

RE: Objection to Planning Application DM/26/2178 — Land Between 149 and 161 College Lane, Hurstpierpoint

Dear Ms Dubberley,

I am writing to object to the above application for 6 dwellings on land between 149 and 161 College Lane.

1. Portal failure and procedural fairness

The online planning portal has again been unavailable during the consultation period, preventing residents from submitting comments through the proper channel. I request written confirmation that this objection has been manually logged against the case file, uploaded to the public file, and that residents' right to comment has not been prejudiced by the portal's repeated failures.

2. This site has already been refused permission and had an appeal dismissed

This is not the first application on this land. Application 14/03359/FUL, for 3 detached houses on this same site, was refused on 14 November 2014, and the subsequent appeal (Council ref. AP/15/0002; Planning Inspectorate ref. APP/D3830/W/14/3001881, "Land between 149 and 161 College Lane, Hurstpierpoint") was dismissed on 13 May 2015. The Inspector's reasons for dismissal included the effect on the character and appearance of the surrounding area and whether the site is accessibly located in relation to local services — findings that were not dependent on the number of dwellings proposed and were not specific to any neighbouring land.

This site's protected status is not a one-off finding. In the same year, a separate, called-in appeal for 81 dwellings on the wider College Lane land (APP/D3830/V/14/2211499) was refused by the Secretary of State on 4 September 2014. That decision found that this land continues to serve a useful and much valued function as part of the Local Gap separating Hurstpierpoint from Hassocks, and that further built development here "would result in a small but nevertheless significant diminution of openness." Critically, the Council's housing land supply shortfall at that time was substantial — evidence in that inquiry put it at as little as 1.42 years — and the Secretary of State still found the harm to the Local Gap outweighed it. The Council's own 2009, 2010 and 2013 Strategic Housing Land Availability Assessments concluded this land was "not considered currently developable due to unacceptable contribution towards coalescence of Hurstpierpoint and Hassocks and could set a precedent for the further expansion of Hurstpierpoint to the north and east" — the exact precedent risk this application now presents.

This application proposes 6 dwellings — double the number refused in 2014 — together with a new access road, an attenuation pond and SuDS drainage basin, representing a materially larger and more urbanising form of development than what was found unacceptable at appeal. The applicant's Planning and Heritage Statement acknowledges the 2014/15 refusal history but argues that the subsequent approval of DM/24/1139 on the neighbouring site, together with the Council's housing land supply shortfall, represents a "material change in circumstances" sufficient to overturn that finding. I do not consider this follows: neither the character and appearance of this site, nor its accessibility, nor its Local Gap function, has changed since 2014/15 — and the Secretary of State's own decision

confirms that an even worse housing shortfall than the Council currently faces was not sufficient to justify building on this land. I would ask the Council to require the applicant to address directly why the reasoning of the 2014/15 decisions no longer holds for this land, rather than treating the neighbouring approval as a substitute for that analysis.

3. This application directly tests the basis on which DM/24/1139 was approved

The 7-dwelling scheme approved immediately to the south of this site (DM/24/1139) was not approved as infill, and it was not approved as the opening phase of a wider development of this part of College Lane. It was approved on two narrow and explicit grounds, both on the public record.

First, "contiguous." At the Planning Committee meeting of 10 October 2024, the Team Leader for Applications told Members that "contiguous" means "sharing a common border or touching," and confirmed explicitly that "there is not a requirement for the whole of the site to be contiguous and only has to be in part." DM/24/1139 was therefore approved on the minimal possible reading of the policy test — a small part of that site touching the built-up area boundary was treated as sufficient, not a judgement that the wider area was suitable or intended for development.

Second, "windfall." The officer's report is equally explicit: "The proposal would provide windfall development which would add to the Council's housing land supply... These benefits should be afforded significant positive weight in the planning balance." A windfall site is by definition unplanned and opportunistic — the opposite of a site earmarked, expected, or intended to be followed by further development on the land next door.

The Hurstpierpoint & Sayers Common Parish Council saw this risk coming and said so at the time. Its formal recommendation on DM/24/1139 was refusal, citing Policy DP13 (Preventing Coalescence) and Neighbourhood Plan Policy Hurst C3 (Local Gaps and Preventing Coalescence) by name. That recommendation was overruled.

