

DM/25/3067 Erection of 80 new residential dwellings (Use Class C3), including affordable housing units, vehicular, pedestrian and cycle access (including new footpath links to the east and west of the site along Reeds Lane), landscaping and open space, parking, sustainable drainage and other related works. Land West Of Kings Business Centre Reeds Lane Sayers Common West Sussex.

I would like to raise and add the following addition issues and comments to the submissions for this application.

Too high a density of houses for edge of village location causing a poorly designed development.

Both MSDC and their Urban Designer seem to be pressing for an unnecessarily high housing density for this edge of rural village development, one which does not meet with the NPPF section 12 planning requirement of “Achieving well-designed places.”

NPPF 131 states that “*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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.*”

This countryside greenfield site is situated outside of the Sayers Common built up area and runs along it’s rural western boundary. The character of development in the village of Sayers Common has the greatest density of housing is in the middle of the village between the Old School and the Duke of York Pub, hidden behind the strip of houses which front on to the B2118. The density of housing then gradually decreases towards the edges of the village so that there is a tapering out and not a dramatic change from the built up part of the village and the countryside around it, thus giving it its rural character. Page 63 Mid Sussex Design Guide advises that “*at the rural edge lower density development will also normally be necessary.*”

The applicant has advised on page 27 of their Design and Access statement that “*The site has an overall area of 4.45Ha, however a number of constraints restrict the amount of developable land. These constraints include the retention of existing trees and the requirement for drainage solutions including swales and an attenuation basin. This results in a net developable area of 2.12Ha. Based on a scheme of 80 dwellings this would result in a gross density of 37.7dph.*”

The density of 37.7dph is considered to be too high for a very edge of a village, where densities are typically lower at around 20 to 30 dph. The high density of 37.7dph is more acceptable for infill developments in the middle of a village, which this is not, and so is out of character in this location.



Left is applicant’s original 100 house site plan from the Draft MSDC DP showing houses to be built across the whole of the site. Right is the current 80 house site plan using only two thirds of the site. Note the lack of green public open space within the development, relying instead on land in the western side of the site which gets waterlogged and flooded when it rains.

When the applicant originally applied for the site to be included as an Allocated Site in the MSDC Draft District Plan 2021-2039 it was to built 100 houses over the whole of the site. During that process it was pointed out to both council and applicant that due to the flooding in the western part of the site that this would not be possible, though this was not acted on. The applicant though, has now agreed with that advice and proposed a development that would only take up about two thirds of the land instead. However instead of reducing the house numbers by a corresponding third to between 60 and 70, they have only reduced the number by 20% to 80. This has resulted in them producing a crowded, crammed, high density layout, which while suitable perhaps for a urban suburban housing estate, is not suitable for the edge of a rural village.

This high density leads to a lack of space for well designed houses and amenities. For example there is not enough land for sufficient parking spaces and the heavy reliance on inconvenient tandem parking. Roads, including primary ones through the site, lack walkways so pedestrians end up having to walk in the roadway with vehicles. The cycle/pedestrian access to the next door Woodlands development is not a separate path but has to go through a car park so deliberately brings both cyclists and pedestrians into conflict with vehicles.

NPPF 117 states that applications for development should: *a) give priority first to pedestrian and cycle movements, and c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles.* The applicant's design for the layout of the development does neither of these so does not follow the NPPF. By allowing this high density plan to happen both MSDC and WSCC would also not be following NPPF guidance.

It is noted that WSCC Highways have tried to justify the reduction in parking spaces from the recommended 161 to 151. However by taking three paragraphs reliant only on theoretically algorithms to do so, their arguments come across devoid of the reality of the actually way parking works in Sayers Common with its lack of a sustainable public transport network. Also, should it not be the role of the applicant to justify this situation and not WSCC Highways instead trying to do it on their behalf.

