



Colwell Farm, Haywards Heath

Planning Statement (Incorporating Affordable Housing Statement and Sustainability Statement)

Miller Homes Ltd

Prepared by:

SLR Consulting Limited

Mountbatten House, 1 Grosvenor Square,
Southampton SO15 2JU

SLR Project No.: 433.000082.00001

10 February 2025

Revision: 01

Revision Record

Revision	Date	Prepared By	Checked By	Authorised By
01	10 February 2025	AG	NB	CL
	Click to enter a date.			
	Click to enter a date.			
	Click to enter a date.			
	Click to enter a date.			

Basis of Report

This document has been prepared by SLR Consulting Limited (SLR) with reasonable skill, care and diligence, and taking account of the timescales and resources devoted to it by agreement with Miller Homes Ltd (the Client) as part or all of the services it has been appointed by the Client to carry out. It is subject to the terms and conditions of that appointment.

SLR shall not be liable for the use of or reliance on any information, advice, recommendations and opinions in this document for any purpose by any person other than the Client. Reliance may be granted to a third party only in the event that SLR and the third party have executed a reliance agreement or collateral warranty.

Information reported herein may be based on the interpretation of public domain data collected by SLR, and/or information supplied by the Client and/or its other advisors and associates. These data have been accepted in good faith as being accurate and valid.

The copyright and intellectual property in all drawings, reports, specifications, bills of quantities, calculations and other information set out in this report remain vested in SLR unless the terms of appointment state otherwise.

This document may contain information of a specialised and/or highly technical nature and the Client is advised to seek clarification on any elements which may be unclear to it.

Information, advice, recommendations and opinions in this document should only be relied upon in the context of the whole document and any documents referenced explicitly herein and should then only be used within the context of the appointment



Table of Contents

1.0	Introduction	1
2.0	The Site and Surroundings.....	3
3.0	Planning History.....	6
4.0	Application Proposal.....	9
5.0	Pre-Application Engagement.....	12
6.0	Planning Policy Context	14
7.0	Key Planning Considerations.....	28
8.0	Affordable Housing Statement	42
9.0	Sustainability Statement.....	44
10.0	Planning Obligations Statement.....	47
11.0	Summary and Conclusions	48

Tables in Text

Table 1-1: Drawing List	2
Table 3-1- Planning Applications within the wider area of the Site	6
Table 7-1 - 5YHLS calculation.....	29

Figures in Text

Figure 2-1: Application Site boundary (red)	5
Figure 4-1- Proposed Parameter Plan.....	11
Figure 6-1- The ten characteristics of well-designed places (page 8 of the Design Code)...	19
Figure 8-1: Indicative Affordable Housing Mix	42



1.0 Introduction

The Submission

- 1.1 This planning statement has been prepared and submitted by SLR Consulting Limited (SLR) on behalf of Miller Homes Ltd (hereinafter 'Miller Homes') in support of an Outline planning application for up to 80 homes, located at land at Colwell Farm, on the southeast side of Haywards Heath, centred at an easting and northing of E535304, N123280 (the 'Site').
- 1.2 The Site falls wholly within the administrative boundaries of Mid Sussex District Council (MSDC) to who this application is made to.
- 1.3 The full development description is as follows:
- "Outline application with all matters reserved except for access, for up to 80 dwellings with associated landscaping, open space, infrastructure and vehicular and pedestrian accesses."*
- The application will be compliant with the local affordable housing requirements as set out in an Affordable Housing Statement which is incorporated into Section 8. The application will also deliver statutory biodiversity net gain (BNG) requirements and has been the subject of community involvement and detailed technical assessments.
- 1.4 This Planning Statement analyses the Application Site, surrounding areas and locality, and sets out relevant planning history and relevant policy context. It justifies why the proposals constitute an excellent opportunity to deliver an affordable housing policy compliant residential scheme in a sustainable and accessible locality which will make a valuable contribution towards meeting MSDC housing need, which is timely given the acute housing crisis.

Structure of the Planning Statement

- 1.5 The remainder of this planning statement will be structured as follows:
- **Section 2.0:** Site Description and Surrounding Area
 - **Section 3.0:** Planning History
 - **Section 4.0:** Application Proposal;
 - **Section 5.0:** Pre-Application Engagement;
 - **Section 6.0:** Review of Planning Context;
 - **Section 7.0:** Key Planning Considerations;
 - **Section 8.0:** Affordable Housing Statement;
 - **Section 9.0:** Sustainability Statement;
 - **Section 10:** Draft Head of Terms; and
 - **Section 11:** Summary and Conclusions.



Accompanying Documents

- 1.6 The planning application submission is accompanied by the documents listed below, which have been informed by responses from MSDC's formal pre-application process:
- Design and Access Statement
 - Air quality assessment;
 - Ecological impact assessment report/BNG metric;
 - Flood risk assessment (FRA) and Drainage Strategy;
 - Heritage Statement;
 - Landscape visualisation impact assessment;
 - Lighting Assessment;
 - Noise impact assessment;
 - Planning obligation instruction form;
 - Road safety audit and designers response;
 - Statement of Community Involvement (SCI);
 - Transport Statement;
 - Framework Travel Plan; and
 - Tree report.
- 1.7 The drawings and plans listed within Table 1-1 below also support the application, with those in **bold** being the plans for which formal approval is sought and the remainder provided as illustrative indicative plans to inform consideration of the application:

Table 1-1: Drawing List

Drawing	Drawing Reference
Location Plan	0238(01)00
Parameter Plan	0238(01)01
Illustrative Masterplan	0238(01)02
Indicative Site Cross Sections	(SK)10
Indicative Eastern Open Space proposals	MILL24496_21
Proposed site access arrangement from Lewes Road (A272)	ITL19597-GA-004 Rev G
Proposed uncontrolled crossing across Lewes Road	ITL19597-GA-011 Rev A
Swept path analysis – refuse Vehicle	ITL19597-GA-015 Rev A
Swept path analysis - fire appliance	ITL19597-GA-016 Rev A



2.0 The Site and Surroundings

Site Location

- 2.1 The Site is located on the southeast side of the defined settlement boundaries of Haywards Heath, bounded by pockets of Ancient Woodland to the east and south and existing residential development and further woodland to the west and northwest.
- 2.2 The Site is also bounded by Lewes Road to the north, an A-Road (A272) that runs along the southern border of the Haywards Heath Settlement. The road bestows strong links to the local highway network through its access to the A23 trunk road to the west, which provides connectivity to Brighton and London (via the M23), located 14 miles south and 13 miles north respectively.
- 2.3 The Site is within a semi-rural context and is situated in a sustainable and accessible location as confirmed by the Highways Authorities response to the pre-application. The sustainability credentials of the local area are also reflected through several planning approvals for housing development being made in the immediate countryside area, setting a clear precedent for such development.
- 2.4 The sustainable location of the Site is namely as a result of the Site's accessibility to Haywards Heath which attains the highest categorisation within the local settlement hierarchy and benefits from a comprehensive range of employment, retail, health, education and leisure services. Whilst the Site itself is outside of a defined settlement boundary, Haywards Heath town centre is accessible with an approximate maximum 1,600m walking distance, which is considered reasonable. The furthest point of the Site from the Town Centre is also less than 3km which is still readily accessible by bicycle.
- 2.5 As well as the town centre, the site is also close to a number of facilities to meet day to day needs including primary school (Northlands Wood) and convenience stores (Tesco Express), meaning residents would have access to the amenities they require to meet most of their daily needs within walking distance. Amenities include (not exhaustive; distance is from the centre of the Site):
- Education
 - Northlands Wood Primary Academy (c. 0.84km);
 - Treetops Day Nursery (c. 1.68km); and
 - Great Walstead School (c. 2.7km)
 - Retail
 - Tesco express (c. 0.98km);
 - The Co-op (c. 1.78km); and
 - Iceland (c. 2.48km).
 - Health
 - Kamsons Pharmacy (c. 0.89km);



- Northlands Wood Practice (c. 1.03km); and
 - Princess Royal Hospital and Emergency Room (1.38km)
 - Employment
 - Princess Royal Hospital (c.1.38km) and
 - Ham Lane Businesses (c. 3.18km)
- 2.6 Moreover, the wider location supplies ample opportunities for recreation including the Walnut Park and Forest Fields Play Area (c.0.83km), St Francis Bowls Club (c.1.68km) and St Francis Swimming Pool (c. 1.98km).
- 2.7 The Site also benefits from existing infrastructure that has the potential to make the Proposed Development readily accessible for pedestrian access. This includes existing footways on the northern side of Lewes Road and Public Right of Way (PRoW) 29CU (as defined by West Sussex County Council (WSCC)) located c.0.35km west of the Site. The PRoW ingresses into the defined boundaries of Hayward Heath and provides the quickest route to the Walnut Park Area that is located c. 0.45km to northwest. Access to the park then provides sub-routes to Tesco, doctors' surgery, pharmacy, and the nearest primary school.
- 2.8 Additionally, the Site benefits from a range of public transport options including bus stops located along Northlands Avenue which are accessible within an c. 1.08km distance using PRoW 29CU. Bus stops are also located further afield along Bedales Hill (B2111), the B2272 and on Franklynn Road, circa 1.3km to the east and 1.43km to the west respectively. Such services provide regular services to key designations including into Haywards Heath's Town Centre, Princess Royal Hospital and to Brighton Square.
- 2.9 Furthermore, Haywards Heath railway station is located approximately 2.5km to the northwest, within a cyclable distance to the Site and dispenses frequent services to local and regional destinations, including London, Brighton, Eastbourne and Worthing.
- 2.10 A full assessment of the site accessibility to local services and facilities can be found in the submitted Transport Assessment.
- 2.11 The surrounding built form consists of varying urban and rural form by virtue of the Site's location on the edge of the defined built settlement area. The built development northwest of the Site follows a dispersed street pattern characterised by mainly large twentieth century residences of varying architectural merit with spacious gardens.
- 2.12 There are two listed buildings in the immediate vicinity, including Colwell House, a Grade II listed building located c. 0.08km north of the Site on the southern side of Lewes Road and Oldfield Cottage, a Grade II listed building c.0.16km on the opposite side of Lewes Road. A non-designated asset known formerly as Colwell Barns is also located c.0.05km northwest of the Site's western corner and has since been converted into a residential use. A narrow strip along the Site's northern edge, as well as the proposed new access (see Section 4.0) are located in the Lewes Road Conservation Area (CA). The CA is characterised by the long



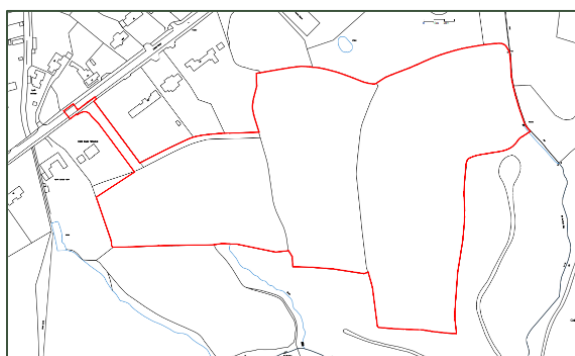
central axis of Lewes Road with the large residences immediately off it in spacious, discrete and greened grounds. A full description of the heritage assets and their contribution can be found within the submitted Heritage Statement.

