



MS09: Further Response – Development Management Policies – Proposed Modifications

**MSDC Response to IDJB-02
February 2026**



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Development Management Policies – MSDC Response to Inspector’s Comments (IDJB-02)

1. The Inspector provided comments on a series of Development Management policies in January 2026 (IDJB-02). These were mostly for reasons of clarity, effectiveness or to bring in line with national policy.
2. The Council responded to the Inspector in January 2026 (MS-08). The Inspector responded to the Council in February (IDJB-06). The Inspector requested that the Council gives further consideration to six of the policies. The six policies are:
 - DPS2: Sustainable Design and Construction
 - DPN2: Biodiversity Net Gain
 - DPC6: Ashdown Forest SPA and SAC
 - DPB1: Character and Design
 - DPE2: Existing Employment Sites
 - DPE8: Sustainable Rural Development and the Rural Economy
 - DPI7: Water and Wastewater Infrastructure
3. In this document, the changes previously set out in MS-08 have been accepted with the further changes in response to IDJB-06 shown as track changes in BLUE.

DPS2: Sustainable Design and Construction

All development should contribute to climate change mitigation and adaptation and the transition to net zero, through its design, construction and operation and use. Applicants will need to consider building layouts, building orientation, massing, landscaping, materials, overheating, water resources and efficiency and waste to ensure development proposals conserve energy and other resources, and minimise risks from the impacts of climate change.

All development in its design, construction, operation and use will be expected to contribute to the reduction of carbon emissions, increase resilience to the impacts of climate change and improve sustainability. Applicants will need to consider:

- Measures that move towards zero carbon development
- Energy use
- Preventing overheating
- Water resources and water efficiency
- Minimising waste

To assess if the carbon reduction or net zero targets have been met for all new build major non-residential development, the council will seek confirmation via a third-party assessment tool and submission of proof of certification/performance. The use of a third-party assessment gives the council the confidence of the ratings given as the work is completed by independent assessors; it will also ensure the cost is borne by those benefiting from the uplift in values from the development.

The Building Research Establishment (BRE) oversees third-party sustainability certification for non-residential development through the BREEAM assessment framework:

BREEAM assessments consider a wide range of sustainability factors and are completed throughout the lifecycle of the development. The schemes address topic areas other than energy and greenhouse gas performance and encourage developers to consider wider sustainability issues; the assessments include an analysis of energy use, health and wellbeing, innovation, land use, materials, management, pollution, transport, waste and water.

Where applicable, consideration of how the appropriate design standard will be achieved must start at the inception stage of the design process in order to maximise the development's potential to achieve the highest scores. Details should be set out in an accompanying Sustainability Statement and Design and Access Statement, including evidence of registration of the project with BRE. Unless otherwise agreed, compliance with BREEAM the defined standard shall be demonstrated via formal certification.

Another widely recognised third-party assessment scheme is Passivhaus; the Passivhaus Standard focuses on maximising the thermal efficiency of the building fabric using high levels of insulation and air tightness and mechanical ventilation with heat recovery. Certification is achieved through a rigorous and exacting third-party assessment process which is more onerous and costly to achieve than BREEAM but would be supported as an alternative, for both residential and non-residential new build developments where evidence is provided to demonstrate certification is achievable.

Where proposals could impact existing heritage assets such as Conservation Areas and Listed Buildings, proposals will be required to demonstrate how any alteration will preserve their significance in accordance with the relevant requirements in the NPPF and relevant policies in this Plan. Proposals must take account of the most up to date guidance produced by Historic England, such as, *Retrofit and Energy Efficiency in Historic Buildings*⁸.

According to the Department for Environment Food & Rural Affairs (UK Statistics on Waste July 2021) the development industry made up over half (62%) of the UK's total waste production in 2018 from construction, demolition and excavation. In addition, a notable proportion of materials delivered to building sites are never used and go straight to waste.

