

Weald Chase  
The Street  
Bolney  
RH17 5PF

03 August 2026

**The Planning Officer**  
Mid Sussex District Council  
Oaklands Road  
Haywards Heath  
West Sussex  
RH16 1SS

**PLANNING APPLICATION PP-15033963**  
**Mid Sussex District Council Reference: DM/26/1560**  
**Erection of 5 detached dwellinghouses and outbuildings, including new garage to serve**  
**The Byre**  
**The Byre, The Street, Bolney, West Sussex, RH17 5PG**

Dear Planning Officer,

I write to object formally to the above planning application. I have reviewed the application documents and the adopted development plan policies, and I consider that the proposals are contrary to material planning policies in a number of significant respects. The objections set out below should, individually and cumulatively, weigh against the grant of planning permission.

This is a long and detailed objection. To get a quicker overview, you may prefer to skip forward and read Section 15 (Summary of Policy Conflicts) onwards first, and then come back and read the detail in the earlier sections.

### **1. Housing Mix – Conflict with Policy BOLH1 of the Bolney Neighbourhood Plan and Policy DP30 of the Mid Sussex District Plan**

Policy BOLH1 of the adopted Bolney Neighbourhood Plan (2016) sets out the expected mix of dwelling sizes for housing developments in Bolney, as follows:

- 1- and 2-bed dwellings: a minimum of 40% of all dwellings
- 3-bed dwellings: 20–40% of all dwellings
- 4+-bed dwellings: a maximum of 15% of all dwellings

The application proposes five dwellings — one four-bedroom and four five-bedroom — so 100% fall within the 4+-bedroom category, against a policy maximum of 15%. Even on the most generous interpretation, Policy BOLH1 permits at most one 4+-bed dwelling in a scheme of five (15% of five is 0.75 dwellings); the proposal provides five, and none of the smaller dwellings the policy requires.



Policy BOLH1 permits an alternative mix only “if a robust justification is provided to the satisfaction of the local planning authority that the scheme as a whole would reflect the most up to date housing needs evidence available, taking into account viability considerations.” The Planning Statement invokes this exception but provides no such justification, asserting only that the mix “reflects provision”. The evidence in fact points the other way. The Council’s Housing and Economic Development Needs Assessment (HEDNA, March 2015) found that 44.2% of newly-forming households cannot buy or rent on the open market without financial assistance (Figure 17, page 46); and the Council’s Strategic Housing Market Assessment, as updated in 2024, models the market-housing mix needed as approximately 0–10% one-bedroom, 20–25% two-bedroom, 40–45% three-bedroom and 30–35% four-or-more-bedroom (2024 Update, Table 5.5), the four-bed-plus proportion having risen only modestly, from 27% to 32% (paragraph 6.7). Even taken at its highest, that evidence caps four-bed-plus market homes at about one third, not 100%; it requires roughly two-thirds to three-quarters of market homes to be one-, two- or three-bedroom, of which this scheme provides none; and it identifies a substantial continuing need for affordable housing (some 383 rented and 311 intermediate homes a year, weighted towards one- and two-bedroom units), to which the scheme contributes nothing.

Nor is it any answer to say that the 2024 evidence supersedes the 15% figure in Policy BOLH1. That evidence forms part of the evidence base for the emerging District Plan — it recommends adjusting the emerging Policy DPH7 (Housing Mix) — and is a material consideration; but it does not displace the adopted Policy DP30 or the made Policy BOLH1, which remain the development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004. Whether the mix is measured against BOLH1’s 15% cap or against the most up-to-date evidence, five four- and five-bedroom market homes, with no smaller or affordable housing, are the opposite of what the District needs.

Policy DP30 of the Mid Sussex District Plan (adopted March 2018) likewise requires new housing to provide a mix of dwelling types and sizes reflecting current and future local housing needs; that requirement is not met. The conflict with Policies BOLH1 and DP30 should weigh significantly against the application: these policies exist precisely to prevent the village’s limited development capacity being monopolised by large executive homes that serve neither local need nor local affordability.

## **2. Impact on Heritage Assets – Conflict with Policy DP34 and DP35 of the Mid Sussex District Plan, Policy BOLD1 of the Bolney Neighbourhood Plan, and NPPF Paragraphs 213–215**

The application site lies in close proximity to Daltons Farm (List Entry 1354847), a Grade II listed building to the north of the site. The Heritage Statement acknowledges the historical relationship between the application site and Daltons Farm: The Byre was originally a barn within the Daltons Farm estate, and the application site historically formed part of the farmland worked from Daltons Farm.

The Heritage Statement concludes that the application makes “little contribution to the setting” of Daltons Farm and the Conservation Area. I submit that this conclusion is not adequately supported. The site’s historical character as agricultural land associated with Daltons Farm is directly relevant to the significance of that listed building as a farmstead. The setting of a farmhouse derives in part from its relationship to the land it worked. Developing



that land with five large modern dwellings would irreversibly erode what remains of that legible relationship.

Policy DP34 (Listed Buildings and Other Heritage Assets) of the District Plan requires development to protect listed buildings and their settings, including demonstrating a thorough understanding of significance proportionate to the importance of the building. Policy DP35 (Conservation Areas) requires development to conserve or enhance the special character and appearance of the Conservation Area. Both policies reflect the duty in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have regard to the desirability of preserving listed buildings and their settings, and the character and appearance of conservation areas.

Policy BOLD1 of the Bolney Neighbourhood Plan requires that development “does not have an unacceptable impact on the setting of any heritage asset.”

Under paragraph 213 of the NPPF (December 2024), any harm to the significance of a designated heritage asset “should require clear and convincing justification.” Paragraph 215 provides that where there is less than substantial harm, that harm “should be weighed against the public benefits of the proposal.” In this case, the public benefits are limited: five market-rate luxury dwellings with no affordable component and a housing mix that conflicts with local policy. Those benefits are not sufficient to outweigh even less than substantial harm to the setting of a Grade II listed building and a Conservation Area.

The weight of the heritage objection is further reinforced by the Council’s own site selection review. Examination document SSP7 (Appendix 2: Site Selection Conclusions), prepared as part of the emerging Mid Sussex District Plan review, assessed this site under SHELAA reference 1040, described as “Land rear of Daltons Farm and The Byre, The Street, Bolney.” The Council’s conclusion was that the site is “Not suitable for further testing.” The assessment states, in relevant part:

“The site is adjacent to the Bolney (North) Conservation Area and in close proximity to a number of Grade II listed buildings. The proposed access is south of Dalton’s Farm, a Grade II listed building. Currently, the access is a residential driveway onto The Street. Improvements are likely necessary to provide an acceptable access for the development. The site is therefore considered sensitive in heritage terms.”

That assessment was made in the context of a proposed yield of 20 dwellings (reduced during the process from an initial 50). Even at that reduced scale, the Council found the site unsuitable for allocation on heritage grounds, specifically identifying the access arrangements as a source of heritage sensitivity. The current application relies on the same access: the existing residential driveway onto The Street, south of the Grade II listed Daltons Farm. The scale has been reduced further to five dwellings, but the heritage constraint that led the Council’s own officers to reject the site does not diminish with a smaller scheme. It would be inconsistent to refuse to allocate the site for these reasons while simultaneously granting planning permission over the same access and the same heritage setting. The Planning Statement and Heritage Statement do not engage with the SSP7 findings at all.

I note also that the access road to the proposed development passes through the Bolney Conservation Area via The Street. The introduction of a new residential access road serving five dwellings in this location will have a material and harmful effect on the character and appearance of the Conservation Area, which the Heritage Statement does not adequately



address. That the access lies within the Conservation Area is confirmed by the Council's own Tree Preservation Order and Conservation Area mapping, which shows the Bolney (North) Conservation Area extending over The Street frontage and the access to the site. It is notable that the applicant's own Arboricultural Impact Assessment (paragraph 1.3.4) states, to the contrary, that the site "is not within a conservation area" — a statement inconsistent both with that mapping and with the applicant's own Heritage Statement.

The Council has already assessed this site as heritage-sensitive and unsuitable for allocation. The applicant provides no evidence that the heritage constraints identified in SSP7 have been overcome. The Heritage Statement does not even acknowledge SSP7.

A further, and physical, heritage concern arises at the access itself. The site is reached by the shared driveway that runs immediately alongside the historic garden wall on the southern boundary of Daltons Farm — a wall which the applicant's own Heritage Statement (paragraph 5.15) identifies as contributing to the significance of the listed building, describing its setting as "primarily its walled grounds". The applicant's Transport Statement records that, at the pre-application stage, providing kerb radii adequate for refuse and fire vehicles at this access was to be achieved by the "demolition of part of the existing historic wall". The current scheme retains the wall, which is precisely why the access pinches to an absolute minimum of 3.1 metres (Transport Statement paragraph 4.7). The proposal is therefore caught in a dilemma of its own making: either the wall is removed or damaged to accommodate safe vehicular access — causing direct harm to the fabric and setting of a Grade II listed building — or it is retained and the access remains too narrow to serve five dwellings safely, with large refuse, fire, construction and delivery vehicles obliged to manoeuvre within inches of it and at continual risk of striking it. Neither outcome is acceptable, and the application resolves neither.

A further heritage and design concern arises from the proposed materials. Every submitted elevation drawing (Plots 1–5 and the garage to serve The Byre) specifies uPVC windows and doors. The garage and the eastern part of the site lie within the Bolney Conservation Area, where Policy DP35 requires development to conserve or enhance the area's character and appearance; the proposed dwellings lie within the setting of the Conservation Area and of the Grade II listed Daltons Farm. uPVC fenestration is a poor-quality material in this context: on the works within the Conservation Area (including the garage) it would neither conserve nor enhance the area's character and appearance, contrary to Policy DP35, and on the dwellings it would fail to respect the setting of the heritage assets, contrary to the setting objectives of Policy DP34, Policy BOLD1 and Policy DP26. It is notable that the applicant's own Heritage Statement quotes this very provision of Policy DP34, yet every elevation specifies uPVC. Traditional timber, or equivalent high-quality, fenestration should be secured, whether by amendment or by condition.

In assessing the heritage harm, the Council is bound by the statutory duties in sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building and its setting, and to pay 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 considerable importance and weight to any such harm; a finding of "less than substantial" harm does not reduce the statutory weight to be attached to it.

The Council has, moreover, reached heritage conclusions on comparable Bolney sites — that development of open, undeveloped land at the edge of the village would "suburbanise" it "to the detriment of the setting" of nearby heritage assets, and would harm the setting of the Conservation Area "appreciated by the openness of the land" — which apply directly to the



open character of this site and the setting of the Grade II listed Daltons Farm and the Bolney Conservation Area. Those decisions (DM/18/0953 and DM/18/0954, and DM/26/0317) are set out more fully in Section 16 below.