- 2.13 In summary, this section demonstrates the Site's location is highly sustainable and accessible and appropriate for residential use.

Site Description and Use

- 2.14 The Site is located entirely within the administrative boundary of Mid Sussex District Council (MDSC) and within Haywards Heath's Town Council's Neighbourhood Plan boundary.
- 2.15 The Site encompasses three irregular open greenfield parcels, covering approximately 6.2ha in area and are separated by belts of mixed hedges and trees. The southern boundary is made up by Ancient Woodland.
- 2.16 The Site's most recent use was agricultural, although has not been actively farmed for some years and currently sits vacant.
- 2.17 The Site benefits from extensive vegetation around the Site which limits the public visibility of the main parcels from the surrounding area, including Lewes Road (see the LVA for further discussion on views).
- 2.18 The existing Site access is derived from part of a residential garden at one of the properties fronting onto Lewes Road; a new access suitable to the proposed use is proposed from Lewes Road utilising the eastern part of the garden of North Colwell Farmhouse.
- 2.19 The Site is located within a mineral deposit safeguarding area and is an allocated 'local gap' with the adopted neighbourhood plan; such constraints are addressed in Section 7.
- 2.20 Aside from the designated Lewes Road Conservation area, the Site is not subject to any other statutory designations. The Site is also not vulnerable to any pertinent constraints including Flood Risk, being wholly located in Flood Zone 1.
- 2.21 The location and boundary of the Site are depicted on Figure 2-1 below:

Figure 2-1: Application Site boundary (red)



3.0 Planning History

Planning Applications

- 3.1 The Site has a limited planning history, with only one application available on MDSC online planning portal which was for:
- “Change of use for conversion of existing dilapidated and unused farm buildings to form a new farmhouse to serve the whole property.” (Appeal Refused May 1980).*
- 3.2 The decision is not relevant given the proposed use is unrelated to the proposals sought under this application.
- 3.3 The below applications within the wider area as shown in Table 3-1 are relevant to the Site:

Table 3-1- Planning Applications within the wider area of the Site

Application Ref	Description	Location	Decision	Decision Date
13/02431/FUL	Erection of ten dwellings together with associated areas of open space, access, parking and landscaping.	Oldfield 55 Lewes Road Haywards Heath West Sussex	Approved at Committee	12/01/2013
DM/15/4930	Erection of seven dwellings from existing access road. Comprising of one two bed, four three bed and two four bed dwelling houses	Land Adj. To Oldfield 55 Lewes Road Haywards Heath West Sussex	Approved at Committee	09/06/2016
DM/16/0402	Erection of 113 no. dwellings together with access, associated parking, amenity space and landscaping.	Land Off Greenhill Way Haywards Heath West Sussex	Approved at Committee	22/08/2016
DM/22/2272	Outline application with all matters reserved except for access for the erection of up-to 375 new homes, a two-form entry primary school, burial ground, allotments, open space with associated infrastructure, landscaping and parking areas. (Additional Highways, Drainage and Ecological information	Land At Hurst Farm Hurstwood Lane Haywards Heath West Sussex	Awaiting Decision-Recommended for Permission by the District Committee	N/A



- 3.4 Planning Application DM/16/0402 constitutes a successful built out development of 113 dwellings for an allocated site on the edge of Hayward Heath. Whilst the majority of the site is predominantly located in the administrative area of Lewes District Council, the approved (and now implemented) development is only 0.36km southwest from the Site subject of this planning statement and has similar locational (countryside) circumstances. Namely, the approved development constituted an extension to the built-up boundaries, with the sustainability/accessibility of the site not regarded as an issue. This is illustrated in the committee report, which makes reference to the Planning Inspectorate's comments on the site, prior to its allocation in the local plan:

*"Of course, like any other potential housing site the appeal site is closer to some services and facilities than others. But to my mind it is by no means inaccessible, even in a relative sense, to and from key local facilities, and even by transport modes (walking, cycling, and local bus routes) other than the private car. In short, the site is neither inaccessible nor unsustainable in transport terms."*¹

- 3.5 Planning application Ref DM/22/2272 is immediately south of the site discussed above and comprises significant proposals for 375 homes, the majority of which are located outside the defined settlement boundaries. Whilst the application has yet to have been determined, the district planning committee acknowledge the site's countryside location and have recommended the proposals for approval. It is stated within the District Planning Commitment Report that:

*"it is your Planning Officers view that the benefits of this development, as highlighted within the report, significantly outweigh the adverse impacts, which will in any event be mitigated for as far as possible."*²

- 3.6 Benefits of the scheme include affordable housing, countryside open space and increase economic spending; such gains will also be secured as a result of the Proposed Development set out in this planning statement and therefore should also be considered positively in the balance.

- 3.7 Whilst smaller in scale, Planning Application Ref 13/02431 and Ref DM/15/4930 have also set a positive precedent for residential development outside of the defined settlement boundaries of Haywards Heath. The committee report in relation to the most recent of the two application confirms:

'...the site is well related to that boundary and neighbouring development, both recent and more established, so the site is considered sustainable in its location as a result.'

¹ Page 7- District Wide Committee (2016) Planning Application Ref DM/16/0402 Committee Report. Available at: https://padocs.midsussex.gov.uk/PublicAccess_Live/Document/ViewDocument?id=A1B83C81589E11E6972E989096C073B1.

² Paragraph 2.28- District Wide Committee (2023) Planning Application Ref DM/22/2272 Committee Report. Available at: https://padocs.midsussex.gov.uk/PublicAccess_Live/Document/ViewDocument?id=E364CEC5B9CF47B081EA710C812CBDB7.



- 3.8 Accordingly, it is clear that the Proposed Development is in a sustainable and accessible location and can be considered contiguous with the built-up area boundaries.

Local Plan Promotion

- 3.9 The site has been promoted by Miller Homes as a suitable site for allocation in the emerging plan and Miller Homes are currently participating in the Local Plan Hearings. The Council's Strategic Housing and Economic Land Availability Assessment (SHELAA) gives it reference 844 and the assessment of the Site by the Council confirmed it is 'relatively unconstrained'.
- 3.10 The SHELAA also recognises the Sites sustainability credentials including access to primary schools, health and retail which are all stated to be within a 15-minute walk.



4.0 Application Proposal

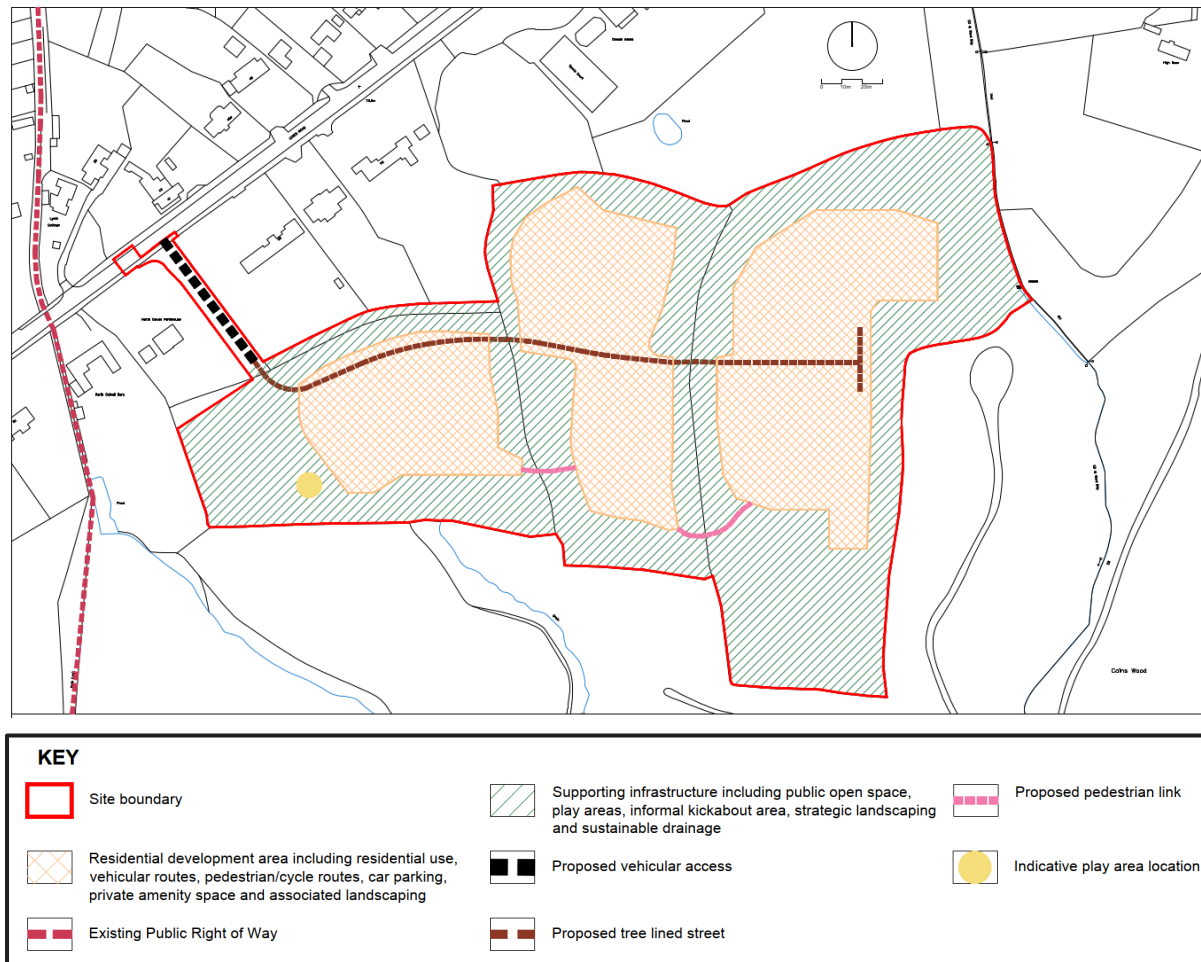
- 4.1 The planning application proposes the following:
- “Outline application with all matters reserved except for access, for up to 80 dwellings with associated landscaping, open space, infrastructure and vehicular and pedestrian accesses.”*
- 4.2 The proposal is submitted in Outline with all matters reserved except for access, meaning landscape, layout, scale and design detail are for consideration as part of future reserved matters.
- 4.3 The proposals will comprise a mix of private and affordable homes, including a variety of house types and sizes to cater for identified local needs. At this Outline stage, the precise mix of housing is indicative, but is proposed to include a range of 1-, 2-, 3-, and 4-bedroom predominately 2-storey houses.
- 4.4 The Proposed Development will provide a policy compliant number of homes of affordable tenure (30% as required by Policy DPH8), including an appropriate tenure split between affordable rent, shared ownership and first homes to reflect current local needs.
- 4.5 Access to the Site is proposed in full detail. Vehicular access will be provided via a new access road positioned between two existing properties northwest of the Site, as depicted in the parameter plan (Figure 4-1). The access will adjoin Lewes Road and consists of a simple priority junction which adheres with local and national standards, as confirmed by WSCC Highways Authority during pre-app discussions, who are supportive of this approach to the Site access design. The pre-app response from the Highways Authority also confirms the modelling approach and does not indicate any significant issues with local highways capacity.
- 4.6 In addition, a pedestrian access will be derived from a new purpose built 2.0m footway which will be built along the western side of the access road, linking to a new proposed crossing over Lewes Road to provide access to the existing footway on the northern side of Lewes Road. The pedestrian access will then be extended across the Site, making walking and cycling readily available.
- 4.7 Public open space will be provided across the site, including a formal play area at the south of the Site entrance which will be accessible to both new residents of the site and existing residents living nearby. A play area comprising natural play equipment for a range of age groups is envisaged, along with sheltered seating for older children to utilise. Other green spaces within the site are envisaged to comprise a mixture of natural and semi-natural spaces at the site boundaries, and additional open/informal amenity spaces which will include pathways, native planting and bench seating for residents to enjoy.
- 4.8 The vast majority of existing native hedgerows and trees along the Site’s boundaries would be retained and enhanced, although a small number will need to be removed near the Site entrance to facilitate access. Significant replacement



