

3 June 2020

Development Management
Mid Sussex District Council
Oaklands, Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

By email: planninginfo@midsussex.gov.uk

Dear Ms Fisher

Application no. DM/25/1129

Land At Foxhole Farm Foxhole Lane Bolney West Sussex

Outline application (appearance, landscaping, layout and scale reserved), for the erection of up to 200 residential dwellings, including affordable housing; a community building (use class F1) encompassing land for education provision, together with associated access, ancillary parking and landscaping; the creation of a vehicular access point from the A272 Cowfold Road, and pedestrian and cycle only access to The Street; and creation of a network of roads, footways, and cycleways through the site; together with the provision of countryside open space, children's play areas, community orchard, and allotments; sustainable drainage systems and landscape buffers.

This representation is made on behalf of Mr & Mrs Seward, who wish to object to the application DM/25/1129..

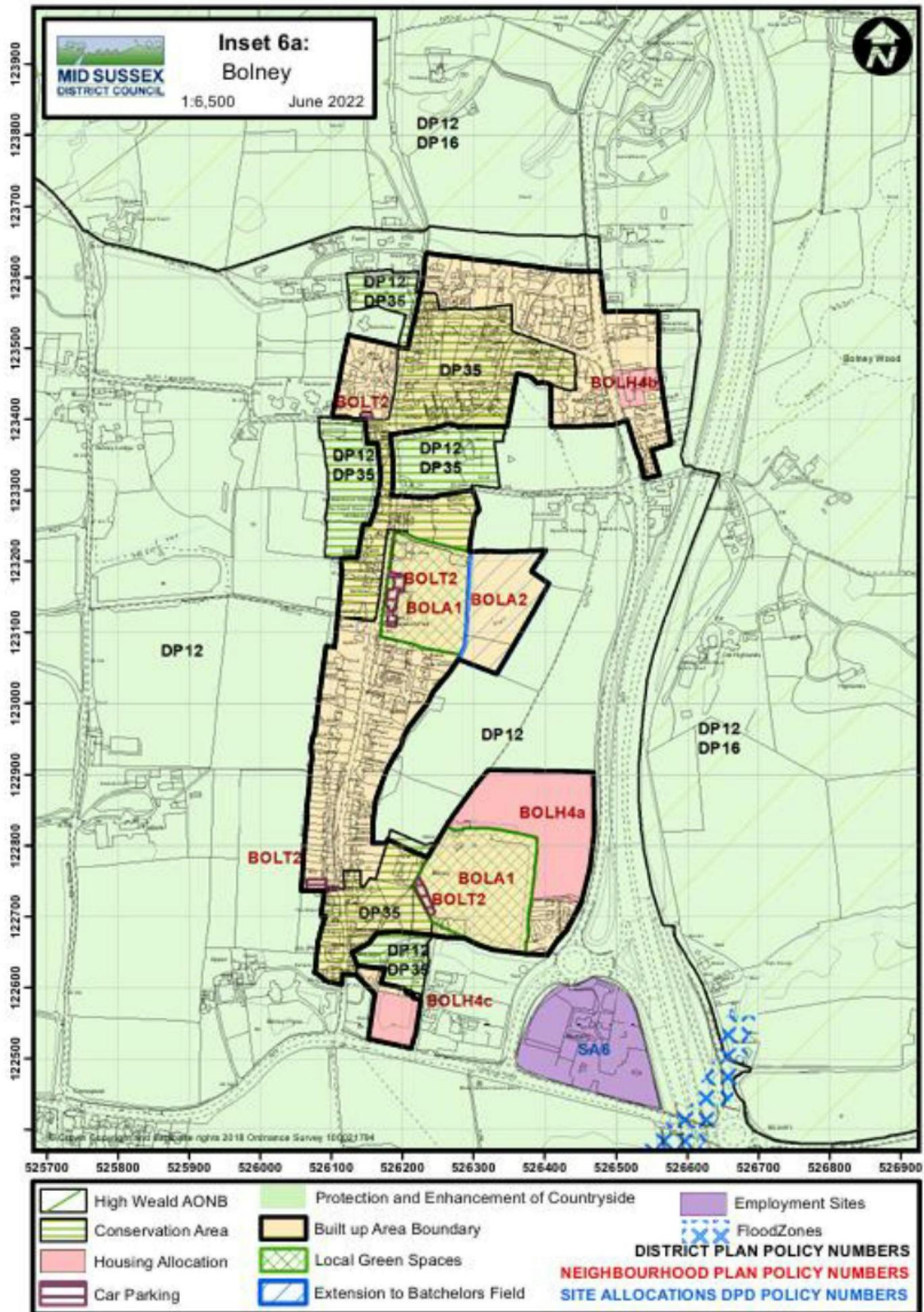
Relevant planning policy

Mid Sussex District Plan 2014-2031 Policies Map Inset 6a: Bolney

The Policies Map Inset for Bolney shows the current built-up area.

It is suggested that the applicant has prematurely submitted this planning application to which only one outcome can be reached and that is for the application to be refused based on the site, which lies to the west of Bolney, being outside of the built up area boundary of settlement, within an area which is designated for the protection and enhancement of the countryside. A copy of the current policies map is provided to illustrate the existing policy designations that the authority is duty bound to consider the application against.

200 Years of Property Excellence



Policy DP12 states that the countryside will be protected and that development will only be permitted provided it maintains or enhances the quality of the rural and landscape character of the area and it is supported by a specific policy reference either in the Plan, a DPD or Neighbourhood Plan.