In order to help move away from a linear economy where products are made to be used and sent to waste, and towards a circular economy which looks to minimise waste production development should take advantage of opportunities to re-use existing structures and materials. all developments will be expected to demonstrate how they will follow the waste hierarchy and avoid any avoidable waste production and disposal. This can be achieved by:

- ~~• prioritising the use of previously developed land and buildings~~
- ~~• reusing and recycling of appropriate materials that arise through demolition and refurbishment, including the reuse of non-contaminated excavation soil and hardcore within the site~~
- ~~• prioritising the use of locally sourced and/or sustainable materials and construction techniques~~
- ~~• using resilient, low maintenance materials~~

DPS2: Sustainable Design and Construction

~~All development should, through its design, construction and operation, contribute to the reduction of greenhouse gas emissions, increase resilience to the impacts of climate change and improve sustainability.~~

Householder development

~~Proposals for householder development must demonstrate that they have been designed to be as energy efficient and sustainable as possible through good design and by:~~

- ~~1. Increasing the energy efficiency of the proposed new elements:~~

~~Development proposals should contribute to climate change mitigation and adaptation and the transition to net zero, by using building layouts, building orientation, massing, landscaping and materials which conserve energy and other resources, and which minimise risks from the impacts of climate change including overheating.~~

~~Development proposals should encourage design approaches which conserve energy and other resources. Substantial weight should be given to the benefits of improving the energy efficiency of existing buildings and/or drawing energy from district heat networks, renewable and low carbon sources, including through the installation of heat pumps and solar panels where these do not already benefit from permitted development rights.~~

Prevent overheating

~~All new development must~~ [Development proposals should](#) demonstrate how design measures have been incorporated to:

1. Minimise potential overheating such as through the layout, orientation and design of buildings [to provide shelter and shade and protect ground-level microclimate](#).
2. Maximise passive cooling through natural ventilation and other passive means. Green and blue infrastructure should be incorporated in line with Policy DPN3: Green Infrastructure to provide natural cooling and shading.
3. [Use solar gain to reduce the need for heating](#).

Water resources and water efficiency

~~New development proposals must accord with the findings of the Gatwick Sub-Region Water Cycle Study with respect to water resources, water quality, water supply and wastewater treatment.~~

~~Major non-residential new build:~~

~~Development must achieve 3 credits in BREEAM category Wat 01 and demonstrate reasonable endeavours to achieve an 'Outstanding' rating overall.~~

~~All development will be required to meet the relevant minimum standards set out above until they are superseded by higher national standards.~~

Sustainable water consumption rates can be achieved through incorporation of measures to reduce water use and reuse water including:

- Water efficient fittings and appliances
- Rainwater harvesting, including incorporation of rainwater butts
- Greywater recycling

Minimise waste

In accordance with relevant policies in the West Sussex Waste Local Plan, ~~all development must~~ [development proposals should](#) support the circular economy by minimising construction, demolition and excavation waste disposed of in landfill and follow the waste hierarchy to maximise recycling and re-use of material.

~~New development must~~ [Development proposals should](#) be designed with adequate and easily accessible storage space that supports separate collection of dry recyclables and food waste, as well as residual waste taking account of guidance in the Mid Sussex Design Guide SPD.

DPN2: Biodiversity Net Gain

The requirement for mandatory biodiversity net gain was introduced by the Environment Act 2021. Biodiversity net gain seeks to deliver measurable improvements for biodiversity by creating or enhancing habitats in association with development. Biodiversity net gain can be delivered on-site, off-site or through a combination of on-site and off-site measures. However, the implementation of biodiversity net gain should align with the local objectives and priorities for biodiversity improvements and nature recovery.

The mitigation hierarchy set out in the National Planning Policy Framework should be followed: firstly by avoiding harm to biodiversity, then providing mitigation with compensation as a last resort. Biodiversity net gain is an additional requirement and should only be applied after impacts of development on nature conservation sites, habitats and species have first been avoided. Where impacts are unavoidable, these must be sufficiently mitigated and compensated before biodiversity net gain is applied. Regard should also be had to the Biodiversity Gain Hierarchy as set out in legislation and national guidance.