- and additional native tree planting will be proposed within the Site and in this area to ensure that tree cover over time can be upheld and the character of the Conservation Area be retained, as well as assisting in maximising onsite BNG. The proposals also incorporate a 20-metre buffer to the Ancient Woodland.
- 4.9 The detailed design and layout of the Site is a matter for future agreement at reserved matters stage, but approval is sought for a parameter plan, showing development areas, land uses, suggested street hierarchy and connectivity which together will provide the framework for the detailed proposals to come forward at reserved matters stage. Alongside the parameter plans an indicative layout has been submitted as part of this Outline proposal to demonstrate how the proposed quantum of homes can be appropriately accommodated within the Site whilst retaining the important Site characteristics and respecting the wider landscape character and neighbouring amenity. The masterplan shows that each home has its own private outdoor amenity space, as well as sufficient off-road allocated parking. An indicative Landscape Masterplan of the western-most part of the site also provides an indication of the future landscape proposals that could be incorporated in this location, including proposed play area.
- 4.10 Miller Homes are an experienced housebuilder and are committed to delivering an excellent, high-quality development that respects the local context and its neighbours.
- 4.11 A suite of measures will be incorporated into the design of each home to ensure the sustainability credentials meet the Council's ambitious targets for climate change reduction, and to empower new residents to make adaptations to a more sustainable way of living. Section 9 (Sustainability Statement) of this statement explains how water and energy reduction measures will be included in the fabric of each home to ensure the development contributes to meeting these targets.



Figure 4-1- Proposed Parameter Plan



5.0 Pre-Application Engagement

Formal Pre-Application

5.1 Formal pre-application advice was sought in August 2024, with a written response received in November 2024 for the development proposal subject of this application.

5.2 Whilst the response considers the Proposed Development is contrary to the development plan and that there would not be any material considerations that would mean the scheme would receive officer support, positives of the scheme were recognised. This includes recognition of the Sites sustainable location, with the officer stating:

“The site is contiguous with the built up area boundaries and as discussed other applications for housing within the locality have not had issues raised about sustainable location”.

5.3 Additionally, notwithstanding the Site’s countryside location, which is contrary to local policy, such policy can be considered to have reduced weight in the decision-making process.

5.4 Further, as a result of the new housing need resulting from the revised Standard Method published in December 2024 MSDC are unable to demonstrate a 5-year housing land supply and this is a significant material consideration that has changed since the pre-app; this is discussed further below.

5.5 This application has also taken on board the helpful pre-application advice received. This includes:

- The accompanying Landscape and Visual Impact Assessment, which, as requested, sets out how the proposal would not erode the landscape character, the setting of the town and would retain and enhance the separate identity of communities;
- The accompanying heritage statement outlines how the proposal mitigates the degree of harm (mid-range) anticipated by the MSDC Conservation Officer.

As per the Urban Design officer’s comments, a secondary access has been explored but is not necessary or feasible. Similarly, options to provide a signalised crossing over Lewes Road have been explored with WSCC but were deemed unfeasible and unnecessary.

Community Engagement

5.6 A programme of community engagement has been undertaken in respect of this development proposal in the months preceding application submission. This active engagement demonstrates that a thorough approach has been taken to pre-application consultation with local residents and community groups, as well as ongoing engagement with District and Parish Councillors at MSDC and Haywards Heath Town Council.



- 5.7 Full details of the pre-application engagement that has been undertaken to support the evolution of this scheme and the current planning submission is provided in the accompanying Statement of Community Involvement (SCI). The programme outlined in the SCI reflects the principles for consultation in the Localism Act (November 2011) and in the National Planning Policy Framework (NPPF) (updated December 2024). The NPPF states that early engagement has *“significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community.”*
- 5.8 Actions that have been undertaken as part of the consultation process have included:
- A dedicated virtual consultation platform that was open to the public from the 11th to 30th of November 2024. This allowed residents to review the development proposals and submit their comments;
 - A dedicated 0800 information line, email address and postal address which were also available throughout the consultation period;
 - flyers were hand delivered to 60 nearby households, to notify residents of the (online) consultation event on 11th November 2024; and
 - Individual emails were sent to local elected representatives of the virtual consultation website.
 - The accompanying SCI (prepared by Bluebridge communications) presents an analysis of the feedback received from the website consultation (which includes 6 responses through the website and two submissions via other channels).
- 5.9 In summary, as required by the Localism Act and encouraged within the NPPF, Miller Homes has sought to undertake active early engagement with the local community and other local stakeholders in the design evolution of this site. As outlined within the accompanying SCI, Miller Homes has undertaken engagement and consultation which has raised awareness of the plans and offered residents and stakeholders a chance to comment on and influence the proposals prior to the submission of the application to the Council. Miller Homes has welcomed the feedback received throughout this process and has sought to make design changes where necessary to improve the quality of the Proposed Development of the Site.



6.0 Planning Policy Context

- 6.1 This section sets out the relevant planning policy at national and local levels, section 6 sets out how the proposal accords with the outlined policy in more detail.
- 6.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, in the determination of planning applications, decisions are made in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.3 This section will first note the key national policies of relevance before focusing on the local policies considered of most relevance to the consideration of the proposal for the Site. Section 7 will then discuss the principle of development, as it relates to the relevant policies and why the scheme is considered acceptable when taking account of the adopted plan, and material considerations.
- 6.4 In the context of Section 38(6) of the 2004 Act, the following formally adopted documents have been reviewed:
- National Planning Policy Framework (NPPF) December 2024; and
 - MSDC and WSCC Local Development Plan Documents.
 - Haywards Heath Neighbourhood Plan (2016)
 - Other adopted Supplementary Planning Documents as relevant

National Policy and Guidance

National Planning Policy Framework

- 6.5 The NPPF was adopted in 2012 and was most recently revised in December 2024. The Framework sets the Government's planning policies for England and how these should be applied and has placed an increased rhetoric on housebuilding that previous revisions, through the Government's commitment to significantly boosting the supply of homes.
- 6.6 It is a material consideration in the determination of the planning application. The most pertinent policies and paragraphs relating to the principle of development at the Site are set out below.
- 6.7 The NPPF establishes a presumption of favour of sustainable development (**Paragraph 10**) and provides three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;



- A social objective – 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; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;
- An environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

6.8 **Paragraph 9** confirms these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged.

6.9 **Paragraph 11** emphasises that Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking, this means (c) approving development proposals that accord with an up-to-date development plan without delay, or (d) 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:

- the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination⁹

6.10 Footnote 8 to **Paragraph 11(d)** explains that for proposals involving the provision of housing, local housing policies should be considered out of date where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. In the case of the Mid Sussex Borough they are currently meeting the HDT. However, as set out in more detail below, based on the latest supply position, MSDC appear unable to demonstrate a 5YHLS as required by paragraph 78 of the NPPF and hence the provision of paragraph 11(d) would apply.

6.11 **Paragraph 20** relates to strategic policies where it is set out that these policies should make sufficient provision for: housing (including affordable housing), employment, commercial development and infrastructure.



- 6.12 **Paragraph 34** establishes that local plans should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary.
- 6.13 **Paragraph 39** explains that Local Planning Authorities (LPAs) should approach decisions on proposed development in a positive and creative way. The Paragraph further states that LPAs should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- 6.14 Section 5 relates to 'delivering a sufficient supply of homes and signifies that the Government has the objective of 'significantly boosting the supply of homes' (**Paragraph 61**). This is such that a sufficient amount and variety of land can come forward where it is needed and to allow that the needs of groups with specific housing requirements to be addressed. **Paragraph 62** further states that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the Standard Method (SM) in national planning practice guidance.
- 6.15 The SM was updated alongside the updated to the NPPF and results in a significant uplift in housing requirements across most local authority areas reflecting the significant national need for housing. For MSDC the new SM identifies a need for 1,356 new homes per annum.
- 6.16 **Paragraph 73** acknowledges that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and, are essential for Small and Medium Enterprise housebuilders to deliver new homes, and are often built-out relatively quickly
- 6.17 **Paragraph 78** states that LPAs should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.
- 6.18 **Annex 1** also states that where a local planning authority can demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in **Paragraph 78**) and where the Housing Delivery Test indicates that the delivery of housing is more than 75% of the housing requirement over the previous three years, policies should not be regarded as out-of-date on the basis that the most up to date local housing need figure (calculated using the standard method set out in planning practice guidance) is greater than the housing requirement set out in adopted strategic policies, for a period of five years from the date of the plan's adoption. In MSDC's case, the current local plan was adopted in March 2018, more than 5 years ago, and hence the SM housing figure would apply to 5HLS calculations until a new plan requirement is adopted.