The cumulative heritage position reinforces the point. In permitting the adjacent Foxhole Farm scheme (DM/25/1129), the Council accepted that the development causes less than substantial harm to the setting of designated and non-designated heritage assets — including the Bolney (North) Conservation Area — in conflict with Policies DP34 and DP35. The application site lies between Foxhole Farm and the Conservation Area and the Grade II listed Daltons Farm, closer to those assets, and would add cumulatively to the harm the Council has already accepted. Critically, at Foxhole Farm the Council found that harm to be outweighed only by that scheme's substantial public benefits — 200 homes including affordable housing, a community building and public open space. This application of five open-market houses offers no such benefits, so the balance that permitted heritage harm at Foxhole Farm cannot be struck here.

### **3. Backland Development – Conflict with Policy BOLH2 of the Bolney Neighbourhood Plan**

Policy BOLH2 of the Bolney Neighbourhood Plan governs infill and backland development within the built-up area of Bolney (and by implication, development of this character more generally). It requires that such development:

- reflects the character of the surrounding area and protects the amenity of neighbours
- does not lead to over-development of a site or give the appearance of cramming
- demonstrates that it is of a similar density to properties in the immediate surrounding area, particularly for applications for two or more dwellings on a site currently or previously occupied by a single property

The application involves five new dwellings on land behind an existing frontage property, The Byre, the entire rear paddock and stable land being developed as a new residential cul-de-sac. Policy BOLH2 requires backland development not only to reflect the character of the area but also to protect the amenity of neighbours, and it is on that requirement that this proposal fails.

Placing five houses, a new access road and their associated parking, turning, lighting and daily traffic on land that is presently open paddock, immediately behind existing homes, would cause real and lasting harm to the amenity of those neighbours. The rear gardens and windows of the properties fronting The Street currently enjoy an open, undeveloped outlook over the paddock; that outlook would be replaced by built form, hardstanding and vehicle movement. The new access road runs directly along the rear of existing dwellings, bringing headlights, engine noise, manoeuvring and daily comings and goings – including the dragging and collection of refuse at the junction – close to habitable rooms and gardens. The new houses and their first-floor windows would overlook neighbouring gardens and rooms, and domestic and street lighting (if installed) would spill into what is now a dark, rural edge. That loss of privacy, quiet, outlook and tranquillity is a direct conflict with the requirement in Policy BOLH2 to protect the amenity of neighbours.

The proposal is also an intensive form of backland development – a cul-de-sac of five dwellings and a new access inserted behind a single frontage property – of exactly the kind



the Council refused at Rear of Rosedale, The Street (DM/21/1593). There, the Council found that even a single backland dwelling would “cause significant harm to the residential amenities of the adjacent residents, negatively impacting upon their living conditions, privacy and outlook,” contrary to Policy BOLH2. The amenity harm from five dwellings and a new access road on this site is of a substantially greater order.

#### **4. Highway Safety (RSA omission / pedestrian conflict)**

##### **No Road Safety Audit Submitted (Section 7.1)**

The Local Design Guide (para 7.1) requires a Road Safety Audit (RSA) for all major planning applications where proposals would “alter existing highway, intensify the use of an existing access, or provide a new access onto the highway.” The application proposes to intensify the use of an existing shared residential access from The Street — currently serving The Byre — for five additional dwellings. The access passes through pinch points between existing buildings before opening into the development. The planning statement (para 6.79) acknowledges these pinch points but does not provide a RSA.

This omission is particularly significant given that The Street is a narrow village road, the access is to be used by multiple properties, and vehicles and pedestrians have to share the road and access. A RSA would normally be required to demonstrate that the intensified use of the access can be accommodated safely. Its absence means the highway safety implications of the proposal have not been independently verified in accordance with WSCC requirements.

##### **Pedestrian Safety — Children's Playground, Playing Field and Village Hall Opposite Access**

A further and specific road safety concern arises from the immediate context of the access point onto The Street. The proposed access is situated directly opposite the village children's playground and playing field. The access to Rawson Village Hall and its associated car park — a facility that generates its own pedestrian movement across The Street, including by families with young children — lies only a few yards to the south on the opposite side of The Street. The increased vehicular movements generated by five additional dwellings using a busier access at this location will materially increase the risk of conflict between vehicles turning into and out of the site and both pedestrians and vehicles accessing the facilities opposite.

Paragraph 115(b) of the NPPF (December 2024) requires that “safe and suitable access to the site can be achieved for all users.” Paragraph 117 requires development to “give priority first to pedestrian and cycle movements” and to “create places that are safe, secure and attractive — which minimise the scope for conflicts between pedestrians, cyclists and vehicles,” and, at 117(b), to “address the needs of people with disabilities and reduced mobility in relation to all modes of transport.” Policy DP21 of the Mid Sussex District Plan likewise requires development to demonstrate acceptable transport impacts, including on pedestrian safety. The user hierarchy in Manual for Streets (Table 3.2) places the needs of pedestrians at the top, ahead of general motor traffic. Children crossing to a playground are among the most vulnerable category of road user. Policy BOLT1 of the Bolney Neighbourhood Plan (Transport Impact of Development) likewise requires that any additional traffic generated has an acceptable impact on the Parish’s pedestrians, cyclists and road safety, and that vehicular, cyclist and pedestrian access into, within and exiting the development is safe and has adequate visibility — requirements that this intensified, sub-standard access, with no segregated footway, cannot meet.

The existing 20mph speed limit on The Street is itself recognition by the local highway authority that this stretch of road is a sensitive pedestrian environment requiring traffic



calming. It makes the absence of a Road Safety Audit — the formal mechanism for assessing precisely this type of pedestrian conflict at an intensified access — particularly difficult to justify. No RSA has been submitted and this specific hazard has therefore received no formal safety assessment in support of the application.

These highway-safety concerns are no longer the objector's alone. On 24 July 2026 the County Council, as Local Highway Authority, returned a formal consultation response with a recommendation of "More Information Required", stating that it "is not currently satisfied that sufficient information has been provided to demonstrate that safe and suitable access can be achieved in accordance with Paragraph 116 of the National Planning Policy Framework and Policy DP21 of the Mid Sussex District Plan." The Highway Authority makes, in substance, the points set out above: that the access narrows to approximately 3.1 metres for around 50 metres and that the Transport Statement does not demonstrate how opposing drivers would identify one another early enough to pass without one vehicle reversing; that the Transport Statement fails to assess the cumulative use of the shared access by existing and proposed residents, visitors, deliveries, servicing and emergency vehicles and pedestrians, the constrained nature of the access making its operational characteristics "more significant than the overall traffic generation"; and that the access junction is "bounded by substantial historic brick and flint walls immediately adjacent to The Street" which "significantly restrict the available turning envelope for larger vehicles" — corroborating the heritage-and-access dilemma identified at Section 2 above. It requires the applicant to provide a vehicle interaction assessment, details of any formal passing places, and swept-path analysis demonstrating safe two-way operation between resident, service and emergency vehicles, together with confirmation from the Waste Collection Authority on the refuse arrangements. It concludes that "until this information has been provided and assessed, the Highway Authority is unable to conclude that safe and suitable access has been demonstrated." This is the considered view of the statutory highway authority on the central question of safe access; it carries substantial weight, and it directly answers the applicant's attempt to present the access as acceptable.

A related concern arises from the construction phase, which the application does not address at all. No construction traffic or construction management information has been submitted, so the Council presently has no basis on which to assess the impact of building five dwellings — with the associated heavy goods, plant and materials movements — on this constrained access and on the narrow roads through the Bolney Conservation Area, past the children's playground, playing field and Rawson Hall (an information gap engaging NPPF paragraph 44). This is more than routine, because The Byre's construction traffic would share The Street with the construction traffic of several other developments. While the adjacent Foxhole Farm scheme (DM/25/1129) routes its own construction traffic to the A272 Cowfold Road rather than through the village, the highway improvement works associated with that permission would affect The Street through the village along which The Byre's construction traffic would have to travel. In addition, other developments fronting The Street would, if they proceed, add construction traffic to the same constrained route: the Glebelands Field scheme (DM/26/0317), should the appeal against its refusal succeed; and the applications for single dwellings at Land at Franc Jean Farm (DM/26/0764) and at Land adjacent to Nightingales (DM/26/1477). There is therefore a real prospect of several developments being built concurrently, and in combination with the Foxhole Farm highway works, on the same narrow road through the Conservation Area, past the playground and village hall. Were this application to be approved, it should be subject to a robust Construction Traffic Management Plan, secured by condition — covering routing, permitted delivery times, wheel-washing and road cleaning, dust control and the avoidance of school drop-off and pick-up periods — and coordinated with the Foxhole Farm highway works and with the construction of any of the



other developments named above that proceed, so that the cumulative impact on The Street, the Conservation Area and the vulnerable users opposite the access is properly managed.

## **5. Sustainability and Infrastructure**

Bolney is categorised as a Category 3 settlement in the settlement hierarchy of the Mid Sussex District Plan: a medium-sized village with some essential services but limited public transport. The nearest railway station is five miles away at Haywards Heath. This is acknowledged in the Bolney Neighbourhood Plan itself. The application's Transport Statement necessarily identifies a high degree of car dependency for future residents. The proposal to deliver five large family homes with four car parking spaces each will generate significant additional vehicular movements on The Street, which already serves as the main road through the village and is subject to a 20 mph speed limit precisely because of its constrained character.

The degree of that car dependency can be stated concretely using public transport timetables current at time of writing. Bolney is served by three scheduled bus services, but none provides the frequency or timing needed to support daily life without a car. The principal service, Compass Travel service 89 (Horsham – Warninglid – Bolney – Cuckfield – Haywards Heath), runs on Mondays to Fridays only, with no weekend service, and calls at Bolney about four times a day in each direction. The Metrobus 273 (Crawley – Handcross – Bolney – Hassocks – Hurstpierpoint – Brighton) runs daily, but only five of its roughly fourteen daily journeys divert into Bolney, the remainder running direct along the A23. The third service, the Handcross District Community Bus (route 2), operates one round trip on Thursdays only. Against that timetable, the ordinary journeys that occupiers of five family homes would need to make are not achievable by bus. Post-16 education is a clear example: the first bus of the day towards Horsham does not leave Bolney until after 10am, reaching Horsham at around 10.40am, so a place at Collyer's sixth-form college in Horsham (Warden Park's named partner college) could not be reached by bus in time for the start of the college day, and the nearer alternative at the Chichester College Group's Haywards Heath campus is no better served. In the other direction, while the catchment secondary school (Warden Park, Cuckfield) is itself reachable by a school-timed 89 working, if it is oversubscribed the non-denominational alternative open to all, Oathall Community College in Haywards Heath, cannot be reached by bus in time for the school day; the same is true of the alternative pre-school at Cuckfield if Bolney Under Fives is full. Commuting fares no better: the best the bus network offers a London commuter is the 07:39 route 273 from Bolney to Hassocks (arriving 08:03), from which the fastest train reaches London Victoria at about 08:57 — leaving no margin to reach an actual central London workplace by 9am, and by that single early journey only; route 89 provides no useful commuter-hour connection to Haywards Heath station at all. In practice, therefore, a resident needing to reach a 9am London workplace, or to get a post-16 student to college, would have to drive to the station or to the destination. On the applicant's own admission of "a high degree of car dependency", this is a location in which future occupiers would rely on the private car for education, employment and most everyday needs.

