

07 July 2026

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

Re: Objection to Planning Application DM/26/1477 – Erection of a single dwellinghouse, associated car parking and landscaping, Land Adjacent to Nightingales, The Street, Bolney, West Sussex, RH17 5PJ

Dear Sir/Madam,

I write as a neighbouring resident – having lived close to this site for nearly 25 years – to formally object to the above planning application. This objection is in addition to, and should be read alongside, my separate letter requesting that the application be treated as invalid because of multiple internal factual inconsistencies in the submitted documents.

This application fails every relevant countryside, settlement-boundary, sustainability, heritage and ecology policy. The applicant's own documents concede conflict with Policies DP15, DP6, BOLBB1, DP12 and BOLE2. The proposal's case for acceptability depends on the retained openness of neighbouring land that has no protection beyond those same policies. The benefit of a single market dwelling is negligible. The harms identified below are multiple, individually evidenced, and cumulatively decisive.

Executive summary

In summary, three points are decisive.

First, the Council's own recent practice is to refuse schemes like this one. Since the housing land supply shortfall was established, the Council has refused materially identical single-dwelling schemes in Bolney – DM/26/0111, DM/25/2970 and DM/18/3345 – running the very same tilted-balance exercise under NPPF paragraph 11(d) and footnote 8 that the applicant relies on here, and still concluding that the benefit of one dwelling did not outweigh conflict with the countryside and settlement-boundary policies. These and other comparable refusals are tabulated at Section 13 below.

Second, conflict with the development plan is admitted, and footnote 7 defeats the tilted balance. The applicant's own Planning Statement concedes conflict with Policies DP15, DP6, BOLBB1, DP12 and BOLE2; the only consideration said to outweigh that conflict is the shortfall; and footnote 7 to NPPF paragraph 11 preserves full weight, even under the tilted balance, for the designated heritage assets whose settings would be harmed.

Third, the Council's own officer has already found harm on this very site. The Heritage Statement's conclusion of "no harm" is directly contradicted by the Council's own Conservation Officer, whose assessment of this site engages the statutory duties in sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

1. Summary of objection

In summary, I object to this application because:

- the application's own Planning Statement concedes that the proposal conflicts with
 - Policy DP15 (New Homes in the Countryside), Policy DP6 (Settlement Hierarchy),
 - Neighbourhood Plan Policy BOLBB1 (Built-up Area Boundary),
 - Policy DP12 (Protection and Enhancement of the Countryside),
 - Neighbourhood Plan Policy BOLE2.It does not dispute these conflicts, it argues only that the resulting harm should be given limited weight;
- that "limited weight" argument depends entirely on Mid Sussex District Council's housing land supply shortfall engaging the tilted balance under NPPF paragraph 11(d) – but the benefit of a single dwelling is negligible against that shortfall, and footnote 7 to paragraph 11 specifically preserves full weight, even under the tilted balance, for policies protecting designated heritage assets, which apply here; and the site's position adjacent to the High Weald National Landscape separately engages the setting test in Policy DP16 and NPPF paragraph 189;
- the applicant's own case for acceptability is, in any event, internally circular: it rests on the retained openness of neighbouring grassland that has no protection beyond the very policies this application itself does not comply with; and
- the Council's own Conservation Officer has previously found, in response to an application on this same site, that development here would cause heritage harm to the settings of nearby listed buildings and the Conservation Area – directly contradicting this application's Heritage Statement, which concludes there is no harm at all;
- the ecological appraisal is incomplete: reptile surveys have not been completed despite confirmed reptile presence in the immediate vicinity; the pond at Scarps Side, where palmate newts are present (evidence provided), appears to have been missed in the pond survey used to conclude that further great crested newt surveys are 'disproportionate'; and badgers and deer are present around the site but not addressed in the appraisal;
- only 2 parking spaces are proposed, against a minimum of 3 required by both West Sussex County Council's adopted guidance and Neighbourhood Plan Policy BOLT3; no visitor parking is provided; no on-site turning space is shown; and fire appliance access has not been assessed, despite the access track being a dead-end route far exceeding the 20 metres beyond which turning facilities are required under Approved Document B and the WSCC Local Design Guide;
- foul drainage is wholly unaddressed in this full application, and MSDC's own Flood Risk and Drainage Team has recommended that a concurrent application on the

same unadopted stretch of The Street not be approved until outstanding drainage information is provided; and

- the application's own Biodiversity Net Gain Assessment records a 79.67% loss of on-site habitat units, with the mandatory 10% net gain achievable only by purchasing off-site credits – which the Planning Statement nonetheless characterises as carrying 'Significant Positive Weight' as an ecological enhancement.

Summary of Policy Conflicts

The following table summarises the principal policy conflicts and the evidence sources on which this representation relies:

Issue	Policy / Legislation	Evidence Source
<i>Location / settlement boundary</i>	DP15; DP6; DP12; BOLE2; BOLBB1; s.38(6) PCPA 2004	Planning Statement (own concessions on DP15, DP6, DP12 and BOLE2); Bolney Neighbourhood Development Plan (made 2016)
<i>Sustainability / car dependency</i>	DP6; BOLBB1; NPPF §110	Planning Statement (para 2.8 footway claim contradicted by track conditions); DM/26/0111 refusal (March 2026); DM/25/2970 refusal (February 2026); DM/18/3345 refusal (October 2018)
<i>Countryside character</i>	DP12; BOLE2; NPPF §187	Planning Statement (own concession on DP12 and BOLE2)
<i>High Weald National Landscape</i>	DP16; CROW Act 2000 s.85; NPPF §189 (CROW s.85 as amended by Levelling-up and Regeneration Act 2023 s.245)	Heritage Statement (states site within AONB); Planning Statement; Location Plan
<i>Heritage harm</i>	NPPF §215; Planning (Listed Buildings and Conservation Areas) Act 1990 ss.66 & 72	Conservation Officer response to DM/24/2215; Heritage Statement
<i>Ecology / protected species</i>	NPPF §193; Wildlife & Countryside Act 1981; Habitats Regs 2017 reg 43; NERC 2006 s.40; BOLE1; DP38; DP37	Preliminary Ecological Appraisal; site photographs; Scarps Side pond
<i>Drainage & flood risk</i>	DP41; NPPF §§173-175	Application Form ('Unknown' checkbox on foul drainage); MSDC Flood Risk and Drainage Team response to DM/26/0764
<i>Parking / highway safety</i>	DP26; BOLT3; WSCC Parking Standards; Approved Document B; WSCC Local Design Guide §5.5; Equality Act 2010 s.149; IAQM Construction Dust 2024	Design and Access Statement; Application Form; WSCC Guidance on Parking at New Developments (September 2020)
<i>Biodiversity net gain</i>	Environment Act 2021 s.98; NPPF §193	Biodiversity Net Gain Assessment (applicant's own document)

2. The site and its policy context

The application's Heritage Statement and Planning Statement both describe the site's surroundings as follows: "The site is surrounded on the north, south and southwest sides by open grassland. These open pieces of land will retain the openness associated with the rural nature of Bolney village... and, with land to the north of Nightingale's, will continue to present a verdant, spacious and natural appearance."

This description matters for two reasons. First, the Planning Statement itself confirms (para 2.8) that the site is "located adjacent to the settlement boundary of the village of Bolney", and separately confirms (Site Description) that the site is "located outside of the Bolney Built-up Area Boundary defined on the Planning Policies Map". This matters because it means the proposal must be assessed as a new home "in the countryside" for the purposes of Policy DP15, engaging the gateway tests in Policy DP6 addressed in Section 4 below, rather than as infill within the settlement. Second, the scheme's acceptability, on the applicant's own case, is itself premised on neighbouring land – land outside the applicant's control, and

subject to no protection beyond the development plan policies discussed below – remaining undeveloped.

3. Policy DP15 (New Homes in the Countryside) – no special justification, by the applicant's own admission

Policy DP15 of the Mid Sussex District Plan provides that new homes in the countryside will only be permitted where “special justification” exists, limited to four defined gateways: an essential rural worker dwelling; an isolated home of exceptional design quality; affordable housing under Policy DP32; or development that meets Policy DP6 (Settlement Hierarchy).