- 6.19 **Paragraph 81** states to help ensure that proposals for housing development are implemented in a timely manner, local planning authorities should consider imposing a planning condition providing that development must begin within a timescale shorter than the relevant default period, where this would expedite the development without threatening its deliverability or viability. For major development involving the provision of housing, local planning authorities should also assess why any earlier grant of planning permission for a similar development on the same site did not start.
- 6.20 Section 9 relates to 'promoting sustainable transport'. **Paragraph 113** states that maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport.
- 6.21 **Paragraph 115** encourages development in sustainable locations and where safe and suitable access can be achieved. It also advocates a 'vision-led' approach to mitigation.
- 6.22 **Paragraph 116** affirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe in all reasonable scenarios.
- 6.23 Section 11 is concerned with 'making effective use of land' and signifies that Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. (**Paragraph 124**).
- 6.24 Section 12 which is titled 'achieving well-designed places' highlights that Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (**Paragraph 131**).
- 6.25 Section 14 relates to 'meeting the challenge of climate change, flooding and coastal change' and establishes that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. (**Paragraph 171**). The Paragraph further states that applications should be supported by a site-specific flood-risk assessment.
- 6.26 Section 15, titled 'conserving and enhancing the natural environment', states that planning policies and decisions should contribute to and enhance the natural and local environment (**Paragraph 187**). Ways to achieve this ambition are stated to include protecting and enhancing valued landscapes and sites of biodiversity/geological value, recognising the intrinsic character and beauty of the countryside and maintaining the character of the undeveloped coast.



- 6.27 **Paragraph 193** states when determining planning applications, LPAs should apply the principle of supporting development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.
- 6.28 Section 16 is concerned with ‘conserving and enhancing the historic environment’ and emphasises that heritage assets are irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations(**Paragraph 202**).
- 6.29 **Paragraph 212** further states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 6.30 **Paragraph 215** goes onto confirm that where a development proposal 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 including, where appropriate, securing its optimum viable use.
- 6.31 For non-designated heritage assets, **paragraph 216** confirms a ‘balanced judgment’ is necessary having regard to the scale of any harm or loss and the significance of the undesignated heritage asset.

National Planning Practice Guidance

- 6.32 The NPPG was published online in March 2014, with periodic updated occurring as national policy is changed or refined. The NPPG is a material consideration in determining planning applications.
- 6.33 It explains the SM for calculating local housing need provides a minimum number of homes to be planned for.
- 6.34 It states that if an authority cannot demonstrate a 5-year housing land supply, including any appropriate buffer, the presumption in favour of sustainable development will apply, as set out in paragraph 11d of the National Planning Policy Framework.
- 6.35 The NPPG also further emphasises the consequences of failing the Housing Delivery Test, including application of the presumption in favour of sustainable development if housing delivery falls below 75%.³

³ Paragraph: 042 Reference ID: 68-042-20240205



- 6.36 The NPPG also includes guidance on various technical matters, such as highways, noise, air quality, drainage, landscape and heritage.

National Design Guide and National Model Design Code 2021

- 6.37 The National Design Guide sets out the Government's commitment to achieving better design. This is through providing a framework that details the characteristics of well-designed places and demonstrates what good design means in practice as set out in **Error! Reference source not found..**

Figure 6-1- The ten characteristics of well-designed places (page 8 of the Design Code)



- 6.38 The National Model Design Code expands upon the ten characteristics of good design set out in the National Design Guide. The code sets out clear design parameters to help local authorities and communities decide what good quality design looks like in their area.

- 6.39 Both the design guide and code forms part of planning practice guidance and should be read and consider during the design process

MSDC Local Development Plan

- 6.40 The key relevant documents forming the Local Development Plan for the area comprise:

- The Mid Sussex District Plan (adopted March 2018);



- Site Allocations Development Plan Document (SADPD) (adopted June 2022); and
 - West Sussex Joint Minerals Local Plan (adopted 2018)
- 6.41 Several neighbourhood plans also form part of the LDP, with the Site falling under the administrative boundaries of the Haywards Heath Neighbourhood Plan, made in 2016. Relevant policies from the plan will be discussed in this section.
- 6.42 In addition to the adopted local plan documents, a number of Supplementary Planning Documents (SPDs) are relevant to residential development proposals in the district. These documents form a material consideration in planning decisions, and include:
- Development Infrastructure and Contributions SPD (adopted July 2018);
 - Mid Sussex Affordable Housing SPD (adopted 2018); and
 - Mid Sussex Design Guide SPD (adopted 2020).
- 6.43 Furthermore, MSDC are at an advanced stage of a Local Plan Review, with the Draft District Plan 2014-2031 currently subject to examination from the planning inspectorate. Whilst the plan only attains minimal weight as a consequence of being an unadopted document, relevant policies from the plan have been considered.

The Mid Sussex District Plan

- 6.44 The MSDC district Plan was adopted in 2018 and sets out a vision for how Mid Sussex will evolve and a delivery strategy for how that will be achieved across the 2014-2031 plan period. The vision emphasises the desire to create a thriving and attractive District, which improves social, economic and environmental conditions.
- 6.45 It should be acknowledged however, that given the Core Strategy is more than 5 years old, certain policies, particularly those relating to housing, attract less weight in the decision-making process, particularly given the likely position in terms of HLS in light of the increased need arising from the revised SM. This is confirmed in NPPF paragraphs 11d and 33.
- 6.46 Nonetheless, the document contains strategic policies and some detailed development management policies against which individual planning applications will be assessed. The policies within the District Plan that are most relevant to this application are as follows:
- DP4: Housing
 - DP5: Planning to Meet Future Housing Need
 - DP6: Settlement Hierarchy
 - DP12: Protection and Enhancement of Countryside
 - DP13: Preventing Coalescence
 - DP15: New Homes in the Countryside



- DP17: Ashdown Forest
- DP20: Securing Infrastructure
- DP21: Transport
- DP22: Rights of Way and other Recreational Routes
- DP23: Communication Infrastructure
- DP24: Leisure and Cultural Facilities and Activities
- DP25: Community Facilities and Local Services
- DP26: Character and Design
- DP27: Dwelling Space Standards
- DP28: Accessibility
- DP29: Noise, Air and Light Pollution
- DP30: Housing Mix
- DP31: Affordable Housing
- DP34: Listed Buildings and Other Heritage Assets
- DP35: Conservation Areas
- DP37: Trees, Woodland and Hedgerows
- DP38: Biodiversity
- DP39: Sustainable Design and Construction
- DP41: Flood Risk and Drainage
- DP42: Water Infrastructure and the Water Environment

- 6.47 Policy DP4 confirms the housing requirement for the plan period 2014 – 2031 as being 16,390. For the period 2014-2023/24 the dpa is 876, rising to 1,090 from 2024/25 to 2030/31. However, the latest SM figure confirms a housing need of 1,356 per annum and given the adopted housing requirement is more than 5 years old, the new SM derived housing figure should be used for calculating the Council's 5YHLS. The policy also commits to having submitted a local plan review for examination by 2023 – this was not achieved.
- 6.48 Policy DP5 confirms MSDC will work proactively to address unmet housing needs in the sub region, including those arising from West Sussex and Greater Brighton. The current unmet housing need within the North West Sussex HMA is approaching 9,000 houses with further unmet housing needs approaching circa 20,000 arising from the nearby authorities of Lewes District and Brighton City.
- 6.49 Policy DP6 explains that development will be permitted in towns and villages within defined built-up area boundaries. Whilst the Site is not within a defined settlement, the Site is located outside of but adjacent to the Built-up Area Boundary of Haywards Heath. The town is allocated as a category 1 settlement in the settlement hierarchy (topmost categorisation) and is stated to benefit from a



- comprehensive range of employment, retail, health, education leisure services and facilities.
- 6.50 Policy DP6 also states that outside of defined built-up area boundaries, the expansion of settlements will be supported where:
- The site is allocated in the District Plan, a Neighbourhood Plan or subsequent Development Plan Document or where the proposed development is for fewer than 10 dwellings; and
 - The site is contiguous with an existing built-up area of the settlement; and
 - The development is demonstrated to be sustainable, including by reference to the settlement hierarchy.
- 6.51 The Site, as per the pre-application response is contiguous with the built-up area boundaries and within a sustainable and accessible location, meeting the second and third criteria. Whilst the Site is not compliant with the first bullet listed above, this is justified in the planning balance (Section 7).
- 6.52 Policy DP12 then sets out the criterion for development located in the defined countryside, like the Proposed Development described within this planning statement. Proposals are required to maintain, or where possible, enhance the quality of the rural and landscape character of the district and:
- Are necessary for the purposes of agriculture; or
 - Are supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.
- 6.53 Policy DP13 states development will be permitted if it does not result in the coalescence of settlements which harms the separate identity and amenity of settlements and would not have an unacceptably urbanising effect on the area between settlements. The Proposed Development coincides with this ambition; the Site is integrated part of Haywards Heath and given its enclosed nature and access onto Lewes Road, the proposals would not erode the separate identities of Haywards Heath with any nearby settlements.
- 6.54 Policy DP15 establishes further requirements for the development of new homes in the countryside which will need to be justified by special circumstances that inter alia: provides affordable housing in accordance with Policy DP32: Rural Exception Sites, meets the requirements of Policy DP6: Settlement Hierarchy or, in the case of new isolated homes in the countryside, where the design of the dwelling is of exceptional quality and it enhances its immediate setting and is sensitive to the character of the area.
- 6.55 Policy DP17 relates to Ashdown Forest SPA and SAC. It confirms that within a 0.4 to 7km range of the designated site, development will be expected to contribute towards SANG and SAMM provision.
- 6.56 Policy DP20 summarises how proposals will be expected to contribute to local infrastructure improvement.



- 6.57 Policy DP21 relating to Transport confirms that proposals should be sustainable located to minimise the need to travel and provide opportunities for sustainable modes to travel such as walking and cycling.
- 6.58 Policy DP22 explains that PRowS, Sustrans national cycle routes and recreational routes will be protected by ensuring development does not result in the loss of or does not adversely affect a right of way or other recreational routes. The proposals are in accordance with this policy, namely through development contributions secured through the Proposed Development which will enable the upgrade of PRow footpath 29c. Such improvements will promote active usage of the footpath and ensure its longevity.
- 6.59 Policy DP23 encourages the incorporation of digital infrastructure.
- 6.60 Policy DP24 requires new residential development to deliver proportional levels of new play space. Policy DP25, similarly requires delivery of community facilities on *'...larger developments, where practicable and viable.'*
- 6.61 Policy DP26 requires well designed places that reflect the distinctive character of the local town or village and are sensitive to the countryside. It sets out a number of criteria against which design will be assessed. Policies DP27 and DP28 go onto set out requirements in relation to dwelling space and accessibility – matters more appropriately considered at later reserved matters stages.
- 6.62 Policy DP29 relates to Noise, Air and Light pollution, requiring assessment of these factors to demonstrate proposals are acceptable in terms of both their own location and their effect on neighbouring uses.
- 6.63 Policy DP30 requires proposals for housing to deliver a mix of dwelling types and sizes based on the latest local housing needs.
- 6.64 Policy DP31 requires the provision of a minimum of 30% on-site affordable housing for all residential developments providing 11 dwellings or more or a maximum combined gross floorspace¹⁴ of more than 1,000m². The Proposed Development is fully affordable housing compliant, and the mix has been derived from feedback from BC.
- 6.65 Policy D34 requires development to protect listed buildings and their settings and Policy D35 seeks to ensure proposals conserve or enhance the special character, appearance and the range of activities which contribute to conservation areas. As discussed in Section 2, the Site is in the vicinity of two Grade II listed buildings and a single non-designated building, with a narrow strip along Sites northern edge residing in the Lewes Road CA. As will be discussed in Section 7.0, the accompanying Heritage Statement demonstrates how the Proposed Development is sympathetic to the significance of the heritage assets/designations and enhances their special character where possible. Section 7 demonstrates, having regard to the low level of less than substantial harm, the public benefits arising from the development outweigh that harm.