The Planning Statement relies heavily on the future facilities to be delivered by the Foxhole Farm development as evidence of the site's sustainability. However, as noted above, that development has not yet been built. Under the NPPF's sustainable-transport policies (paragraphs 108–117), the current sustainability of this location must be assessed against services and facilities as they exist today, not as they might exist if an adjacent development is completed.



The Transport Statement also seeks to present the site as accessible on foot. It states (para 3.11) that public right of way BOL/44Bo/1 “provides a pedestrian connection towards the existing convenience store,” and (para 4.9) that “a pedestrian link is to be provided within the curtilage of the site and will provide direct access onto PROW BOL/44Bo/1.” In reality this right of way is not a route on which the sustainability of the development can properly rest. As local residents know it to be, it is unsurfaced, uneven and unlit; it is prone to flooding; and it crosses the watercourse referred to above by way of a very basic, wooden bridge, with no handrail or edge protection. It is not a safe, all-weather pedestrian route, and it is effectively unusable by anyone with impaired vision, unsteady on their feet, or using a wheelchair. Far from demonstrating that future residents could reach local services on foot, the applicant’s reliance on this right of way confirms that they would in practice remain dependent on the private car, contrary to the sustainable-transport aims of the NPPF (paragraphs 108 to 117) and Policy DP21.

There is a further inconsistency. The dwellings are required to be built to the accessible and adaptable standard M4(2), yet the only off-carriageway pedestrian route the application offers is one that a wheelchair user, a person with impaired vision or an elderly resident could not safely use. Inclusive access, as required by Manual for Streets (paragraph 6.1.1), Policy DP28 (Accessibility) of the Mid Sussex District Plan, and the Council’s public sector equality duty under section 149 of the Equality Act 2010, is not achieved by building accessible homes that connect only to an inaccessible route.

The County Council’s Public Rights of Way team has now responded to the application (20 July 2026). While its formal recommendation is one of “No Objection”, that recommendation is expressly given on a mistaken factual basis: the officer states that “it would appear ... that the application comprises the redevelopment within the existing footprint of land”, and reserves “the right to reconsider this response” should that not be the case. It is not the case — the proposal is five new dwellings and outbuildings on open paddock land, not redevelopment within an existing footprint — so the no-objection rests on a false premise, and the Council should re-consult the Rights of Way team on the correct basis before attaching any weight to it. The same response confirms that Footpath BOL/44Bo, which runs along the southern boundary and on which the applicant’s sustainability case depends, is a material consideration whose “public use, enjoyment and amenity” must be protected; that the grant of permission would not authorise any obstruction of, interference with, alteration of or narrowing of the path or its boundary — its full legal width, which may exceed the route used on the ground, having to remain available — all of which require the separate consent of the highway authority; and that the path must not be obstructed by plant, materials or scaffolding during construction. None of these matters is resolved in the application, and they reinforce rather than answer the concern that the development cannot properly rely on BOL/44Bo as a safe, sustainable pedestrian route.

## **6. Principle of Development – Conflict with Policy BOLBB1 of the Bolney Neighbourhood Plan, Policy DP6 and Policy DP12 of the Mid Sussex District Plan**

Policy BOLBB1 of the Bolney Neighbourhood Plan states that “the development of Bolney shall be focused within the Built-up Area Boundary” and that outside that boundary, “development will not be permitted unless it is supported by a specific policy elsewhere in the Neighbourhood Plan or the proposal is in accordance with other planning policies applying to the Parish.”



The Planning Statement acknowledges that the majority of the application site lies outside the existing built-up area boundary, in what is, in policy terms, open countryside. The applicant relies upon Policy DP6 of the Mid Sussex District Plan (Settlement Hierarchy) to justify development in this location. Policy DP6 permits the expansion of settlements outside the built-up area boundary only where three cumulative criteria are met: the site is allocated (or, as here, the proposal is for fewer than ten dwellings); the site is contiguous with an existing built-up area; and the development is demonstrated to be sustainable. All three limbs must be satisfied, and it is on the third that this proposal fails.

The third limb, that the development be demonstrated to be sustainable, is not satisfied. For the reasons set out in Section 5 above, Bolney is a Category 3 settlement with limited services and poor public transport — the limited bus network being examined in Section 5 — and the application's claimed sustainability rests substantially on the facilities of the as-yet-unbuilt Foxhole Farm development, which has not been commenced. Current sustainability must be assessed against the services and facilities that exist today. A proposal that fails both the heritage and the sustainability limbs of the framework cannot be justified under Policy DP6.

The starting point in Policy BOLBB1 is therefore not displaced. That policy provides that, outside the Built-up Area Boundary, development will not be permitted unless it is supported by a specific policy of the Neighbourhood Plan or is in accordance with other planning policies applying to the Parish. The majority of the application site lies in open countryside outside the boundary; no such policy supports its development; and, as shown above, the site fails the sustainability limb of Policy DP6 and has been found by the Council itself to be unsuitable, the Council's own site assessment SSP7 concluding that the site is "not suitable for further testing." It reached that conclusion because the site is "sensitive in heritage terms" and because the proposed access — a residential driveway onto The Street immediately south of the Grade II listed Daltons Farm — is problematic. The very features that led the Council to reject the site for allocation are present, unchanged, in this application; reducing the scheme from the 20 dwellings then assessed to five does not remove them.

The application site is not allocated in either the adopted District Plan, the Bolney Neighbourhood Plan, or the Site Allocations DPD. The applicant treats the site as a windfall, acknowledging that it is not identified for development. Windfall development may be appropriate in some circumstances, but the weight that can be given to windfall sites does not override the clear policy presumption against development outside the built-up area in a location that was formerly pasture and stable land.

The primary purpose of Policy DP12 (Protection and Enhancement of Countryside) is, in its own words, "to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there." The development of a new residential cul-de-sac of five large houses on paddock land is precisely what Policy DP12 seeks to prevent.

Policy DP15 (New Homes in the Countryside) reinforces the point. It permits new homes in the countryside only where "special justification" exists — accommodation essential for a full-time rural worker, a new isolated home of exceptional quality, affordable housing on a rural exception site under Policy DP32, or a proposal that meets Policy DP6 — and then only where there would be no conflict with Policy DP12. The proposal is none of the first three, and its only remaining route, compliance with Policy DP6, fails for the reasons given above; it also conflicts with Policy DP12. Five open-market executive houses on this paddock



therefore have no special justification under Policy DP15. The Council applied Policy DP15 in exactly this way as recently as 30 July 2026, refusing new dwellings in the countryside at Bolney as unsupported by that policy (DM/25/2569; see Section 16).

## **7. Transport and Parking — Non-Compliance with WSCC Parking Guidance**

The application site falls within Parking Behaviour Zone 1 (PBZ1) under the West Sussex County Council Guidance on Parking at New Developments (September 2020) (hereafter "WSCC Parking Guidance"). The planning statement acknowledges this. However, the application fails to comply with several material requirements of that guidance, as well as with Policy BOLT3 of the Bolney Neighbourhood Plan.

### **Visitor Parking — Contrary to Policy BOLT3 and WSCC Guidance**

Policy BOLT3 of the Bolney Neighbourhood Plan (Off-street Parking Provision for New Residential Developments) explicitly requires that "visitor parking must be accommodated within the development." The policy background to BOLT3 (para 4.119) explains this requirement in terms particular to Bolney: "provision should be made to provide visitor parking within the development to avoid obstructing the road or footpaths." The Street is a narrow road with existing parking pressure, and this is precisely why the Neighbourhood Plan community adopted this requirement.

The WSCC Parking Guidance (para 5.8) supports this: where the majority of spaces are allocated (as is the case here — all parking is per-dwelling allocated provision), additional visitor parking of 0.2 spaces per dwelling is appropriate. For five dwellings this equates to one dedicated visitor parking space. Neither the planning statement nor the application form identifies any designated visitor spaces beyond each dwelling's allocated provision. This is a direct conflict with an explicit policy requirement of the made Neighbourhood Plan.

### **Electric Vehicle Charging — Shortfall against WSCC Appendix B**

Appendix B of the WSCC Parking Guidance Principle B sets out a year-by-year index for active EV provision required: for 2026, the required percentage is 53% of all spaces. Applied to the 24 car spaces proposed, this equates to approximately 13 active EV charging points, with passive ducting at the remaining spaces.

The planning statement (para 6.76) states only that EV charging points will be provided "in accordance with building regulation requirements." Building Regulations Part S requires one active charger per new dwelling with associated parking — amounting to five active chargers, or approximately 21% of total spaces. This is substantially below the 53% active provision required by WSCC Appendix B for a 2026 development. No reference is made to ducting at remaining spaces. The transport justification does not address this shortfall.

### **Garage Dimensions — Unverified and Material to Compliance**

The entire parking compliance case rests on the double garage at each dwelling counting as one allocated space under WSCC methodology (two garage bays at 0.5 spaces each). Under WSCC Parking Guidance para 4.14(a), a garage bay only counts as 0.5 of an allocated space if it is at least 6 metres by 3 metres internally. If the proposed garages fall below this internal dimension, the effective parking provision per dwelling falls to 2.0 driveway spaces under WSCC counting — below the PBZ1 demand of 2.7 spaces per dwelling. The submitted floor plans do not provide legible internal dimensions for the garages.

### **Sustainable Drainage for Parking Areas (WSCC Principle F)**

WSCC Principle F requires parking areas to adopt sustainable drainage systems (SuDS) to minimise flood risk. The planning statement addresses surface water drainage generally but does not specifically demonstrate that the new hardstanding areas — comprising the internal access road, five sets of driveway parking, and associated turning area — will be constructed



with SuDS-compliant drainage. This should be addressed as a condition or by further information.

Taken together, these failures represent a material non-compliance with the WSCC Parking Guidance to which West Sussex County Council as highway authority will have regard, and a direct conflict with Policy BOLT3 of the made Bolney Neighbourhood Plan. The application should not be approved unless and until full parking compliance — including designated visitor spaces, compliant EV provision, and verified garage dimensions — has been demonstrated.

## **8. Fire Safety – Approved Document B, Requirement B5: Access and Facilities for the Fire Service**

Requirement B5 of the Building Regulations 2010 (as given effect by Approved Document B Volume 1: Dwellings, 2019 edition incorporating 2020 and 2022 amendments) requires that reasonable provision is made within the site to enable fire appliances to gain access to the building. The application raises significant concerns in this regard.

### **Access Road Width**

Table 13.1 of Approved Document B specifies that vehicle access routes for a pumping appliance must have a minimum road width of 3.7m between kerbs, with a lesser standard of 3.1m permitted only at specific restricted gateway points (i.e. pinch points at gates or gateposts). The applicant's own Transport Statement (para 4.7) acknowledges that the access track "narrows to an absolute minimum of 3.1 metres for approximately 50 metres." The Transport Statement itself concedes this is "not sufficient width to facilitate two-way vehicle movement."