Houses also have to be built so close to Reeds Lane that they need noise protection barriers to be built. Gardens are of unworkable shapes or to be detached and separated from their residence in order to fit them into the site. The dragging distances for some of the household's bins are unacceptably long. A disproportional number of 2.5 floor houses need to be built, which are taller than any other houses fronting onto Reeds Lane. Amenities such as play grounds and footpaths have to be built in parts of the site at risk of flooding. All of these result in a poorly designed development.



Extracts from the applicant's detailed site layout showing: left diagram showing unworkable garden shapes and long bin dragging distances due to lack of space, middle diagram gardens disconnected from their property due to lack of space, right diagram cycle/ pedestaian link not separated from vehicles but having to go through a hole in the wall of a residents car park and onto a shared roadway.

A development at a village edge should not appear as a dense townlike suburb but should incorporate green, open spaces to soften the transition to the countryside. The plan for this development has houses crammed so close together that there is no room for open green spaces between them.

This has resulted in MSDC helping to promote a poor development design that is barely adequate and sustainable and does not meet NPPF guidance. The MSDC Urban Designer has highlighted some issues with the design but it is noted that most of them would not exist if the number of houses was reduced to the appropriate 60 to 70 for this location and setting. This is one issue they have not faced up to and have ignored.

Reducing the numbers of houses on a site, even on a District Plan Allocated site is acceptable, especially after constraints with the site have been identified. An example of this happening is with DP 2021-2039 Allocated site DPA1 Batchelors Farm, Burgess Hill. In its now submitted planning application DM/25/2634, the Planning Statement of October 2025 Page 37 point 6.27 explains a reduction in house numbers by stating “*It is acknowledged that the draft Plan allocation for the site envisages the delivery of 33 dwellings at this site, but surface water drainage, landscape and biodiversity requirements have determined that a relatively low-density approach (circa 19 units per hectare) would be an appropriately sensitive solution to this edge of town location. The scheme responds positively to the adjoining open areas and includes large enhanced ecological margins that are incorporated within the indicative layout. Therefore we consider that 26 units is appropriate for the site’s location at the edge of the settlement, where housing density would normally be expected to taper off.*”

By supporting this non proportional reduction in house numbers MSDC is putting prioritising squeezing as many houses as physically possible into the development over the NPPF policy of “*The creation of high quality, beautiful and sustainable buildings and places.*” Sayers Common is only a category 3 village and has experienced substantial recent development of at least 175 new houses. Three other planning applications for another 446 houses in the village have also been submitted so the village is not desperately short of new houses to meet its needs. There is no argument that would justify preventing a reduction in the house numbers of this site to the more appropriate level of 60 to 70. The MSDC’s Headroom housing figure could cope with such a 10 to 15 reduction in yield. The reduction would then result in a sustainable and high quality development that complied with its setting and the character of the village and met NPPF requirements.

Incorrect base biodiversity value of the site being used for Net Gain Calculations

The Places Services in Essex desktop ecological consultation response is falsely dismissive of the degradation of the site which took place prior to this application. MSDC Planning were aware that this had taken place in 2024 as is shown in the email below of 7th August 2024, which I was copied into, from Ann Biggs Assistant Director for Planning and Sustainable Economy. (I have highlighted the most relevant section of it in red)

From: Ann Biggs <Ann.Biggs@midsussex.gov.uk>

Sent: 07 August 2024 15:29

To: Geoff Zeidler (Cllr) <Geoff.Zeidler@midsussex.gov.uk>

[REDACTED] Beth Howland-Smith <Beth.Howland-Smith@midsussex.gov.uk>; Steve Ashdown <Steve.Ashdown@midsussex.gov.uk>; Lara Southam <Lara.Southam@midsussex.gov.uk>

Subject: RE: Re planning issue with regards to change of use for agricultural land : DM/24/0726

Dear Cllr Zeidler

Thank you for your email and the letter from your constituent regarding the above. I have asked my enforcement team to carefully review [REDACTED] letter and the points that have been raised and I’m now able to respond as follows.