- 6.66 Policy DP37 explains that MSDC will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected. The Site is bounded by ancient woodland on its southern and eastern boundaries and has extensive vegetation around the Site including to the north which limits public visibility from Lewes Road. The accompanying Landscape Visualisation Impact Assessment demonstrates how the proposals retain and enhance such landscape features.
- 6.67 Policy DP38 relates to the protection and enhancement of biodiversity, including designated sites that could be affected by development.
- 6.68 Policy DP39 seeks for new development to improve suitability, setting out a series of suggested measures that should be explored depending on their feasibility.
- 6.69 Policy DP41 relating to flood risk sets out, in line with national policy, the need to follow the sequential risk-based approach to ensure development is safe across its lifetime and not increase flood risk elsewhere. It states that SuDS should be used to manage flood risk in a sustainable way. It also confirms the drainage hierarchy.

Site Allocations Development Plan Document

- 6.70 The SADPD was adopted in June 2022 and is stated to allocate sufficient housing and employment land to meet identified needs to 2031. However, as set out below, the district housing need is, since the publication of the new SM, significantly higher than that allowed for in the SADPD.
- 6.71 The SADPD also allocates the Site known as 'Rogers Farm' c.2km southwest from the Proposed Development set out in this planning statement for 25 dwellings. The allocation involves an extension to the built-up boundary of Haywards Heath and sets further precedent for developing on the outer boundaries of the settlement.

West Sussex Joint Minerals Plan

- 6.72 The West Sussex Joint Minerals Plan was adopted in July 2018 (partially reviewed in 2021), covering the plan period to 2033 and is the most up-to-date statement of the Authorities' land-use planning policy for minerals.
- 6.73 The Site falls under a mineral deposit safeguarding area (building Stone), making Policy M9: Safeguarding Minerals the most relevant. The policy explains that existing minerals extraction sites will be safeguarded against non-mineral development that prejudices their ability to supply minerals in the manner associated with the permitted activities. The policy further states that proposals for non-mineral development within the Minerals Safeguarding Areas will not be permitted unless:
- Mineral sterilisation will not occur; or



- It is appropriate and practicable to extract the mineral prior to the development taking place, having regards to the other policies in this Plan; or
- The overriding need for the development outweighs the safeguarding of the mineral and it has been demonstrated that prior extraction is not practicable or environmentally feasible.

Haywards Heath Neighbourhood Plan

6.74 The Haywards Heath Neighbourhood Plan was adopted in 2016 and sets out local planning policies for the development of the town and its community for the period from 2014 to 2031. The plan sets out 6 long-term objectives for the neighbourhood area, inter alia: promoting sustainable development, maintaining the rural character of the town and supporting a vibrant economy. The policies within the Neighbourhood Plan that are most relevant to this application are as follows:

- Policy E5: Local Gaps
- Policy E6: Green Infrastructure
- Policy E7: Sustainable Drainage Systems
- Policy E8: Sustainable Development
- Policy E9: Design
- Policy E10: Visual Impact
- Policy E11: Landscape Visual Assessment
- Policy E13: Private outdoor amenity space
- Policy T1: Pedestrian and Cycle connectivity
- Policy T2: Cycle Route contributions
- Policy T3: Car Parking
- Policy H8: Housing within the Built-up Area Boundary

6.75 Policy E5 is the most pertinent, which identifies the Site within an area defined as a local gap. Policy E5 applies to all parts of the Neighbourhood Plan Area that do not sit within the identified 'built up area'. Policy E5 applies three criteria to development as listed below:

- Would not unduly erode the landscape character of the area or its ecology;
- Would not harm the setting of the town and
- Would retain and enhance the separate identity of communities.

6.76 The Proposed Development fulfils all the above criteria through the design which respects the character of the surrounding area and preserves the significance of the nearby heritage assets. The proposals are also well enclosed, as confirmed by the LVIA, by existing vegetation on all sides, including woodland to the south and would achieve biodiversity net gain in line with statutory requirements. Moreover, the Proposed Development would form an integrated part of Haywards Heath and given its enclosed nature and access onto Lewes Road, would not erode the separate identities of Haywards Heath with any nearby settlements.



Mid Sussex District Plan 2021-2039 Draft Local Plan

6.77 MSDC are at an advanced stage of a Local Plan Review, with the Draft District Plan 2014-2031 currently subject to examination from the planning inspectorate; in accordance with the NPPF, MSDC can give weight to the emerging plan in the decision-making process. However, the degree that MSDC can apply weight to the plan is minimal given there are unresolved objections to several policies in the emerging plan.

6.78 Nonetheless, the Proposed Development has considered the draft policies, with the most relevant policies listed below:

- DPS1: Climate Change
- DPS2: Sustainable Design and Construction
- DPS4: Flood Risk and Sustainable Drainage
- DPS6: Health and Wellbeing
- DPN1: Biodiversity, Geodiversity and Nature Recovery
- DPN2: Biodiversity Net Gain
- DPN3: Green and Blue Infrastructure
- DPN4: Trees, Woodland and Hedgerows
- DPN6: Pollution
- DPN7: Noise Impacts
- DPN8: Light Impacts and Dark Skies
- DPN9: Air Quality
- DPC6: Ashdown Forest SPA and SAC
- DPB1: Character and Design
- DPB2: Listed Buildings and Other Heritage Assets
- DPT1: Placemaking and Connectivity
- DPT3: Active Travel
- DPT4: Parking and Electric Vehicle Charging Infrastructure
- DPH1: Housing
- DPH2: Sustainable Development Outside the Built-Up Area
- DPH3: Sustainable Development Inside the Built-up area
- DPH7: Housing Mix
- DPH8: Affordable Housing
- DPH9: First Homes
- DPH11: Dwelling Space Standards
- DPH12: Accessibility
- DPI1: Infrastructure Provision



- DPI2: Planning Obligations
- DPI5: Open Space, Sport and Recreation Facilities



7.0 Key Planning Considerations

Principle of Development

Housing Land Supply Position and the application of NPPF paragraph 11(d)

- 7.1 The housing requirement in the adopted plan is, as per DP4, 16,390 homes for the period 2014 to 2031. As of 2024/25 the annual requirement in the plan is 1,090.
- 7.2 However, in December 2024, in line with the governments ambitious targets to boost housing supply and address the housing crisis, the Standard Method (SM) for calculating housing need was updated. The new housing need, which the NPPF is clear should be considered a minimum, is 1,356 per annum.
- 7.3 Paragraph 78 confirms that local authorities should maintain a Five-year supply of housing (5YHLS). It goes onto confirm, where a plan is over 5 years old, for 5YHLS purposes the SM should be used to calculate the housing requirement. Paragraph 78(a) goes onto confirm that a 5% buffer should be applied to the calculation to ensure choice and competition in the market for land.
- 7.4 Footnote 8 of NPPF paragraph 11 (d) explains that for proposals involving the provision of housing, local housing policies should be considered out of date where the authority cannot demonstrate a 5YHLS.
- 7.5 The adopted MSDC Local Plan is over 5 years old and hence the housing requirement for 5YHLS purposes is derived from the new SM.
- 7.6 A detailed critical analysis of MSDC's purported housing supply in terms of its deliverability (as defined by the NPPF Annex 2 and the guidance in the PPG) has not been undertaken.
- 7.7 However, taking the forecast housing supply figures as reported by MSDC in Appendix 5 of the Housing Supply and Trajectory Topic Paper (July 2024) at face value for the 5-year period 1st April 2024 to 31st March 2029 MSDC report a supply of 5,046. This increases to 6,063 if proposed allocations in the emerging plan are included.
- 7.8 Taking these supply figures at face value, MSDC's current 5YHLS as of 1st April 2024 can be calculated as follows:



Table 7-1 - 5YHLS calculation

5YHLS calculation excluding proposed allocations	
(a) Supply (excluding proposed allocations)	5,046
(b) New SM Annual Requirement	1,356
(c) 5-year requirement (bx5)	6,780
(d) +5% buffer as per para 78(c x 1.05)	7,119
(e) Annual requirement with buffer (d/5)	1,424
(f) 5YHLS (a/e)	3.54 years

- 7.9 Even if the contribution from proposed allocations in the emerging plan are included, this would still only increase supply to 4.26 years.
- 7.10 Given MSDC cannot demonstrate a 5YHLS, in accordance with paragraph 11(d) and associated footnote 8, the presumption in favour of sustainable development is applied and the most important policies for determining the application are deemed out-of-date.
- 7.11 None of the footnote 7 exceptions are considered to apply that would disengage the tilted balance.
- 7.12 The substantial housing supply shortfall is therefore a key material consideration weighing very strongly in favour of this application

Principle of Development

- 7.13 It is accepted that the site is within a countryside location where development is generally reserved to those requiring a countryside location. In this sense, it is accepted that there is a degree of conflict with countryside policies.
- 7.14 However, this is within the context, as set out above, that the Council does not have a 5YHLS and the tilted balance is applied. In any case, the age of the plan, and MSDC's failure to review their plan in line with timescales set out in policy DP4 also indicates that housing policies are out of date.
- 7.15 Furthermore, it is contended, given the significant housing need regionally, the sustainability of the site, the benefits arising and limited harms arising from its development, even if the flat balance were applied, the site should be considered favourably.
- 7.16 Reviewing the site against policy DP6, an important policy in relation to the site, and hence considered out of date, the site performs favourably against criteria 2 and 3 of the policy, only failing in that it is not an allocated site. However, as above, the district is not meeting its housing needs and so housing, beyond site allocations, is needed.