This is not advanced as a rural worker dwelling, a design of exceptional quality, or affordable housing. The Planning Statement itself concludes: “No special justification exists for the location of a new home in the Countryside when assessed against DP15 (New Homes in the Countryside) in isolation... Therefore, the harm arising from conflict with Policy DP15 is given limited weight.” The applicant does not contend that DP15 is satisfied; it contends only that the resulting harm should not weigh heavily in the balance, on the basis that the site sits between two existing dwellings and the characterisation as “infill”.

4. Policy DP6 and Neighbourhood Plan Policy BOLBB1 – conflict admitted; sustainability claim contradicted elsewhere in the application

Policy DP6 provides that, outside built-up area boundaries, settlement expansion will only be supported where the site is (1) allocated or for fewer than 10 dwellings, (2) contiguous with the existing built-up area, and (3) demonstrated to be sustainable. Neighbourhood Plan Policy BOLBB1 imposes a closely related test for development outside Bolney's Built-up Area Boundary.

The Planning Statement itself states: “it is also noted that the proposals conflict with Policy DP6 (Settlement Hierarchy) as the proposed development is not located within the built-up area of Bolney... This is largely repeated in Neighbourhood Plan Policy (BOLBB1).” The Built-up Area Boundary is shown by the blue line on Map 2 (Policy BOLBB1: Built-up Area Boundary) on page 26 of the Bolney Neighbourhood Plan. The application site lies outside that line, to the north-north-west of Weald Chase, near the top left of the map, and is separated from the Boundary by intervening dwellings, grassland and open field (depending on which part of the Boundary). The site is not, as evidenced by that map, contiguous with the Built-up Area Boundary.

On sustainability, the Planning Statement asserts that “in real world terms the proposed dwelling is located in a sustainable location close to essential services”. The Council's own evidence base reaches the conclusion that Glebelands Field (the field between the site and the Boundary) is unsustainable. The District Plan Site Selection Paper (SSP3) assesses SHELAA site 749 (Glebelands Field, Lodge Lane, Bolney, of which site 1185 forms part) and rates it “Negative” for both Public Transport and Health, recording that “access to Public Transport and/or frequency of Public Transport in this location is poor” and that a “journey [is] likely by car only”. Consistent with that assessment, the Council refused application DM/26/0317 (a phased development of up to 9 self-build dwellings on that same site) on 18 March 2026, finding that “the site is not sustainable in terms of very limited public transport options”, and citing conflict with Policies DP4, DP6, DP12, DP15, DP21, DP26, DP34 and DP35 of the District Plan and Policies BOLBB1, BOLE2 and BOLD1 of the Neighbourhood

Plan – substantially the same policies engaged by this application. The site of this proposal, DM/26/1477, is more remote from services than Glebelands Field, being near the end of the unadopted part of The Street, an unmade, single lane, farm track with no footway and so poorly maintained that it is unsafe for cycling (particularly in the dark), geographically to the north of Glebelands Field, and with such access problems that MSDC has to use a smaller waste collection truck than is used elsewhere in the village and withdrew the garden waste service. If the Council accepts that Glebelands Field is unsustainable on public transport grounds, the same conclusion should, logically, apply at least as strongly here.

The Planning Statement further asserts (para 2.8) that village services are “accessible via footway along The Street”. This is contradicted by the application’s own Design and Access Statement, which states in its discussion of access arrangements: “There is no formal pedestrian footpath in this part of Bolney, reflecting the area’s rural character with grassed verges and informal routes. The proposal does not alter this arrangement.” The application therefore cannot simultaneously be relied upon as evidence that the site is well connected to village services by footway and as evidence that no such footway exists. Further evidence that no such footway exists can be seen in the photograph in section 10 of this objection, which shows the state of The Street by Franc Jean Farm.

Given the Neighbourhood Plan’s own evidence (Policy BOLT3 background) records car ownership in Bolney parish as the highest in the district and rising, and that the village’s streets and lanes are unsuited to additional on-street parking or unsafe for cycling, any claim that the site is sustainable has to be challenged.

This conclusion of unsustainability reflects a consistent pattern in the Council’s recent decisions in this parish and the surrounding area: it has repeatedly refused countryside-edge dwellings here on the ground that future occupiers would be dependent on the private car (see the consolidated table of comparable refusals at Section 13 below). Bolney is a rural settlement with severely limited public transport, and the evidence that any new dwelling here will generate near-total car dependency is overwhelming and directly supported by those local decisions.

The Local Highway Authority’s own consultation response (6 July 2026) is to similar effect: while it raises no highway-safety objection, it acknowledges that, given the site’s location, “residents may rely on the private car for trips further afield”. National transport policy — Gear Change (2020) and the Transport Decarbonisation Plan (2021) — gives priority to reducing precisely that reliance, which weighs against a dwelling in so car-dependent a location.

Both limbs (2) and (3) of Policy DP6 therefore remain unsatisfied, and the conflict with DP6 and BOLBB1 is, on this evidence, more than a technical or out-of-date formality.

5. Policy DP12 and Neighbourhood Plan Policy BOLE2 – conflict admitted

Policy DP12 (Protection and Enhancement of Countryside) permits countryside development only where it maintains or enhances rural and landscape character and is necessary for agriculture or supported by a specific policy reference elsewhere in the development plan. Policy BOLE2 imposes a parallel test specific to Bolney. The Planning Statement again concedes: “The proposals conflict with Policy DP12 and BOLE2.” No agricultural necessity is claimed, and once Policy DP6/BOLE2 are correctly found not to apply (Sections 3–4 above

and my separate letter), no specific policy reference remains capable of supporting the development in the countryside.

6. The High Weald National Landscape (AONB) – the setting test applies

As confirmed by the Local Plan Policies Map and the published National Landscape boundary, the site lies immediately adjacent to, and within the setting of, the High Weald National Landscape. The applicant's own Heritage Statement states that "the Site is within the High Weald Area of Outstanding Natural Beauty". The Heritage Statement is wrong on this point, and its error is a further reason to treat its conclusions with caution. Under Policy DP16, development contributing to the setting "will only be permitted where it does not detract from [its] visual qualities and essential characteristics", and NPPF paragraph 189 requires development within the setting to be "sensitively located and designed to avoid or minimise adverse impacts on the designated areas".

The weight owed to that harm is, moreover, now underpinned by a strengthened statutory duty. Section 85 of the Countryside and Rights of Way Act 2000, as amended by section 245 of the Levelling-up and Regeneration Act 2023 (in force since December 2023), no longer merely requires public bodies to "have regard to" the purpose of the National Landscape but to "seek to further the purpose of conserving and enhancing" its natural beauty — and it applies to functions exercised "in relation to, or so as to affect" land in the National Landscape. In determining an application for development in the setting of the High Weald that would affect it, the Council is therefore under an active duty to seek to further the conservation and enhancement of the National Landscape, which the proposal does not.

7. Heritage impact has not been reliably assessed

The Heritage Statement concludes the proposal would cause no harm to any heritage asset, and the Planning Statement's planning balance (Section 13 below) relies on that "neutral impact" conclusion to avoid engaging NPPF paragraph 215 at all. However, the Planning Statement separately records, at paragraph 6.32, that "comments received from the Conservation Officer during pre-application engagement noted that the principle of development would lead to the lower end of less than substantial harm" to nearby heritage assets, requiring the paragraph 215 balancing exercise to be undertaken. The application's own documents therefore disclose a direct conflict between the Council's Conservation Officer and the applicant's heritage consultant as to whether there is any harm at all, and I do not consider the "neutral impact" conclusion can simply be adopted in the Council's own planning balance.

This is not the first time the Council's Conservation Officer has commented on residential development at this site. In response to the previous application on this site, DM/24/2215 (an outline application for two semi-detached houses, withdrawn in 2024 and referred to at paragraph 2.9 of the Planning Statement), the Conservation Officer stated: "In my opinion, as set out at pre-application stage, the principle of new residential development on this site is contentious in terms of the impact on the surviving semi-rural character of this part of the settings of the various assets described above. Development of this nature, and of the footprint and scale indicated, will have a fundamental impact on the currently open and verdant character of the site, and will remove the positive contribution which it makes to the settings of the heritage assets. It will also result in intensification of the currently relatively

open grained development to this western side of The Street. The impact through setting is likely to be predominantly in terms of the character of the context within which the assets are experienced, including in sequential views, although (subject to further details of scale and form) there is also likely to be some intervisibility with the affected assets.” This directly contradicts the current Heritage Statement’s “no harm”/neutral conclusion, and was made by the Council’s own officer in respect of this same site, not a comparable one.

