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Mid Sussex District Council
Development Management
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Dear Mr King,

Re: Objection to Planning Application Reference DM/26/0454: Proposed erection of 34 new homes with access from Marwick Close, vehicle and cycle parking, landscaping, drainage, and associated infrastructure and highway works at Land Parcel at Bolney Road, Ansty, West Sussex.

We write on behalf of the residents of Marwick Close, Upton Drive and Crouch Fields, Ansty to lodge an objection to the above planning application which is currently being considered by Mid Sussex District Council.

We object to this application firstly on grounds of prematurity. This application is premature as defined within paragraph 50(a) and (b) of the NPPF. Its approval would predetermine issues such as the location and scale of growth in Ansty which is still central in the plan-making process. The District Plan is at an advanced stage and the Council will soon be reappraising all sites; this particularly relevant to the determination of this planning application as it relates to DPA 17, currently a draft site allocation in the District Plan, soon to be re-appraised along with discounted sites.

We strongly consider that the proposed development does not constitute a sustainable form of development in this location and does not comply with Planning Policies set out within the NPPF and the District Plan.

This letter sets out the detailed reasons for our client's strong objection to this planning application, against the relevant planning policies and other material planning considerations.

We urge Mid Sussex District Council to recommend the refusal of this planning application on the grounds of the unsustainable development of this site.

Strategic Planning

District Plan 2021-2039 Regulation 19 Examination

The District Plan has been submitted for examination in public and is at an advanced stage. Delays in the District Plan process has meant that some aspects of the District Plan are being revisited, including sites that have already been assessed as suitable and those that had been discounted.

This planning application, which relates to draft allocation DPA 17, should therefore be considered premature, within the context of paragraph 50 of the NPPF.

Paragraph 50 of the NPPF states that *'...in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:*

- a) The development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and*
- b) The emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.'*

Paragraph 50 of the NPPF advises against the refusal of applications based solely on grounds of prematurity, however in this instance significant weight should be given to the fact that the emerging District Plan is at an advanced stage.

While the site is a draft allocation within the District Plan (DPA 17) it is particularly relevant that it is proposed that all of the sites, including those previously discounted, will soon be re-appraised by the Council.

On behalf of our client, we have already made extensive submissions that demonstrate that the inclusion of DPA 17 (and DPA 16) is not sustainable and is contrary to the Spatial Strategy within the District Plan. Ansty is the only Category 4 Settlement that has been assessed within the District Plan as having low growth potential. Yet it has been allocated a total of up to 75 dwellings.

The proposed development consists of 34 dwellings which is a significant amount of development in a location which has been confirmed by the Council to have limited services, including a small petrol station and irregular bus services. It is not a sustainable location for growth which is reflected in its position as a Category 4 settlement within the District settlement hierarchy. The scale of development in this location is a central aspect of the ongoing examination of the District Plan and has not yet been determined as legally sound by the Planning Inspector.

The Council has recently published the 'Post Hearings – Site Selection Methodology Review' which is currently out for consultation until 13th March. This will determine the methodology that will be used to re-appraise sites.

This planning application is premature in the context of paragraph 50(a) and (b) and should be refused planning permission on this basis.

Notwithstanding the emerging District Plan position, detailed comments on the current planning application are set out below.

The Development Proposals

Principle of Development

The application site is located outside any defined built-up area boundary within the District Plan. It is wholly within the countryside and is greenfield land. It would not be an effective use of land within the context of paragraph 124 of the NPPF as it would not safeguard and protect the environment.

Policy DC6 of the District Plan allows for the extension of settlements subject to strict criteria. These include where the site is allocated within the District Plan or other Development Plan Document, and where the development is sustainable having regard to the settlement hierarchy.

Ansty is a Category 4 settlement within the settlement hierarchy, which has a limited number of services – this is confirmed by the Council in both the current District Plan and the emerging District Plan review.

The proposals are contrary to the Spatial Strategy of the District, do not comply with Policy DC6 of the District Plan and are therefore unacceptable in principle.

Landscape – Setting of the High Weald National Landscape

Paragraph 189 of the NPPF states that ‘*great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes, which have the highest status of protection in relation to these issues.*’ It further states that ‘*the scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.*’

The application site is within the setting of the High Weald National Landscape, the boundary of which lies approximately 200 metres to the north west. The National Planning Practice Guidance (NPPG) provides further guidance on the application of planning policy in relation to the setting of National Landscapes. It specifically recognises the important contribution that setting has in maintaining their natural beauty and where poorly located and designed development can do significant harm (NPPG paragraph 042 Reference ID: 8-042-20190721). The proposed development of 34 dwellings is a significant extension to Ansty which is a small village. It lies within a landscape setting which is complementary to the High Weald National Landscape. The the proposed development is out of character with this area and would have an adverse impact on the setting of the High Weald National Landscape.