- 7.17 In respect of the second criteria, the site adjoins the Haywards Heath Settlement boundary immediately to the north and west. The Proposed Development has been confirmed, via the MSDC pre-app response, as '*contiguous with the built up area boundaries*' and is sustainably located as per the pre-application response.
- 7.18 In respect of criteria 3, Haywards Heath is also a category 1, most sustainable, settlement, resulting from its comprehensive range of employment, retail, health, education leisure services and facilities.
- 7.19 The site is also highly accessible to facilities including via PRow 29CU which provides routes to Tesco, doctors' surgery, pharmacy, and the nearest primary school. The town centre is also within cycling distance. Thus, this demonstrates the Site is closely linked to existing built form and is not isolated in the countryside and is readily accessible for active travel modes like walking/cycling.
- 7.20 Furthermore, as discussed in Section 3.0, several Sites have been approved outside the settlement boundaries of Haywards Heath, setting a positive precedent for such development. This includes Planning Application Ref DM/16/0402 which constitutes a successful built out development of 113 dwellings for an allocated site on the edge Haywards Heath, located c.0.36km southwest from the Site subject of this planning statement. Prior to the Site's allocation, the planning inspectorate confirmed the Site's sustainable location, stating: *to my mind it is by no means inaccessible, even in a relative sense, to and from key local facilities, and even by transport modes (walking, cycling, and local bus routes) other than the private car. In short, the site is neither inaccessible nor unsustainable in transport terms (Paragraph 31, Appeal ref: 2200276).*
- 7.21 The proximity of this site to the application Site subject of this planning statement demonstrates that the Site is equally as sustainably located, and the scale of development proposed can be absorbed sufficiently. As such, in accordance with MSDC's settlement hierarchy, the Site's proximity to the settlement of Haywards Heath indicates that it is sustainably located in terms of access to existing facilities and services and constitutes sustainable development.
- 7.22 Therefore, whilst there is some conflict with Policy DP6 and DP12, the adherence to 2 of the 3 criteria of DP6, coupled with the fact the policies, which direct the location of housing, are out of date, means only limited weight should be attributed to this conflict.
- 7.23 Draft Policy DPH2 is similar to adopted policy DP6 but is somewhat more permissive in so much as it allows proposals of fewer than 10 dwellings that are contiguous with an existing built up area boundary to be permissible where they are also sustainably located. This implies an acceptance that development is needed outside of existing built-up areas in order to deliver the housing the district needs but artificially caps any increase to 10 dwellings. If it were not for this artificial cap, the proposed development would accord with this draft policy which recognises the need to develop in sustainable locations outside of the built-up area boundary. Given the acute need for housing in the district, the cap of 10 houses is not considered justified.



- 7.24 It is acknowledged that the Site is located in an area defined as a 'Local Gap' as per Policy E5 of the Haywards Heath Neighbourhood Plan, however, the development fulfils all the criteria of the policy. It has been designed to respect the character of the surrounding area and respects the significance of the nearby heritage assets. The proposals are also well enclosed by existing vegetation on all sides, including woodland to the south and would achieve biodiversity net gain in line with statutory requirements. Moreover, the Proposed Development would form an integrated part of Haywards Heath and given its enclosed nature and access onto Lewes Road, would not erode the separate identities of Haywards Heath with any nearby settlements.
- 7.25 For similar reasons the proposals align with policy DP13 of the Local Plan.
- 7.26 Overall, although the proposed residential development is in technical conflict with countryside policies, when the Development Plan is read as a whole and taking account of those policies that are out of date and hence attract less weight, the principle of development should be considered favourably, including in the instance that a 'flat' balance is applied to the proposals.
- 7.27 It is acknowledged that an emerging plan is currently under examination. However, given the outstanding objections to the plan, including from the applicant, the plan can only attract minimal weight at this time.
- 7.28 The remainder of this section demonstrates how the proposals adhere to other relevant policies relating to technical matters.

Transport and Highways

- 7.29 This application is accompanied by a Transport Assessment (TA) which reviews the existing transport conditions in the vicinity of the Site and assesses the potential effects of the development on the local highway network.
- 7.30 The TA explains that access to the site would be derived from a new access from the A272 Lewes Road.. This is alongside an 2m wide footway on the western side of the access road leading onto the southern side of Lewes Road. The TA also sets out off-site improvements secured as part of the Proposed Development including inter alia:
- An uncontrolled crossing with dropped kerbs and tactile paving across Lewes Road at the Birch Close junction, to improve the access and connection between the north side and south side footway;
 - The addition of tactile paving to the existing crossing at the Marlow Drive/Charlesworth Park junction; and
 - Removal of existing layby along Lewes Road A272 (near junction of Snowdrop Lane) with footway construction.
- 7.31 Additionally, the TA undertakes a robust vehicle trip generation assessment that identifies the proposals are likely to generate around 40 two-way 'vehicle trips' in the morning and evening peak hours, which is not considered to have significant impact on the operation of the local highway network



- 7.32 Alongside the TA, a Framework Travel Plan (TP) has been prepared as part of the planning application which has the aim to encourage, support and promote the use of active modes of travel such as walking, cycling and maximise the use of public transport and achieve a reduction in the number of single occupancy vehicle trips to/from the site. Measures include inter alia:
- Provision of information about walking routes between the site and key local destinations on a dedicated TP website for residents to view;
 - Formation of a Bicycle User Group (BUG) for residents; and
 - Maintaining regular contact with bus and train operators to ensure that the site management team and residents are kept up to date on service improvements.
- 7.33 Summarily, the proposals align with the LDP including adopted Policy DP21 which seeks to approve schemes that are sustainably located; the TA demonstrates the sites sustainability credentials, namely through the services accessible within Haywards Heath. The policy also seeks to avoid severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation; this will be prevented through the off-site improvements proposed.

Air Quality

- 7.34 The application is accompanied by Air Quality Assessment which assesses the site suitability and considers impacts to human and ecological receptors including nearby residential properties and road traffic impacts on the lower heathlands that form part of the Ashdown Forest SAC and SPA.
- 7.35 The assessment explains that the site is not subject to an Air Quality Management Area (AQMA), with the closest being 9.5km from the site. A review of air quality monitoring also indicates the site is with appropriate thresholds for air quality monitoring.
- 7.36 Concerning the construction phase, it is concluded that following mitigation, residual impacts are deemed to be 'not significant'. Regarding the operational phase, given the Proposed Development is expected to generate road traffic volumes below the EPIC & IAQM indicative criteria, impacts associated with the operation of the Proposed Development will have an 'insignificant' effect on local air quality.
- 7.37 Moreover, no significant impacts in relation to air quality are forecasted upon ecological designations, and in relation to the Ashdown Forest SAC / SPA, both project-alone and in-combination flows would not undermine relevant conservation objectives and that operational phase road traffic emission impacts will result in 'no likely significant effect' on habitats.
- 7.38 Therefore, the proposals can be considered in accordance with Policy DP29 which seeks to prevent development causing unacceptable levels of air pollution as well as Draft Policy DPN9 that recognises the importance of protecting people and the natural environment from poor air quality.



Flood Risk and Drainage

- 7.39 The site is situated within Flood Risk Zone 1 which has the lowest probability of flooding from rivers and seas.
- 7.40 As confirmed by the FRA, all built development is also located in low or very low surface water risk areas.
- 7.41 The application is accompanied by a Flood Risk Assessment and Drainage Strategy which included a proposed surface water and foul drainage strategy. Therefore, in respect of paragraph 175 of the NPPF and associated guidance development has been steered away from the areas at high and medium risk of flooding and as such there is not a requirement to apply the sequential test to the site.
- 7.42 The surface water drainage strategy includes Sustainable urban Drainage System (SuDS) features that will reduce the rate of discharge by providing storage during heavy rainfall events, reducing the risk of flooding. This includes a 1.5m deep basin proposed south of the site, which will be utilised for infiltration and will be sufficient to discharge surface water runoff for the majority of rainfall events. Permeable paving is also proposed and will provide surface water treatment before water is discharged from the site.
- 7.43 Concerning the foul drainage, it is proposed to discharge foul effluent from the development into the existing southern water foul sewer that runs to Lewes Rd on the northern edge of the site.
- 7.44 Overall, the proposed drainage strategy seeks to ensure adequate drainage provision can be provided for the Proposed Development without increasing flood risk to this site and elsewhere. Such strategy ensures compliance with the LDP, including adopted policy DP41 that requires SuDS for all development for 10 and above and seeks to ensure development is safe across its lifetime and does not increase the risk of flooding elsewhere.

Ecology and Biodiversity Net Gain (BNG)

- 7.45 An Ecological Impact Assessment (EclA) has been submitted as part of this application which assesses the ecological baseline, and potential ecological impacts and effects of the proposed residential development of this site. The EclA found the presence of the following ecological features:
- Habitats
 - The site hosts neutral grassland that is of local value, and the proposals would result in the loss of small sections of treeline/scrub to facilitate access.
 - Bats
 - The site is of regional importance for commuting bats and county important for foraging bats.



- Reptiles
 - 'Low' populations of Slow Worms, Common Lizards and single Grass Snake were recorded around the boundaries of the site.
 - Great Crested Newts (GCNs)
 - Whilst surveys did not identify GCNs, three ponds near the site could not be surveyed and therefore the potential for GCNs cannot be ruled out at this stage. Efforts to survey these ponds are ongoing.
 - Dormice
 - The presence of Dormice was established on-site.
 - Birds
 - Removal of trees and scrub has the potential to impact nests and/or create disturbance if undertaken during bird nesting season.
 - Mammals
 - Potential indirect impacts to Badgers and Hedgehogs, associated with the construction phase, are considered to comprise disturbance by lighting, and the disruption to habitat connectivity
- 7.46 To compensate for impacts to the ecological features identified above, the EcIA proposes a suite of mitigation and enhancement measures that can be incorporated into the site.
- 7.47 In terms of BNG, at this outline stage there is no requirement, as set out in legislation and reiterated in the PPG, to confirm the precise level of future BNG, or how any offsite BNG provision will be secured. This detail is subject to the statutory BNG condition as set out in Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). The statutory conditions require a Biodiversity Net Gain Plan to be submitted prior to the development being begun. It is the Biodiversity Net Gain Plan which finalises the provision of the required 10% net gain in biodiversity.
- 7.48 Nonetheless, and as recommended by the PPG, BNG has been considered at an early stage, with additional information, beyond that required at this stage, submitted to demonstrate the applicant's commitment to maximising on site gains with the view to targeting a 'no net loss' position on site, to be topped up to 10% using offsite enhancements.
- 7.49 Measures onsite include inter alia:
- New hedgerows that provide further connectivity around the site are proposed as well as a SUDs in the southeast planted with wetland species.
 - Habitat buffers which will be enhanced with grassland and scrub planting to increase insect biodiversity for foraging and commuting bats, in addition to providing disturbance protection to the ancient woodland;
 - The implementation of a reptile mitigation strategy which will ensure that animals are not harmed as a result of the impending construction works and to ensure that there is no net reduction in the conservation status of reptiles in the local area;



- A sensitive lighting scheme which includes specific recommendations for lighting types to mitigate against the impact of artificial lighting on nocturnal species; and
- The recommendation that at least 50% of the proposed dwellings should include one bat brick or suitable alternative.

7.50 In respect of designated sites, notably the Ashdown Forest SPA and SINC, the applicant will make appropriate contributions towards strategic SANG and SAMM provision, being within the 0.4km to 7km zone of influence. The submitted Air Quality Assessment also demonstrates that no significant adverse effects arise from pollutants on the designated site.

7.51 In summary, this section demonstrates that the proposals accord with Policy DP38 which promotes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity

Design

7.52 The submitted Design and Access statement provides a full assessment of the site in design terms including contextual analysis and discussion on how the proposals align with the requirement to deliver high quality design.