In assessing that harm, the Council is subject to the statutory duties in sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990: it must have special regard to the desirability of preserving the settings of listed buildings, and special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area. As the Court of Appeal held in *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council* [2014] EWCA Civ 137, these duties require the decision-maker to give the preservation of setting and character “considerable importance and weight” – a duty more demanding than the NPPF paragraph 215 balancing exercise, and one which the applicant’s “no harm” conclusion does not engage at all.

The same Conservation Officer comments on DM/24/2215 also described the character of the surrounding Conservation Area setting in these terms: “As such the surviving rural setting of the northern part of the Area will be considered to make a strong positive contribution to its special character. The development to the western side of the northern end of The Street (including the proposed development site) retains a loose grained nature with undeveloped spaces, which lends a semi-rural character, and is complementary to the low density and verdant nature of the adjacent part of the Conservation Area.” This makes explicit that the application site itself, in its current undeveloped state, is recognised by the Council’s own officer as part of what gives this part of the Conservation Area’s setting its positive character – the very character the proposed dwelling would remove.

The Heritage Statement also states that “the Site previously formed the east end of the garden of Nightingales.” As a long-standing neighbouring resident, I can confirm this is incorrect: the site has been an undeveloped grassland meadow since long before Nightingales itself was built (permitted in 2015 under ref. DM/15/1876); it has never been garden.

The Heritage Statement further states that the proposal “represents the completion of an existing cluster of residential development rather than the encroachment of built form into an undeveloped historic landscape.” This is misleading. Open grassland plots remain to the south, southwest and southeast of the site, as well as open fields to the north. These plots are the same land the applicant elsewhere relies upon as retained openness (see Section 12 below); a further application, DM/26/0764, is currently live for a new dwelling at Franc Jean Farm on this same stretch of The Street; an application for development of the garden of Scarps Side is expected soon; and applications for development to the south and east of Strawdust are not unlikely. Far from “completing” a cluster, this application would be one of several incremental additions to it, each potentially relying on the same reasoning in turn – precisely the cumulative process described in Section 12 below.

The Heritage Statement separately asserts that the proposal would deliver “a number of public benefits”, listing the efficient use of an infill site, the contribution to housing supply, and a high-quality dwelling responding to local character. In substance these are not

separate benefits: they are different descriptions of the same single benefit – the construction of one market dwelling. I would ask the Council not to treat this list as if it demonstrated a wider or more substantial public benefit than that.

8. Ecology and protected species

The application's Preliminary Ecological Appraisal does not rule out protected species on site; rather, it defers key findings. On reptiles, it states that "the presence of reptiles on site cannot be discounted" and that "reptile surveys are to be carried out to determine presence or likely absence of reptiles on the site" – meaning that, at the point of this Full planning application, the survey needed to establish whether protected reptiles are present has not been completed. On great crested newts, it records a pond approximately 150m from the site and concludes that "further surveys are considered to be disproportionate" given what it assesses as "low potential for impacts", again without a completed survey confirming absence. Badgers and deer are not addressed in the appraisal at all.

As a neighbouring resident, I can confirm sightings on or immediately around the site of bats, owls, slow worms, grass snakes, common lizards, [REDACTED] deer and occasional hedgehogs, and of common newts being present in a pond at Scarpside, a little distance along The Street. This goes beyond the "cannot be discounted" possibility the appraisal works with: several species it treats as requiring further survey before their presence can be assessed are, in fact, present. Given this is a Full application, I do not consider it appropriate for outstanding reptile surveys to be completed after permission is granted; the survey results, and any mitigation they require, should be available to the Council before the application is determined.



Photograph: a palmate newt (Lissotriton helveticus) in the pond at Scarps Side, immediately south of the application site.



Photograph: a frog at Strawdust, immediately east of the site.



Photograph: a slow worm on the driveway at Strawdust, immediately east of the site.



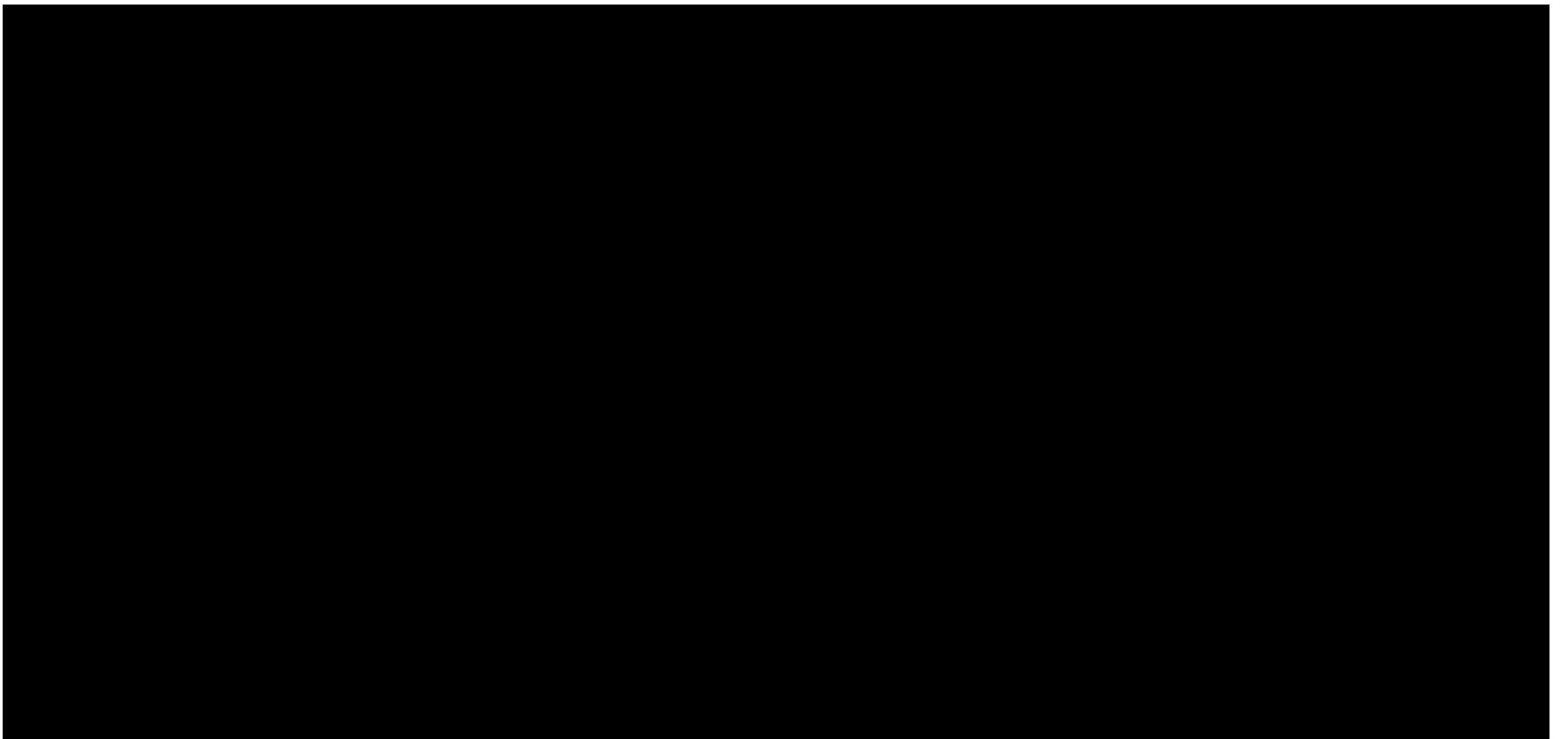
Photograph: a grass snake at Malthouse Wood, close to the site; grass snakes have also been seen at Weald Chase, Strawdust and Glebelands Field.

