



Joanne Fisher
Planning Department
Mid Sussex District Council
Oaklands Road
Haywards Heath
RH16 1SS

Our Ref: JB/HM/35569

Dear Joanne,

**PLANNING APPLICATION REFERENCE DM/25/3021
COURTHOUSE FARM, COPTHORNE COMMON, COPTHORNE, WEST SUSSEX**

I am writing with regards to the above application which seeks planning permission for the following development on land west of Courthouse Farm, Copthorne Common, Copthorne, West Sussex:

"Outline planning application for the erection of residential dwellings (Use Class C3), including associated parking, outdoor amenity space, landscaping and drainage, with all matters reserved except for the new access proposed from Copthorne Common Road."

This letter provides a response to the following consultation comments that have been received on the application during the consultation period:

- MSDC Planning Policy
- MSDC Urban Design
- West Sussex County Council Lead Local Flood Authority
- Place Services (Landscape)
- Crime Commissioner
- West Sussex County Council Section 106

Comments have also been received from Place Services (Archaeology), Contaminated Land (MSDC), Environmental Health (MSDC), London Gatwick, Street Naming (MSDC), NATS Safeguarding, Southern Water, Sussex Police, and Thames Water. These comments have been noted, and any requested conditions are agreed by the Applicant.

MSDC Housing

The Applicant acknowledges the housing size mix noted within the MSDC Housing consultation response. As this is an outline planning application, the final mix will be confirmed at reserved matters stage, with the application accompanied by an Affordable Housing Plan and Housing Schedule. The level and split of affordable housing required is also acknowledged and will be agreed through a Section 106 legal agreement. This is an approach which has been followed for other local applications including Land South and West of Imberhorne (DM/23/2699) and Land West of Turners Hill Road (DM/25/0014) and is therefore considered to be appropriate for this application.

MSDC Planning Policy

The Policy Officer acknowledges that the Council is unable to demonstrate a five year supply of deliverable housing sites as per the requirements of the NPPF. Within this context, the Officer notes that the site was assessed as part of the Strategic Housing and Economic Land Availability Assessment (SHELAA). The site was rejected at Stage 2(c) due to concerns over the adjacent Local

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Wildlife Site (LWS) and potential impact without mitigation. Importantly, this was due to site specific constraints and not due to other in principle matters such as the site's location.

The Policy Officer goes on to state however that:

"It is important that any potential impacts on the Local Wildlife Site from the development proposal are fully assessed and mitigated. There may also be opportunities to create or enhance ecological connectivity as part of the development layout and design including with reference to the priorities and measures in the emerging West Sussex Local Nature Recovery Strategy."

The Ecological Impact Assessment submitted with the application concludes that the development would result in a negligible, non-significant effect upon the LWS, due to the existing and proposed landscaping enhancements within and along the boundaries of the site and guidance given on lighting mitigation. The nearest section of the LWS is currently comprised of a golf course, so large populations of notable and protected species are unlikely to be present. The consultation response from MSDC's Ecological Consultant, Place Services, did not raise any concerns.

The comments on landscape, heritage, drainage and biodiversity net gain are noted and addressed within the application.

It is noted that, following the submission of the Policy Officer's comments, MSDC will re-appraise the SHELAA sites following the Inspector's direction to test a higher housing requirement at the recent Examination Hearings on the emerging District Plan. This process will consider whether any constraints were previously applied that can be addressed through mitigation. This is noted to be the case with the application site.

MSDC Urban Design

The Urban Design officer acknowledges that the proposals are indicative at outline stage and therefore specific design matters will not be addressed in the application. This includes matters relating to layout / massing and architecture, which will be considered in detail at reserved matters stage.

The response notes that the site should introduce a new bus stop. There are existing bus stops within a 5-10-minute walk from the site. The MSDC Highways officer did not request any additional bus stops for the development, and instead felt that Section 106 contributions for improvements to existing provision could be made in relation to real time information boards and bus shelters.

West Sussex County Council Lead Local Flood Authority

Please find enclosed a response letter and updated Flood Risk Assessment and Drainage Strategy to address the comments from the LLFA. Updates have been made to paragraphs 5.4.3, 5.4.4, Table 10.2, Table 10.3, 10.3.10 through to 10.3.15, Table 10.8, 10.4.2, 10.5, 11.2.4, and 11.2.5.

