designated heritage assets is 'less than substantial'. The relevant Framework policy is therefore that set out at paragraph 208. Based on the accompanying evidence of Gail Stoten, the harm to a designated heritage asset to be taken into account is the less than substantial harm (at the lowermost end of the spectrum) to the Grade II Listed Greyfriars. My view is that this low magnitude of harm is overwhelmingly outweighed by the public benefits identified by the appeal proposals (including the delivery of additional market and affordable housing; economic benefits; and additional green

infrastructure, open space and biodiversity net gains) such that paragraph 208 of the Framework is 'passed'.

14.6.7 In the context of the foregoing, my view is that there are no 'footnote 7' policies engaged, and the policies of the Framework do not provide a clear reason for refusing the development.

Framework Paragraph 11d and the 'Tilted Balance'

14.6.8 I consider that the tilted balance at paragraph 11(d)(ii) of the Framework is engaged as a consequence of MSDC being unable to demonstrate an adequate supply of housing (and the operation of footnote 8 of the Framework).

Weight to be Attributed to Benefits

14.6.9 I have identified a range of important benefits associated with the proposals. In summary, I afford **significant weight** to the provision of new market housing on the site to address the shortfall in the housing land supply position. I afford **very significant weight** to the provision of affordable housing, given the level of affordable housing need and relative affordability issues identified. Furthermore, **moderate weight** should be afforded to the economic benefits of the proposal, which are unique to the site. **Moderate weight** is afforded to the commitment to providing biodiversity enhancements on site in line with a key national policy imperative. **Moderate weight** is afforded to the provision of new public open space. A degree of betterment also arises from the delivery of a surface water drainage scheme, which controls surface water runoff compared to the undeveloped situation whereby surface water run-off from the site flows into Scrase Stream in an uncontrolled way contributing to the existing mapped area of surface water flooding. I afford this **limited weight**.

Weight to be Attributed to Harms

14.6.10 A degree of conflict with the development plan has been identified, as the appeal site lies outside of the currently defined built-up area boundary. However the practical land use planning harms that arise from this are limited. The acknowledged development plan conflict should not weigh heavily against the proposal in the planning balance.

14.6.11 In terms of adverse impacts, I have identified some heritage harm to weigh in the planning balance. This comprises:

- Less than substantial harm (at the lowermost end of the spectrum) to the Grade II Listed Greyfriars.

- A minor level of harm to the overall heritage significance of Walstead Grange, as a non-designated heritage asset.

14.6.12 Overall, it is a low magnitude of harm to be weighed in the planning balance.

14.6.13 Although it is common ground that the landscape and visual impacts are acceptable, I have acknowledged that there will be a degree of landscape and visual harm. However, in light of the magnitude of harm outlined in the accompanying landscape evidence, I afford **limited weight** to this.

14.6.14 Furthermore, whilst MSDC take no issue with the proposed development due to loss of agricultural land, I have acknowledged that there will be small loss of land that is potentially BMV and that this is a minor harm to be weighed in the planning balance. I afford this **very limited weight** in the planning balance.

Overall Planning Balance (Tilted Balance)

14.6.15 Overall, I have acknowledged that some conflict with the development plan exists. However, the degree of conflict is limited. I have also identified that some harm arises because of the development. However, this is limited in terms of magnitude and should not weigh heavily against the proposals.

14.6.16 I have identified a range of important planning benefits that will be delivered through the proposed development. Overall, it is considered that the full package of benefits should be given significant weight.

14.6.17 Turning to my overall planning balancing exercise, I invite the Inspector to determine the appeal on the basis that the Framework 11(d) 'tilted balance' is engaged. In this context, the policy conflict and the limited adverse impacts identified would not 'significantly and demonstrably' outweigh the benefits of the proposal. I do not consider the balancing exercise to be close. The planning balance tips firmly in favour of a grant of planning permission.

Overall Planning Balance (Flat Balance)

14.6.18 My position is that the Framework 11(d) 'tilted balance' is engaged and I invite the Inspector to determine the appeal on this basis. Notwithstanding this, my view is that even on a flat or unweighted basis, there are important material considerations and benefits that outweigh the limited conflict with the development plan and justify the grant of outline planning permission, as proposed.

14.6.19 In the light of the foregoing, it is respectfully requested that the appeal is allowed and outline planning permission granted.

Appendix 1

NOVEMBER 2024



Affordable Housing Needs Statement

Scamps Hill, Lindfield

Mid Sussex District Council (MSDC)

Appeal Reference: APP/D3830/W/24/3350075

LPA Reference: DM/24/0446



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1 INTRODUCTION

1.1 Scope

1.1.1 This Affordable Housing Needs Statement (AHNS) has been prepared by Gladman Developments Ltd ('Gladman') and relates to an appeal against Mid Sussex District Council's ('MSDC' or 'the Council') non-determination of the outline application DM/24/0446:

“Outline planning application for the erection of up to 90 dwellings with vehicular access point, public open space, landscaping and sustainable drainage systems (SuDS). All matters reserved except for means of access”.