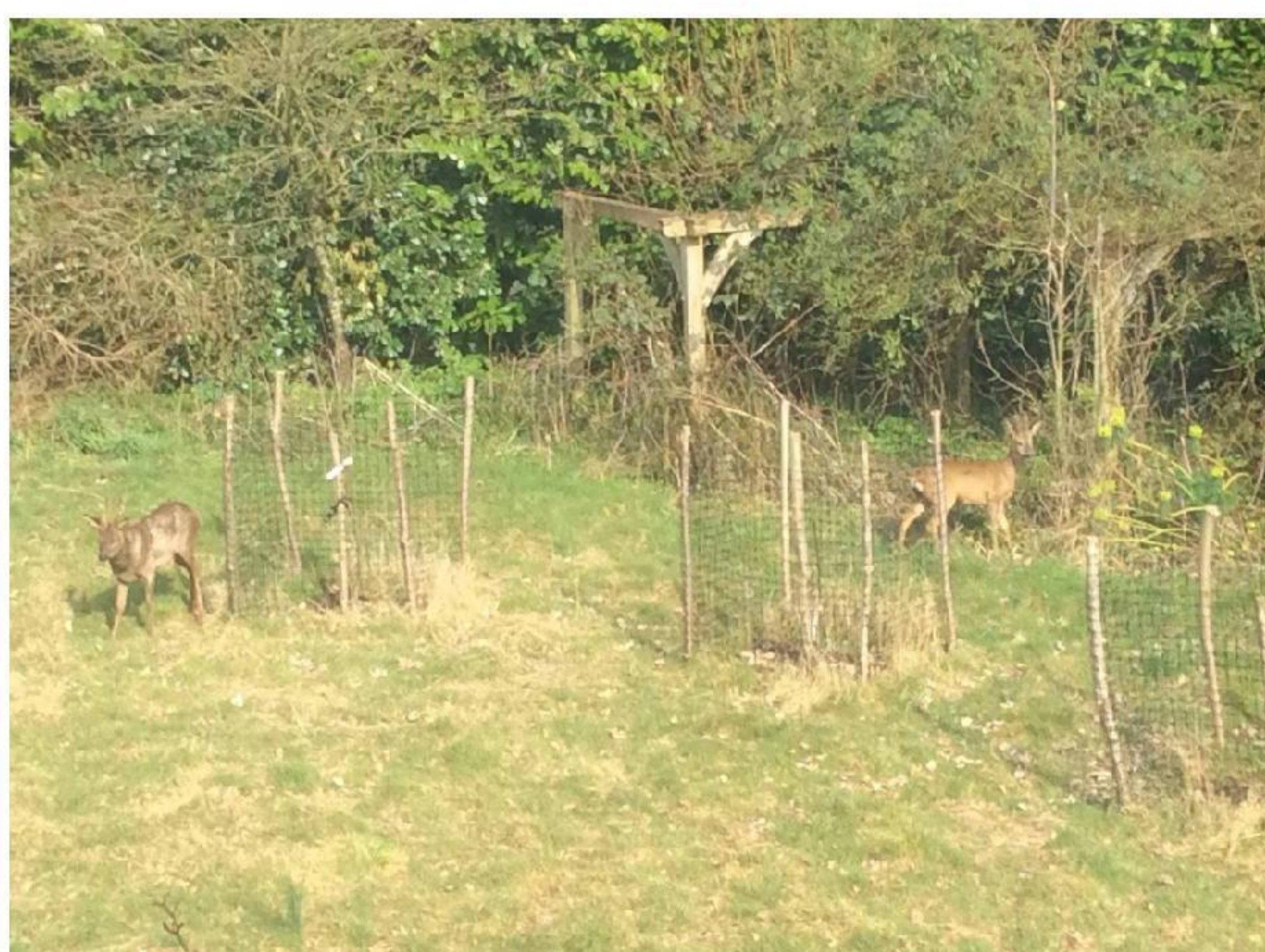


Photograph: lizards at Strawdust, immediately east of the site.



Photograph: deer on The Street outside Strawdust, immediately east of the site.





Photograph: deer in the garden of Weald Chase, neighbouring the site to the south.



Photograph: a bat that flew inside Weald Chase, neighbouring the site to the south.

The PEA's conclusion that further great crested newt surveys are "disproportionate" also warrants scrutiny on the basis of its pond identification. The appraisal states that the closest pond to the site is approximately 150m to the north. However, there is a current pond at Scarps Side, which lies to the south of the application site along the access. The Heritage Statement records that late-19th century ponds at Scarps Side were infilled when the property was built, but a pond currently exists there and supports amphibian life: a palmate newt (*Lissotriton helveticus*) has been photographed in it, as shown below, confirming it as active amphibian breeding habitat. If the Scarps Side pond has been missed or mislocated in the PEA's survey, the pond connectivity analysis underpinning the "disproportionate" conclusion may be unreliable: a closer, unidentified pond changes the habitat network assessment on which the risk score depends. I would ask the Council to require the applicant to confirm whether the Scarps Side pond was included in the PEA's pond survey and, if not, to require a revised survey including this pond before the application is determined.

The appraisal's own survey methodology compounds this. It states that the required reptile surveys "must be undertaken between April and September, targeting optimal surveying months of April, May and September", comprising seven visits, and that "the surveys are likely to be required before planning permission can be granted." This application was submitted in June 2026. On the appraisal's own terms, the survey effort it considers necessary cannot yet have been completed, since it expressly extends into September. I do

not consider permission can properly be granted, consistent with the applicant's own ecological evidence, until that full survey season has been completed and assessed.

The Design and Access Statement and Planning Statement both confirm that a chimney and additional windows to the eastern flank wall were added at Mid Sussex District Council's own suggestion during pre-application discussions, "to add additional animation to the eastern flank wall." I have already raised, in my separate letter, the conflict this chimney creates with the scheme's claimed Passivhaus credentials. Separately, the additional flank windows (together with the rooflights shown on the approved elevations) increase the area of glazing through which artificial light can be emitted at night, directly undermining the "low impact lighting strategy" the Preliminary Ecological Appraisal and Planning Statement both rely upon to protect bats using the site, which is supposed to incorporate the measures in the Bat Conservation Trust's 2023 Guidance Note 8, Bats and Artificial Lighting. Rooflights in particular are difficult to shield or screen, since they cannot practicably be fitted with curtains, blinds or external screening in the way a conventional flank wall window could be, and so are likely to emit light upwards and outwards across the retained dark corridors the appraisal identifies. I do not consider the application has explained how the flank windows or rooflights are reconciled with the lighting strategy it relies upon, and I would ask the Council to require the flank windows to be omitted, or, failing that, full details of how light spill from both the flank windows and the rooflights will be controlled (for example, by external louvres, obscure glazing, or automatic shading) to be approved before any permission is granted.

The lighting concern is not merely a matter of detail to be conditioned. Because bats are European Protected Species, uncontrolled light spill onto their roosts, commuting routes or foraging habitat risks the disturbance offence under regulation 43 of the Habitats Regulations 2017 described above, and so goes to whether the scheme is acceptable in principle. The Bat Conservation Trust / Institution of Lighting Professionals Guidance Note 08/23 (Bats and Artificial Lighting) — the very guidance the appraisal relies upon — records that slower-flying species avoid illuminated commuting and foraging routes, with significant effects recorded from as little as 3.6 lux and avoidance behaviour below 1 lux; that the mitigation hierarchy requires lighting to be avoided altogether on key dark habitats and buffers; and that there is no known safe illuminance threshold for individual bats, so a precautionary approach is required. Rooflights in particular cannot be curtained, shuttered or externally screened as a conventional wall window can, and so will spill light upward and outward across precisely the dark corridors the appraisal relies upon. National Planning Practice Guidance on light pollution confirms that artificial light, and its effect on protected species and intrinsically dark landscapes, is a material planning consideration.

The Planning Statement states that the landscaping scheme will "ultimately deliver a BNG of 10%", and on this basis treats "Ecological Enhancements" as carrying "Significant Positive Weight" in the planning balance addressed in Section 13 below. The application's own Biodiversity Net Gain Assessment tells a different story: it records a 79.67% net loss of on-site area-based habitat units (a deficit of 0.56 units), and states that "the 0.56 units will need to be achieved through the purchasing of offsite habitat units." The mandatory 10% net gain is accordingly not being delivered by the on-site landscaping the Planning Statement describes at all; it is being delivered, if at all, by purchasing biodiversity credits elsewhere, after a significant on-site biodiversity loss. Whatever weight off-site mitigation purchased to meet a statutory minimum may deserve, it is not the same thing as the on-site ecological

enhancement the Planning Statement's "significant weight" claim implies, and I do not consider that claim is soundly evidenced.