In relation to the use of the field to the west of the Brickyard site for purposes in connection with the implementation of planning permission DM/22/0640, I note your concerns that there has been no planning application for a temporary change of use to this field with ancillary development. In short, Condition 6 of DM/22/0640, which is being assessed under an application (DM/24/0726) to discharge the condition, required a Construction Management Plan to be submitted to and agreed by MSDC in relation to all phases of the development. This Construction Management Plan was submitted for our consideration and agreed following consultation with West Sussex County Council and Environmental Health. It is correct to say that the adjacent field will be utilised for the construction period. In terms of whether the development requires express planning permission in and of itself, I can confirm that Class B of Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 provides the deemed permission for this. Essentially, it constitutes permitted development for the duration of the operations to be carried out. Importantly, the GPDO includes a condition that the land should be reinstated to its

condition before the development was carried out once the operations are complete. I would confirm that that the use of the field in this way does not alter its status as a greenfield site.

In relation to the biodiversity of the field, I can confirm that degradation of the onsite habitat can be taken into consideration under the statutory framework. In brief, this means that the biodiversity pre-development value of the onsite habitat should be calculated as the biodiversity value on the date immediately before the degradation. This of course would only be relevant should an application be submitted for development on the field.

I hope that this provides some comfort to your constituent. Please do let me know if you need any further clarification or information.

Kind regards

Ann Biggs

Assistant Director for Planning and Sustainable Economy

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The applicant has made vague references in passing to this degradation but has never provided details of the date it took place nor what it actually consisted of. Without this it is not possible to have an accurate biodiversity base figure. It is very puzzling and surprising that MSDC have never actually asked the applicant to provide such details in light of the above statement by Ms Biggs. A responsible landowner would have ensured that they kept records of this degradation knowing that an application would soon be due on the land as it was to be an Allocated Site in the updated District Plan.

Evidence which I have provided in my previous submission (a copy of which is reproduced at the end of this document) shows that the applicant's ecological surveys took place after the degradation had taken place. The applicant's own photographs also confirm this was the case.

Place Services advise on page 2 of their submission state that *"We understand from the Ecological Assessment (Ecology Solutions, November 2025) that the initial UKHab surveys were undertaken on 27th June and 30th July 2024, with an update walkover to assess any significant ecological changes on 10th October 2025."*

Then they go on to say *"We note that the Biodiversity Net Gain Report (Ecology Solutions, November 2025) records that an area of bramble scrub had been cut close to ground level before the update survey and that 11 trees were still present at the time of the survey out of 23 individual trees."*

The applicant's own Vision Document of November 2023 in the MSDC DP Site Allocation Evidence Library show that there were in fact more than 23 trees prior to the degradation. Although the BNDR and the EA mention an area of bramble scrub being cut down there is no mention at all of the degradation caused by the cutting down to surface level all of the grass in the field prior to the surveys taking place. This would have affected all of the applicant's surveys including the bat, reptile and mammal ones. The removal of the grass would have removed cover causing both reptiles and mammals to be at a higher risk of depredation and cause them to move away from the site to areas with better cover. Similarly it would have reduced the number of invertebrates and seeds which act as a food supply, which would again have caused reptiles and mammals to move away from the site. This would also have affected bat numbers who also feed on invertebrates. This meant that the numbers of species recorded in those surveys would be artificially low.

There is no mention of what impact the several hundreds of tonnes of spoil heaps placed in the north eastern part of the site, and present at the time of the surveys, had on the site's biodiversity. Place Services does not address the flora of the site and the ecological impact on it caused by the degradation. The ecologically rich bluebell wood along the northern boundary of the site, and which also spreads into it, is given no mention at all by Place Services or the applicant so the ecological impact on it by the site has not been shown.