A continuous 50-metre sub-standard section of 3.1m cannot be equated with a gateway restriction. This fails the 3.7m standard for road width in Table 13.1. Should a fire appliance be attending a dwelling within the site, any vehicle approaching on this section from The Street would create an irresolvable conflict — with no means of passing. This represents a direct threat to life safety and is incompatible with Requirement B5.

The sole qualification in Table 13.1 Note 1 — that "the building control body may, in consultation with the local fire and rescue service, use other dimensions" — does not extinguish the concern. No evidence has been presented that West Sussex Fire & Rescue Service has been consulted on or has accepted the 3.1m sub-standard section. The WSCC Highways pre-application response (Appendix A of the Transport Statement) referred to an access width of 4.8m narrowing to 4.1m for the then-proposed 18-dwelling scheme; the current scheme delivers a materially narrower track. The narrowness at this point is a direct consequence of retaining the historic Daltons Farm garden wall alongside the access; the alternative of widening the access by removing part of that wall would itself cause heritage harm (see Section 2).

### **Dead-End Access Route and Turning Provision**

Paragraph 13.4 of Approved Document B requires that dead-end access routes longer than 20m include turning facilities for fire and rescue service vehicles, and that vehicles should not have to reverse more than 20m from the end of an access road. The access track to this backland site is plainly a dead-end road considerably longer than 20m. The applicant claims (para 4.13 of the Transport Statement) that a turning area is provided to the east of Plot 5, tested by swept path analysis. However, Table 13.1 requires a minimum turning circle of 16.8m between kerbs (19.2m between walls). The application documents do not state the dimensions of the proposed turning area, and the swept path drawing (Appendix E, drawing 2101022-TK04) is drawn at a scale of only 1:1000 with no annotated dimensions anywhere on the turning area or the tracked path, so compliance with Table 13.1 cannot be verified. The drawing is expressly marked "For Planning – Not for Construction," and carries a note that



all levels and dimensions are “to be checked on site before any work commences,” so it does not warrant the manoeuvre as achievable. Moreover, the manoeuvre it depicts is not the simple forward turn the Transport Statement describes: it is a tight multi-point (hammerhead) turn between Plot 5 and the garage that requires the appliance to reverse (the drawing itself specifies a reversing speed). That directly engages the requirement in paragraph 13.4 that a fire appliance should not have to reverse more than 20m – a requirement that, absent any dimensions, cannot be shown to be met and appears unlikely to be within a turning head of this size.

### **Hydrant Provision**

Paragraph 14.8 of Approved Document B requires provision of additional fire hydrants where a building has a compartment exceeding 280m<sup>2</sup> and is being erected more than 100m from an existing fire hydrant. Both conditions appear, on the submitted drawings, to be met. The proposed dwellings are large detached houses, and a two-storey dwellinghouse is a single fire compartment: Plot 3, for example, has an internal floor area of some 306m<sup>2</sup> (162m<sup>2</sup> at ground floor and 144m<sup>2</sup> at first floor), well in excess of the 280m<sup>2</sup> threshold, and the other four- and five-bedroom units are of a similar order. As to distance, scaling from the Proposed Site Plan (drawing 327-P3c), the access track runs approximately 150 metres from The Street to the western end of the site, and Plots 2 to 5 all lie more than 100 metres from The Street, along which any existing hydrant would ordinarily be located. It is therefore likely that additional hydrant provision is required. Yet the application makes no reference to hydrant provision or to the proximity of existing hydrants, and no hydrant survey or assessment has been submitted. With both triggers in paragraph 14.8 apparently engaged, this is a material gap in the fire safety case that cannot be resolved without a hydrant survey. The County Council’s Section 106 consultation response (30 July 2026) confirms that fire hydrants are required for the development, “to be secured under Condition” pursuant to the Fire Services Act 2004; the number remains “TBC”, precisely because no hydrant assessment has yet been carried out.

### **Conclusion on Requirement B5**

The development fails to demonstrate compliance with Requirement B5 of the Building Regulations 2010 as implemented through Approved Document B Volume 1. The 50-metre sub-standard access width of 3.1m fails Table 13.1, the turning area dimensions have not been verified against Table 13.1 standards, and no hydrant assessment has been provided. Planning permission should not be granted unless and until these matters are satisfactorily resolved with input from West Sussex Fire & Rescue Service.

## **9. Highway Design — Non-Compliance with WSCC Local Design Guide**

The West Sussex County Council Local Design Guide (Supplementary Guidance for Residential Development Proposals, v1.1, 2010) sets out the highway authority's requirements for new residential developments. The application does not comply with several provisions of that guide.

### **Highway Materials and Adoption Status Not Addressed (Section 8)**

The Local Design Guide (para 8.5) requires proposed highway materials to be easily maintained, locally sourced where possible, natural where possible, and to incorporate sustainable drainage. If the internal access road is to be offered for adoption as public highway, a Section 38 agreement with the County Council is required (para 8.2); if works affect the existing highway, a Section 278 agreement is required (para 8.3). The planning statement does not address the proposed surfacing materials for the new internal road, driveways, or parking areas, and does not state whether the road is intended for adoption or will remain private. Neither a Section 38 nor Section 278 agreement is referenced, despite the access alterations described at para 6.77 of the planning statement.

### **Street Lighting in a Conservation Area Setting Not Addressed (Sections 8.7–8.8)**



The Local Design Guide (para 8.7) requires WSCC to be satisfied that any adopted street lighting meets WSCC standards. Paragraph 8.8 provides that where non-standard lighting is proposed, commuted sums are required for maintenance — but that commuted sums do not apply in conservation areas. The application site lies adjacent to the Bolney Conservation Area. The planning statement makes no reference to street lighting on the proposed internal access road. It is unclear whether lighting is proposed, what standard is intended, how it would interact with the conservation area setting, and whether any Section 38 adoption of street lighting is envisaged. This is a gap that the highway authority will need to address. These failures under the Local Design Guide compound the parking compliance failures identified in Section 7 above. The Road Safety Audit omission is particularly serious: it is a standard requirement where an existing access is being intensified, and its absence means that an independent safety assessment of the proposed access arrangements has not been carried out. Taken with the unresolved garage dimension question and the absence of a Road Safety Audit, the highway case for this application is materially incomplete.

## **10. Further Highway Concerns — Manual for Streets**

The Manual for Streets (MfS, 2007) is the primary national technical guidance for the design of new residential streets. It is referenced throughout the WSCC Local Design Guide and is the source document for many of the standards applied by the highway authority. The following concerns arise from MfS provisions not already addressed in Section 9 above.

### **Waste Vehicle Routing Not Addressed (MfS 7.10.3)**

MfS requires that "routing for waste vehicles should be determined at the concept masterplan or scheme design stage" and that "wherever possible, routing should be configured so that the refuse collection can be made without the vehicle having to reverse." The internal access road is a cul-de-sac serving five dwellings. A turning area is provided at its western end for fire appliances. Critically, the applicant's own Transport Statement (para 4.14) concedes that, because of the presence of a historic wall at the existing access, a local authority refuse vehicle "cannot enter and exit the site in forward gear," and that as a result "refuse collection personnel will be required to drag the refuse from the site towards the refuse vehicle" on The Street. That is an express admission that the scheme cannot accommodate council refuse collection in the manner MfS requires, and it displaces bin-dragging and refuse-vehicle waiting onto The Street – directly opposite the children's playground and the village hall. MfS (4.5.7) also cautions that cul-de-sacs "lead to additional vehicle travel and emissions, particularly by service vehicles." This has not been addressed anywhere in the application.

These arrangements are, in any event, entirely unresolved. The Transport Statement puts them no higher than what is "envisaged" "at this stage," and offers two alternatives without committing to either. The first – requiring the collection crew to drag the bins for all five houses out to The Street on each collection day, and to return them afterwards – is not something the applicant can guarantee: it depends on the willingness of the waste authority's crews, it involves manual movement of bins over a distance along the access track that waste-collection guidance would not normally accept, and it would leave the bins for five large houses standing at the junction with The Street, opposite the playground and village hall, with no certainty that they would be returned. The Council's own collection schedule for The Byre confirms the scale of this: domestic refuse, recycling and food waste are collected there on the same day, and the separate garden-waste collection falls on the same day as the refuse collection, so that all four waste streams are presented together. With the five dwellings and The Byre each setting out up to four containers on such a day, as many as 24 bins could stand at the mouth of the access — opposite the children's playground and village hall — on a single collection day. The second – private refuse collection – is left wholly undefined: no



operator, no funding mechanism and no legal arrangement is identified, and it is unclear who would pay for it, in perpetuity, once the houses are occupied. It would also depend on the same turning area whose adequacy has not been demonstrated (Section 8 above). Refuse collection for five dwellings is a basic servicing requirement that should be resolved, and secured, before permission is granted – not deferred to an undefined future arrangement at the expense and inconvenience of future residents and the safety and appearance of The Street. The dragging arrangement also conflicts with the Building Regulations' own guidance on waste storage. Approved Document H (Drainage and waste disposal), which supports Requirement H6, advises that storage should be sited so that "the distance householders are required to carry refuse does not usually exceed 30m" (paragraph 1.16). The access track runs for approximately 150 metres (Proposed Site Plan, drawing 327-P3c). Bins for the rear dwellings — landfill, recycling, food and garden waste — would have to be moved a distance far in excess of the 30-metre guidance on collection days. That is neither a workable nor a compliant waste-storage arrangement, and it reinforces the servicing and highway concerns set out above.

**Shared Surface Access Road: Accessibility for Disabled Users Not Addressed (MfS 7.2.10–7.2.13 and 6.1.1)**

The internal access road has no formal footway. Pedestrians and vehicles share the same surface and must negotiate priority, particularly at the acknowledged pinch points between existing buildings. MfS notes that research has "illustrated the problems that shared surfaces cause for blind or partially-sighted and other disabled people" (7.2.10–7.2.11) and that shared surfaces require careful design to avoid "vulnerable road users feeling threatened by having no space protected from vehicles" (7.2.12). MfS places a general inclusive design obligation on residential street design: "Street design should be inclusive. Inclusive design means providing for all people regardless of age or ability. There is a general duty for public authorities to promote equality under the Disability Discrimination Act 2005" (6.1.1). That obligation is now given statutory force by the public sector equality duty in section 149 of the Equality Act 2010, which replaced the Disability Discrimination Act; in determining this application the Council must have due regard to the need to advance equality of opportunity for disabled people, including taking steps to take account of their disabilities. The planning statement does not address how disabled or visually impaired pedestrians — whether residents or visitors — will safely navigate the shared-surface access route. No inclusive design assessment has been submitted.