The Council will encourage development to maximise opportunities to deliver higher levels of biodiversity net gain especially where development is located in or in proximity to areas identified for nature recovery, Biodiversity Opportunity Areas, priority habitats or irreplaceable habitats.

The intentional or deliberate neglect, removal, damage or degradation of biodiversity prior to submitting planning applications may affect the pre-development biodiversity value to be included in the biodiversity net gain calculation. This could be caused by ploughing or improving grassland, removing trees, refusing access for ecological surveys, stopping or starting habitat management, and situations where previous habitat mitigation has not been effective. To determine if any intentional changes have been made, the current habitat type and condition of a site can be judged using an up-to-date ecology survey against aerial photography and land use data over time. Areas of habitat that have naturally developed over many years may be excluded on the basis of natural succession.

Biodiversity net gain must be calculated using the approved statutory Biodiversity Metric or the Small Sites Metric as relevant for the development proposal. In addition to a completed Metric submitted in full and in an editable version, all of the following must be submitted to explain and support the conclusions of the assessment:

1. Condition assessment sheets for each biodiversity parcel to help establish the baseline and to demonstrate the site has been surveyed.
2. Photographs for each biodiversity parcel to help establish the baseline.
3. Raw flora data for each biodiversity parcel to demonstrate the site has been surveyed.

In addition, major development proposals and any proposals including off-site biodiversity net gain will need to provide:

4. Soil type and condition assessments to help understand if the proposed biodiversity enhancements or creation are feasible and deliverable without treatment to alter the soil type.
5. Baseline and proposed habitat(s) mapping in digital format to assist with ongoing monitoring of biodiversity net gain.

In line with Aerodrome Safeguarding Requirements any proposed biodiversity net gain should be carefully designed to ensure that the bird strike risk to Gatwick Airport is not increased and the safety of the airport is not compromised.

The Council will publish further guidance on implementing and delivering biodiversity net gain on its website particularly in relation to best practice and local priorities.

DPN2: Biodiversity Net Gain

Development (as defined in the Environment Act 2021 or its secondary legislation or as amended by the government) will need to deliver a net gain in biodiversity which will contribute to the delivery of ecological networks, green and blue infrastructure and nature recovery.

Development will need to demonstrate through a Biodiversity Gain Plan that measurable and meaningful net gains for biodiversity will be achieved and will be secured and managed appropriately. Clear and robust evidence must be provided to demonstrate that the biodiversity net gain is appropriate and high quality.

Principles of Biodiversity Net Gain

Development must demonstrate that good practice principles for biodiversity net gain have been followed.

Development must demonstrate that the mitigation hierarchy has been followed and the biodiversity net gain is in addition to this requirement.

Where there is evidence of deliberate or intentional neglect, removal, damage or degradation to any of the habitats and species on a site before an application, their deteriorated condition will not be taken into consideration and the ecological potential and/or previously recorded habitats of the site will be used to decide the acceptability of any development proposals. The biodiversity baseline value will be what it is likely to have been had the neglect, removal, damage or degradation not occurred.

Biodiversity net gain, including off-site biodiversity net gain, should, where possible, align with and meet the objectives and priorities of the Nature Recovery Network, Local Nature Recovery Strategy and other relevant local strategies, contributing and connecting to wider ecological networks and green and blue infrastructure. Consideration will need to be given to landscape character when developing proposals for biodiversity net gain.

It is expected that development proposals will enhance existing biodiversity and incorporate features to encourage biodiversity and pollination within and around the development.

Development must ensure that biodiversity net gain will be appropriately managed, maintained and funded for a minimum of 30 years after the completion of the development and this will need to be demonstrated in a Habitat Management and Monitoring Plan. This will be secured through a planning condition and/or a planning obligation and will include a financial payment to cover the Council's cost associated with the long-term monitoring of the biodiversity net gain proposals.