None of these factors were considered by the applicant's surveys or Place Services. The applicant's BNG1 Plan of November 2025 is therefore shown to be inaccurate to be used as a base for what the pre degradation ecological state of the site was. The applicant's ecological statements do not address what was there before and the degradation's effects so their surveys lack a robustness as a result of this.

Due to all of the above, Ann Biggs's statement that *"In brief, this means that the biodiversity pre-development value of the onsite habitat should be calculated as the biodiversity value on the date immediately before the degradation"* has not been complied with. The Place Services consultation response is therefore unsafe and the Biodiversity Net Gain calculation cannot be considered accurate.

MSDC Planning Services should therefore show due diligence by requesting accurate evidence of the degradation and its dating from the applicant, including its effect on the site. They should look into this matter in far more detail so that the Biodiversity Net Gain figure can actually be confirmed as an accurate and robust one.

Highways and Footpath

I have already made reference above to WSCC Highways responses concerning onsite parking.

It is noted that they have not clarified if on street parking will be allowed alongside the new Reeds Lane pavement that is to be built east from the south east corner of the site, passed Kings Business Park and up to the pedestrian crossing point in front of the Woodlands estate. If it is, please could they clarify if it would cause any access or visibility issues for usage of the entrance to Kings Business Park especially by HGVs.

Please could they also advise if there is to be any new street lighting for it as this currently ends by the entrance to Meadowview. Also please could they confirm if street lighting is to be provided for the new vehicle access point to the site, further to the west, and the new cycle/pedestrian access at the south west corner of the site. Both access points would otherwise not be visible in dark and dull conditions.

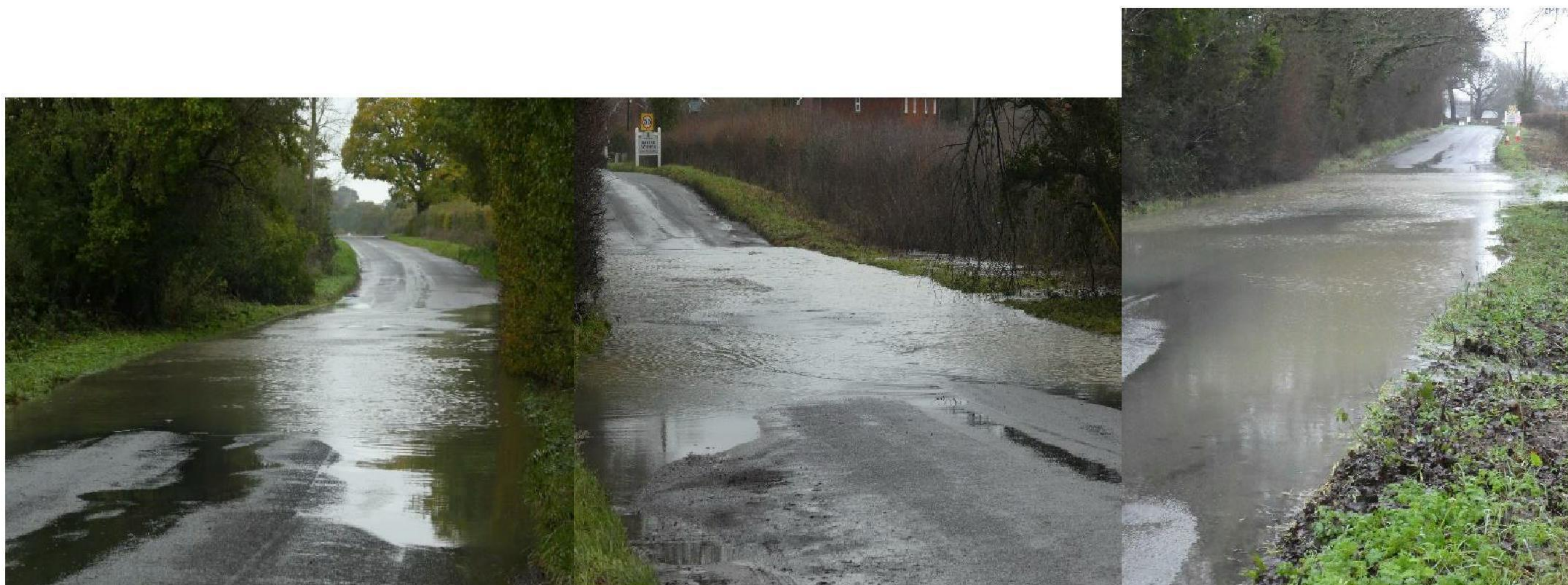
WSCC Highways are also awaiting details of the cycle/pedestrian access point at the south west corner of the site. This would be on land which WSCC Highways own including the watercourse. It is also a notorious flooding point on Reeds Lane. Their own Maintenance Department has numerous records of flooding at this point logged on their official Site History Report for Reeds Lane.