**Crime Prevention: New Rear Access to Existing Dwellings (MfS 4.6.3)**

MfS, citing the government's Safer Places guidance, states that "access to the rear of dwellings from public spaces, including alleys, should be avoided." The proposed internal access road runs adjacent to the rear gardens and outbuildings of existing properties on The Street. The existing PRow and the proposed 'new link footpath' would provide access to the rear of the proposed dwellings — exactly the crime prevention concern that MfS identifies. The planning statement and Design and Access Statement do not address the crime prevention impact, and no consultation with Sussex Police (Designing Out Crime) appears to have been undertaken or referenced. This is not merely a design preference: under section 17 of the Crime and Disorder Act 1998 the Council must exercise its functions with due regard to the need to do all that it reasonably can to prevent crime and disorder in its area, which extends to crime prevention in the determination of planning applications. Creating new vehicular and pedestrian routes along the rear of dwellings, with no crime prevention assessment, is inconsistent with that duty.

**Garage Use: Scheme-Specific Assessment Required by MfS (MfS 8.3.39–8.3.41)**

MfS presents research demonstrating that only 36–45% of garages in new residential developments are actually used for car parking; the remainder are used for storage or



converted to other uses. MfS states that "whether garages count fully will need to be decided on a scheme-by-scheme basis" having regard to the availability of alternative parking, the availability of separate cycle storage, and garage size. The planning statement makes no scheme-specific assessment of this kind. It asserts without supporting analysis that garage bays will count as 0.5 spaces each. Given the national evidence on garage use, and given that The Street has severe on-street parking constraints (as acknowledged by the Bolney Neighbourhood Plan background to Policy BOLT3), a scheme-specific assessment of likely garage use — and what the parking implications would be if garages are not used for parking — is required and has not been provided.

#### **Road Adoption and Long-Term Maintenance Not Addressed (MfS 11.7 and 11.9)**

MfS notes that five dwellings is the threshold commonly used by highway authorities when considering whether to adopt a new residential access road (11.7.15). This application is exactly at that threshold. The planning statement does not state whether the internal access road is intended for adoption as public highway (which would require a Section 38 agreement under the Highways Act 1980) or is to remain private. If it is to remain private, MfS (11.9) requires that private management arrangements be established to ensure long-term maintenance. No such arrangements are described in any application document. Failure to resolve the adoption and maintenance position leaves future residents with no certainty about how the road serving their homes will be maintained. The County Council's Section 106 response (30 July 2026) reinforces that this is unresolved: it records that, where estate roads are to remain private, the County Council will require provisions "to ensure that they are properly built, never offered for adoption and that a certificate from a suitably qualified professional is provided confirming their construction standard" — none of which is yet in place.

These failures under the Manual for Streets compound the concerns raised in Sections 7 and 9 above. The unresolved waste vehicle routing, failure to address shared surface accessibility, lack of crime prevention assessment, unsubstantiated garage use assumptions, and unresolved road adoption arrangements together represent a highway design submission that is materially incomplete and does not meet the standards expected of a residential development of this nature.

### **11. Landscape Character and Proximity to the High Weald National Landscape – Conflict with Policy BOLE2 of the Bolney Neighbourhood Plan and Policy DP16 of the Mid Sussex District Plan**

Policy BOLE2 of the Bolney Neighbourhood Plan states that, outside the built-up area boundary, "development must demonstrate that it does not have an unacceptable impact on the landscape." The majority of the application site lies outside the built-up area boundary. The development of open paddock and stable land with five large detached dwellings, access road, driveways, garages, and domestic curtilages will have a significant and lasting impact on the rural character of this edge-of-settlement location.

The Bolney Neighbourhood Plan records that the High Weald Area of Outstanding Natural Beauty (now National Landscape) "takes in the north and north eastern parts of the Parish, totalling 2/5ths of the Parish." The Planning Statement places the site approximately 500 metres from the National Landscape boundary. At this separation, the site falls within the setting of the High Weald National Landscape.

Policy DP16 of the Mid Sussex District Plan provides that "development on land that contributes to the setting of the AONB will only be permitted where it does not detract from



the visual qualities and essential characteristics of the AONB, and in particular should not adversely affect the views into and out of the AONB by virtue of its location or design.” NPPF paragraph 189 directs that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes, which have the highest status of protection in relation to these issues. Development in the setting of a National Landscape which would harm those qualities therefore engages that great-weight protection, and Policy DP16 applies the same test to land that contributes to the setting of the designated area. Since 26 December 2023 the Council is, in addition, under a strengthened statutory duty in section 85 of the Countryside and Rights of Way Act 2000 (as amended by section 245 of the Levelling-up and Regeneration Act 2023) to “seek to further” the purpose of conserving and enhancing the natural beauty of the High Weald National Landscape – a more demanding, positive duty than the former obligation merely to have regard to that purpose. To determine an application affecting the setting of the National Landscape with no landscape and visual impact assessment before it is incompatible with that duty.

The cumulative landscape harm is also material. In permitting Foxhole Farm (DM/25/1129) the Council accepted that the scheme causes a significant adverse impact on the landscape, expressly noting that the change from greenfield to housing would be “clearly visible from the public right of way to the north of the site” — that is, from the direction of this site. The Byre would extend built development further north across the remaining open land between the village edge and the High Weald, compounding that accepted harm and eroding the rural, undeveloped character that the two sites together define.

Furthermore, because the application site extends to approximately 1.1 hectares, the proposal constitutes “major development” for planning purposes. Policy BOLE2 provides that “major development which has an unacceptable impact on the landscape and scenic beauty of the High Weald Area of Outstanding Natural Beauty shall be refused, unless it can be demonstrated that there are exceptional circumstances and that it is in the public interest.” No exceptional circumstances have been advanced, and the harm to this edge-of-settlement countryside within the setting of the National Landscape has not been assessed at all.

The Planning Statement dismisses any impact on the National Landscape in a single paragraph, relying on the assertion that tree cover prevents inter-visibility. No landscape assessment has been provided to substantiate this claim and to demonstrate compliance with Policy DP16. In the absence of such an assessment, the application fails to satisfy the tests in that policy.

A distinct arboricultural concern also arises. Trees along the site’s western boundary — those on the boundary shared with Bolney Lodge — are protected by Tree Preservation Orders (five under BK/01/TPO/87 and one under BK/1A/TPO/87), as confirmed by the Council’s own Tree Preservation Order mapping and, indeed, by the applicant’s own Arboricultural Impact Assessment (paragraph 1.3.4). That report also proposes the removal of several trees (trees 6, 8, part of group G11 and tree 4) and the cutting back of hedgerow to clear the access, and it places built development — the garage and driveway serving The Byre — within the root protection area of tree 3, “a significant mature English oak”, relying on piled foundations and “no-dig” construction as mitigation. The loss of trees and hedgerow and the encroachment into the root protection area of a significant mature oak, in a scheme that also stands adjacent to protected trees, engages Policy DP37 (Trees, Woodland and Hedgerows) and Policy DP26 of the Mid Sussex District Plan, and reinforces the landscape harm identified above.

## **12. Ecology and Biodiversity**



Since this objection was first prepared, the applicant has submitted a final Ecological Impact Assessment (The Ecology Co-operation Ltd, 1 July 2026), completing the three seasons of bat activity survey that were outstanding at the interim stage. That assessment confirms rather than dispels the ecological sensitivity of the site. It records a moderately diverse assemblage of foraging and commuting bats including barbastelle (*Barbastella barbastellus*) — a rare bat listed on Annex II of the Habitats Directive and a European Protected Species — present and using the site's hedgerows, woodland edge and retained ditch to forage and commute; and, on the applicant's own analysis, the overall bat assemblage scores just at the threshold for county-level importance (a score of 20, partly by reason of the barbastelle's presence). The completed assessment recognises the risk that artificial lighting poses to these bats. Barbastelle is a notably light-averse species, and the report accordingly recommends (at section 5.3.2) a "sensitive lighting plan" incorporating "dark corridors" along the retained boundary habitats. That is, however, only a recommendation to be worked up "as part of the detailed design": no lighting scheme is before the Council and none has been secured. Indeed, the applicant's own Proposed Site Plan (drawing 327-P3c) marks a "protected fly zone" along the boundary hedgerow and tree line — an express acknowledgement, on the face of the submitted drawings, that a dark bat flight corridor exists there and must be safeguarded. That annotation is, however, secured by nothing: it is a label on a plan, nowhere defined, dimensioned or supported by any lighting design, illuminance (lux) contours or condition, and it does not appear in the Ecological Impact Assessment at all. The concern is not merely that the scheme is unsecured but that it may be undeliverable: a new link footpath is drawn running inside the marked corridor, and the access road and dwellings sit hard against the very boundary the bats use, so that light spill from the southern elevations and from the west elevation of dwelling 5 would fall across it — and a condition cannot secure a genuinely dark corridor that the layout itself precludes. Permission should not be granted without a lighting strategy that is both secured and shown to be deliverable, protecting the barbastelle commuting route in accordance with the Bat Conservation Trust and Institution of Lighting Professionals' Guidance Note 08/23. The Council's own approach to the immediately adjacent Foxhole Farm scheme underlines the point: in permitting that development (DM/25/1129) it required, by condition, a Wildlife-Friendly Lighting Strategy, a Predicted Light Spillage assessment and a Lighting Impact Assessment to protect bats. It would be inconsistent to impose those safeguards on the land to the south while granting this application, on the more heavily-used northern side of the shared boundary, with no equivalent lighting scheme before the Council.

The assessment also concedes that, even with mitigation, the development would cause a residual effect on bats that it itself describes as "significant" at a site level, through the loss of foraging grassland, relying on compensatory planting to offset it. Barbastelle remains a European Protected Species to which the Conservation of Habitats and Species Regulations 2017 apply, and the adequacy, long-term securing and management of that compensation cannot be taken on trust.

The assessment is also incomplete in a respect that bears directly on the true scale of harm. The applicant's own methodology (paragraph 2.12.2) states that the significance of ecological effects must be assessed having regard to "cumulative impacts – in combination with other plans/projects." That requirement reflects the recognised standard the assessment purports to follow: the CIEEM Guidelines for Ecological Impact Assessment (2024) devote a dedicated section (paragraphs 5.19–5.22) to the assessment of cumulative impacts and effects, requiring the assessor to identify other developments that may give rise to cumulative effects and to assess the significance of any such effects. Yet the report contains no cumulative assessment and does not mention the Foxhole Farm development at all. Foxhole Farm is an already-permitted scheme of some 200 dwellings on the land immediately to the south of this site.



Taken together, the two developments would remove a substantial contiguous block of edge-of-settlement foraging and commuting habitat and would risk severing the very bat commuting routes that the assessment itself identifies along the site's boundaries. The significance of that in-combination loss is underscored by the Foxhole Farm evidence itself: as recorded in the Council's committee report for that application (DM/25/1129, 22 September 2025), Foxhole Farm's own bat activity surveys found 8,428 bat registrations — including barbastelle — at that site's northern boundary, the boundary it shares with the application site, more than three times the 2,562 registrations recorded in the south of the Foxhole site. On the neighbouring applicant's own survey data, the Byre/Foxhole boundary is the principal bat commuting and foraging corridor in this locality — precisely the resource that lighting and building on The Byre would degrade. The same Foxhole evidence shows that the shared-boundary land is significant for more than bats: the principal reptile concentration on the Foxhole site (a peak count of 23 slow-worms) was recorded in its northern grassland fields adjoining this site, dormice are present, and great crested newts occur nearby (a pond returned a positive eDNA result). The Byre's own assessment likewise recorded slow-worms. The in-combination loss therefore affects a suite of protected and notable species, not bats alone. That in-combination loss is a material consideration which the Council is obliged to take into account, and which national policy on coherent ecological networks — and the biodiversity duty in section 40 of the Natural Environment and Rural Communities Act 2006, as strengthened by the Environment Act 2021 — requires it to weigh. That the Council must consider cumulative effects here is not in doubt: in determining Foxhole Farm it assessed that scheme's highway impacts cumulatively (in combination with the 1,450-dwelling Ansty scheme, DM/23/2866) and applied the cumulative-impacts test in paragraph 116 of the NPPF. The same in-combination approach must be applied to the ecological effects of this proposal. The Council should require the applicant to provide an in-combination ecological assessment with the Foxhole Farm scheme, and should consult the County Ecologist and Natural England on the cumulative impact, before the application is determined.