1.1.2 For the avoidance of doubt, this statement deals exclusively with affordable housing matters and analyses the provision of affordable housing from the appeal scheme in the context of relevant planning policy.

1.2 Summary

1.2.1 At a national level the direction of travel to address the acute national housing crisis remains abundantly clear. For Mid Sussex our analysis shows:

- A need for a staggering 470 rented affordable homes and 455 affordable home ownership housing each year in the district to 2038, based on the most up-to-date evidence on affordable housing need for the authority;
- a range of key indicators outlining the affordability of housing across Mid Sussex, all of which point to a housing crisis being acutely felt within the authority; and
- that it is essential to seek further opportunities to boost the supply of affordable homes – as would arise on the appeal site

1.2.2 Consequently, the delivery of up to 27 affordable homes from the appeal scheme is a meaningful and crucial benefit of the proposals that will help to address the pressing need for additional affordable housing in the authority.

2 THE NATIONAL HOUSING CRISIS

2.1 Context

2.1.1 It is widely acknowledged at all levels that there is a national housing crisis, which has arisen as a direct consequence of too few houses being completed to keep pace with a growing population and household formation rates. Indeed, research published by Centre for Cities in 2023 estimated that Britain has a backlog of 4.3 million homes that are missing from the national housing market¹.

2.1.2 The human consequences of the persistent under delivery of homes are severe and far reaching with housing charity Shelter identifying that over 17 million people are impacted by the ongoing housing crisis².

2.1.3 The housing crisis is recognised by the newly elected Labour Government with Angela Raynor, Deputy Prime Minister and Secretary of State (SoS) for Housing Communities and Local Government, stating in the 30 July Written Ministerial Statement (WMS):

“We are in the middle of the most acute housing crisis in living memory. Home ownership is out of reach for too many; the shortage of houses drives high rents; and too many are left without access to a safe and secure home.”³ (emphasis added)

2.1.4 The WMS is a definite statement of the Governments policy and makes clear their commitment, amongst other matters, to the biggest growth in social and affordable housebuilding in a generation. Clearly then the delivery of affordable housing remains a key national priority for the incumbent Government and a fundamental element in the drive to resolve the national housing crisis.

¹ Centre for Cities. The housebuilding crisis (February 2023)

² Denied the Right to a Safe Home – Exposing the Housing Emergency’. Shelter. (May 2021)

³ WMS made by Angela Raynor, Deputy Prime Minister and Secretary of State (SoS) for Housing Communities and Local Government, on 30th July titled “Building the Homes We Need”

2.2 What is the Current Situation?

- 2.2.1 It is widely agreed that there is a significant need for more affordable homes. Research commissioned by the National Housing Federation and Crisis from Professor Glen Bramley at Heriot-Watt University identified a need for 340,000 homes each year in England to 2031, including a need for 145,000 affordable homes – comprising 90,000 homes for social rent, 30,000 for intermediate rent and 25,000 for shared ownership⁴. This scale of need has only continued to rise, with the Local Government Association identifying a need for 100,000 social homes a year as part of the Covid-19 recovery⁵.
- 2.2.2 According to the most recent Ministry of Housing, Communities and Local Government (MHCLG) statistics⁶, there are 1.28 million households on local authority social housing waiting lists across the country, the highest figure since 2014. This equates to approximately 3 million people in need of an affordable home. Further data published by MHCLG in November 2023 confirmed that in the monitoring period 2022/23 only 63,605 gross affordable homes were built and just 71,046 starts on site were recorded⁷. At this level of delivery, it will take roughly 20 years to address the current waiting list. This is before factoring in future housing need, loss of affordable homes through demolition, or the Right to Buy programme.
- 2.2.3 Statistics recently released by the Government⁸ further reveal the extent of England's rapidly escalating housing crisis with 151,630 children now homeless and living in temporary accommodation with their families and 8,860 families now homeless and living in overcrowded and unsuitable emergency accommodation. Overall, there are now a record 117,450 homeless households living in temporary accommodation in England – the highest figure ever and up 12% in a year.
- 2.2.4 The 2021 Census recorded 700,000 more adult children living with their parents than the 2011 Census, which has led to an increase in overcrowding in many of these

⁴ Glen Bramley for Crisis and National Housing Federation (December 2018).

⁵ Local Government Association – Delivery of council housing: developing a stimulus package post-pandemic (June 2020).

⁶ MHCLG (was DLUHC) Live Table 600, December 2023 update.