That department has also dug ditches from Reeds Lane across its northern verge so that flood water can flow straight across from the southern side of the roadway and into the northern watercourse. This bypasses the at capacity culvert that runs underneath Reeds Lane. Any new pavement here to allow access to Reeds Lane would be built over those ditches so WSCC Highways would need to install a new system of flood prevention drainage here. They would also need to liaise closely with WSCC LLFA to ensure that they do not increase flooding elsewhere along the route of the watercourse.



Photographs taken 27/01/2026 at 11am at the south west corner of the site looking out on to Reeds Lane. They show, on the left hand side of the photos, the flooded watercourse emerging from the northern

entrance of the water culvert which carries it south to north under Reeds Lane. It is at full capacity and flooded. The road ditches on the south side of Reeds Lane are also full. When this happens the floodwater then accumulates and floods the whole of the roadway, which can be seen to be starting to happen in these photographs. To try and keep the roadway clear WSCC Highways have dug ditches through the verge on the south side of the road to drain the water straight into the southern watercourse bypassing the culvert. These ditches can be seen to the right of the culvert entrance.



Flooding across Reeds Lane by the south west corner of the site. Left 16/11/2022, centre 01/01/2023 & right 05/01/2025

The WSCC PROW team should also liaise with WSCC LLFA regarding the flooding issues with the existing footpath 1AL that runs through the site. It should also be ensured that they are aware of the flooding issues with the footbridge that carries it westwards out of the site. It would also be relevant for them to be aware of the flooding of the entrance to footpath 31AL on the south side of Reeds Lane opposite the south west corner of the site, as this relates to the new cycle/pedestrian entrance mentioned above.



Photographs taken 27/01/2026 at 11am from the western boundary of the site looking west over towards the next field. These are of the footbridge which takes footpath 1AL over the watercourse. That bridge was completely submerged and too dangerous to cross and use. The floodwater level by the stile was nearly 40cm.



These photographs show what the footbridge looks like when not submerged .Flooding at this point of the site is a regular occurrence. From left to right the photographs were taken on 28/1/2024 at 11am, 05/01/2025 at 3pm and 19/12/2025 at 12pm



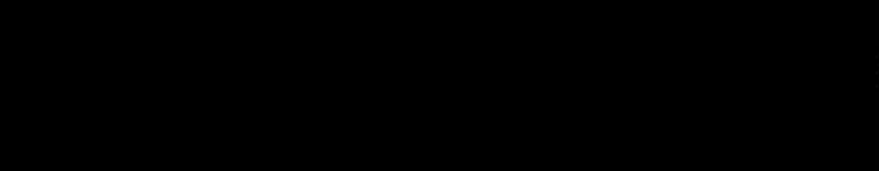
Photographs taken 27/01/2026 at 11am show the area where the existing east to west footpath 1AL goes through from the east to the west of the site.