In support of this, ‘*The Capacity of Mid Sussex District to Accommodate Development Study*’ (2014), places the application site within Landscape Character Area 77 and it is concluded within the Study that this area has low-medium capacity for change as it contributes to the National Landscape Setting. A development of 34 dwellings would therefore be wholly out of keeping with the character of the area.

The High Weald National Landscape Unit published a planning policy advice note for the High Weald in January 2025. As part of this advice note, aesthetic and perceptual qualities (page 15) objectives are listed. Objective PQ2 recognises the important of the intrinsic sense of naturalness and valued views. Objective PQ3 aims to foster and promote the enjoyment of natural beauty for all.

A public right of way immediately abuts the southern boundary of the land. The ground levels fall by approximately 6 metres between the north east to the south by approximately 6 metres. The development of this rural site will significantly impact on the setting and perception of this part of the setting of the High Weald National Landscape. Furthermore, the Arboricultural Report confirms that several tree groups will be removed along the southern boundary and corner of the site (for example G13). The proposed development does not meet the objectives of the High Weald Management Plan.

It is noted that Place Services Landscape Team have assessed the applicant's submissions and concluded that the application site has been underassessed throughout the submitted LVA - this is misleading and should be updated. The Landscape Team have not given 'significant weight' to the application site as part of the setting of the National Landscape, nor recognised the importance of the objectives within the High Weald Management Plan. Given the scale of the development proposed it is essential that the High Weald National Landscape Team are formally consulted by the Council.

The proposed development is contrary to paragraph 189 of the NPPF, Policy DP16 of the District Plan and the objectives of the High Weald Management Plan.

Countryside

Policy DP12 of the District Plan seeks to protect the countryside in recognition of its intrinsic character and beauty. The Policy requires that development maintains and where possible enhances the quality of the rural and landscape character. It is also stipulated that the development should either be reasonably necessary for the purposes of agriculture or that the development is specifically supported by a Policy elsewhere in a District Plan. The proposed development meets none of the requirements of Policy DP12 of the District Plan.

There is a planning history on part of the application site (DC/18/0596). The Council concluded that the development of dwellings on part of this land would conflict with Policy DP12 and would not maintain and enhance the quality of the rural landscape character.

There is no reason to depart from this earlier opinion, particularly as a wider area of land is being put forward for development within the planning application that is currently being considered by the Council.

The proposed development is therefore contrary to Chapter 15 of the NPPF, Policy DP12 of the District Plan. should therefore be refused planning permission.

Design

Paragraph 131 of the NPPF explains that the planning and development process should fundamentally create high quality, beautiful and sustainable places.

As demonstrated in this strong objection to the proposed development, the principle of the development of this greenfield site is unacceptable, with an urbanising impact on this rural location. There are also real concerns that the design of the scheme is not high quality, particularly taking in to account this sensitive and rural setting.

The Design and Access Statement incorrectly refers to the application site as 'an allocated site' which is not the case. As set out earlier in this objection, sites are due to be re-appraised.

The existing development at Marwick Close is approximately 30dph whereas the proposed development is approximately 43dph, when looking at the total developable area of the site. This density is more akin to an urban location than a rural greenfield site. It is not reflective of the character and layout of other housing in this area. This strongly indicates that the proposed development is an overdevelopment of the site which is not in keeping with the low density character of Ansty, and recent approved developments at Crouch Fields, and Upton Drive/Marwick Close.

The back-to-back layout also appears cramped and is not in keeping. The amenity space within this layout will not receive an adequate amount of sunlight, will be overlooked, and is poor quality for potential occupants.

The design of the proposed development does not comply with paragraph 131 of the NPPF or the Mid Sussex Design Guide.

Residential Amenities

The proposed development would gain access through an existing small residential housing development of 15 dwellings. The number of additional vehicles which would be using the adjoining road network will increase the noise and activity so that the amenities of the properties on Marwick Close and Upton Drive and Crouch Fields would be detrimentally affected.

It is noted that parking spaces are proposed along the northern boundary of the application site which would be adjacent to a residential property on Marwick Close. A total of 6 parking spaces are proposed along this boundary which will have a significant impact on the amenities of this property by virtue of the noise and disturbance and loss of privacy emanating from these vehicles.

The design of the development also provides a poor quality standard of environment for potential occupants, particularly the back-to-back layouts, which result in overlooking, as well as a poor quality of private amenity space.

Highways

There are serious concerns regarding the proposed development and the impact on highway safety and the unsustainability of the location to serve 34 additional dwellings.

Insufficient Sustainable Travel Opportunities

Reference is made within the application particulars to the accessibility of local services. It is noted that the footway on the northern side of Bolney Road is only 1.2 metres wide. This is significantly narrower than the Manual for Streets requirement of 2 metres and the absolute minimum of 1.8 metres. This width can not accommodate a wide variety of users – including those using pushchairs and wheelchairs. This is in conflict with paragraph 117(b) of the NPPF which seeks to address the needs of people with disabilities and reduced mobility.