⁷ MHCLG November 2023, Affordable Housing Supply April 2022 to March 2023, England

⁸ MHCLG Statutory Homelessness Live Table April 2023-March 2024. Table TA1

households, with 11.3% of families with adult children in overcrowded households compared with 5.1% of families without adult children⁹. A large proportion of these adult children will be 'concealed' households who would like to form their own household but can't because of the significant affordability constraints in many areas. This significant delay in moving out has serious economic repercussions, impacting the labour market by restricting people from moving where the best job opportunities are, which in turn has the knock-on effect of stifling productivity and suppressing economic growth. The rise in concealed households provides yet more evidence of a profound housing crisis affecting the country.

2.2.5 Over recent years households have had to deal with rising energy bills and food costs as part of the cost-of-living crisis. Unfortunately, there has been little respite in respect of housing costs with data published by the Office for National Statistics (ONS) demonstrating that private rental prices in England increased by 8.5% in the year to September 2024 and that the average monthly rent in England now stands at £1,336¹⁰.

2.2.6 These statistics clearly show the extent of the ongoing national housing crisis and the extent to which it has been perpetuated by a consistent failure to provide sufficient new affordable homes. The impact of the ongoing housing crisis is being felt across all housing tenures and we must do something to provide housing for those in need. Real people in real need are being let down by a lack of affordable homes being delivered in this country.

⁹ Office for National Statistics – 'More adults living with their parents' (May 2023)

¹⁰ Office for National Statistics – Private rent and house prices, UK: October 2024

3 PLANNING POLICY CONTEXT

3.1 Introduction

3.1.1 This section of the AHNS first sets out the requirements of the National Planning Policy Framework (NPPF) before turning to the applicable policies from the Development Plan.

3.1.2 The provision of affordable housing is a key part of the planning system. A community's need for affordable housing was first enshrined as a material consideration in PPG3 in 1992 and has continued to play an important role in subsequent national planning policy, including the NPPF.

3.2 National Planning Policy

The National Planning Policy Framework

3.2.1 The latest iteration of the NPPF was published in December 2023 and is a material planning consideration. It is important in setting out the role of affordable housing in the planning and decision-making process.

3.2.2 Paragraphs 7 and 8 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three objectives to sustainable development: economic, social, and environmental. These are interdependent and need to be pursued in mutually supportive ways.

3.2.3 Paragraph 8 details the intention to *"support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations"*.

3.2.4 Chapter 5 of the NPPF focuses on delivering a sufficient supply of homes, in which paragraph 60 is clear that *"to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area's*

identified housing need as possible, including with an appropriate mix of housing types for the local community" (emphasis added).

- 3.2.5 The NPPF also makes clear at paragraph 63 that local authorities should deliver a mix of housing sizes, types, and tenures for different groups, which include *"those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes."*

**Draft National Planning Policy Framework & Written Ministerial Statement
"Building the Homes We Need" (30 July 2024)**

- 3.2.6 The WMS of the 30 July from Deputy Prime Minister Angela Rayner summarises the Government's proposed planning reforms and reaffirms, inter alia, that the country is in the middle of the most acute housing crisis in living memory.
- 3.2.7 The WMS clearly indicates the 'direction of travel' for the new Government's intentions for national planning policy and sets out, amongst various matters, their aspiration to drive the delivery of affordable homes, stating that *"the Government are committed to the biggest growth in social and affordable housebuilding in a generation"*. It goes on to note the decline in the existing social rented stock since 2013 alongside a reduction in anticipated delivery through the Affordable Homes Programme; before explaining that the Government intends to reverse these trends, stating that *"in the first instance, this Government's aspiration is to ensure that, in the first full financial year of this Parliament (2025-26) the number of social rent homes is rising, rather than falling"*.
- 3.2.8 The WMS summarises the proposed changes in the NPPF. Whilst the draft NPPF is subject to change, relevant proposed changes include a reinforcement of the Government's position that identified housing needs should be met in full (paragraph 61), greater emphasis on the delivery of social rent homes (paragraph 63 and 64), an ongoing expectation that local authorities should identify local needs for both affordable rented and home ownership tenures and to reflect this in planning

decisions (paragraph 66), and a reflection of the benefits of mixed tenure schemes in creating diverse communities and supporting timely build out rates (paragraph 69).

Summary

- 3.2.9 This section clearly demonstrates that, within national policy, providing affordable housing has long been established as, and remains, a key national priority of successive Governments

3.3 The Development Plan

- 3.3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan applying in respect of the appeal proposal comprises:

- Mid Sussex District Plan 2014-2031 (2018)
- Mid Sussex Site Allocations DPD (2022)
- Lindfield and Lindfield Rural Neighbourhood Plan 2014-2031 (2016)

- 3.3.2 There are no relevant policies regarding the site contained in the Mid Sussex Site Allocations DPD.