Beyond the survey deficiencies above, the proposal engages a statutory and development-plan framework the Planning Statement does not address. Neighbourhood Plan Policy BOLE1 (Protect and Enhance Biodiversity) requires that development not "result in loss of or unacceptable harm to protected species or their habitats and ancient or species-rich hedgerows, grasslands and woodlands"; the site is precisely such species-rich grassland, and the appraisal itself does not rule out protected species. District Plan Policies DP38 (Biodiversity) and DP37 (Trees, Woodland and Hedgerows) are engaged for the same reasons. Both bats and (if present) great crested newts are European Protected Species: under regulation 43 of the Conservation of Habitats and Species Regulations 2017 it is a criminal offence deliberately to capture, injure, kill or disturb them, or to damage or destroy a breeding site or resting place, "disturbance" expressly including anything likely to impair their ability to survive, breed or rear young, or to affect the local distribution or abundance of the species. Common reptiles confirmed on and around the site (slow-worm, grass snake and common lizard) are protected under Schedule 5 of the Wildlife and Countryside Act 1981.

This has a direct bearing on how the application must be determined. Before granting permission, the Council must itself consider whether a European Protected Species licence could be granted — that is, whether the three derogation tests in regulation 55 (a qualifying purpose; no satisfactory alternative; and no detriment to maintaining the species at a favourable conservation status) could be met — and it cannot lawfully leave that question to a post-permission licence where the surveys needed to judge it have not been done. With the reptile survey incomplete and great crested newt presence unconfirmed, the Council is not presently in a position to discharge that duty, nor its biodiversity duty under section 40 of the Natural Environment and Rural Communities Act 2006 (as strengthened by the Environment Act 2021). The mandatory 10% biodiversity net gain the Planning Statement presents as a benefit is, in any event, a statutory minimum under Schedule 7A to the Town and Country Planning Act 1990 (inserted by the Environment Act 2021), not a discretionary enhancement — and here it is achieved only after a 79.67% on-site habitat loss, by purchasing off-site units.

9. Design, parking, and the internal inconsistencies set out in my separate letter

District Plan Policy DP26 and Neighbourhood Plan Policy BOLD1 require well-integrated parking and high-quality design responsive to local character. As set out in my separate letter, the application gives at least three different descriptions of the parking area surface, so it is not currently possible to assess what is actually proposed against these policies.

The Application Form's own housing-mix return records this as a 4+ bedroom dwelling, and the Design and Access Statement floor plan shows a room labelled "Office/Bed 4".

According to West Sussex County Council's 'Guidance on Parking at New Developments' (September 2020), a 4-bedroom (or larger) house in Bolney — which sits in Parking Behaviour Zone 1 — has an expected parking demand of 2.7 spaces per dwelling. Figures are rounded up, so 3 parking spaces is the minimum for a 4-bedroom house in Bolney. It should be noted that WSCC's guidance shows that a 3-bedroom house in Bolney requires

2.2 spaces, which again when rounded up results in 3 spaces required, not the 2 included in the proposal. Bolney Neighbourhood Plan Policy BOLT3 likewise requires 3 spaces for a 4-bedroom house, and additionally requires visitor parking to be accommodated within the development. As discussed further in Section 10 below, the proposal makes no provision for either visitor parking or turning space.

This requirement is confirmed by the Local Highway Authority itself: West Sussex County Council's consultation response of 6 July 2026 records that "the WSCC Car Parking Demand Calculator indicates that a dwelling of this size and location would require three car parking spaces", against the two proposed, and notes that overspill parking may as a result have to be accommodated on-street — an amenity impact the Authority expressly invites the Council to consider.

The Design and Access Statement states that the dwelling will have "white painted timber windows... a black painted timber front door, white rear sliding doors", and asserts this "reflect[s] the traditional local vernacular and ensure[s] the building sits harmoniously within the village context", citing Policy BOLT1 of the Neighbourhood Plan (which, as set out in my separate letter, is misdescribed) and District Plan Policy DP26 in support. As a neighbouring resident, I can confirm that none of the neighbouring properties of Weald Chase, High Gables, Strawdust or Pine End House have white window and door frames; the claimed "harmonious" match with local vernacular and surrounding properties is not accurate.

The Proposed Elevations and Sections and the Streetscape Section both compare the dwelling's ridge height only against Strawdust (to the east) and Nightingales (to the west); no comparative elevation or section has been provided against High Gables or Weald Chase, the neighbouring properties to the south. Without that comparison, neither I nor the Council can properly assess the impact of the proposed massing and ridge height on those two neighbouring properties, contrary to District Plan Policy DP26 and the "significant overbearing impact and loss of outlook" consideration the Council itself identifies as a relevant planning matter. I would ask the Council to require comparative south-facing elevations or sections before the application is determined.

10. Access, highway safety and accessibility

The Design and Access Statement confirms that "the existing site access is located on the southern boundary, formed by the access track to Nightingales further west of the site." The access track, linking the site to the junction with adopted highway at Top Street, is potholed and largely unmaintained, has a blind 90-degree turn, no provision for a turning space or passing spaces, and only one way in and out, with no separate emergency access. Delivery and other vehicles already struggle to navigate it; a single parked or manoeuvring vehicle, or two vehicles meeting in opposite directions, already causes congestion. The proposed development would add to this, affecting the function of the existing cluster of properties it serves. There is no pavement, no lighting and no separate cycle path, and visibility is restricted where the spur to the site branches from the main track, at the 90-degree turn by Scarps Side, and at the junction with The Street.

West Sussex County Council, as Local Highway Authority, responded to consultation on 6 July 2026. Its recommendation is expressly "Advice" only, because The Street "is privately maintained in this location"; it undertook no site visit ("Date of site visit: N/A") and dealt with

the application under its protocol for small-scale proposals. Its comments are, accordingly, confined to the adopted access point where The Street meets the maintained network, which it does not expect one dwelling to intensify significantly. The Authority did not assess — and, the street being privately maintained, does not purport to assess — the condition, width, capacity or turning provision of the private track that actually serves the site, the adequacy of fire-appliance access, or refuse access. Those matters, which are the substance of the concerns set out below, are left unaddressed by the Authority.

The Authority's observation that "cycling is viable in the local vicinity" must be read in that light. It is a general, desk-based remark about the wider area — the Authority carried out no site visit — and is not an assessment of the private track itself. That track, along which any cyclist to or from the site must travel, is unlit, single-lane, and shares its potholed and frequently waterlogged surface with vehicles; for much of the year — after dark through the long winter months, and whenever the surface is waterlogged — it is not reasonably safe to cycle. Whatever the position on the adopted roads beyond, the route that actually serves this site does not offer safe cycling conditions.



Photograph: the unadopted section of The Street between the site and the junction with Top Street, showing the potholed, waterlogged surface, the absence of any segregated footway or cycleway, and logs and cones placed to prevent use of the verges for passing.

As a neighbouring resident, I can confirm that this unadopted stretch of The Street is already the sole vehicular access for a substantially larger number of properties than the application acknowledges: High Gables, Weald Chase, Nightingales, Strawdust, Malt House, Pine End House, Franc Jean Farm (together with its annex, caravans and outbuildings), Scarps Side, 1 and 2 Scarps Cottages, Greenwood, Yew Tree Cottage and The Thatched House – at least thirteen separate properties. Nine of these – High Gables, Weald Chase, Nightingales,

Strawdust, Malt House, Pine End House, Greenwood, Yew Tree Cottage and The Thatched House – are independently named in the application’s own Design and Access Statement, Heritage Statement, Planning Statement and Surface Water and SuDS Assessment, and/or the Council’s own Neighbour Notification List. For comparison, Manual for Streets, the Department for Transport’s national design guidance (reflected in turn in individual highway authorities’ own design guides), treats a shared private drive as appropriate only up to a maximum of five dwellings, beyond which a properly made-up street with passing and turning provision is expected. The Street, in its unadopted state, already serves more than double that number, without the carriageway width, passing places or turning provision that would be required of a new access serving even a fraction as many dwellings. Adding a further dwelling to an access that already falls so far outside current good design practice, without any corresponding highway improvement, compounds rather than resolves an existing problem.