So far as biodiversity net gain is concerned — a mandatory requirement for permission under the Environment Act 2021 — it is not demonstrated as deliverable. The statutory metric submitted with the application remains, on the information available, completed with mandatory fields left blank and without the required baseline and post-intervention maps; and the Council's own ecological adviser, Place Services, has in any event found it non-compliant, the post-intervention values wrongly including individual trees within private gardens contrary to the Statutory Biodiversity Metric User Guide, and has concluded that, once this is corrected, "it is considered likely that a 10% measurable biodiversity net gain will not be achieved on-site", so that off-site biodiversity units would be required. The net-gain position therefore cannot be verified, still less shown to be achievable on-site, on what has been submitted.

The ecological position has been further addressed by NatureSpace, the partnership that administers Mid Sussex District Council's great crested newt District Licensing Scheme on the Council's behalf. Its consultation response of 21 July 2026 records a recommendation of "Further Information Required". NatureSpace's modelling places the site within the red great crested newt impact risk zone — its highest category, indicating "highly suitable habitat and a high likelihood of great crested newt presence" — a more serious classification than the "amber risk zone" the applicant's own Ecological Impact Assessment assigned. It records seven ponds within 500 metres of the site (the nearest only about 52 metres to the west and 78 metres to the south-east), direct habitat connectivity between the site and the surrounding landscape, and that none of those ponds could be accessed or surveyed; and it advises that the negative eDNA result from the on-site ditch does not, by itself, demonstrate the risk to great



crested newts to be acceptably low. NatureSpace accepts that the matter may be addressed through the Council's District Licence rather than by further survey, but is explicit that, to do so, "the applicant must submit a NatureSpace Report or Certificate to the LPA prior to determination" to demonstrate that the development's impacts can be addressed under the licence. No such Report or Certificate is before the Council. The matter cannot lawfully be deferred to a post-permission condition: ODPM Circular 06/2005 (paragraph 99) requires that the presence of protected species, and the extent to which they may be affected, be established before planning permission is granted, surveys being left to conditions "only ... in exceptional circumstances". Great crested newts are a European Protected Species under the Conservation of Habitats and Species Regulations 2017 and a material consideration engaging section 40 of the Natural Environment and Rural Communities Act 2006 and section 15 of the National Planning Policy Framework. The application should not be determined until the required NatureSpace Report or Certificate has been provided and assessed.

None of this is displaced by the response of the Council's ecological adviser, Place Services (Essex County Council), which on 3 August 2026 gave "no ecological objection subject to conditions", considering the information sufficient and the development capable of being conditioned (a Construction Environmental Management Plan, a Biodiversity Enhancement Strategy and a wildlife-sensitive lighting design). That advice is a material consideration, but it does not meet the concerns set out above: on its own analysis the mandatory net gain is not achieved on-site; its review does not engage with the in-combination effect with Foxhole Farm; it leaves great crested newts to NatureSpace, whose "Further Information Required" recommendation stands; and a lighting condition cannot secure a dark corridor the layout precludes. The admitted significant residual effect on bats remains a harm for the planning balance, and the local planning authority, as decision-maker, is not bound by the adviser's conditional view.

In short, the completed survey work confirms rather than dispels the ecological concern: the site supports a European Protected Species and a bat assemblage of county importance, the development would have a significant residual effect on those bats, and the mitigation on which the applicant relies — in particular the lighting strategy — is unsecured and of unproven deliverability. The application engages Policy DP38 (Biodiversity) of the Mid Sussex District Plan, the Conservation of Habitats and Species Regulations 2017 and paragraphs 180 to 182 and 193 of the NPPF, and any permission would need, at a minimum, to be subject to robust conditions securing a compliant lighting strategy, the compensation planting and a valid biodiversity net gain metric. In addition, the great crested newt position must be resolved before determination, through the NatureSpace Report or Certificate that the Council's own licensing partner requires.

### **13. Flood Risk, Drainage and Foul Sewage**

The Ecological Impact Assessment confirms that the ordinary watercourse (ditch) crossing the site is to be retained, which is welcome. It does not, however, resolve the separate water-environment matters: works affecting an ordinary watercourse — including the crossing beneath the access road that would carry the intensified traffic of five dwellings — require the consent of the Lead Local Flood Authority under section 23 of the Land Drainage Act 1991, and the surface-water drainage strategy and its discharge to that watercourse engage Policy DP42 (Water Infrastructure and the Water Environment). These remain unresolved. These are no longer only the objector's concerns. In its consultation response of 14 July 2026, the Council's own Flood Risk and Drainage Team has recommended that the application not be approved until updated information is received. It advises that insufficient



information has been provided to demonstrate that the proposal accords with the National Planning Policy Framework and the accompanying Planning Practice Guidance. In particular, the applicant asserts that the site is unsuitable for infiltration drainage because of the underlying clay but has produced no BRE Digest 365 infiltration testing to evidence that; the alternative drainage method proposed is not adequately supported, the Team recording that “we have concerns with the current information”; and the proposed crossing of, and outfalls into, the ordinary watercourse would require Ordinary Watercourse Consent from the Lead Local Flood Authority, of which no evidence of any engagement has been provided. The Team’s conclusion is unequivocal — it recommends that the application “is not approved until updated information is received” — and it grounds that recommendation in paragraphs 170, 173, 174, 176 and 177 of the Framework’s flood-risk policies, to prevent flooding and to secure the satisfactory management of surface-water flow paths, storage and disposal for the lifetime of the development. The considered advice of the Council’s drainage specialists, that permission should be refused on the information currently before the Council, is a material consideration of significant weight and corroborates the deficiencies identified above. Southern Water’s consultation response (16 July 2026) raises no objection, but it confirms that the foul and surface-water disposal arrangements are likewise unresolved. Any new connection to the public sewerage system will require a section 106 connection application to be submitted to, and approved by, Southern Water, and the company asks that no development commence until the means of foul sewerage and surface-water disposal have been submitted to and approved by the Council in consultation with it. Southern Water confirms that surface water may not be discharged to the public foul sewer and that no soakaway may be connected to the public surface-water sewer; and, consistent with the Flood Risk and Drainage Team, it expressly leaves the adequacy of the proposed discharge of surface water to the watercourse to the Council’s technical staff and the land-drainage authority to determine, rather than endorsing it. Its asset plan shows the public foul sewer running in The Street and not within the rear field, so the five dwellings would require a new connection across the intervening frontage land whose route, and the capacity of the receiving sewer, are nowhere demonstrated; Southern Water further cautions that an as-yet unidentified public sewer could cross the site. Taken with the infiltration and watercourse-consent concerns above, the surface-water strategy is constrained on every side — infiltration is said by the applicant to be unavailable (though unproven), the public foul sewer is not available for surface water, and discharge to the watercourse is neither consented nor confirmed as adequate — yet no complete and deliverable drainage and foul-disposal solution has been demonstrated. This is reinforced by the immediate neighbour at Daltons Farm, who reports that the existing foul drainage from Daltons Farm runs into a shared sewer and that the submitted drainage strategy contains no detail of how that existing connection would be accommodated within the proposed development — a further unresolved element of the foul-drainage position, and consistent with Southern Water’s caution that an as-yet unidentified public sewer could cross the site.

The Public Rights of Way response also adds an independent drainage concern. It warns that where ground levels adjacent to the footpath are raised, or where the development’s down-pipes and soakaways discharge towards it, the path is liable to flood, and it requires that a suitable drainage system, and any works affecting the path’s surface, be agreed with the County Council’s Rights of Way team before development commences. This corroborates the point that Footpath BOL/44Bo is already prone to flooding, and it adds a further unresolved element to the surface-water strategy: the development must be shown not to worsen flooding of the path, and no such scheme has been provided.

#### **14. Adequacy of Information — Application Cannot Be Properly Assessed**



Paragraph 44 of the National Planning Policy Framework (December 2024) states that "the right information is crucial to good decision-making, particularly where formal assessments are required." The following information is either absent from the application or is contradicted by the applicant's own submitted documents. In each case the specific policy or guidance that required the information to be provided is identified, together with the consequence for the LPA's ability to assess the application. The Council should not determine this application until each gap has been addressed.

The reliability of the application documents themselves compounds these gaps. A cross-reference of the submitted material reveals internal errors and contradictions that bear directly on the ability to assess the proposal: highway data in the Transport Statement is attributed to Surrey County Council rather than West Sussex County Council; the planning reference for the neighbouring Foxhole Farm permission is transposed; the width of the access track at its narrowest point is stated inconsistently between the Transport Statement body text (3.1 metres) and the West Sussex highways pre-application response (4.1 metres); and the application form answers "No" to the question whether the proposal lies within 20 metres of a watercourse, when the applicant's own Flood Risk, Foul Sewage and Surface Water (Drainage) Assessment identifies an ordinary watercourse running through the site and beneath the access road; and the form answers "No" to whether the site lies within an area at risk of flooding, whereas the same Assessment identifies a "high risk of surface water flooding" affecting part of the site (the existing dwelling and adjacent hardstanding, in the 1 in 30 year event), worsening under climate change. The applicant's Arboricultural Impact Assessment (paragraph 1.3.4) further states that the site "is not within a conservation area", contradicting both the Heritage Statement — which places the eastern part of the site and the access within the Bolney Conservation Area — and the Council's own Conservation Area mapping. While some of these are individually minor, others – in particular the misdescriptions of the watercourse and of the flood risk – are not. Collectively they indicate that the application has not been prepared with the care that Paragraph 44 of the NPPF requires, and they reinforce the need for the outstanding information to be provided and independently verified before determination.