7.53 In summary, the proposals result in a high quality and permeable environment and, as far as it is possible to demonstrate at this outline stage, provide a framework for delivering high quality design set within an attractive layout.

7.54 The proposals therefore accord with design policies, specifically DP26 of the adopted plan and E9 of the Neighbourhood Plan as well as section 12 of the NPPF.

Landscape and Open Space

7.55 The application is submitted alongside a Landscape and Visual Impact Assessment (LVIA) which provides a full assessment of the potential landscape and visual effects of the Proposed Development upon the receiving landscape.

7.56 The LVIA outlines the site is not subject to any landscape designations, however, is approximately 2.2km from the southern boundary of the High Weald National Landscape. The site itself is bounded by numerous trees on its boundary, with neighbouring properties being typically large and detached, with the wider landscape dominated by the urban fabric of Haywards Heath.

7.57 The layout has been designed to avoid impact to the Lewes Road CA by locating the new dwellings on the central and eastern parts of the site. Impacts to the ancient woodland are also avoided through imposing a 20-metre buffer around its boundary, clear of roads and buildings.

7.58 The LVIA concludes that following proposed mitigation, the visual impacts of the development will be reduced, and it will sit comfortably within its setting. Measures include inter alia:



- Retaining the existing site boundary vegetation (other than to form the site entrance and visibility splays) and including additional native species which are prevalent in the local area to provide dense vegetative features along all the site boundaries;
- Locating development away from the edge of the Conservation Area and retaining the westernmost part of the site as open space that will incorporate a play area; and
- Incorporating materials which reflect the surrounding site context, both within the soft and hard landscape design.

7.59 In conclusion, this section accords with relevant local landscape policies including Policy DP12 that aims to protect value landscapes for their visual, historical and biodiversity qualities and Policy DP26 that promotes development which reflects the District's distinctive towns and villages and retains their separate identity. Additionally, the Proposed Development is in situ with Policy DP37 which supports the protection and enhancement of trees, woodland and hedgerows, and encourages new planting.

Heritage and Archaeology

- 7.60 The site does not contain any Listed Buildings; however, it partially falls in the Lewes Road CA on its northern edge of the western field and where the access is proposed. There are also four listed buildings within 1km site, although only one of these has the potential to be affected by the development proposals; Colwell House (to the north of the Site's central field). There is also a non-designated asset known as North Colwell Barn positioned c.33m northwest of the site's north-western corner at its closest, which is a surviving 19th century farm building converted to residential use.
- 7.61 The accompanying Heritage Statement signifies that the Proposed Development will not have any impact upon Colwell House.
- 7.62 Regarding the undesignated heritage asset known as North Colwell Barn, whilst a small quantum of built form will be introduced into the non-designated assets wider setting, the Proposed Development will only have a low degree of harm on this non-designated asset of low, local, significance. This is with the impacts (to a degree) being mitigated by strengthening and deepening the sites north-western boundary (in common with such treatment throughout the site).
- 7.63 Additionally, it is concluded that the introduction of built form in the site's western field and the northern portion of the central field (where the CA is positioned), along with the access point across the grounds of North Colwell Farm, will cause a low level of harm that is less than substantial. Moreover, mitigation and associated landscaping with a buffer to strengthen the northern boundary's existing screening and minimise the impact on the significance of Lewes Road CA.
- 7.64 Nonetheless, given a low level of less than substantial harm has been identified, the provisions of paragraph 215 of the NPPF apply which require the harm to be balanced against the public benefits.



- 7.65 In this instance, the public benefits are many as summarised in the Planning Balance paragraphs below. These are considered to outweigh the less than substantial harm to the heritage asset and hence paragraph 215 is considered to be satisfied. For the same reasons, paragraph 216 is satisfied in respect of the development's effects on undesignated heritage assets.
- 7.66 Concerning archaeology, the as per the accompanying Heritage Statement, the site has a low archaeological potential for all periods, and it is concluded that no further archaeological information beyond that set out in the heritage statement is required.
- 7.67 Overall, the proposals are in accordance with adopted Policy DP34 which highlights that development will be required to protect listed building and their settings, which is achieved through the mitigation measures proposed. Additionally, the aspirations of adopted Policy DP35 are achieved, including the requirement for new buildings and extensions to be sensitively designed to reflect the special character of the area of CAs. Finally, the proposed development accords with the NPPF in respect of heritage considerations, including paragraphs 215 and 216.

Noise

- 7.68 The application is supported by an acoustics assessment which undertakes noise modelling of external and (projected) internal conditions of dwellings.
- 7.69 The acoustic assessment demonstrates that external and internal acoustic conditions will be compliant with the relevant British Standards and Acoustics Guidance. This is following mitigation measures that include inter alia glazing and ventilation elements at all dwellings. However, concerning external mitigation, the assessment signifies any site layout (defined in the development parcels) can be adopted without the need for mitigation.
- 7.70 Accordingly, the Proposed Development is in accordance with adopted Policy DP29 which seeks to protect the quality of people's lives from unacceptable levels of noise including through appropriate noise attenuation measures.

Ground Investigation

- 7.71 A Phase II Site Appraisal has been prepared and submitted with the application in relation to geotechnical and geo-environmental factors pertaining to the Proposed Development.
- 7.72 Within previous Phase I investigations, no specific contaminants of concern were expected to be present due to the site being used as an undeveloped field for over 140 years. However, general contaminants of concern are likely to include heavy metals, polyaromatic hydrocarbons (PAHs) and asbestos.
- 7.73 Through the Phase II conceptual model, it is found that there are no risks to human health following chemical analysis. Risk relating to controlled water is also



negligible, with no made ground being recorded beneath the site and no sources of contamination identified in the soil samples analyses.

- 7.74 Nonetheless, the appraisal recommended that based on the ground conditions encountered in the site investigation, completion of the gas and groundwater monitoring programme, and validation testing of site topsoil for re-use in private gardens and soft landscaping may be required. It is considered that the undertaking and submission to the Council of these additional assessments can be secured appropriately by condition.

Lighting

- 7.75 A Lighting Strategy has been produced and supports this application, which details the key principles the exterior lighting across the application site is to follow.
- 7.76 The strategy explains that areas along the proposed access and tree line street will be illuminated and that the proposed lighting fixture has been selected for its versatility, energy efficiency, low colour temperatures and ability to have factory fitted rear LED shields (louvres). It is also noted that the design is cognisant with the site and wider ecological sensitivities, through design measures such as ensuring all ecological features will remain unilluminated and minimised to guidance levels.
- 7.77 Thus, the lighting design accords with Policy DP29 which seeks to reduce the impact of lighting on local amenity, intrinsically dark landscapes and nature conservation areas. The use of energy efficient lighting is also in situ with Policy DP39 that seeks to minimise energy use through the design and layout of schemes.

Mineral Safeguarding

- 7.78 The Site falls under a mineral deposit safeguarding area for building stone. Policy M9 within the West Sussex Joint Minerals Plan explains the circumstances whereby development will be permitted within Mineral Safeguarding Areas including where the overriding need for the development outweighs the safeguarding of the mineral and it has been demonstrated that prior extraction is not practicable or environmentally feasible.
- 7.79 The need for the development has already been established through the provision of an affordable housing compliant scheme, that will make a valuable contribution towards addressing the housing crisis and MSDCs housing need, with local housing policies currently being out of date. The planning balance header at the end of this section further illustrates the need for the development.
- 7.80 Although there is a building stone shortage across the MSDC, the loss of the Application Site covering 6.2ha is not considered to be significant enough to undermine this resource. Nonetheless, given the Site context, it is not considered that build stone can be reasonably sourced from the Site. This is given the



existing narrow access of the Site, which would not be suitable for HGVs/heavy goods vehicles to ingress and egress; amendments to make the access suitable for mineral extraction would be far more significant than that proposed in this application. Moreover, given the Sites proximity to the existing Haywards Heath settlement and built development to the north, there would likely be significant impacts relating to noise, air quality and traffic impacts associated with vehicle movement and extraction activities to nearby receptors which would be difficult to mitigate.

- 7.81 Therefore, the proposals are considered in accordance with the objectives/role of the Mineral Safeguarding Area and West Sussex Joint Minerals Plan.

Planning Balance

- 7.82 At the heart of the NPPF is a presumption in favour of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives which are interdependent and need to be pursued in mutually supportive ways. These are social, economic and environmental objectives⁴.

- 7.83 The Proposed Development would result in **social benefits** through:

- The provision of a mix of up to 80 dwellings in a sustainable location, to add to the much-needed housing stock in the district, representing a very substantial benefit in the context of the Council's housing supply position;
- This provision of a small-medium size Site that is technically unconstrained which can come forwards without delay to help alleviate the acute housing crisis. This is opposed to larger sites, which are bound by greater infrastructure requirements and commonly the subject of a longer planning process;
- The provision of a policy compliant level of affordable housing units; as well as a suitable mix of tenures and houses sizes to accord with identified local needs. This is particularly valuable given that within Haywards Heath, house prices averaged £503,232¹ which is approaching 14 times the median earnings for the district (as at 2023) and given the acute unmet need for affordable housing in the district of circa 925 per annum⁵;
- Public open space provision including play provision for younger children and teenagers for the enjoyment of incoming and existing residents, as well as private outdoor amenity space for each dwelling;
- Enhancements to pedestrianised infrastructure including footpaths on Site and PRow 29CCU to ensure the Site is accessible through active travel modes.

⁴ NPPF Paragraph 8

⁵ SHMA, October 2021



- A sustainable location with access to a range of services and facilities, including Haywards Heath itself, plus Northlands Wood Academy, Tesco Express, Kamsons Pharmacy and Princess Royal Hospital.
- 7.84 The proposed development would result in **economic benefits** through:
- The generation of employment related to construction;
 - New Homes Bonus payments and CIL receipts;
 - Additional financial investment towards existing highways and open space infrastructure through planning obligations; and
 - Contribution to a local multiplier through the influx of new residents to the Site, whom will likely be spending disposable income within nearby shops, services and facilities, namely within Haywards Heath, supporting their viability.
- 7.85 The proposed development would result in **environmental benefits** through:
- Existing mature planting along the boundaries to be retained and enhanced, in order to retain the verdant character of the site and to protect wider landscape views. This includes the character of the two Grade II listed buildings, the non-designated building and Lewes Road CA identified in Section 2;
 - Provision of ecological enhancement measures, including mitigation measures to prevent harm to sensitive habitats and to achieve at least 10% Biodiversity Net Gain;
 - The scheme promotes active travel modes of transport, reducing reliance on the car and in turn reducing the associated emissions;
 - Protection from flooding for the lifetime of the development by utilising sustainable drainage systems which also provide ecological and landscape benefits;
 - Careful landscape design to produce a development of the highest quality, ensuring it respects the local area; and
 - Design of the homes to meet and exceed current environmental standards, including adopting a fabric first approach and the use of sustainable energy technologies including EV car charging at each dwelling.
- 7.86 As such, it has been demonstrated that the proposed development would secure a plethora of benefits, critically in supporting MSDC housing supply and the wider housing crisis. Moreover, the Proposed Development is particularly valuable given it provides a policy compliant affordable housing package which will help alleviate the high level of disparity between house prices and earnings in MSDC, which is higher than both the national and county averages
- 7.87 Such proposals are also timely following recent governmental changes that have placed an increasing emphasis on housebuilding through establishing a 1.5 million home target over the next five years. The proposals represent a logical extension to the Haywards Heath Settlement boundaries and are contiguous with the built form as confirmed through the pre-application response and approval of housing applications in the vicinity. Moreover, the proposals have been carefully designed



- to incorporate social infrastructure including public open space, pedestrian links and landscaping areas to create a strong sense of cohesion and allow for natural surveillance.
- 7.88 MSDC's housing policies are out of date and therefore, in line with NPPF Paragraph 11d, it is clear that permission should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits'.
- 7.89 Accordingly, in weighing the tilted planning balance, the proposed development would not result in any adverse impacts which would significantly and demonstrably outweigh the identified social, economic and environmental benefits. Therefore, in accordance with NPPF paragraph 11d, there is no clear reason for refusing the proposed development hence planning permission should be granted.