Photographs taken 05/01/2025 at 4pm of the entrance to footpath 31AL on the south side of Reeds Lane opposite the south west corner of the site

I would therefore be grateful if as well as yourself considering the issues I have raised above, that you also highlight make them aware to the various departments concerned, WSCC Highways and PROW Team, MSDC Planning and Sustainable Economy Team, Place Services and MSDC Urban Designer. This will help to ensure that they are fully aware of the issues which would affect their consultation responses and that this is recorded to provide transparency.

I thank you for your help in this matter.

 1 Kingsland Cottages, Reeds Lane, Sayers Common, Hassocks BN6 9JG

13th February 2026

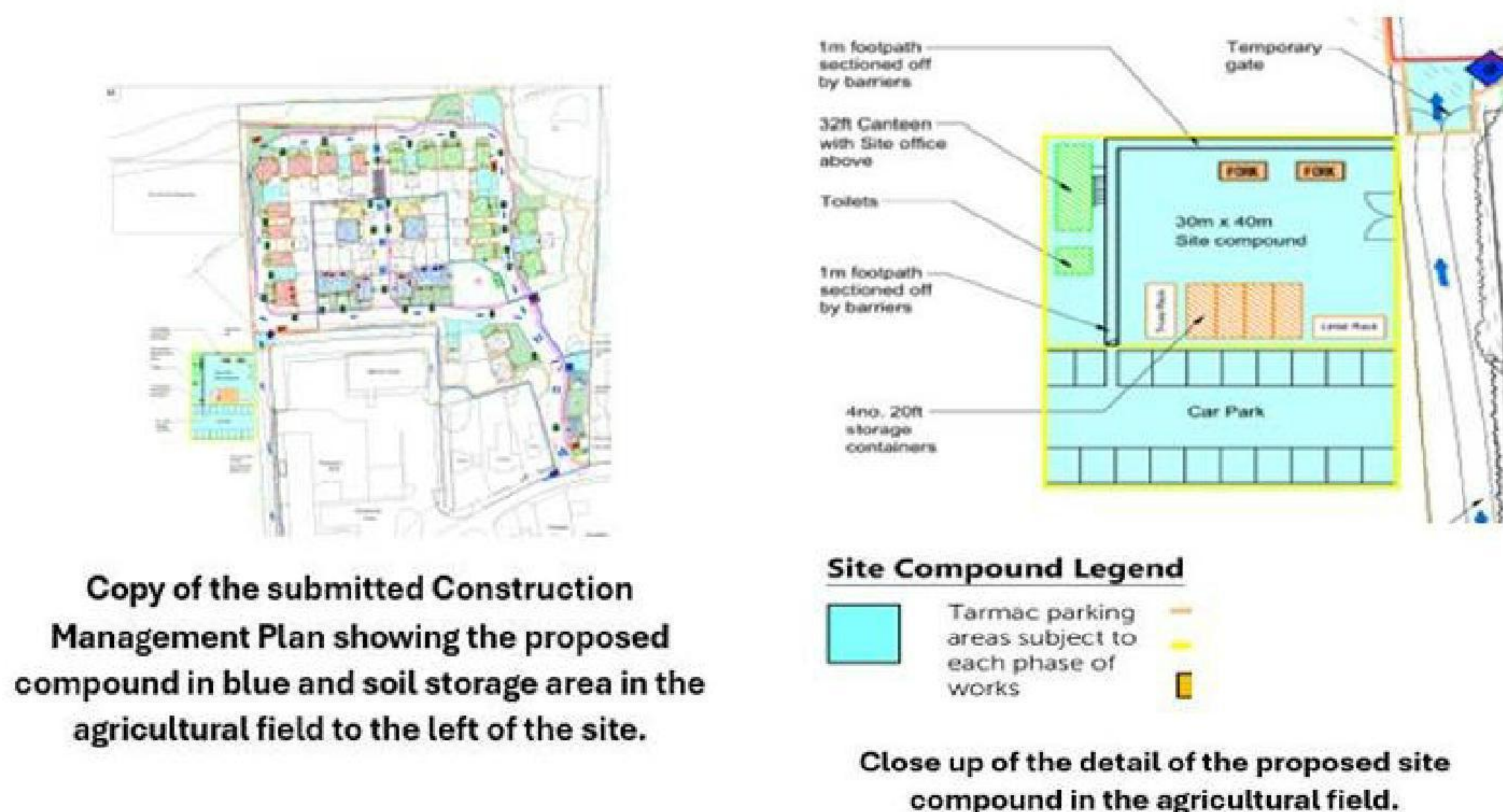
On the following pages 9-14 is a copy for your reference of the Biodiversity section from my previous 31st December 2025 submission on this planning application.