MSDC has withdrawn the green bin service from this track because access was too difficult, and the refuse service does not enter the spur this development would rely upon, so the development would be no more accessible than Nightingales. The state and layout of the track also make it effectively inaccessible to wheelchair users or those unsteady on their feet, and to visually impaired people, other than by motor vehicle (or, for the latter, a carer using a motor vehicle), which sits poorly with District Plan Policy DP28 (Accessibility) and its emphasis on inclusive access, and runs against NPPF paragraph 117(b), which requires applications to address the needs of people with disabilities and reduced mobility in relation to all modes of transport.

This engages a statutory duty on the Council itself. Under section 149 of the Equality Act 2010 (the public sector equality duty), the Council must, in determining this application, have due regard to the need to advance equality of opportunity and remove the disadvantages experienced by people with protected characteristics, including disability. An access that is effectively unusable — other than by motor vehicle — by wheelchair users, those unsteady on their feet, and the visually impaired is squarely relevant to that duty, and reinforces the conflict with District Plan Policy DP28 and NPPF paragraph 117(b).

Separately from the bedroom/parking-space point addressed in Section 9 above, the application does not appear to make any provision for visitor parking, notwithstanding that Policy BOLT3 expressly requires that “visitor parking must be accommodated within the development.” The Local Highway Authority has concluded that the proposal would not have an unacceptable impact on highway safety or a “severe” cumulative impact under NPPF paragraph 116, and I do not seek to reargue that specific conclusion. The Authority assessed only the adopted access point on a privately-maintained street, however; it expressed no view on the adequacy of the private track that serves the site, on turning or fire-appliance access, or on the amenity impact of the on-street overspill parking it itself identified. Those matters remain for the Council to weigh. The proposal conflicts with Policies BOLT1 and BOLT3 of the Bolney Neighbourhood Plan and Policies DP25 (Community Facilities and Local Services) and DP28 (Accessibility) of the Mid Sussex District Plan.

The application makes no reference at all to electric vehicle charging provision: no charging point is shown on the submitted plans or mentioned in any application document. NPPF paragraph 117(e) requires applications to “be designed to enable charging of plug-in and

other ultra-low emission vehicles in safe, accessible and convenient locations”, and Part S of the Building Regulations (in force for new dwellings since June 2022) requires new residential development to provide electric vehicle charging infrastructure. This should be addressed by condition, or by requiring revised plans showing charging provision, before the application is determined.

The Planning Statement (para 6.54) states: “Although The Street is not adopted highway, in line with decisions on adjacent sites, passing places may be required to aid the free flow of traffic but the land lies outside of the applicant’s control and therefore it would be possible to provide passing places. As per the surrounding recently consented dwellings, hard landscaped drives are considered suitable for passing places should this be required.” The drives referred to are private property, not within the applicant’s control; most are blocked by gates, chains or other obstructions, and even the roadside verges are blocked with logs and stones by the respective landowners specifically to prevent their use for parking or passing (see image above). Neither the drives nor the verges are, in practice, available for use as passing places. The Planning Practice Guidance is clear that “conditions requiring works on land that is not controlled by the applicant, or that requires the consent or authorisation of another person or body[,] often fail the tests of reasonableness and enforceability.” Neither the Council nor the applicant has any power to require, or even to offer, the use of other people’s private property as a passing place, and a condition to that effect would be unenforceable for the same reason. That the Council offered this “solution” previously was a clear conflict with Planning Practice Guidance.

The Design and Access Statement states that the proposed parking arrangement, “comprising a large space sufficient for two cars... removes the need for on-site turning”, without explanation or supporting evidence. On-site turning is plainly required here: The Street north of Top Street, including the spur to Nightingales on which the proposed development would be located, is single-lane throughout, with no realistic prospect of turning within the carriageway itself. Without on-site turning, vehicles would need to reverse either into or out of the site, onto a single-lane track, which is itself a highway safety concern the application does not address.

The application does not address emergency access or water supply for fire-fighting at all; there is no reference anywhere in the documents to West Sussex Fire & Rescue Service having been consulted, to the adequacy of water supply (for example, the provision or location of any fire hydrant) for the cluster of properties served by this track, or to whether a fire appliance can access the site itself.

This omission is significant. Approved Document B (Requirement B5) requires vehicle access for a pump appliance to within 45 metres of all points within a dwellinghouse. It also requires turning facilities on any dead-end access route that is more than 20 metres long. The WSCC Local Design Guide (para 5.5) repeats this requirement: a fire appliance should not need to reverse over distances greater than 20 metres, and turning facilities should be provided on no-through vehicular routes over this distance. The relevant ‘dead-end access route’ here is not simply the site’s own driveway: it is the entire unadopted section of The Street, which is itself a no-through route with no existing turning facilities anywhere along it. A fire appliance entering to reach the proposed dwelling would have no option but to reverse back the full length of the track to the adopted highway – a distance far in excess of 20 metres. The application proposes no turning facility on the site and does not address this at

all. If fire appliance access to within 45 metres of the dwelling cannot be achieved – which given the distance and the track geometry is a live possibility – Approved Document B makes clear that domestic sprinklers are required for access distances between 45 and 65 metres, sprinklers plus an immediately adjacent fire hydrant for 65 to 90 metres, and that any arrangement requiring reversal over more than 90 metres is simply unacceptable. The application is silent on all of these matters. Given the number of properties this single, unmade, single-lane track already serves, I would ask the Council to require a fire and rescue service access assessment to be submitted and agreed before the application is determined.

Finally, no assessment of construction dust has been provided. The Institute of Air Quality Management's Guidance on the Assessment of Dust from Demolition and Construction (2024) identifies "trackout" — dust carried by vehicles passing over unpaved ground — as a specific risk, and here all construction traffic would pass along an unmade track within a few metres of a substantial number of existing homes. While the operational air-quality effects of a single dwelling fall below the threshold for a full assessment, the construction-phase dust impact on these neighbours is a real amenity concern. Should the Council be minded to grant permission, I would ask that a Construction Environmental Management Plan securing dust suppression and wheel-washing/trackout mitigation be required by condition before development begins.

11. Drainage and flood risk

District Plan Policy DP41 requires a sequential, risk-based approach to surface water drainage. The application's Surface Water and SuDS Assessment proposes infiltration-led drainage as the preferred method but accepts this is unconfirmed pending BRE Digest 365 testing, and that no borehole records are available in the vicinity of the site. As a neighbouring resident, and as set out in my separate letter, it has been confirmed to me by the owner of the adjoining property, Strawdust (immediately east of the site) – that infiltration drainage was found not to be feasible on that adjoining land due to ground conditions. This directly undermines the only evidence base currently offered for the application's preferred drainage strategy.

Foul drainage is, separately, entirely unaddressed. The Flood Risk and Drainage Information checklist records, against "Details on the site's existing foul water drainage" and "Proposed foul drainage method", simply "Not addressed", and the Planning Statement states (para 6.60) that "no details of foul drainage have been provided at this stage of the application as it is considered that this could be addressed by a suitably worded planning condition prior to occupation." I cannot find any reference anywhere in the application documents to Southern Water, the statutory sewerage undertaker for this area, having been consulted on either foul or surface water connection. Deferring foul drainage to a pre-occupation condition may be acceptable for an Outline application, but this is an application for Full planning permission, where the means of foul (and, so far as relevant, surface water) disposal is ordinarily expected to be resolved before permission is granted, not after. I would ask the Council to require written confirmation from Southern Water that a foul (and, if relevant, surface water) connection is available and acceptable, before the application is determined, rather than leaving this to a condition. The Application Form has Unknown ticked for both "Please state how foul sewage is to be disposed of" and "Are you proposing to connect to the existing drainage system?"

The Surface Water and SuDS Assessment concludes that “the development can be safely accommodated for its lifetime without increasing flood risk elsewhere”, but this is asserted rather than demonstrated for the properties most directly at risk. High Gables and Weald Chase lie at a lower elevation than the site, to the south. I would ask the Council to require specific evidence that neither surface water nor groundwater flood risk at High Gables or Weald Chase would be increased by the proposed development, rather than relying on the generic, site-wide conclusion currently offered.