This application is that risk materialising. A scheme approved on the narrowest possible reading of "contiguous" and justified as unplanned "windfall" is now being cited by a different applicant as the platform for a second, adjoining development. If this is accepted, "contiguous, in part" and "windfall" cease to mean anything as policy safeguards — they become a one-time password that, once used, unlocks the whole of College Lane. I would ask the Council to recognise that DM/24/1139 cannot lawfully or logically be treated as a licence for what comes next, and to give real weight to the Parish Council's own contemporaneous warning that this is precisely how coalescence happens.

4. Severe and unassessed cumulative impact

This application must not be assessed in isolation. It sits within a parish already absorbing an exceptional concentration of new housing, both consented and proposed:

- DM/24/1139 — 7 dwellings recently permitted immediately adjacent at 147–149 College Lane;
- DPSC1 — the "Significant Site" allocation of c.1,350 dwellings on land west of Burgess Hill/north of Hurstpierpoint, bordering Malthouse Lane, which connects directly to College Lane;

- MM72–MM76 — a further c.419 homes proposed around Hurstpierpoint through the District Plan Main Modifications;
- the Thakeham outline scheme for c.75 further homes on land east of College Lane;
- an approved expansion of Hurstpierpoint College generating additional servicing and coach movements along the lane.

The applicant's own Transport Statement and Planning and Heritage Statement assess this scheme's traffic and planning impact solely against the immediately adjacent DM/24/1139 permission, with no reference to DPSC1, MM72–76, or the Thakeham scheme. This is a material omission: the NPPF (Policy TR6(3)) requires "potential cumulative impacts" to be taken into account, and the same principle applies to the wider planning balance. Taken together, the parish is facing well over 1,700 additional dwellings either consented, allocated, or proposed, against a road network, sewerage system and water supply already acknowledged by the Council's own evidence base to be under strain.

This is not simply a resident concern. The Hurstpierpoint Society's own Matter 7 Hearing Statement to the District Plan examination records that Hurstpierpoint's medieval High Street "was not designed for either the current level of traffic, the width of modern car design, nor the likely increase" from the housing growth already coming forward in this area. It further records that NHS Sussex has confirmed Mid Sussex Health Centre — which serves Hurstpierpoint, Sayers Common, Hassocks and Ditchling — "is at capacity and significant financial contributions are needed," and that West Sussex County Council has advised that local primary, secondary and further-secondary schools within the catchment "would not have spare capacity." The Society's own warning bears repeating here: "It is a huge concern that applications on these sites are being prematurely considered before the infrastructure has been legally secured." This application is precisely such a case.

5. Mischaracterisation of the pre-application officer's comments as "infill"

The applicant's Planning and Heritage Statement repeatedly asserts that the Council's pre-application officer "accepted," "confirmed" or found the principle of the development "capable of being supported" as infill. This overstates what was actually said. The officer's own words were that "an argument could be made that the site could be viewed as an infill development" — a deliberately qualified, non-committal observation, made at officer level only, expressly stated not to prejudice any subsequent decision. I would ask the case officer to treat the applicant's characterisation of the pre-application advice with appropriate caution.

On the substance, the scheme does not read as infill in any ordinary sense:

- Infill normally means completing a genuine gap of 1–2 dwellings in an otherwise continuous frontage; 6 dwellings on a 0.48-hectare site with a new access road, attenuation pond and SuDS basin constitutes a new estate, not infill.
- To qualify as infill, a site should continue a building line established on both sides — but as set out in point 3 above, the building line to the south (DM/24/1139) was itself only recently created and was expressly not intended to justify further extension.

6. Highway and pedestrian safety

College Lane has no continuous footpath and cannot safely absorb a second estate junction and c.20 further vehicle movements in close proximity to the DM/24/1139 access. This is not a lane with spare capacity to absorb. An independent Traffic and Transport Assessment (Obtrada Ltd, 29 June 2026) recorded 6,700 vehicles per day through Hurstpierpoint High Street, onto which College Lane traffic filters. The Stonepound Crossroads Air Quality Management Area, at the B2116/B2117 junction this traffic feeds into, already operates at 100% volume-to-capacity on the B2116 arm. Neither the applicant's Transport Statement nor its predicted trip generation figures make any reference to this documented capacity and air quality constraint on the route their own future residents would use.

College Lane also connects directly to Malthouse Lane, which forms a boundary of the DPSC1 allocation (c.1,350 dwellings). This is not a theoretical future connection: Malthouse Lane already experiences repeated closures of two to three weeks at a time for 24-hour tanker operations serving the wastewater network (see point 7 below). Adding a second estate access onto College Lane, in a location already funnelling traffic toward a junction at 100% capacity, cannot properly be assessed without reference to this wider and worsening picture.