There is only one irregular bus service within Ansty that runs 4 services per day excluding weekends. The nearest station is Haywards Heath which is 5.2km to the east and which exceeds the recommended IHT cycling distances. Residents of the proposed development will therefore be heavily reliant on the private car. The potential residents of the proposed development would not have a real choice for sustainable travel, which would not be in accordance with paragraph 110 of the NPPF which seeks to ensure that developments can be made sustainable, offering a genuine choice of travel, and paragraph 115(a) where sustainable transport modes are prioritised.

This is contrary to paragraph 110 of the NPPF which states that *'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport routes.'* The development of this site is not sustainable and can not be made sustainable due to its location within a Category 4 settlement with few services and facilities.

Safety of the Junction – Upton Drive/Bolney Road

The proposed vehicular access to serve the development is through the existing junction with Upton Drive and Bolney Road. The Transport Statement that has been prepared by i-Transport and submitted with the planning application does not include a full review of vehicle tracking and visibility splays at this junction. Taking in to account the significant volume of traffic that will be using this junction and the intensification of its use by 34 additional dwellings it cannot be concluded that this access is safe and suitable to support a new housing development.

GTA Civils has prepared a Technical Note which reviews the suitability of the land for development. As part of this note a speed survey was carried out which confirms that the average speed westbound is 38.3mph. This is particularly important as it confirms that the proposed designs should be considered against the higher Design Manual for Roads and Bridges standards as oppose to the Manual for Streets which only goes up to 37.5mph.

Paragraph 4.7 of the Note confirms that it is not possible to achieve the required visibility splay *'...due to the alignment and geometry of the carriageway as well as existing hedgerow and vegetation that impede the splays.'*

The i-Transport Statement submitted by the applicant does not appear to include any speed survey data. The Road Safety Audit refers to 'data from a traffic survey undertaken in 2016' which is clearly out of date and cannot be relied up. The Road Safety Audit confirms that *'observations made during the site visit indicate that*

vegetation growth has and will regularly limit the level of visibility that is achievable at the existing junction to below that approved within the associated planning documents. The Audit Team are unaware whose responsibility it is to maintain the envelopes clear but have concerns that limited visibility at the existing priority junction could result in a motorist attempting to manoeuvre when it is not safe to do so...'

The NPPF is clear at paragraph 115 (b) that safe and suitable access should be achieved for all users. The proposal is therefore contrary to paragraph 115(b) of the NPPF.

Paragraph 116 of the NPPF states that '*development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety...*' It is strongly considered that this development of 34 homes would result in an unacceptable impact on the safety of the junction and should be refused on highways grounds.

Design

Paragraph 117(a) of the NPPF is clear that priority should be given to pedestrian and cycle movements, and that places should be created that are safe and minimise the conflict between pedestrians, cyclists and vehicles. The shared surface was designed and intended for use by only 15 dwellings. Increasing the number of dwellings using this surface will increase conflicts between the users of the shared surface, thus making the road design unsuitable and unsafe, contrary to paragraph 115(b) and 117(c) of the NPPF.

The proposed 2 metre footway between the site and Bolney Road and the associated pedestrian crossing north to south is also substandard. The crossing shows splay lengths of 85m and 64m which would be below that required in accordance with the recorded vehicle speeds in the GTA Civils Technical Note. This is a serious safety concern and does not comply with paragraph 115(b) of the NPPF.

Conclusion

The applicant's submissions rely heavily on the application site being a draft allocation within the emerging District Plan. As explained within this submission, this is a premature assumption and contrary to paragraph 50(a) and (b) of the NPPF. It has been confirmed by the Council that sites submitted as part of the SHELAA process will be re-appraised.

The proposed development is within the countryside, within the setting of the High Weald National Landscape. Ansty is a Category 4 settlement with limited services and facilities. It is not a sustainable location for development and there is no choice of sustainable transport modes, potential occupants would be solely reliant on the private car.

There are serious highway safety concerns arising from the use of the existing access at the junction with Upton Road and Bolney Road. There is insufficient visibility at the junction to serve the existing and proposed housing.

The design of the development will provide a poor-quality environment for the residents of Marwick Close and the potential residents of the scheme.

The proposed development of 34 dwellings on this greenfield site does not constitute a sustainable form of development, which is the purpose of the planning system (paragraph 7 of the NPPF). Net gains across each of the sustainability objectives in the NPPF (economic, social and environmental) have not been achieved. There is a presumption in favour of development that is sustainable, and it is demonstrated in this strong objection that the proposed development is not sustainable across a wide range of National and District Plan objectives.

On behalf of the residents of Marwick Close, Upton Drive and Crouch Fields we urge Mid Sussex District Council to refuse this planning application.

Yours Faithfully,