Mid Sussex District Plan

- 3.3.3 The Mid Sussex District Plan (MSDP) (CD7.1) was adopted in March 2018 and covers the period 2014-2031. Policy DP31 of the MSDP is the principal affordable housing policy for the authority. It requires a minimum of 30% affordable dwellings on sites exceeding 11 dwellings. Criterion 4 of Policy DP31 confirms that the Council would normally expect the tenure mix of affordable housing to comprises 75% social or affordable rented homes, with the remaining 25% for intermediate homes.
- 3.3.4 The appeal proposals will provide on-site provision of 30% affordable homes (up to 27 dwellings) and the tenure mix will comprise 75% social or affordable rented homes and 25% intermediate housing. The appeal proposals, thus, will achieve a policy-compliant affordable housing provision.

- 3.3.5 The accompanying text to Policy DP31 highlights that, at the time of the preparation and adoption of the MSDP, 44.2% of newly forming households in Mid Sussex could not afford to rent or buy on the open market. This statistic is symptomatic of a significant housing affordability issue in the authority.
- 3.3.6 The supporting text to Policy DP31 references the role of both the West Sussex Affordable Housing Needs Update Report 2014 and Mid Sussex Housing and Economic Development Needs Assessment 2016 in formulating the policy. These evidence base documents are assessed in the context of affordable housing need at section 3.4 below.

Lindfield and Lindfield Rural Neighbourhood Plan 2014-2031 (2016)

- 3.3.7 The Lindfield and Lindfield Rural Neighbourhood Plan (LLRNP) was formally 'made' part of the Development Plan in 2016. It predated the MSDP and was prepared to be in compliance with 2004 local plan that preceded it.
- 3.3.8 In respect of affordable housing the LLRNP highlights the "*lack of affordable housing and housing types to suit smaller households*" as a weakness of the parishes (CD7.2, page 10).
- 3.3.9 The LLRNP further highlights on page 15 that a Housing Needs Survey (May 2013) was undertaken to inform the preparation of the LLRNP and this identified that there were 41 households in housing need at that point in time (Lindfield 20 no. and Lindfield Rural 21 no). It is also stated that "*this current need is unlikely to be satisfied over the whole plan period*".
- 3.3.10 The Housing Needs Survey is over 10 years old and only received a response rate of 24.6%. It therefore cannot be considered to paint an accurate and up-to-date picture on affordable housing need in the neighbourhood plan area.

3.4 Assessment of Affordable Housing Needs in Mid Sussex

- 3.4.1 As detailed above, Policy DP31 references the role of the various evidence documents which informed its approach.

- 3.4.2 The Northern West Sussex Affordable Housing Needs Update Report 2014 (NWSAHN 2014) (CD7.13 – Table 13) identified an annual need for between 116 and 474 affordable homes from 2014 onwards. The annual need varied according to the inputs used i.e., whether it considered solely those in reasonable preference categories (the Low Estimate) or the whole housing register (the High Estimate).
- 3.4.3 The findings of the NWSAHN 2014 fed into the Mid Sussex Housing and Economic Development Needs Assessment 2015 and subsequent 2016 update (HEDNA 2016). This indicated a net annual need range of 127 – 272 affordable dwellings per annum, again with level of need depends on the data set used (CD7.12 – Table 7).
- 3.4.4 The NWSAHN and HEDNA are now significantly dated and it is therefore crucial to understand the latest assessment of affordable housing need for the authority.
- 3.4.5 The Council is currently in the process of reviewing its Development Plan. The emerging District Plan is intended to cover the period 2021-2039. One adopted it will replace the 2018 MSDP.
- 3.4.6 As part of the evidence base for the District Plan Review, the Council published an updated Strategic Housing Market Assessment in October 2021 (SHMA 2021) (CD7.14). The SHMA includes, inter alia, full and robust analysis of affordable housing need within the district for social and affordable rented accommodation and for those unable to rent or buy in the market.
- 3.4.7 The SHMA finds that there is an annual need for 470 rented affordable homes in the district to 2038. The SHMA further indicates a separate need for 455 homes per annum for affordable home ownership. This totals a combined affordable housing need of 925dpa (CD7.14 – Table 12.1).
- 3.4.8 The most up-to-date analysis therefore clearly identifies a significant need for affordable housing, and it is clear that provision of new affordable housing is an important and pressing issue in the authority. The SHMA is explicit that *“affordable housing delivery should be maximised where opportunities arise”*.

3.4.9 The preceding analysis clearly indicates that there has long been a clear and pressing need to deliver additional affordable homes to help meet very significant affordable housing need in the district.