Place Services (Landscape)

Disconnection from the Settlement

"The site is disconnected from the Built-Up Area Boundary (BUAB) of Copthorne and introduces development to the south of A264 Copthorne Common Road. This A road currently acts as a southern boundary for the settlement, where very limited development has spilled to the south of it. Owing to the presence of Common Land and the surrounding woodlands, the site will continue to be physically disconnected from other existing and new development. We therefore have some concerns regarding the disconnection of the site from the surrounding area and advise that this is addressed within the Design and Access Statement."



The wider settlement of Copthorne is constrained by Green Belt to the north (Copthorne has been built out to the north right up to the Surrey/Tandridge border beyond which land is in the Green Belt) and there is already development being delivered to the west of the settlement, north of Copthorne Way. Noting Copthorne's status as a Tier 2 settlement, there are very few remaining areas where sustainable and meaningful growth can be delivered in Copthorne without extending south of Copthorne Common Road.

While it is recognised that the main area of the settlement is to the north of Copthorne Common Road, there are numerous examples of existing development to the south including the Copthorne Hotel, a cluster of residential dwellings immediately east of the site and a mix of residential and commercial uses (including the petrol station) closer to Turners Hill Road. While absent of any built form, the golf course also lies immediately west of the site which is a commercially landscaped area. Consequently, the site cannot reasonably be described as physically disconnected from surrounding development.

The site is in a sustainable location, is not constrained by a National Landscape designation, and is well screened from surrounding land by an existing planted bund along the northern boundary and sense of strong natural enclosure provided by a substantially wooded setting. This wooded setting is likely the reason why existing built form to the south of the road is less noticeable.

As a result of these landscape features, while the development of this site would result in additional built form to the south of Copthorne Common Road, the development would not read as an unnatural incursion into the countryside.

Similar conclusions were made with respect to the recently approved development to the west of Crawley Down (Reference DM/25/0014) which extends beyond the boundary of Turners Hill Road. Similar to the application site, the Crawley Down development was beyond Turners Hill Road (being the principal road for Crawley Down) and benefits from strongly wooded boundaries offering a sense of containment.

Quantum and Density

"There are residential properties located to the east of the site, however these are low in density and on large plots. Comparatively, the application site is relatively high in density and has limited transition to a countryside edge. We judge that whilst the site has capacity for some development, the density and number of houses proposed may be excessive within this location."

"There are opportunities for more variety in the building types, such as inclusion of denser apartment buildings, which would allow for more public open space."

While it is recognised that the nearest dwellings to the east of the site are lower density, larger properties, it would not be possible to replicate this grain without impacts on the mix of homes within the site and the Government's desire to increase development capacity to meet local housing needs, albeit it is noted that this will be judged in relation to the site's specific landscape characteristics. It is also notable that the landscape characteristics of the site lends itself to a higher density than surrounding land uses, by virtue of the strong landscape features which prevent longer distance views and soften the overall appearance of the development.

The indicative layout has been designed to reflect the findings of the Landscape and Visual Appraisal and is considered appropriate to judge the capacity of the site for the development of approximately 86 dwellings. The specific house types and densities may shift at detailed design stage.

It is also notable that the indicative development for this site has a lower development density than the aforementioned development in Crawley Down (excluding land set aside from open space). This can be seen in the diagram below:



Copthorne Common Road

"The site is separated from Copthorne village by the A264, which is a high traffic route with limited options for pedestrian crossing. Pedestrian connectivity needs to be a strong consideration within the development of the site."

The proposed development introduces new pedestrian infrastructure onto the south side of Copthorne Common Road. This infrastructure will comprise a new pavement tying the site access into the existing footway further west. This footway connects to an existing controlled crossing linking the golf course to the village and is a short walk away from the site entrance. There is also a new uncontrolled crossing immediately north of the entrance for access to the nearby footpath and bus stops on Bowers Arms Road.

Copthorne Green Ring

"The site also forms part of Copthorne's Green Ring' which is outlined in CNP11 CA3 Copthorne Common and Woodland. The site also forms part of the "rural areas surrounding Copthorne" which "provide a verdant backdrop for the settlement". (CNP, 2018). This key feature of the character area within the Neighbourhood Plan needs to be integrated into the proposals. At present, the site appears to be heavily developed with limited consideration for a countryside edge and enhancement of the green ring and habitat connections. We expect a strategy to demonstrate how the green ring is being retained within the design proposals."