Level of Biodiversity Net Gain

Biodiversity net gain will be calculated and assessed using the Government's published statutory biodiversity metric. The biodiversity net gain calculation and assessment will need to be completed by a suitably experienced and competent person, such as a qualified ecologist.

The biodiversity net gain metric must be submitted in full and in an editable version with the application for development. All habitats selected and condition assessments must be supported by survey data, including relative abundances, quadrats and high quality quadrat photographs, to enable scrutiny and verification of results.

The minimum percentage of biodiversity net gain ~~required~~provided will be 10% as set out in legislation (or as amended by the government) ~~or greater where it is required in another policy~~. The Council will encourage a higher level of biodiversity net gain and developments must seek to maximise opportunities, especially where development is located in or in proximity to areas identified for nature recovery, the Biodiversity Opportunity Areas, irreplaceable habitats or priority habitats.

Opportunities to secure biodiversity net gain in exempted development will be supported.

Location of Biodiversity Net Gain

It is preferable that development proposing to use off-site biodiversity net gain selects locations within Mid Sussex District and ideally local to the proposed development.

Further guidance

The Council will publish further guidance on implementing and delivering biodiversity net gain on its website and development proposals will need to take this into account. This guidance will be reviewed periodically to ensure it reflects best practice, local priorities and opportunities.

DPC6: Ashdown Forest SPA and SAC

The District Council has undertaken a Habitats Regulations Assessment to determine whether the District Plan, in combination with other plans and projects, is likely to have an adverse effect on the integrity of the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC). The potential impacts arising from the District Plan that are likely to have a significant effect on Ashdown Forest are recreational disturbance to protected breeding birds from an increase in visitors to Ashdown Forest and atmospheric pollution affecting the heathland habitat from increased traffic and associated nitrogen deposition.

Increased recreational activity arising from new residential development and related population growth is likely to disturb the protected near-ground and ground nesting birds on Ashdown Forest. Mitigation measures are necessary to counteract the effects of potential increasing recreational pressure on the Ashdown Forest SPA arising from new residential development within a 7km zone of influence around the Ashdown Forest SPA. Mitigation measures will help to ensure that the conservation objectives for the Ashdown Forest SPA and SAC are met which will prevent a deterioration of the conservation status of qualifying species for which the SPA has been classified and the qualifying habitats and species for which the SAC has been designated.

There are two parts to the mitigation: Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM).

The purpose of SANG is to provide alternative greenspace to attract visitors away from the Ashdown Forest SPA. It aims to reduce overall visitor and recreational pressure on Ashdown Forest, and to provide for the needs of dog walkers in particular. Relevant development will need either to provide a SANG or make a financial contribution to a strategic SANG.

The second part of mitigation is to provide a financial contribution towards a SAMM strategy. This aims to manage visitors on-site at Ashdown Forest. The Joint SAMM Strategy is a strategic co-ordinated approach to mitigation in partnership with Lewes, Sevenoaks, Tandridge and Wealden District Councils, Tunbridge Wells Borough Council, Natural England, and the Conservators of Ashdown Forest. The SAMM Partnership for Ashdown Forest is actively working to deliver access management projects to address issues arising from visitor pressure and undertake monitoring at both Ashdown Forest and the five currently operational SANG sites.

The SANG and SAMM mitigation approach set out in Policy DPC6 aligns with the strategic solution for recreational disturbance on the Ashdown Forest SPA which is supported by Natural England. This strategic solution ensures the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased recreational pressure on the Ashdown Forest SPA arising from new residential development.