3.4.10 Section 4 of this statement provides a review of other considerations with respect of the delivery of affordable housing, including the Council's performance.

4 THE AFFORDABLE HOUSING POSITION IN MID SUSSEX AND LINDFIELD

4.1 Affordable Housing Delivery Compared to Affordable Housing Needs

4.1.1 As detailed above, there have been several assessments of affordable housing need for Mid Sussex within various evidence base documents which underpin both the adopted Development Plan and the emerging District Plan Review. All documents indicate an acute level of affordable housing need and recognise the necessity to deliver additional affordable homes in the district.

4.1.2 Table 1 below illustrates the delivery of both market and affordable housing in Mid Sussex since the start of the plan-period in 2014, as taken from the Council's most recent Annual Monitoring Report (CD7.10), Appendix 5 of the Housing Supply and Trajectory Topic Paper submitted in support of the District Plan Review examination and Freedom of Information Response (CD7.11).

Table 1: Mid Sussex Market and Affordable Housing Completions

Year	Overall Affordable Completions	Overall completions	% of overall completions
2014/15	221	630	35%
2015/16	113	868	13%
2016/17	168	912	18%
2017/18	97	843	12%
2018/19	102	661	15%
2019/20	214	1,003	21%
2020/21	245	1,116	22%
2021/22	349	1,187	29%
2022/23	369	1,053	35%
2023/24	300	1,247	24%
Total	2,178 (218dpa)	9,490 (949dpa)	23%

4.1.3 Table 1 shows that, since the start of the plan period, the number of affordable homes delivered with the district has fluctuated between 97 and 369 dwellings each year, with a total of 2,178 affordable homes completed. This comprises 23 per cent of overall housing completions, equating to an average delivery of 218 affordable homes per annum. The completions data for affordable housing is not broken down by tenure type (i.e. social rented or intermediate housing).

4.1.4 Comparative analysis of affordable housing completions against the low and high needs established in the NWSAHN 2014 and HEDNA 2016 are set out in Table 2 below.

Table 2: Affordable Housing Completions in Mid Sussex compared to Identified Affordable Need in NWSAHN 2014 and HEDNA 2016

Year	Affordable Completions	Compared to the low and high needs established in the NWSAHN 2014 and HEDNA 2016			
		Min-116dpa	Difference	Max – 474dpa	Difference
2014/15	221	116	105	474	-253
2015/16	113	116	-3	474	-361
2016/17	168	116	52	474	-306
2017/18	97	116	-19	474	-377
2018/19	102	116	-14	474	-372
2019/20	214	116	98	474	-260
2020/21	245	116	129	474	-229
2021/22	349	116	233	474	-125
2022/23	369	116	253	474	-105
2023/24	300	116	184	474	-174
Total	2,178	1,160	1,018	4,740	-2,562

4.1.7 Table 2 demonstrates that, compared to the high estimate of affordable housing need of 474dpa identified in the Council's evidence base for the adopted Development Plan, there has been a significant shortfall in the provision of affordable homes.

4.1.8 Most recently, the 2021 SHMA establishes that there is an annual need for 470 rented affordable homes in the district to 2038 and a further need for 455 affordable home ownership housing per annum. This combined need of 925 affordable homes per annum is more than four times the average of 218 affordable dwellings per annum delivered since 2014.

4.1.9 As Table 3 below highlights, there is already a significant shortfall in the delivery of affordable housing that has accumulated in just three monitoring years against the most up-to-date identified need for affordable housing in the district. There is a large deficit when considering the need for 470 affordable rented homes per annum and that shortfall increases greatly when the need for affordable home ownership housing is factored in.

Table 3: Affordable Housing Completions compared to identified affordable housing need in 2021 SHMA

Year	Affordable Completions	Compared to annual need for 470 rented affordable homes and combined need for 925 affordable homes			
		470dpa	Difference	925dpa	Difference
2021/22	349	470	-121	925	-576
2022/23	369	470	-101	925	-556
2023/24	300	470	-170	925	-625
Total	1,018	1,410	-392	2,775	-1,757

4.1.10 It is pertinent to note that Policy DP31 requires the tenure mix of affordable housing to comprises 75% social or affordable rented homes, with the remaining 25% for intermediate homes. It therefore follows that only approximately 75% of affordable housing completions would be for social or affordable rented homes. Consequently, the identified shortfall against the need for 470 affordable rented homes per annum is likely to be significantly more pronounced than the 392-home deficit suggested by this table.

4.1.11 The continuing imbalance between identified needs and actual affordable housing delivery in Mid Sussex is substantial. This constitutes a very significant failure which

impacts on those most disadvantaged and vulnerable in society. Furthermore, it also highlights a very serious gap in provision which affects the authority and how it functions in an economic, social and environmentally compatible way.