7. Loss of countryside and strain on already-failing infrastructure

The site is currently functioning agricultural/grazing land. Its loss reduces the green buffer between the village and Hurstpierpoint College and runs counter to the conservation objectives of the Hurstpierpoint Neighbourhood Plan. I would also note that the Council's own Strategic Housing and Economic Land Availability Assessment process has previously rejected sites in this immediate location on grounds of coalescence with the built-up area — a finding directly relevant to whether this site, and the pattern of applications around it, should now be permitted to proceed piecemeal.

Beyond landscape and coalescence, the wastewater infrastructure serving this catchment is already under recognised strain, not hypothetically but on the evidence of the statutory undertaker and regulator. Southern Water's own Drainage and Wastewater Management Plan and BRAVA risk modelling identify the Goddards Green catchment, which serves this part of Hurstpierpoint, as one of only 13 of 68 systems across the entire Adur and Ouse area at increased risk of breaching its Environment Agency Dry Weather Flow permit. Southern Water was fined a record £90 million by the Environment Agency in 2021 for unpermitted sewage discharges across its region, which includes this catchment. On the water supply side, South East Water — the water undertaker for this site — was fined £22.46m by Ofwat in March 2026 for supply failures affecting 286,645 customers between 2020 and 2023, and separately declared a major incident in January 2026 (Storm Goretti) that left around 42,000 customers without supply, including approximately 16,500 properties in the East Grinstead area whose storage had been fully exhausted. Adding further dwellings to a catchment already flagged by the regulator's own risk modelling, ahead of the sewerage and wastewater improvements that the Council's own Sayers Common Infrastructure Delivery Plan (July 2026) confirms will not arrive until near the end of the plan period, is not sound infrastructure planning, whatever the merits of the individual application.

8. Housing need

The scheme comprises large market houses, falls below the threshold for affordable housing contribution under Policy DP31, and there is no evidence it meets an identified local need

for affordable or starter homes. The Council's inability to demonstrate a five-year housing land supply is acknowledged and is not disputed in this letter, but a shortfall in supply is not, by itself, a reason to accept any and every scheme that offers to fill it. Six large, unaffordable, market-rate houses on a site the Council's own evidence base has previously flagged for coalescence concerns does little to meet the District's actual identified housing need, a significant proportion of which is driven by unmet demand from Crawley and Brighton & Hove rather than by local household formation in Hurstpierpoint itself. The benefit claimed by the applicant should be weighed accordingly, rather than treated as a self-evident trump card in the planning balance.

Recent Mid Sussex appeal decisions confirm that Inspectors do not treat a housing shortfall as automatically overriding harm of this kind. At Albourne (APP/D3830/W/23/3319542, dismissed 5 October 2023, up to 120 dwellings), the Inspector expressly read Policy DP6 as requiring windfall development to be both genuinely contiguous and no more than 10 dwellings, and dismissed the scheme on landscape and heritage grounds regardless of the shortfall. At Sayers Common (APP/D3830/W/16/3163801, dismissed 2 June 2017, 11 dwellings), the Inspector went further, finding that the harm to character and appearance "would significantly and demonstrably outweigh the benefits. This would be the case even if the Council's housing land supply deficit is substantial." The same reasoning applies directly here.

For these reasons, this application should be rejected outright. If, notwithstanding the strength and consistency of local objection to development along this stretch of College Lane, the site's own refusal and appeal-dismissal history, and the precedent this application risks setting when read alongside the pattern of allocations and applications described above, the Council is not minded to refuse at officer level, then as a poor alternative I would ask that this application be determined by the Planning Committee rather than under delegated officer powers. I make this request without confidence that it offers real protection. When the neighbouring application, DM/24/1139, went to Committee, the official minutes record Members themselves expressing frustration at how the "contiguous" test was being applied and raising concern that "because part of the development is contiguous, no consideration was being given to the policies that it did not comply with" — yet the scheme was approved 7 votes to 4, overruling the Parish Council's own recommendation of refusal. Local residents therefore have direct, recent experience of a Committee process that did not, in practice, engage seriously with well-evidenced objection. I raise this not to suggest the request for Committee determination should be withdrawn, but so that the Council is aware that residents will be watching closely for a more rigorous and transparent process this time.

Yours sincerely,

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