This is not a hypothetical concern. MSDC’s own Flood Risk and Drainage Team responded on 16 June 2026 to a current application on this same stretch of The Street, DM/26/0764 (Franc Jean Farm), stating: “The applicant has still not demonstrated that surface water can be managed safely on site without increasing flood risk”, and setting out a list of specific information required (drainage calculations to the 1 in 100-year-plus-climate-change standard, BRE365 infiltration evidence, soakaway offset plans, an agreed outfall, and a management and maintenance plan), concluding: “we would recommend the application is not approved until updated information is received addressing the above points.” Given the proximity and probable shared ground conditions between that site and this one, I would expect the Flood Risk and Drainage Team to have the same concerns here, and I would ask the Council to confirm whether equivalent information has been sought and provided for this application before it is determined.

12. The applicant’s justification is circular and sets a damaging precedent

The applicant’s case for acceptability depends on the retained openness of the grassland surrounding the site. The land to the south, southwest and southeast has no protection beyond the same policies (BOLBB1, DP6, DP12, BOLE2) that this application itself does not satisfy. If the Council were to accept that this site is acceptable because neighbouring land remains open, that reasoning would be equally available to any future applicant on the neighbouring grassland parcels, who could in turn point to this site, once developed, as further justification. Accepted repeatedly, this reasoning would result in the incremental loss of precisely the openness and rural character that Policies BOLBB1, DP6, DP12 and BOLE2 exist to protect, with each individual application appearing acceptable in isolation while the cumulative effect defeats the purpose of the policy framework. This is not a theoretical risk: it is the explicit, stated basis of the applicant’s own case.

13. The housing land supply shortfall does not justify approval

The Planning Statement confirms that “in October 2025 an appeal relating to Five-Year Housing Land Supply against Mid Sussex District Council confirmed that the Council could only identify a housing land supply of 3.38 years (Appeal Ref. APP/D3830/W/25/3361729)”, and on this basis argues that Policies DP4, DP6 and BOLBB1 are out-of-date and should be given limited weight, engaging the tilted balance under NPPF paragraph 11(d).

The starting point is section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990: the application must be determined in accordance with the development plan unless material considerations indicate otherwise. Here the conflict with the development plan is admitted by the applicant, and the only material consideration said to displace that starting point is the housing land supply

shortfall. For the reasons below, that single consideration does not displace the presumption in favour of the plan.

For completeness, that development plan includes the Bolney Neighbourhood Plan: neighbourhood plans made under the Localism Act 2011 form part of the statutory development plan, so the applicant's admitted conflicts with Policies BOLBB1, BOLE2 (and, as set out above, BOLE1, BOLD1 and BOLT3) are conflicts with the statutory plan itself, carrying full weight under section 38(6), not conflicts with mere guidance.

In any event, NPPF paragraph 11(d)(i) provides a prior gateway even on the applicant's own tilted-balance case: where the application of Framework policies protecting areas or assets of particular importance (footnote 7) provides a strong reason for refusing the development, the presumption in favour of granting permission does not apply at all. The footnote 7 policies protecting the designated heritage assets whose settings would be harmed are engaged here, and provide such a reason before any tilted balance under paragraph 11(d)(ii) is reached.

Even taking that shortfall at face value, I would ask the Council to weigh the following in response:

- the benefit of a single market dwelling towards a district-wide shortfall of this scale is negligible, whereas the harms identified in this letter – conflict with DP15, DP6, BOLBB1, DP12 and BOLE2 (all admitted by the applicant), the unresolved AONB status, the Conservation Officer's identified heritage harm, the parking shortfall, and the unresolved drainage risk – are specific, evidenced, and cumulative;
- approving isolated dwellings outside defined settlement boundaries on a plot-by-plot basis does not meaningfully address a district-wide shortfall; it erodes, incrementally and without any plan-led justification, the same boundary and countryside policies the development plan relies upon to manage growth in a planned way – the precedent concern set out in Section 12 above.
- footnote 7 to NPPF paragraph 11 excludes designated heritage assets from the kind of policies whose weight is reduced by a housing land supply shortfall; the Conservation Officer's identified harm to the settings of designated heritage assets is squarely in play here and has not been properly resolved by the application; and

Separately, I do not consider the individual weights the Planning Statement attributes to its claimed benefits are soundly evidenced. The Statement labels "Ecological Enhancements" as carrying "Significant Positive Weight" and "Positive Health and Well-being Impacts" as also carrying "Significant Positive Weight", and concludes that "the social, environmental and economic benefits are very great overall and outweigh the harm identified by a considerable margin." Against this: the ecological enhancement claim is undermined by the matters set out in Section 8 above, including the 79.67% on-site habitat loss and reliance on purchased off-site credits; the claimed sustainability credentials are undermined by the chimney added at the Council's own suggestion (set out in my separate letter); and the "positive health and well-being impacts" claim is not supported by any evidence specific to this proposal beyond generic assertions about walking, cycling and accessibility, several aspects of which (as set out in Section 10 above) are themselves contested. Nor do I consider that the benefit of a single market dwelling can properly be described as "very great" in absolute terms, whatever

relative weight it is given against other policy considerations. I would ask the Council to reach its own, independently reasoned view on these weights rather than adopting the Statement’s characterisations.

The nature of the benefit also bears on its weight. Mid Sussex District Council’s own Strategic Housing Market Assessment, as updated in 2024, identifies the District’s most acute and clearly evidenced housing need as being for affordable housing — a net need of some 383 households per year for rented affordable homes — and, within that, for smaller (one- and two-bedroom) homes. This proposal is a single open-market dwelling: being a single dwelling it falls below the affordable-housing threshold and provides no affordable homes, and it makes no contribution to the smaller-home need. While the same evidence base does recognise a need for some larger market homes, the point is one of weight: a single large open-market house answers only the least pressing part of the District’s identified need and none of the most pressing part, which is a further reason the benefit side of the tilted balance is limited.

MSDC has refused at least five directly comparable countryside-edge applications in this parish and the surrounding area since 2018, including three decided after October 2025 when the current housing land supply shortfall was established. In every case, the Council concluded that the benefits of a single dwelling were negligible and that conflict with policies on settlement hierarchy, countryside protection and sustainability was not overcome by the tilted balance under NPPF paragraph 11(d). The proposal under consideration here engages materially identical policies on a site that is more remote from services than any of those refused.

The comparable refusals are as follows (those marked “post-shortfall” were decided after the housing land supply shortfall was established):

Application (date)	Site	Key policies breached	Outcome
DM/26/0111 (Mar 2026)	Old Mill House, Cowfold Road, Bolney	DP4, DP6, DP12, DP15, DP26, DP34, DP37; BOLBB1, BOLD1	Refused - single dwelling benefit limited; not a sustainable location (post-shortfall)
DM/25/2970 (Feb 2026)	Land adj. Tyler House, Cross Colwood Lane, Bolney	DP6, DP12, DP15, DP21; BOLBB1	Refused - one dwelling benefit limited; car-dependent (post-shortfall)
DM/26/0317 (Mar 2026)	Glebelands Field, Lodge Lane, Bolney	DP4, DP6, DP12, DP15, DP21, DP26, DP34, DP35; BOLBB1, BOLE2, BOLD1	Refused - unsustainable; poor public transport (post-shortfall)
DM/24/2574 (Jan 2025)	Land at Robins Wood, Colwood Lane, Warninglid	DP21	Refused - car-dependent; unsustainable transport patterns
DM/21/4303 (Feb 2023)	Land adj. Roseoak House, Colwood Lane, Warninglid	DP21; NPPF	Refused - remote from built-up area; car-dependent
DM/22/0157 (May 2022)	Bolney Park Farm, Broxmead Lane	DP21	Refused - unsustainable countryside location; car-dependent
DM/18/3345 (Oct 2018)	Old Highlands East, London Road, Bolney	DP12, DP15, DP16, DP26; BOLD1, BOLE2	Refused - not contiguous with built-up area; one dwelling benefit very limited

This is not a hypothetical concern: it is the Council’s own recent, consistent practice on directly comparable Bolney sites, decided after the housing land supply shortfall was already established. On 13 March 2026 – five days before the Glebelands Field refusal, and shortly before this application was submitted – the Council refused application DM/26/0111

(demolition of stable buildings and construction of a detached three-bedroom self-build dwelling, Old Mill House, Cowfold Road, Bolney). The officer's report expressly ran the same footnote 8/tilted balance exercise the applicant relies on here, recording that because the Council "is currently unable to demonstrate a five year supply of deliverable housing sites... reduced weight should be given to" Policies DP6, DP12 and DP15. Notwithstanding that reduced weight, the report concluded: "the provision of a net increase in 1 No. dwelling on the site will make a limited, but positive, contribution to the district's housing supply of self build dwellings... Because, however, of the small scale of the development proposed these benefits would have limited weight... In weighing up these issues, when taken together, it is considered that the adverse impacts of the development would significantly and demonstrably outweigh the benefits of the proposal. Overall, the planning balance is considered to fall significantly in favour of refusing planning permission." The application was refused for, among other reasons, conflict with Policies DP4, DP6, DP12, DP15, DP26, DP34 and DP37 of the District Plan and Policies BOLBB1 and BOLD1 of the Neighbourhood Plan, and because the site, being outside any defined settlement boundary, was "not considered to be set within a sustainable location."