- 4.1.12 A significant step change in affordable housing delivery is therefore required if the Council are to meet identified needs for affordable housing. This further emphasises the importance of granting planning permission for suitable and sustainable sites, such as the appeal site, that are capable of coming forward in the short term to boost affordable housing supply.

4.2 Housing Affordability Indicators

- 4.2.1 It is also important to understand the significance of a range of key indicators outlining the affordability of housing across Mid Sussex.

- 4.2.2 As of March 2024, there were 2,099 households listed on the Mid Sussex housing register according to the Freedom of Information Response (CD7.11). Of these, 86 households specified Lindfield and Lindfield Rural as their preferred choice of location. These are stark numbers and represents a significant number of individuals and families in need.

- 4.2.3 Since the start of the current plan-period in 2014 the number of households on the Council’s housing register has increased by over 19%, as shown in the table below. Historic data on the total number of households on the Council’s Housing Register is taken from the Government Live Table 600 which records the number of households on local authority housing waiting lists.

Table 4: Households on Mid Sussex Housing Register since start of the plan-period

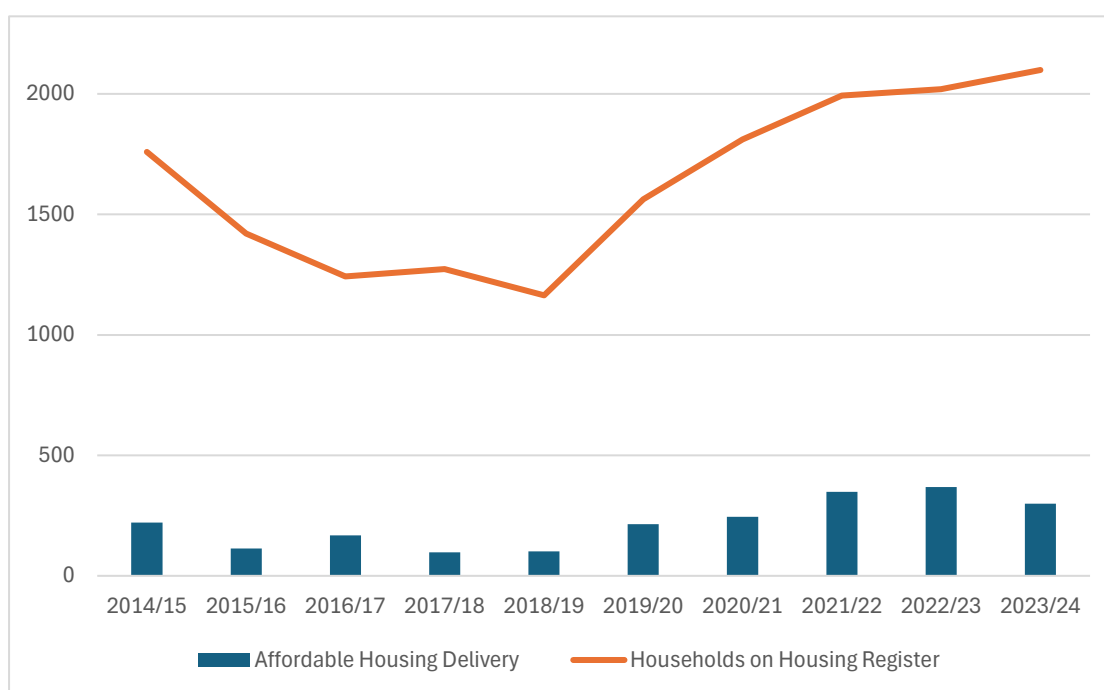
Mid Sussex DC	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24
Households on Housing Register	1,759	1,420	1,243	1,273	1,164	1,562	1,811	1,993	2,020	2,099

- 4.2.4 Notably, the number of households on the housing register actually decreased in the early years of the plan-period. Unfortunately, however, this trend has since reversed

in the last six monitoring years, with the number of households on the register having increased significantly from 1,164 households to 2,099 households in that period (a rise of 80%). This is a clear illustration of a housing crisis continuing to impact on the authority, with an increasing number of households falling into housing need.

4.2.5 The increasing number of households falling into housing need in Mid Sussex is of little surprise, given that previous delivery of affordable housing has never come close to fully addressing the substantial number of households who cannot be effectively accommodated in the authority, as shown on Figure 1 below.

Figure 1: Households on Housing Register compared with Affordable Housing Delivery



4.2.6 The Housing Register is only part of the equation relating to housing need in Mid Sussex. It is simply a snapshot in time and will not show a full picture of affordable need as it does not account for the large proportion of households that are living in temporary accommodation or are currently housed in overcrowded or unsuitable accommodation.