A programme of monitoring will allow adjustments to be made to the overall mitigation strategy if necessary to ensure its continued effectiveness; this may include the SANG and SAMM requirements and the zone of influence. To ensure that the impact of development in the district is fully assessed and applying the precautionary principle in accordance with the Habitats Regulations and the advice of Natural England, residential development proposed adjacent or near to the boundary of the 7km zone of influence may still require mitigation. This may reflect evidence of the pattern and origin of visitors to Ashdown Forest through the visitor surveys undertaken as part of the SAMM Strategy. Such

proposals will be dealt with on a case-by-case basis and assessed through a site-specific Habitats Regulations Assessment at the planning application stage. Should a Habitats Regulations Assessment conclude that mitigation is required for development adjacent or near to the boundary of the 7km zone of influence, for example, because of its size and/or the likelihood of new residents visiting Ashdown Forest, then mitigation requirements are likely to be in the form of SANG and SAMM in line with the strategic solution.

In terms of atmospheric pollution, it is not necessary to include any mitigation measures in this Plan, however, all planning applications will need to be assessed to consider any air quality impacts in accordance with the Habitats Regulations to prevent adverse effects on the integrity of the Ashdown Forest SPA and SAC. Development allocated in this Plan has been assessed through the plan-level Habitats Regulations Assessment, however, windfall development, particularly that of a large scale and/or quantum, may need to provide additional information at the planning application stage. Information on the amount of traffic likely to be generated by the proposal and the likely number of trips through Ashdown Forest will be required so that any air quality impacts can be assessed.

DPC6: Ashdown Forest SPA and SAC

In order to prevent adverse effects on the integrity of the Ashdown Forest SPA and SAC, new development likely to have an adverse effect on integrity, either alone or in combination with other development, will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects.

Recreational pressure

~~Mitigation requirements for recreational pressure impacts will be sought in accordance with the strategic solution for the Ashdown Forest SPA and SAC in force at the time of the application. The zone of influence and mitigation requirements may be subject to revision to take account of new evidence on visitor patterns or monitoring.~~

Within a 400 metres buffer zone around the Ashdown Forest SPA, mitigation measures are unlikely to be capable of protecting the integrity of the SPA and, therefore, residential development will not be permitted.

Within a 7km zone of influence around the Ashdown Forest SPA, residential development leading to a net increase in units will be required to contribute to mitigation through:

1. The provision of Suitable Alternative Natural Greenspace (SANG) to the minimum level of 8Ha per 1,000 net increase in population; or a financial contribution to a strategic SANG acceptable to provide mitigation for the development; and
2. A financial contribution to the Ashdown Forest Strategic Access Management and Monitoring (SAMM) Strategy.

~~In accordance with the Habitats Regulations and the precautionary principle, residential development outside of the zone of influence but proposed adjacent or near to the boundary of the zone of influence may require mitigation for the SPA. Where development proposed outside the 7km zone of influence is of such a size or nature that it is likely to have an adverse effect on the integrity of the Ashdown Forest SPA and SAC, mitigation measures will be required.~~ Such proposals for development will be dealt with on a case-by-case basis and assessed through a site-specific

Habitats Regulations Assessment at the application stage. Should mitigation be necessary, the mitigation requirements are likely to be in the form of SANG and SAMM in line with the strategic solution.

Air quality

New windfall development (that is, development that is not allocated in this Plan) likely to result in increased traffic through the Ashdown Forest will need to be assessed through a site-specific Habitats Regulations Assessment at the application stage to consider any air quality impacts and to prevent adverse effects on the integrity of the Ashdown Forest SPA and SAC.

DPB1: Character and Design

Mid Sussex has a high quality built and natural environment and this requires the design of new development to respect the character of towns and villages as well as the character of the buildings. This policy requires high quality in design with new development that contributes positively to the private and public realm (including streets and open spaces), protects valued townscapes, creates accessible and inclusive environments whilst maximising sustainability opportunities.

The Council has prepared a Mid Sussex Design Guide which is adopted as a Supplementary Planning Document (SPD) and looks specifically at enhancing local distinctiveness, as well as ensuring high quality, sustainable development. The design principles in the SPD will be treated as a material consideration in the assessment of future planning schemes. Policy DPC4 sets out further design requirements in relation to development occurring within the High Weald AONB and within its setting, in particular to ensure that development takes account of the High Weald Housing Design Guide and the High Weald Colour Study.