Please find enclosed drawing reference 5096-LLB-XX-XX-D-L-0004-S4-P02 which sets out the proposed Green Ring Strategy for the site, with reference to the Neighbourhood Plan.

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Neighbourhood Plan Policy CA3 covers a large area of land between Copthorne and the Agricultural Belt to the south. Policy CA3 states that proposals must sustain or reinforce the positive aspects that make up the individual character and distinctiveness of CA3 but recognises that some development may alter one or more positive aspects of the Character Area. This is deemed acceptable if its overall character and role is not compromised and measures are taken to limit any impacts through mitigation, and where possible, enhancement.

Receptors

"As one of few visual receptors available into the site, the views from the north need to be considered within the design proposals. Within the current proposals, the rear gardens of Plots 5-9 back on to Copthorne Road. There are opportunities to enhance the street scene along Copthorne Road by providing an active frontage to the north, similarly to that proposed on the west of the access road. This would also reduce the need for a large parking court within the scheme."

The layout of the proposed development is a reserved matter, however the northern boundary of the site benefits from a landscaped bund which sits creates a natural visual barrier into the development when viewed from the road to the north. This is shown illustratively in the diagram below.



SUDS

"No SuDS interventions have been proposed within the scheme. The Option D Plan should include provision for SuDS interventions such as basins and swales or raingardens throughout. The rural character should be considered within the SuDS proposals, and any interventions should be naturalised where possible with planting and soft features."

The underlying geology has been identified as Upper Tunbridge Wells Sand – sandstone and siltstone, interbedded – sedimentary bedrock. This geology has been identified as having poor soakage potential and it is therefore unlikely that infiltration sustainable drainage systems will work effectively on-site. A variety of SUDS have been considered, and the following have been suggested as suitable for the site including sub-surface storage and a pond.

Public Open Space

"All public open space (POS) appears piecemeal throughout the development, with no larger open space which has a multi-functional use. We would prefer a larger POS which may require a reduction in housing numbers within the site. This would also contribute to enhancement of the green ring which surrounds the village of Copthorne."

While detailed layout and density matters will be considered at the reserved matters stage, the comments regarding public open space provision are acknowledged. A network of smaller, well-distributed open space is considered most appropriate in this case as it introduces pockets of greenery throughout the development, breaks up continuous built form, and creates a more attractive and accessible environment for future residents regardless of their position within the site. Moreover, the site lies adjacent to Copthorne Common to the west, south and north, which provides substantial areas of more open green space in close proximity. Introducing a single large,



centrally located open space within the site would significantly reduce the potential housing yield and result in a more uniform layout with pockets of higher density.

It is also recognised by Place Services that views into the site would be limited to Copthorne Common Road, and additional planting is proposed to provide further screening.

As previously noted, Mid Sussex cannot demonstrate a five-year housing land supply. Accordingly, additional sites will need to be identified to meet this shortfall in advance of the adoption of the new District Plan. In the determination of recently approved application reference DM/25/0014 In Crawley Down in it was concluded that *"with any green field development there will be a significant change at the local level from that of an undeveloped landscape to a housing development. It is accepted that many people would regard this as a significant adverse impact on the landscape. In order to meet the housing needs of the District, there will inevitably be a need to develop green field sites (this is particularly the case in a predominantly rural authority such as Mid Sussex). This cannot, however, be an argument on its own to stop the incremental development of settlements, especially in view of the national objective, as set out in paragraph 61 of the NPPF of significantly boosting the supply of houses."*

Sussex Police & Crime Commissioner

The Applicant is not opposed to providing a contribution towards policing services; however, some clarification on the requested costs will be required.

The Section 106 Contributions Calculator to Sussex Police (available on MSDC's website), dated August 2025, suggests that a contribution of £17,466.83 should be sought based on the indicative housing mix. It is therefore unclear why the proposed contribution is significantly higher at £28,514.61.

We would seek to provide the lower contribution in accordance with the publicly available contribution calculator, subject to satisfaction that the relevant tests have been met.

West Sussex County Council Section 106

The Applicant agrees to providing contributions in relation to school infrastructure, library infrastructure and transport total access demand. As the total for each contribution is not yet known, as it will be based on population increase, it is expected that a formula will be included in the Section 106 legal agreement.

I trust this is helpful. If you require any further information, please do not hesitate to contact me.

Yours sincerely

Jonathan Buckwell

Director

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