The same approach was taken on 3 February 2026 in refusing DM/25/2970 (change of use from holiday let to dwelling, Land adjacent to Tyler House, Cross Colwood Lane, Bolney), where the officer's report again applied reduced weight to Policies DP6, DP12 and DP15 under footnote 8, but concluded that "the benefits arising from one dwelling would be limited" and that the site was "unsustainably located, with any future resident likely to be dependent upon the private car to meet their daily needs", refusing permission for conflict with DP6, DP12, DP15 and DP21 and Policy BOLBB1.

The same conclusion was reached, on materially identical policy grounds, in DM/18/3345 (demolition of an existing pool house and construction of a new 4-bedroom dwelling, Old Highlands East, London Road, Bolney, refused October 2018), where the site was found not to be contiguous with the built-up area of Bolney and the proposal was refused for conflict with Policies DP12, DP15, DP16 and DP26 of the District Plan and Policies BOLD1 and BOLE2 of the Neighbourhood Plan. The officer's report concluded: "the provision of 1 new dwelling on the site will make a minor but positive contribution to the district's housing supply... Because, however, of the small scale of the development (i.e. one new house) these benefits would be very limited."

In all three cases, the Council concluded that the limited benefit of a single additional dwelling did not outweigh conflict with the relevant countryside and settlement-boundary policies. I do not see a material difference between those sites and this one that would justify a different outcome here.

14. In the event permission is granted: request regarding the surrounding grassland

This request is made strictly in the alternative and without prejudice to the objection set out above, which is that the application should be refused. As set out in Section 12, the applicant's case for acceptability rests on the continued openness of land to the north, south and southwest of the site. I do not consider a planning condition is a lawful or appropriate vehicle to protect that land: a condition attached to this permission cannot bind land outside the application site, cannot compel third-party landowners, and cannot pre-determine any

future, separate planning application on that land, since each application must be assessed on its own merits.

I would instead ask the Council, as local planning authority, to consider whether it is appropriate to use its own separate statutory powers to give the surrounding grassland a more durable degree of protection, consistent with the rural character the applicant itself relies upon – in particular, whether an Article 4 Direction removing permitted development rights over the relevant parcels would be justified, and whether those parcels merit consideration for Local Green Space designation in a future review of the Bolney Neighbourhood Plan. I recognise neither mechanism can or should be a condition of this permission, and that pursuing them is a matter for the Council's own separate judgement.

15. Planning balance

The following table summarises the planning balance as assessed in this objection, setting out the weight this representation asks the Council to attribute to each material consideration. The applicant's Planning Statement presents a competing balance which concludes that benefits outweigh harms "by a considerable margin"; the table below reflects why, on each ground, that characterisation is not soundly evidenced. Where the applicant claims a benefit, this representation identifies a specific and evidenced counter-consideration. On no ground is the identified harm outweighed by a material benefit.

Issue	Assessment	Weight
<i>Housing Delivery</i>	Single market dwelling; no affordable or specialist housing element. Contribution to district-wide HLS shortfall is negligible in isolation.	Limited Positive Weight
<i>Location / Settlement Strategy</i>	Outside Bolney BUAB and in open countryside; conflicts with DP15, DP6 and DP12 of the District Plan and BOLBB1 and BOLE2 of the Neighbourhood Plan; DP15 gateways not met (no exceptional circumstances demonstrated).	Significant Negative Weight
<i>Sustainability</i>	No safe walking or cycling route to village facilities demonstrated by the applicant; car-dependent location by any objective measure. Comparable single-dwelling refusals on this ground at DM/26/0111, DM/25/2970 and DM/18/3345.	Significant Negative Weight
<i>Landscape / Countryside Character</i>	Greenfield plot in open countryside; development would erode rural character and openness. Planning Statement's retained-openness case is circular given the further development potential of surrounding land.	Moderate to Significant Negative Weight
<i>High Weald National Landscape</i>	Site adjacent to (within the setting of) the High Weald National Landscape. Development in the setting must be sensitively located and designed to avoid or minimise adverse impacts on the designated area (Policy DP16 setting limb; NPPF §189); the applicant's Heritage Statement wrongly describes the site as within the National Landscape. No public benefits identified capable of outweighing the resulting harm.	Potentially Significant Negative Weight
<i>Heritage Impact</i>	Conservation Officer found the proposal would harm the settings of nearby designated heritage assets and the Conservation Area. Under NPPF §215 this less than substantial harm must be weighed against public benefits; no material public benefits have been identified.	Moderate to Significant Negative Weight
<i>Ecology & Protected Species</i>	Ecological appraisal incomplete: conducted outside optimal survey season, methodology not disclosed, Scarps Side pond (amphibians confirmed present) not surveyed. On-site BNG deficit of 79.67%. Conflicts with NPPF §193.	Significant Negative Weight
<i>Drainage & Flood Risk</i>	Foul drainage strategy unknown (Application Form marked 'Unknown'); surface water drainage unresolved. MSDC Flood Risk and Drainage Team objected to identical evidence on a comparable nearby site (DM/26/0764).	Moderate Negative Weight
<i>Highway Safety & Parking</i>	Only 2 parking spaces for a 4+ bedroom dwelling (WSCC standard: 3); no turning space; fire appliance would need to reverse the full length of the unadopted track, far exceeding the 20 m threshold in Approved Document B and WSCC Local Design Guide §5.5.	Moderate to Significant Negative Weight
<i>Design & Local Character</i>	External materials and window colours unconfirmed; EV charging absent; waste storage unaddressed. These are subsidiary concerns to the other grounds but remain unresolved.	Minor Negative Weight

<i>Cumulative Impact / Precedent</i>	Approval would establish a harmful precedent for further backland development on this plot and in Bolney generally; inconsistent with the Council's own practice in recent comparable single-dwelling refusals (DM/26/0111, DM/25/2970 and DM/18/3345).	Moderate Negative Weight
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Conclusion

For the reasons set out above, I ask the Council to refuse this application. The applicant’s own Planning Statement does not dispute conflict with Policies DP15, DP6, BOLBB1, DP12 and BOLE2; it asks the Council to give that conflict limited weight solely because of the District’s housing land supply shortfall. I do not consider that shortfall justifies approval here, given the negligible benefit of a single dwelling, the full weight footnote 7 preserves for the designated heritage assets, the Conservation Officer’s identified heritage harm, the harm to the setting of the High Weald National Landscape, the circular and precedent-setting nature of the applicant’s case, and the further matters of parking, design and drainage addressed above and in my separate letter.

Note that of the 8 houses along this part of The Street, 1 is for sale, 4 are owned by close relatives of the landowner (two sisters, mother, cousins) at least 3 of whom have their own development plans, 1 is owned by somebody who never responds to planning applications (either to support or object), so realistically there might only be two impartial responses, despite even some of the relatives being opposed to, and affected by, this particular development proposal.

All factual matters set out above are stated to the best of my knowledge and belief.

I would be grateful if you could confirm receipt of this letter and notify me of how these matters will be addressed before the application is determined.

Yours faithfully,