Many of the principles featured within the Mid Sussex Design Guide SPD are directly relevant to 20-minute neighbourhood principles and will help deliver places that connect communities to each other and the facilities and services they need to access; a place where people can thrive without having to rely solely on the car.

The concept of a 20-minute neighbourhood seeks to create compact and connecting neighbourhoods where people can access essential services, amenities and recreational opportunities. They are intended to improve the quality of local environments by providing services and facilities within a proximity such that they can be reached by walking, wheeling, cycling or by public transport. The Town and County Planning Association (TCPA) has produced a 'Guide to 20-minute Neighbourhoods' (March 2021)¹ which provides guidance and information on the features which make up a 20-minute neighbourhood and how to successfully implement in existing places and when planning new large-scale developments. Consideration to this concept should be given in the development of schemes as far as relevant.

DPB1: Character and Design

Applicants should have regard to the Mid Sussex Design Guide Supplementary Planning Document (SPD) in the design of new development.

All new development must be of high quality and must respond appropriately to its context, be inclusive and prioritise sustainability. This includes the design and layout of new buildings and streets, alterations to existing buildings and the design of surrounding spaces.

All development proposals should have regard to the following principles in the design of new development and the Council's ambitions around integrating the concept of 20-minute neighbourhoods, commensurate with the size and location of the proposals.

Understanding the Context

¹ https://www.tcpa.org.uk/wp-content/uploads/2021/11/final_20mnguide-compressed.pdf

1. Reflects the distinctive character of the towns and villages and protects their separate identity, heritage assets and valued townscapes.
2. Is sensitive to the countryside including the topography.

Layout, Streets and Spaces

3. ~~Delivers diverse and affordable homes and~~ Design a development that supports a diverse community that meets the local needs of the district;
4. Provides good quality green open spaces and green infrastructure that connects to existing provision of open spaces and green infrastructure. For major residential and mixed-use proposals, a green infrastructure plan is required that:
 - a) maximises opportunities to retain existing trees;
 - b) incorporates new trees (i.e. in parks and community orchards), including delivering tree-lined streets;
 - c) protects existing open spaces and gardens that contribute to the character of the area; and
 - d) explores opportunities to support food growing including through the provision of allotments or community gardens;
5. Contributes positively to, and clearly defines, public and private realms and designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance.
6. Incorporates well integrated parking and servicing areas that do not dominate the street environment, particularly where high density housing is proposed;
7. Incorporates opportunities to improve access to local employment, community health and wellbeing facilities, either by connecting to existing facilities or providing new ones.

Establishing the Structure

8. Provides a layout which prioritises active and sustainable travel, delivering high-quality, well connected paths, street and spaces which is organised around sustainable transport principles and creates a pedestrian- and cyclist-friendly layout that is safe, well connected, legible and accessible.
9. Optimises the potential of the site to accommodate development especially on brownfield sites and in locations close to facilities or with good public transport links.
10. Takes the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (500+ dwellings) schemes will also normally be expected to incorporate a mixed-use element.

High Quality Building Design

11. Creates a sense of place while addressing the character and scale of the surrounding buildings and landscape through the consideration of the scheme's design, layout, size, scale, height, massing, spacing, orientation, views, materials and relationship with the public realm.
12. Incorporates sustainable construction principles and is designed for adaptation and future weather events.

Residential Amenity

13. Does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policies DPN6, DPN7, DPN8 and DPN9).

DPE2: Existing Employment Sites

The Inspector has asked the Council to substantiate the protection policy more fully [IDJB-06].

The Council considers it would be helpful to the Inspector to provide some context for the basis of Policy DPE2: Existing Employment Sites for consideration ahead of the upcoming hearing session on Matter 4.