Whilst the site of the proposed development under reference DM/25/1129 is identified in the Reg 19 Submission Draft Mid Sussex Local Plan 2023 pursuant to Policy DPA14. It should be noted however that this Plan is still at submission stage and it has not formally been allocated within the Local Plan. All the sites

that form part for the submission draft Local Plan stage is subject to scrutiny by the appointed Inspector. It would be inappropriate for the Council to pre-emptively consider the outcome of that process.

Paragraph 11 of the National Planning Policy Framework indicates that local plans and decisions should apply a presumption in favour of sustainable development. For plan making this means promoting a sustainable pattern of development that seeks to meet the development needs of their area; align growth and infrastructure; and improve the environment and that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses.

The NPPF at paragraph 36 requires Local Plans to be sound. Plans can be considered sound if they are positively prepared, justified, effective and consistent with national policy.

District Plan 2021-2039 Evidence Base

It is noted that as part of the evidence base for the proposed Local Plan, which is still at submissions stage, only the northern and western parts of the site were initially recommended for allocation, whilst the southern and eastern parts of the site were rejected at Stage 3.

Reg 18 Mid Sussex Plan Review

It is reminded that Policy DPH18 of the Reg 18 Mid Sussex Plan Review identified the site as a potential allocation for 200 homes (30% affordable), a community facility, land for educational purposes, a country park, community allotments. As part of this, consultation was carried out. In respect of Policy DPH18 (Land at Foxhole Farm), 271 comments were received, only 2 of which were in support of the proposed site and 268 were objections to it and 1 neutral comment. This is shown at page 168 of the document below:

<https://www.midsussex.gov.uk/media/pkbdqs4x/c3-statement-of-consultation-regulation-18.pdf>

Reg 19 Submission Draft Mid Sussex Local Plan 2021-2039

As part of the Reg 19 Submission Draft Mid Sussex Local Plan 2021-2039, DPA14 the proposed allocation of 200 additional houses at Foxhole Farm, including land for education provision, community facility/working hub, allotments and informal outdoor space has been submitted. To date however, this has not been allocated formally and there have been a significant number of objections, as noted above.

In terms of the initial concerns about the land at Foxhole Farm, my clients have already expressed their concerns about the site. It is suggested that the development, beside it currently being prematurely submitted, would also ultimately result in an imbalance in the housing provision seen within the village, practically doubling the footprint. The development would create a settlement

with two clear parts, which would not build on the existing character of the village and not aid or support the objectives for sustainable communities.

The areas to the east of Bolney have already undergone development and so by focusing further development to the west it would result in a piecemeal expansion of the village. The proposal would not represent a sustainable pattern of development contrary to the objectives typically recognised under paragraph 11a of the NPPF.

Whilst it is understood that some growth of the village is sustainable, for the increase to be by 200 dwellings will have a significant strain on the village when assessing the overall demand on local services and traffic.

For instance, the Bolney C of E School has capacity for 120 pupils with a current occupancy of 91 children. Therefore, there is not an immediate need for additional education provision. Any increase in education provision would be better placed within a larger allocated site such as DPSC2 at Sayers Common. This outline application fails to sufficiently meet the wider provisions of policy needed. An application of this scale will need to consider meeting the wider needs of existing and future residents.

The applicant maintains that the proposed development at Foxhole Farm would result in a significant incursion into the open countryside beyond The Street to the west. This is not justified when there are less sensitive alternative development locations available, which are better placed to deliver development and these were brought forward for consideration.

The scale and location of the development at Foxhole Farm would also have a far greater impact on the landscape, Conservation Area and statutory listed buildings, given the proximity and elevation. It is not considered that the impact of this site on Cultural Heritage and Biodiversity is adequately recognised in the Sustainability Appraisal. The land at Foxhole Farm will require significant infrastructure to be put in place to support a development of this scale, including a new access onto the A272, close to the junction with Foxhole Lane and further pedestrian/cycle connections to The Street. The development will be detached from the historic village and would realistically not provide a sufficient connection with Bolney other than a couple of footpaths that feed into Bolney village in the east.

The applicant's claim that the application is justified on the basis that the Council cannot demonstrate a 5 year housing land supply. However, the applicant has not based this on a formal Council publication but rather a Statement of Common Ground for an appeal in the District whereby there was disagreement on the extent of the shortfall in housing delivery and the matter was not considered further during that appeal enquiry relating to land off Scamps Hill, Lindfield (DM/24/0446). It is suggested that the Council have a better picture of housing delivery now that time has moved on and that other development proposals have come forward and/or have commenced. As such it is suggested that the examination process should be afforded in this case and

that the application is refused planning permission until a time that the site can come forward should the Inspector find the site allocation sound.

There is little shortfall in housing delivery locally as several urban extensions are in the process of the being constructed to the west of Burgess Hill and the northwest and northeast of Hassocks, totalling in excess of 4400 homes in Burgess Hill and Hassocks combined and so there is little to suggest that there is even an immediate need for housing to serve this area of the District.

Conclusion

As the proposed site at Foxhole Farm has not been formally allocated in the Local Plan, the proposal under reference DM/25/1129 is unacceptable in principle and should be refused as such. There is simply no policy allocation and the applicant is reliant on inaccurate information that purports to show that there is a deficit in the Council's five year housing land supply. The previous assessments undertaken by the authority had shown that they could deliver on a five year housing land supply with a 5% buffer. The Council may of course have a more up to date picture on need. However, as it stands the Council are urged to refuse the application.

If you have any comments or queries, please do not hesitate to contact me.

Yours sincerely