4.2.7 As set out in the FOI response, the extent of the affordable housing crisis within Mid Sussex is such that there are 69 households on the housing register classified as being in emergency or urgent priority housing need (Category A), a further 43

households classified as being in high housing need (Category B), and 566 households classified as being in medium housing need (this includes, inter alia, applicants owed full housing duty under the homelessness legislation, those ready to move into the community from supported housing who would otherwise be homeless and those which MSDC has a statutory duty to rehouse)¹¹. The data presents a stark picture of a significant number of households that are currently living in unsuitable accommodation in the district.

- 4.2.8 The continued under delivery of affordable and market housing has contributed to a worsening of the affordability ratios in the district. As Table 5 below shows, in 2023 the median affordability ratio in Mid Sussex was a staggering 12.09. In other words, it means that those people earning median wages in Mid Sussex will need over twelve times their income to afford a median priced house.

Table 5: Mid Sussex Median Affordability Ratios

Median Affordability Ratio	1997	2014	2023
Mid Sussex	4.21	11.38	12.09
South East England	4.17	8.56	10.39
England	3.54	7.09	8.26

Source: ONS Ratio of house price to workplace-based earnings (lower quartile and median), 1997 to 2023, Table 1c and 5c.

- 4.2.9 The median affordability ratio has remained notably high since the start of the plan period in 2014. More significantly, in the 25 years following the introduction of the ONS house price to workplace-based earnings ratio statistics in 1997, the median affordability ratio has increased by over 187% from 4.21, locking the next generation out of home ownership. This upward trend is problematic as it demonstrates that house price growth is outstripping wage growth, ultimately making housing more unaffordable for those who live and work within the district and pricing out future buyers.

¹¹ Full band details can be found in the Council's Housing Allocation Scheme.

4.2.10 It is further observed that the ratio of 12.09 stands well above the national median affordability ratio of 8.26 (+46%) and the South East England median affordability ratio of 10.39 (+16%).

4.2.11 For those residents seeking a lower quartile property (typically considered as the more affordable sector of the housing market), the ratio of lower quartile house prices to lower quartile earnings in Mid Sussex stands at 12.07. This also means that those on the lowest incomes in Mid Sussex that are seeking to purchase a home in the lower end of the property market now need to find over twelve times their annual income to do so.

Table 6: Mid Sussex Lower Quartile Affordability Ratios

Lower Quartile Affordability Ratio	1997	2014	2023
Mid Sussex	4.38	11.05	12.07
South East England	4.12	8.71	10.21
England	3.48	6.70	7.12

Source: ONS Ratio of house price to workplace-based earnings (lower quartile and median), 1997 to 2023, Table 4c and 2c.

4.2.12 Again, it is observed that the lower quartile figure for Mid Sussex also stands substantially above the national lower quartile affordability ratio of 7.12 (+69%) and the South East England lower quartile affordability ratio of 10.21 (+18%).

4.2.13 Moreover, there is little relief for those households who rent their home in the authority, with ONS data for Mid Sussex specifically showing that the median monthly private rental price currently stands at £1,316. Monthly rental prices have increased by over 37% in the district since the ONS began recording this data in January 2015¹².

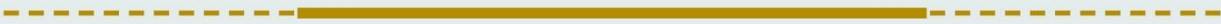
4.2.14 The Council's inadequate record affordable housing delivery is clearly impacting the affordability of housing in Mid Sussex, and on the number of households falling into housing need. This constitutes a very significant failure which impacts on those most disadvantaged and vulnerable in society.

¹² Office for National Statistics – Private rent and house prices, UK: October 2024

5 SUMMARY

5.1 Summary and Conclusions

- 5.1.1 There is a wealth of evidence to demonstrate that there is a national housing crisis affecting many millions of people who are unable to access suitable accommodation to meet their housing needs. The consequence of not providing enough affordable homes affects real people. Being able to access good housing has bearing upon everyday life and there are socio-economic impacts such as financial security and stability, physical and mental health, decreased social mobility and adverse effects on children's education and development.
- 5.1.2 What is clear is that a significant boost in the delivery of housing, and in particular affordable housing, in England is absolutely essential to address the housing crisis and prevent further worsening of the situation. This has long been established as, and remains, a key national priority of successive Governments.
- 5.1.3 More locally, the preceding analysis demonstrates that there remains a substantial number of households whose housing needs are not being met and market signals indicate a worsening trend in affordability across Mid Sussex.
- 5.1.4 As such there remains a clear and pressing need for an uplift in the delivery of affordable housing for the imbalance in the local housing market to be addressed and for real people in real need to have a home to call their own. Such a step change would be consistent with the thrust of paragraph 60 of the Framework, to boost significantly the supply of homes.
- 5.1.5 There can be no doubt that the delivery of up to 27 much needed affordable homes will make a tangible impact on the lives of those real households in need who will occupy each property. These properties will be built to much more stringent buildings regulations requirements than existing stock, ensuring that real people in real need will have a safe, warm and well insulated property to call their own.