8.0 Affordable Housing Statement

- 8.1 Policy DP31: Affordable Housing explains that the council will seek:
- The provision of a minimum of 30% on-site affordable housing for all residential developments providing 11 dwellings or more, or a maximum combined gross floorspace of more than 1,000m²;
 - A mix of tenure of affordable housing, normally approximately 75% social or affordable rented homes, with the remaining 25% for intermediate homes, unless the best available evidence supports a different mix; and
- 8.2 The Proposed Development is submitted in Outline for a scheme of 'up to' 80 dwellings, and therefore the precise number of dwellings proposed is yet to be established. Notwithstanding this, it is proposed that a policy compliant 30% of the number of dwellings delivered would be offered as affordable housing, delivered at a policy compliant tenure split to meet identified local needs and secured within the s106.
- 8.3 The affordable housing will be delivered on site and will be located in appropriate clusters within the site to enable the practical management of the units, but also to ensure they are fully integrated into the development and designed to be indistinguishable from the market units
- 8.4 The affordable units will also meet national technical standards for housing including "optional requirements" set out in this District Plan (Policies DP27: Dwelling Space Standards; DP28: Accessibility and DP42: Water Infrastructure and the Water Environment), as per the requirements of Policy DP31.
- 8.5 The indicative mix of units within the Site is shown in the table below. The mix shown is illustrative at this stage in order to demonstrate that the Site is capable of delivering the quantum, type and mix of dwellings proposed.

Figure 8-1: Indicative Affordable Housing Mix

Unit Type	% Market Units	% Affordable Units
1 bed	0%	26%
2 bed	26%	43%
3 bed	42%	26%
4+ bed	32%	4%



- 8.6 The proposed mix and layout of the affordable housing units will be in accordance with the adopted Affordable Housing SPD (adopted July 2018). Key requirements set out in the SPD include, as highlighted by the Housing Officer within the pre-application response include:
- The resultant number of affordable housing units is not a whole number, it must be rounded up to the next whole number;
 - All units for both First Homes and Social Rent or Affordable Rent will need to meet the Council's occupancy and minimum floor area requirements; and
 - A tenure blind approach will be required with the affordable housing units distributed throughout the site. This requires that no more than 10 affordable housing units are located in one cluster, with open market units in between each cluster, in order to assist social integration and the creation of a balanced community.
- 8.7 The above points will be achieved within subsequent detailed reserved matter stages, which will provide the precise breakdown in terms of the size of each home, layout and location in the Site context.
- 8.8 The affordable housing package has also considered the Strategic Housing Market Assessment Final Report October 2021, which forms part of the evidence base within the emerging local plan. The assessment states that 48.6% of households in the district are unable to afford market housing without subsidy and explains that rent levels in Mid Sussex are high in comparison to those seen nationally. The assessment further states that a proportion of income to be spent on housing could be higher than the bottom end of the range (the range starting from 25%), which highlights a disparity between housing prices and income. Overall, it concludes there is a likely need for 925 new affordable homes, split between affordable rent and ownership options, every year.
- 8.9 Accordingly, given the scheme is fully compliant with local affordable housing, this should be given substantial weight in the planning balance given the Proposed Development will make a valuable contribution in addressing this need. Moreover, given the Site is small-medium size in scale and relatively unconstrained technically, the proposals should be seen as critical; the Site is easier and quicker to deliver than large allocations and thus can help address the affordability crisis in a timely manner.



9.0 Sustainability Statement

- 9.1 At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development (Paragraph 11), and the Framework seeks for sustainable development to be pursued in a positive way. Paragraph 7 of the NPPF states that there are three dimensions to sustainable development; economic, social and environmental. This statement addresses these elements in turn, as well as outlining the energy saving measures the development proposed to include in order to reduce the development's impact on climate change. Further detail of the energy efficiency measures to be incorporated can be provided at detailed design stage via reserved matter applications and conditions, as well as through Building Regulations requirements.
- 9.2 The technical assessments that have been summarised in the preceding sections of this report demonstrate the sustainability of the site in terms of its location within the settlement hierarchy, its links to existing services and facilities, and its minimal impact on surrounding landscape, heritage and ecological features. These are a key component of achieving environmental sustainability and should not be understated.
- 9.3 The Mid Sussex District Plan 2014-2031 (adopted March 2018) contains a suite of policies related to sustainability and climate change. The most relevant to the Proposed Development is Policy DP39: Sustainable Design and Construction which requires development proposals to incorporate the following measures:
- Minimise energy use through the design and layout of the scheme including through the use of natural lighting and ventilation;
 - Explore opportunities for efficient energy supply through the use of communal heating networks where viable and feasible;
 - Use renewable sources of energy;
 - Maximise efficient use of resources, including minimising waste and maximising recycling/ re-use of materials through both construction and occupation;
 - Limit water use to 110 litres/person/day in accordance with Policy DP42: Water Infrastructure and the Water Environment; and
 - Demonstrate how the risks associated with future climate change have been planned for as part of the layout of the scheme and design of its buildings to ensure its longer-term resilience.



- 9.4 The Draft Mid Sussex District Plan 2014-2031 also contains climate change specific Policy (Policy DPS1) which set out several criteria that development should adopt to increase resilience to the effects of climate change. This includes embedding the principles of the 20-minute neighbourhood and local living and prioritise active travel such as walking and cycling and sustainable transport such as public transport to reduce reliance on private vehicles and to facilitate healthy lifestyles.
- 9.5 Miller Homes are committed to providing highly sustainable and energy efficient new homes to meet the requirement of the latest building regulations and reduce house holder bills whilst contributing to reducing carbon emissions. Miller Homes' approach intrinsically follows the energy hierarchy by utilising a fabric first approach in the design and layout of the site. This is achieved by installing energy saving measures, such as those included in the list below, prioritising measures that improve the efficiency of the homes to reduce energy use whilst also reducing costs for future residents.
- 9.6 By doing this it is expected that the development will result in a reduction in carbon emissions against the latest building regulations targets. This accords with the aspirations of the Council's adopted and emerging policies on climate which supports proposals that meet the energy hierarchy contribute to achieving zero-carbon development and positively contribute to addressing climate change.
- 9.7 A range of measures will be embedded into the design and function of each new home in order to significantly improve the energy efficiency and carbon footprint of the development as a whole. These measures will include:
- Air Source Heat Pumps
 - EV Charging points to each plot
 - Photovoltaic Panels (PV)
 - Thicker wall cavity.
 - Water butts to each plot.
 - Water saving devices such as low flow taps and showers to reduce water use.



- 9.8 Full details of the measures to reduce both construction and operational resource and energy use can be set out at the detailed design stage.
- 9.9 It is also important to recognise that the sustainable location of the site coupled with its design, landscaping and layout and measures within the Travel Plan to encourage walking and cycling are also an intrinsic part of reducing energy use and creating a happier, healthier environment for residents now and in the future.
- 9.10 Whilst at this stage it is not possible to provide detailed calculations for the energy use of the scheme, as far as is possible at this stage, the above demonstrates Miller Homes' commitment to achieving high environmental standards as well as compliance with policy DP39.



10.0 Planning Obligations Statement

10.1 The Applicant proposes to enter into a legal agreement through S106 of the Town and Country Planning Act 1990 (as amended) to secure necessary planning obligations. The precise nature of the planning obligations to be provided will be negotiated during the course of the planning application, but it is anticipated that the S106 agreement may secure the following:

- Affordable Housing provision;
- Provision and Management of Open Space and Communal Areas;
- Site Specific Infrastructure/Highways Works/Management;
- Upgrades to PRow 29CU;
- Implementation and Monitoring of Travel Plan;

10.2 This will ensure the infrastructure is provided in support of the Proposed Development and ensure compliance with Policy DP21: Securing Infrastructure of the adopted Mid Sussex District Plan 2014-2031, and the MSDC Development Infrastructure and Contributions SPD.



11.0 Summary and Conclusions

11.1 SLR Consulting Limited (SLR) on behalf of Miller Homes, have prepared this Planning Statement in support of a full planning application made to MSDC

11.2 The full development description is as follows:

“Outline application with all matters reserved except for access, for up to 80 dwellings with associated landscaping, open space, infrastructure and vehicular and pedestrian accesses.”

11.3 The Site constitutes a logical contiguous extension to the defined settlement boundaries of Haywards Heath that benefits from a vast range of amenities and services accessible within walking distance from the Site. The settlement attains the topmost categorisation in the settlement hierarchy and has been demonstrated to be a highly sustainable location.

11.4 This statement has highlighted the significant benefits the proposal would offer and illustrates that the Proposed Development would not result in any adverse impacts that cannot be mitigated to an acceptable level. Whilst the Site is not allocated for development, several applications for housing development in the settlement outer boundaries have been approved and are proposed to be allocated in The Draft Mid Sussex District Plan 2014-2031. Thus, a positive precedent for developing outside Haywards Heath boundaries has been established, with such sites sharing the same characteristics (sustainable location in the countryside) as the Proposed Development set out in this planning statement.

11.5 Whilst in strict terms, the proposal would conflict with the provisions of Policies DP12 and CP15 of the Mid Sussex District Plan, the Council’s current inability to demonstrate a 5-year supply of housing land and the subsequent application of the tilted balance of NPPF paragraph 11d leads to the conclusion that the principle of residential development on this site is acceptable.

11.6 As this report has demonstrated, the benefits that would result from this development are significant, and there are no adverse impacts that would outweigh the delivery of these benefits. As such, having regard to the policies contained within MSDC adopted and emerging development plans, as well as the adopted plan taken as a whole, and having regard to the direction from the NPPF



and other material considerations identified; it is considered that the planning balance lies in favour of the proposal, and it is respectfully requested that planning permission is granted without delay.







Making Sustainability Happen