Biodiversity

It is unclear if the applicant's biodiversity calculations are based on what the biodiversity of the site was prior to their own degradation activities carried out from June 2024 under Class A of Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. MSDC Planning department were aware of these activities at that time through a discharge planning application DM/24/0726 relating to the next door Woodlands site, and separate email correspondence between the District Councillor and the Assistant Director for Planning and Sustainable Economy.

In order to assist with the construction of their previous site, Woodlands on the eastern boundary of this site, the applicant allowed the construction of a site compound and the storage of site spoils on this site. Details of this taken from the Updated Construction Management Plan of DM/24/0726 are shown below.

Details of the proposed Site Compound and soil spoil storage site in the agricultural field



In order for this to happen it required grass to be mown and trees to be chopped down but this did not just happen in the area of the compound and spoil heaps but over the site as a whole.

Prior to the above work being carried out there were a number of trees spread around the site as is shown in the applicant's documentation which they has submitted as part of the draft District Plan process.



The applicant's vision document from 11/2023 which can be found on MSDC District Plan 2021-2039 Site Allocations Evidence Library

The grasses in the fields were normally tall at this time of year the usual policy was to allow them to grow until September/October time before any cutting took place.



Photos of the site taken 02/06/2024 showing the trees and variety of grasses and flowers in it.



Photographs of the site taken 01/06/2023 showing the variety of grasses and flowers in it.

However, in the first half of June 2024 the grass was cut down all over the field, unexpectedly and unusually early.



Photographs of the site taken 23/06/2024 after all the grass had been mowed right up to the field boundaries. This was before plants could fully flower and seed.

By the middle of July trees inside the site had been chopped down even if they were on the other side of the site to the compound and spoil heaps.



Photos taken 16/07/2024 showing the trees having been removed in the southern and eastern parts of the site



These trees in the field were cut down in the first half of July 2024



These Oak trees were also cut down at the beginning of July 2024



Photos of the spoil heaps on the site which were started in June 2024. By the middle of July they were over 60m long. Also the compound started in the summer of 2024 as shown in its completed state in November 2024.

After being informed of the above situation the Assistant Director for Planning and Sustainable Economy advised in an email of 7th August 2024 that *“In relation to the biodiversity of the field, I can confirm that degradation of the onsite habitat can be taken into consideration under the statutory framework. In brief, this means that the biodiversity pre-development value of the onsite habitat should be calculated as the biodiversity value on the date immediately before the degradation”*. However, it is not clear that the applicant has calculated the biodiversity value of the site to the date before their degradation of the site started.

The various ecological and biodiversity documents which the applicant has provided refer to various different site visits made after degradation had started to take place. The reports advise that they there have been updates to them but it has not been made clear which parts of the reports are the updates, and the reason for the updates, and which parts are the original report. There is no specific mention of the fact that degradation had taken place on the site, how that has been treated in the reports, and what its impact has been on the reports results.

The ecological report advises in point 3.1.1. that a *“UKHab survey was undertaken within the Application Site by Ecology Solutions on the 27th June and 30th July 2024 with an updated walkover completed on the 10th October 2025.”* All of these dates are after the degradation had taken place.