| <b>Missing or Contradictory Information</b>                                                | <b>Required by</b>                                                                                                                                                                                           | <b>Consequence for Assessment</b>                                                                                                                                                                                                                                                                                                                                                                                                  |
|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Garage internal dimensions — not stated on any submitted plan or in any submitted document | WSCC Parking Guidance para 4.14(a) (garage bay counts as 0.5 space only if it meets the required internal dimension); WSCC Local Design Guide para 6.2 (garages must be 6m×3m to accommodate car and cycles) | The applicant's entire parking compliance case depends on each double garage counting as one allocated space (two bays at 0.5 each). That count is only valid if each bay meets the required internal dimension. Without stated dimensions, neither the LPA nor WSCC as highway authority can assess whether the garages qualify. If they do not, the development falls materially short of the PBZ1 standard and of Policy BOLT3. |
| Road Safety Audit — not submitted                                                          | WSCC Local Design Guide para 7.1 (RSA required for all major applications where an existing access is intensified or a new access provided)                                                                  | The application proposes to intensify the use of an existing private access track on a 20mph village road with established pedestrian movement. This is precisely the scenario for which an RSA is mandatory under the Local Design Guide.                                                                                                                                                                                         |



| Missing or Contradictory Information                   | Required by                                                                                                                                                                                                  | Consequence for Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| EV charging provision — contradictory and sub-standard | WSCC Parking Guidance Principle B and Appendix B (year-by-year active EV index: 53% for 2026); Building Regulations 2010 Part S                                                                              | Without it, highway safety cannot be properly evaluated.<br>The Planning Statement (para 6.76) states only that EV charging will be "in accordance with building regulation requirements." Part S requires one active charger per new dwelling with associated parking — equating to approximately 21% of spaces (5 of 24). WSCC Appendix B requires 53% active provision (approximately 13 of 24 spaces) for a 2026 application. The application has not addressed this shortfall and no scheme of active EV charging has been submitted. |
| Visitor parking — absent                               | Policy BOLT3 (Bolney Neighbourhood Plan: "visitor parking must be accommodated within the development"); WSCC Parking Guidance para 5.8 (0.2 visitor spaces per dwelling where all spaces are allocated)     | All parking is allocated on a per-dwelling basis. WSCC requires a minimum of one visitor space ( $0.2 \times 5 = 1.0$ space). Policy BOLT3 independently requires visitor parking on-site. No visitor spaces are identified anywhere in the application.                                                                                                                                                                                                                                                                                   |
| Fire appliance turning area dimensions — not stated    | Approved Document B Volume 1 (2019 ed.) Table 13.1 (minimum turning circle 16.8m between kerbs / 19.2m between walls for pumping appliance)                                                                  | The applicant claims a dedicated turning area exists to the east of Plot 5 and that swept path analysis confirms compliance. However, the swept path drawings contain no annotated dimensions for the turning area. The LPA cannot verify compliance with Table 13.1 without stated turning circle dimensions.                                                                                                                                                                                                                             |
| Hydrant proximity assessment — not submitted           | Approved Document B Volume 1 (2019 ed.) para 14.8 (additional hydrants required where building erected more than 100m from an existing hydrant)                                                              | The application proposes five large dwellings on a backland site. No hydrant survey or assessment has been submitted. The LPA cannot determine whether existing hydrants are within 100m or whether additional provision is required.                                                                                                                                                                                                                                                                                                      |
| Landscape and visual impact assessment — not submitted | Policy BOLE2 (Bolney NP: development outside BUAB must demonstrate it does not harm landscape character or setting of the National Landscape); Policy DP16 (District Plan: AONB setting); NPPF paras 189–191 | The site is in the setting of the High Weald National Landscape. A statutory duty of great weight to conserve and enhance applies under s.85 CROW Act 2000. The Planning Statement dismisses any impact in a single paragraph. No landscape and visual impact assessment has been submitted. The LPA cannot                                                                                                                                                                                                                                |



| Missing or Contradictory Information                                     | Required by                                                                                                   | Consequence for Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Surface water, watercourse and flood risk — not disclosed and unresolved | Application form; WSCC Parking Guidance Principle F (SuDS); Land Drainage Act 1991; Policy DP42; NPPF para 44 | properly discharge its s.85 duty without one.<br>The application form denies any watercourse within 20m and any flood risk, both contradicted by the applicant's own Flood Risk Assessment (an ordinary watercourse crosses the site; part of the site is at high risk of surface water flooding). No SuDS scheme for the new road, driveways and parking, and no Land Drainage Act consent for the watercourse crossing, has been provided, so the LPA cannot properly assess surface-water and flood-risk effects. The Council's Flood Risk and Drainage Team (consultation response, 14 July 2026) has since confirmed this deficiency, advising that insufficient information has been provided and recommending that the application not be approved until updated information — including BRE 365 infiltration testing and evidence of Ordinary Watercourse Consent engagement — is received. Southern Water (16 July 2026) likewise confirms that the means of foul sewerage and surface-water disposal have not been approved and that a section 106 connection application to the public sewer in The Street would be required. |

## 15. Summary of Policy Conflicts

The following table summarises the principal policy conflicts and the evidence sources on which this objection relies. Where the evidence source is the applicant's own document, the specific paragraph or concession is identified.

| Issue         | Policy / Legislation                                                                             | Evidence Source                                                                                                                                                                                         |
|---------------|--------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Housing mix   | BOLH1 (Bolney Neighbourhood Plan, made 2016); DP30 (Mid Sussex District Plan); s.38(6) PCPA 2004 | Planning Statement (no robust justification for total departure from required mix — all five dwellings 4–5 bedrooms contrary to BOLH1 requirements); Bolney Neighbourhood Plan para 4.96                |
| Heritage harm | DP34; DP35 (Mid Sussex District Plan); BOLD1 (Bolney NP); NPPF paras 213–215 (December 2024)     | Heritage Statement (inadequately assesses, and understates, the harm to the setting of Daltons Farm, Grade II listed, entry 1354847, and the Conservation Area); Council's own Local Plan review / SSP7 |



| <b>Issue</b>                                        | <b>Policy / Legislation</b>                                                                                                                                                                        | <b>Evidence Source</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Backland development                                | BOLH2 (Bolney NP)                                                                                                                                                                                  | (site assessed as heritage-sensitive and unsuitable for allocation — Heritage Statement does not acknowledge SSP7); DM/22/3404 refusal (March 2023); DM/18/0953 & 0954 and DM/26/0317 refusals (heritage harm from suburbanising / building over open land) Planning Statement; Proposed Site Plan (327-P3c); DM/21/1593 refusal (February 2022 – rear of The Street, Bolney). Proposal is classic backland development: cul-de-sac of large detached houses behind an existing frontage property — precisely the form BOLH2 seeks to prevent.                                                                        |
| Highway safety — RSA omission / pedestrian conflict | NPPF paras 115(b) and 117 (December 2024); Policy DP21 (Mid Sussex District Plan — Transport); WSCC Local Design Guide (v1.1, 2010) para 7.1; Manual for Streets (2007) user hierarchy (Table 3.2) | No Road Safety Audit submitted despite intensification of existing access (mandatory under WSCC LDG para 7.1). Access directly opposite the village children's playground and playing field; Rawson Village Hall car park a short distance south — increased vehicle movements create specific risk to pedestrians including small children crossing The Street. Existing 20mph limit confirms pedestrian sensitivity of location. WSCC Highways (24 July 2026): “More Information Required” — unable to conclude that safe and suitable access has been demonstrated (NPPF para 116; DP21).                          |
| Sustainability / accessibility                      | DP6; BOLBB1 (Bolney NP); DP21; DP28 (Accessibility); NPPF paras 108–117; Equality Act 2010 s.149                                                                                                   | Planning Statement (Category 3 settlement; relies on undelivered Foxhole Farm allocation facilities not yet commenced); Transport Statement (no safe walking or cycling route established to key services). Current sustainability must be assessed against what exists today, not what may be built. The only walking route offered — public footpath BOL/44Bo/1 — is unsurfaced, unlit, prone to flooding and crosses the watercourse on a rudimentary bridge, and is not usable by disabled, visually-impaired or elderly residents, engaging the Council's public sector equality duty (Equality Act 2010 s.149). |
| Principle of development / settlement boundary      | BOLBB1 (Bolney NP); DP6; DP12; s.38(6) PCPA 2004                                                                                                                                                   | Planning Statement (acknowledges site lies mostly outside BUAB). Even accepting contiguity, Policy DP6 is a                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |



| <b>Issue</b>                                          | <b>Policy / Legislation</b>                                                                                                                                                               | <b>Evidence Source</b>                                                                                                                                                                                                                                                                                                                                                                                        |
|-------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                       |                                                                                                                                                                                           | cumulative test: the sustainability limb is not met (Category 3 settlement; reliance on the unbuilt Foxhole Farm facilities). SSP7 found the site “not suitable for further testing” despite accepting contiguity, on heritage/access grounds. DM/21/1593 refusal (2022); DM/18/0953 & 0954 refusals (development outside the BUAB; Category 3 sustainability); DM/26/0317 refusal (outside BUAB; BOLBB1).    |
| Parking and EV charging                               | DP26; BOLT3 (Bolney NP); WSCC Guidance on Parking at New Developments (September 2020); Building Regulations 2010 Part S                                                                  | Planning Statement paras 6.80–6.82 (own concessions: EV charging only "in accordance with building regulations" — ~21% of spaces against WSCC Appendix B index of 53% for 2026; no visitor parking); garage dimensions unverified (WSCC para 4.14(a)).                                                                                                                                                        |
| Fire safety / emergency vehicle access                | Building Regulations 2010 Schedule 1 Requirement B5; Approved Document B Volume 1: Dwellings (2019 ed.) Section 13, Table 13.1, paras 13.4, 14.8                                          | Transport Statement para 4.7 (own concession: access narrows to 3.1m for ~50m — below 3.7m minimum in ADB Table 13.1; "not sufficient width for two-way movement"); turning area dimensions not verified against Table 13.1; no hydrant proximity assessment submitted.                                                                                                                                       |
| Highway design                                        | WSCC Local Design Guide (v1.1, 2010) paras 5.3, 6.2, 8.5, 8.7–8.8; DP26                                                                                                                   | Transport Statement (garage dimensions not stated); adoption/maintenance of road not addressed; Conservation Area street lighting not addressed.                                                                                                                                                                                                                                                              |
| Residential street design (Manual for Streets)        | Manual for Streets (DfT/DCLG, 2007) paras 4.6.3, 7.2.10–7.2.13, 7.10.3, 8.3.39–8.3.41, 11.7.15; DP26; Equality Act 2010 s.149; Crime and Disorder Act 1998 s.17                           | Transport Statement para 4.14 (own concession: refuse vehicles cannot enter/exit in forward gear — operatives must drag refuse to The Street); shared surface access raises accessibility concerns, engaging the public sector equality duty (Equality Act 2010 s.149); rear access to existing properties raises crime prevention concerns, engaging the duty under s.17 of the Crime and Disorder Act 1998. |
| Landscape character and High Weald National Landscape | DP12; BOLE2 (Bolney NP); DP16 (Mid Sussex District Plan); Countryside and Rights of Way Act 2000 s.85 (as strengthened by the Levelling-up and Regeneration Act 2023); NPPF paras 189–191 | Planning Statement (no landscape and visual impact assessment submitted; National Landscape impact dismissed in a single paragraph without evidence); statutory duty of great weight to conserve and enhance under s.85 CROW Act 2000 not discharged.                                                                                                                                                         |
| Adequacy of information                               | NPPF para 44 (December 2024)                                                                                                                                                              | Multiple required documents absent or contradicted: garage dimensions (WSCC                                                                                                                                                                                                                                                                                                                                   |