As set out in MS-TP3: Employment, Policy DPE2 stems from Policy SA34: Existing Employment Sites in the Site Allocations DPD 2022 whereby Policy SA34 has been transferred into the Submission Draft District Plan as Policy DPE2.

The Council considers it important to note that the Inspector's Report on the Examination of the Mid Sussex Site Allocations DPD, May 2022, sets out in paragraph 265 that *'It is necessary to prevent the inappropriate loss of employment land to other uses. It is acknowledged that the market alone is unable to secure the retention of employment land in the face of competition from higher value uses such as residential. It is therefore important to provide a safeguard which both protects existing employment land and allocations whilst allowing for flexibility, which reflects national policy, as expressed in paragraph 81 of the NPPF, which states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt'*.

Para 266 goes on to state "MM12 ensures policy SA34 is effective as well as being justified. It does this by requiring details of comprehensive marketing of a site for employment use, which is subject to development proposals outside the traditional employment use classes for a period of at least 12 months. It also requires a financial appraisal that demonstrates that the development of any employment generating use is unviable. I consider that 12 months is a reasonable period for the effectiveness of the plan in playing its part to secure sustainable economic growth for Mid Sussex which would be consistent with national policy".

The Council acknowledges that the NPPF (para 124) gives substantial weight to the value of using suitable brownfield land within the settlements for homes and that planning policies should support the development of under-utilised land and buildings, where this would help to meet identified needs for housing.

In addition, NPPF (Para 127) states that local planning authorities should take a positive approach to applications for alternative uses of land and the planning authority should support proposals to use employment land for homes in areas of high housing demand provided would not undermine key economic sectors.

However, the Council seeks to support existing businesses to grow and encourage new businesses to the district (Sustainable Economic Strategy [ED6]), through direct action, delivery and influence as set out in the Councils adopted Sustainable Economic Strategy [ED6]. The existing supply of employment land has an important role to play in the achievement of these economic ambitions.

It is considered that the reasoned justification for the safeguarding policy adopted in 2022 remains valid. The policy is used by the Development Management team when considering applications for the

loss/expansion of employment land. The policy clearly sets out what evidence is required to demonstrate that the employment use is no longer required (e.g. details of comprehensive marketing for 12 months ... appropriate to market conditions; and financial appraisal demonstrating any employment is unviable).

In order for the Council to be able to make a decision as to whether employment land should be lost, the starting point is that the land should be safeguarded and evidence is provided to support its loss so that its loss would not undermine economic sectors, as required by NPPF.

Whilst the Council is satisfied that it has been able to justify the retention of the employment safeguarding policy, if the Inspector is not satisfied by the Council's explanation, then it will consider options for this policy (including modifying or deleting).

DPE8: Sustainable Rural Development and the Rural Economy

Although Mid Sussex is a rural district, agriculture only accounts for a small proportion of all businesses in district. The rural area supports a large number of diverse businesses that make an important contribution to the rural economy. Rural economic development should be encouraged where it provides good quality long-term employment, helps to improve local skills and services and contributes towards sustaining a high-quality environment and wellbeing of the local community in accordance with policy DPC1: Protection and Enhancement of Countryside.

This policy conforms to the National Planning Policy Framework, where it relates to supporting a prosperous rural economy (paragraph 84). Small scale enterprises needed for the processing, distribution and local retailing of local produce should be positively supported along with sustainable growth and expansion of other types of business in rural areas. This will allow the district's rural economy to grow and will improve the quality of life and environment for rural communities.

This policy will not apply within the High Weald Area of Outstanding Natural Beauty, where a more restrictive policy approach, Policy DPC4: High Weald Area of Outstanding Natural Beauty, will be adopted (National Planning Policy Framework paragraph 174).