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Appendix 2

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7th November 2024

Ref: 6534/R3

**GLADMAN DEVELOPMENTS
LAND OFF SCAMPS HILL, LINDFIELD**

**PLANNING REF DM/24/0446
APPEAL REF APP/D3830/W/24/335075**

SURFACE WATER DRAINAGE TECHNICAL NOTE

1.0 Introduction and Background

- 1.1 Lees Roxburgh produced a Flood Risk Assessment and Outline Drainage Strategy report ref 6534/R2 (CD1.11) for a proposed residential development for up to 90 dwellings, located at land off Scamps Hill, Lindfield.
- 1.2 Mid Sussex Flood Risk and Drainage Team responded to the application (CD4.18) stating no objection subject to conditions. The Environment Agency also provided a formal consultation response confirming no objection to the proposed development, subject to conditions (CD4.14).
- 1.3 The purpose of this technical note is to summarise the surface water drainage scheme for the proposed development, as set out in the Outline Drainage Strategy report and provide commentary on the positive practical impact that the proposed scheme would have on existing uncontrolled runoff across all return periods.

2.0 Site Description and Existing Run-Off

- 2.1 The site lies on the south eastern outskirts of Lindfield off Scamps Hill and comprises three large fields. Scrase Stream lies beyond the north west site boundary. Scrase Stream flows away to the north east and then east, ultimately reaching the River Ouse, almost 1km away.
- 2.2 To the south east a second stream crosses beneath Scamps Hill and flows north east through Walstead Grange where it is briefly bifurcated within the grounds then continuing north east.
- 2.3 Neither of these systems presents a source of flood risk to the development nor does the surface water flooding mapped as affecting land to the north west, primarily beyond Scrase Stream.
- 2.4 The site falls in two directions. In the two north west fields, levels fall towards Scrase Stream and in the remaining larger field, in which no development is proposed, levels fall towards the second stream.

It is proposed to connect the development drainage solely into Scrase Stream.

- 2.5 As a matter of principle, proposals for surface water drainage on site should ensure that peak flow rates of surface water leaving the developed site are no greater than those prior to development, reducing surface water run off where possible.
- 2.6 The first stage of designing the on-site surface water drainage scheme requires an assessment of the existing greenfield run off rates.
- 2.7 The existing greenfield run off rates have been calculated using the HR Wallingford UKSuDS online tool. The run off rates for the site are set out in Table 1. The calculations assess run off in four scenarios:
- Qbar - peak rate of flow from a catchment for the mean annual flood (approximately a 1 in 2.3 year return period event)
 - Q1 – peak rate of flow from a 1 in 1 year event
 - Q30 – peak rate of flow from a 1 in 30 year event
 - Q100 – peak rate of flow from a 1 in 100 year event

Table 1: Greenfield run off rates

Event	Run off
Qbar	14.56 litres/sec
Q1	12.38 litres/sec
Q30	33.49 litres/sec
Q100	46.45 litres/sec

3.0 Surface Water Drainage Scheme

- 3.1 An attenuation basin is proposed in the northern area of the development.
- 3.2 Surface water runoff from impermeable areas (highways, houses and associated hard surfaces) will be served by a piped surface water drainage system, designed to adoptable standards, and will convey flows to the SUDS basin.
- 3.3 The attenuation basin will be sized to accommodate all surface water flows, up to the 1 in 100 year plus 45% climate change event, including an allowance for urban creep.

Surface water discharge into Scrase Stream will be restricted to the Qbar rate for all events, up to and including the 1 in 100 year plus climate change event.

- 3.4 Flows into Scrase Stream will be significantly reduced by limiting the discharge rate to the Qbar rate for all return periods up to the 1 in 100 year plus climate change event. As a result this will provide betterment with respect to flood risk by reducing the runoff from the site.

4.0 Conclusion

- 4.1 As part of the proposals for the land off Scamps Hill, Lindfield, a surface water drainage scheme has been proposed that includes a SUDS scheme with an attenuation basin which will restrict surface water flows to Scrase Stream to the existing Qbar rate of 14.56 litres/sec. The SUDS scheme has been designed to accommodate flows for all events up to a 1 in 100 year event with 45% climate change allowance and to release surface water at the Qbar rate into Scrase Stream. The proposed surface water drainage scheme will therefore inherently deliver a reduction in the runoff, which contributes to the existing mapped surface water flooding, and therefore provides a betterment when compared to the existing undeveloped conditions.



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for and on behalf of **LEES ROXBURGH LIMITED**