The out of the ordinary mowing of the site’s grassland in June 2024 would have had a serious impact on the results of several of the surveys undertaken. The report advises that *“a botanical survey comprising quadrat surveys was carried out on the 30th July 2024”*. This was after the grass was mowed removing and reducing the number of different flowers and grasses which would have been visible. It also advises that an update walkover survey was completed in the October 2025 but this was the time that the normal autumn mowing of the grass took place. The report does not state what the condition of the grass was at this time to clarify if the survey was done before or after the grass had been mowed.

The report also notes in point 3.4.1 that *“an area of the Application Site was noted to comprise of bramble scrub which had been cut close to ground level before the initial survey completed in June 2024”* again after the degradation had taken place.

In point 3.8.1 they advise that *“at the time of the June 2024 survey, a number of individual trees were noted to be present although a review of aerial imagery and the results of previous aboricultural surveys found that several additional trees were previously present but had been removed from the Application Site at some point since 2020 but prior to Ecology Solutions initial survey.”* They were therefore aware of the situation of degradation having taken place but did not investigate it further to establish its impact on their survey results.



Some examples of the many different flora and fauna normally found on the site at different times of the year

The mowing of the grass on the site would also have had an impact on various of the fauna surveys carried out by the applicant. At the time of such surveys the grassland would usually have been tall and varied, attracting a large number of invertebrates which in turn would be a food source for reptiles, birds and mammals. It would also have provided cover for creatures from predators such as barn and tawny owls, kestrels and sparrow hawks and foxes. It would have allowed them to move around the field in safety and have increased numbers.

This would therefore have affected the reptile surveys which the applicant advises took place in July, August and September 2024. They advise in point 4.6.1 *“that the majority of the grassland present within the Application Site is of lower suitability for reptiles due to the short sward height”*. However if the grass had not been mowed it would have been at its normal high sward height at this time and there would therefore have been a higher number of invertebrates for them to feed on and places to hide increasing their number. This would also have been the case for the food supply for bats as their NBW surveys took place in July, August and October 2024 would have therefore been similarly affected.

The ecology surveys also did not capture the fact that Furze Field Wood to the north of the site is a Sussex Bluebell wood which is also a sign of its age. The bluebells spill out of the wood into the proposed site as shown below



Bluebells in April 2025 along the northern boundary of the site, having spread from the next door Furze Field Wood

Bluebells are protected under the Wildlife and Countryside Act 1981 but the applicant has not provided details of any measures they would undertake to prevent them being trampled, picked or dug up or cross pollinating with domestic Spanish bluebells. They therefore cannot demonstrate that they would be protected from harm.

There is also no mention of the various wildlife projects being carried out in the woodland next door to the site and surrounding land by the Woodland Fauna and Flora Group. These include installing bat boxes, barn owl boxes, restoration of pond systems and general monitoring of wildlife. They hold a good source of recognised collected data which is invaluable to inform the development of this site and its biodiversity.

The ecology reports therefore do give an accurate portrayal of the biodiversity of the site on the date immediately before the degradation took place as they are required to do. The applicant advises in their Biodiversity Net Gain Report point 1.3 that the net gain is based around the results of the habitat surveys carried out in June 2024 and October 2025 after the degradation took place. The report does not include the value to the biodiversity deliberately removed before the surveys took place or investigate how biodiversity levels were affected by it. The gain the site would supply comes therefore from a lower base figure than would have been present prior to the degradation taking place. It therefore calls into question whether the biodiversity figures supplied for the site are under reported and therefore not able to be considered safe or accurate.

It is also noted that even with this lower base level the applicant advises that they can not provide the necessary 10% gain from just inside this site and will therefore have to purchase biodiversity credits on the open market. The residents of Sayers Common both existing and new will therefore not benefit from this gain. The applicant makes no mention of engaging with other landowners or wildlife groups in Sayers Common to find other ways to obtain the necessary biodiversity increase in the area of Sayers Common and so it is therefore a loss to the village.

The site therefore does not comply with the biodiversity NPPF policies 8c, 187d and 192 a & b and also MSDC DP DP38.