DPE8: Sustainable Rural Development and the Rural Economy

Outside the built-up area boundaries on the Policies Maps, on sites which are not in the AONB, the following types of development will be permitted provided the development is not in conflict with other relevant policies in the plan:

1. New economic development, and extensions to existing facilities, including leisure and tourism-related development, within the countryside will be permitted provided all of the following apply:
 - a) It involves conversion of existing buildings and/or well-designed new buildings, where possible on previously developed sites.
 - b) It maintains or where possible enhances the quality of the rural setting.
2. Diversification of activities on existing farm units and other land-based rural businesses will be permitted provided:
 - a) They are of a scale which is consistent to the location of the farm holding, and
 - b) They would not prejudice the agricultural use of a farm unit.
3. The re-use and adaptation of agricultural and forestry buildings for business or sustainable rural tourism and leisure use in the countryside will be permitted provided all of the following apply:
 - a) The building is genuinely redundant for agricultural or forestry use.
 - b) It is not a recently constructed* agricultural building which has not been or has been little used for its original purpose.
 - c) The building is demonstrated to be structurally sound and capable of conversion without substantial reconstruction or extension.
 - d) The site is served by an existing suitable access to the local road network.
 - e) The appearance and setting are not adversely affected.

[Development proposals should demonstrate the suitability of the local road network to serve the proposed development.](#)

Development for accessible local services and community facilities will be supported in line with policy DPI6.

* Recently constructed is defined as being within the previous five (5) years.

DPI7: Water and Wastewater Infrastructure

A growing population and an increase in development will place pressure on water supply and wastewater treatment works, with some having limited available capacity to meet these needs. The Council will engage with the water utility companies through the Infrastructure Delivery Plan to ensure water infrastructure and facilities are fit for purpose and to minimise leaks and to support the needs of the local community.

To protect the environment, increased loading on wastewater infrastructure from proposed development should be treated appropriately and adequately and should not result in untreated sewage discharges into the environment.

Developers will need to show that they have engaged with service providers at the earliest opportunity to establish the proposed development's demand for water supply and wastewater infrastructure and how this can be met. In some circumstances this may make it necessary for developers to carry out appropriate studies to ascertain whether the proposed development will lead to overloading of existing water and wastewater infrastructure.

It is essential to ensure that infrastructure is in place to avoid unacceptable impacts on the environment such as sewage flooding of residential and commercial property, pollution of land and watercourses plus water shortages with associated low pressure water supply problems. Where there is a capacity constraint, and no improvements are programmed by the statutory undertaker, the developer will need to contact the statutory undertaker/s early in the development process to agree the improvements required and how these will be funded prior to any occupation of the development.

DPI7: Water and Wastewater Infrastructure

Occupation of development will be phased to align with the delivery of wastewater and sewerage infrastructure, in consultation with the service provider. Layout of the development must be planned to ensure future access to existing sewerage infrastructure for maintenance and upsizing purposes.

Development should connect to a public sewage treatment works. If this is not feasible, proposals must be supported by sufficient information to understand the potential implications for the water environment, biodiversity and climate change. Long-term management and maintenance commitments must be clearly set out at the application stage.

Where development is proposed within 800m of a sewage treatment works or 15m of a sewage pumping station, the developer will need to liaise with the utility company to consider whether an odour impact assessment is required. The odour impact assessment will need to determine whether the proposed development would result in adverse amenity impacts for new occupiers and provide mitigation measures as appropriate.

~~The development or expansion of water supply or sewerage/sewage treatment facilities will normally be permitted, either where needed to serve existing or proposed new development, or in the interests of long-term water supply and wastewater management, provided that the need for such facilities outweighs any adverse land use, landscape or environmental impacts and that any such adverse impact is minimised.~~

[Proposals which would increase the capacity of water supply, drainage and wastewater infrastructure to serve proposed development or to improve water quality and reduce water-borne pollution will be supported provided their impacts are appropriately mitigated.](#)

Where necessary, Grampian conditions may be imposed on planning permissions to prevent the occupation of development until necessary works relating to sewerage have been implemented.