| Issue                              | Policy / Legislation                                                                                                                                                 | Evidence Source                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ecology and biodiversity           | Policy DP38 (Biodiversity); Conservation of Habitats and Species Regulations 2017; Environment Act 2021 (biodiversity net gain); NPPF paras 180–182 and 193          | <p>para 4.14 / LDG para 6.2); Road Safety Audit (LDG para 7.1); EV charging scheme; hydrant assessment (ADB para 14.8); turning area dimensions (ADB Table 13.1); landscape and visual impact assessment (BOLE2 / DP16). Council should not determine application until gaps addressed.</p> <p>Final Ecological Impact Assessment (1 July 2026) confirms barbastelle (Annex II / European Protected Species) and a bat assemblage of county-level importance, and concedes a significant residual effect on bats at site level. The recommended “sensitive lighting plan” / “dark corridors” for the commuting corridor are deferred to detailed design — unsecured and of doubtful deliverability given the access road and dwellings alongside that corridor (BCT/ILP GN08/23). Statutory BNG metric remains submitted with mandatory fields blank (Environment Act 2021). The EcIA also omits the cumulative / in-combination assessment its own methodology (para 2.12.2) requires, ignoring the adjacent already-permitted Foxhole Farm (c.200 dwellings), whose own committee report (DM/25/1129) records 8,428 bat registrations — including barbastelle — at the boundary shared with this site, the principal local commuting corridor. NatureSpace, the Council’s great crested newt licensing partner, has responded “Further Information Required” (21 July 2026), placing the site in the red GCN risk zone (seven ponds within 500m) and requiring a NatureSpace Report or Certificate prior to determination.</p> |
| Drainage and the water environment | Policy DP42 (Water Infrastructure and the Water Environment); Land Drainage Act 1991; WSCC Parking Guidance Principle F (SuDS); NPPF para 44 and flood-risk policies | <p>An ordinary watercourse crosses the site and runs beneath the access road (applicant's FRA), yet the application form denies any watercourse within 20m; part of the site is at "high risk of surface water flooding" (FRA), yet the form denies any flood risk. SuDS for the new hardstanding (WSCC Principle F) and Lead Local Flood Authority consent for works affecting the watercourse are unresolved. The Council’s</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |



| Issue | Policy / Legislation | Evidence Source                                                                                                                                                                       |
|-------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|       |                      | Flood Risk and Drainage Team has recommended that the application not be approved until these matters are resolved (14 July 2026), citing NPPF paragraphs 170, 173, 174, 176 and 177. |

## 16. Relevant Precedent Decisions

The Council has refused a number of comparable applications in Bolney and the immediately surrounding area. The following decisions are directly relevant to the grounds of objection set out above.

### **DM/21/1593 – Rear of Rosedale, The Street, Bolney (Refused February 2022)**

This is the most directly comparable precedent. The application was for a single backland dwelling to the rear of a property on The Street — the same road as the application site. The Council refused the application on the grounds that the proposal was "an inappropriate overdevelopment that would fail to comply with District Plan Policy DP26 and Policy BOLH2 of the Bolney Neighbourhood Plan." The officer found that the backland site would "contrast with the form, layout and materials palette of the surrounding development, appear out of context and create an intensity of use... that would affect the privacy and amenities of the neighbours." The current proposal, which involves five large dwellings and outbuildings on a backland former paddock on the same road, is a far more significant departure from the surroundings and engages Policy BOLH2 even more acutely.

### **DM/26/0111 – Old Mill House, Cowfold Road, Bolney (Refused March 2026)**

A proposal to demolish existing stable buildings and erect a self-build dwelling was refused on the grounds that the site was not within any defined settlement boundary and was approximately 1km from Bolney, a Category 3 settlement. On heritage, the officer found that the proposal "would inflict less than substantial harm towards the setting of the grade II listed building" and that "the proposal would not provide sufficient discernible benefits to outweigh the less than substantial harm inflicted towards the heritage assets." Policy DP34 and NPPF heritage provisions were applied. The current application similarly involves a Grade II listed building (Daltons Farm) and the Bolney Conservation Area.

### **DM/22/3404 – The Old Post Office, The Street, Bolney (Refused March 2023)**

An application for relatively minor alterations to an unlisted building on The Street, Bolney — within the Conservation Area and close to the Grade I listed church — was refused because the Conservation Officer found "less than substantial harm to the character and appearance of the Conservation Area, at around the mid point of that scale." Policies DP34, DP35, DP36 and BOLD1 were cited. This establishes that the Council applies conservation area protections strictly to The Street itself. The current proposal, which would introduce five new dwellinghouses and outbuildings accessed from The Street, in an area the Council's own site selection process found to be "sensitive in heritage terms," would cause harm on a substantially greater scale.

### **DM/18/0953 and DM/18/0954 – Land North of Bolney, London Road (Refused January 2019)**

Both applications for residential development outside the Bolney built-up area were refused. The officer's reasoning included that the sites were not contiguous with the built-up area — a point on which this objection does not rely — but the decisions are directly relevant on two further grounds. On heritage, the Conservation Officer found that the undeveloped, rural nature of the site made "a strong positive contribution to the setting of the assets, and the manner in which their special interest is appreciated," and that the proposal would



“fundamentally alter the character of the site, which would become suburbanised ... to the detriment of the setting of all of the named heritage assets.” On sustainability, the decision recorded that Bolney is a Category 3 settlement with “a limited range of services.” Both findings apply with equal force to the open, undeveloped character of the present site and to its location in the same Category 3 village.

**DM/26/0317 – Glebelands Field, Lodge Lane, Bolney (Refused March 2026)**

This recent refusal of housing outside the Bolney built-up area is relevant on heritage grounds; again, this objection does not rely on the decision’s separate finding on contiguity. The officer found that the proposal would have “an adverse impact on the setting of the heritage assets to the north-east, i.e. the Bolney Conservation Area and The Thatched House listed building, which is appreciated by the openness of the land to the south,” and Policy BOLBB1 was cited as a key ground of refusal. The reliance on the openness of undeveloped land to the significance of nearby heritage assets is directly comparable to the contribution the open paddock here makes to the setting of Daltons Farm and the Bolney Conservation Area.

**DM/25/2569 – Land North of Jeremys Cottage, Jeremys Lane, Bolney (Refused 30 July 2026)**

This very recent refusal is directly relevant to the principle-of-development, sustainability and landscape grounds of this objection. The Council refused two new dwellings on countryside land at Bolney, first because the site lay outside any settlement boundary in the open countryside in an unsustainable location, conflicting with Policies DP6, DP12, DP15 and DP21 of the District Plan and Policy BOLBB1 of the Bolney Neighbourhood Plan; and secondly because the development would be “an urbanising feature within an otherwise verdant and rural setting which would not conserve the natural beauty of the High Weald National Landscape”, conflicting with Policies DP16 and DP26, Policies BOLD1 and BOLE2, and paragraph 189 of the NPPF. The officer’s report expressly found that “the creation of new dwellings in the countryside in an unsustainable location” is “unsupported by Policy DP15”, and that “the rural location of the site and the poor bus service will result in unsustainable transport patterns arising from the increase in private car movements ... in conflict with Policy DP21”. That site is more remote from the village than the application site, so this objection does not rely on the decision’s findings on isolation or contiguity; but the Council’s reasoning on Policy DP15 (new homes in the countryside), on Policy DP21 (a poor bus service producing unsustainable, car-dependent travel) and on Policies DP16 and BOLE2 (harm to the High Weald National Landscape) applies with equal force to five open-market houses on countryside land at the edge of the same Category 3 village. It confirms that the Council is currently — as recently as 30 July 2026 — refusing new countryside housing in Bolney on precisely these grounds.

These decisions demonstrate a consistent pattern of refusal for development that conflicts with the built-up area boundary, causes harm to heritage assets in the Bolney Conservation Area, or results in backland overdevelopment on The Street. The current application engages all three of these grounds simultaneously.

**17. Housing Land Supply and the Application of the Tilted Balance (NPPF Paragraph 11)**

The Planning Statement contends that the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and that this engages the “tilted balance” in paragraph 11(d) of the NPPF, under which permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This objection does not accept that the tilted balance dictates approval, for three reasons.



First, paragraph 11(d)(i) disapplies the tilted balance where the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development. The policies listed in the associated footnote (footnote 7) include those relating to designated heritage assets, to land within a National Landscape, and to areas at risk of flooding. For the reasons set out in Sections 2 and 11 above, the proposal would harm the setting of the Grade II listed Daltons Farm and the Bolney Conservation Area, and would harm the setting of the High Weald National Landscape. In addition, part of the site is at high risk of surface water flooding on the applicant's own Flood Risk Assessment, and the Council's Flood Risk and Drainage Team has recommended refusal on the basis that the Framework's flood-risk policies (paragraphs 170, 173, 174, 176 and 177) are not met on the information provided; the application of those flood-risk policies is itself capable of providing a clear reason for refusal. Those protective policies provide a clear reason for refusal, and the tilted balance is therefore not engaged.

Secondly, and in any event, even if the tilted balance were engaged, the adverse impacts of the development would significantly and demonstrably outweigh its benefits. The benefits are limited: five large open-market dwellings, with no affordable housing and a housing mix that conflicts with Policy BOLH1, making only a negligible contribution to the district's housing requirement. Against those limited benefits fall the heritage harm, the landscape harm, the conflict with the Built-up Area Boundary, the unresolved highway-safety and fire-safety concerns, and the multiple failures of information identified above. On the evidence submitted, the balance falls clearly against the grant of permission.

Thirdly, a shortfall in housing land supply does not deprive the Bolney Neighbourhood Plan of weight. The made Neighbourhood Plan forms part of the statutory development plan, and section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. Policies BOLBB1, BOLH1 and BOLE2 are not merely policies for the supply of housing; they are locally-specific policies protecting the character, heritage and countryside setting of the village, and they continue to attract significant weight.

## 18. Planning Balance

The following table summarises the planning balance as assessed in this objection. The applicant's Planning Statement presents a competing balance which concludes that benefits outweigh harms; this table identifies, on each ground, why that characterisation is not soundly evidenced. On no ground is the identified harm outweighed by a material public benefit.

| Issue                                          | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                             | Weight                         |
|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| Housing Mix                                    | Policy BOLH1 requires a mix of dwelling sizes reflecting local need. All five proposed dwellings are 4- or 5-bedroom market homes; not a single dwelling falls within the smaller sizes required by BOLH1. No robust justification for departure from the required mix has been demonstrated. Policy DP30 (Mid Sussex District Plan) similarly requires an appropriate mix. The Planning Statement offers no meaningful engagement with either policy. | Significant<br>Negative Weight |
| Principle of Development / Settlement Boundary | The application site lies predominantly outside the Bolney Built-Up Area Boundary (BUAB). Policy BOLBB1 (Bolney NP) requires development to be focused within the BUAB. Policy DP6 (Mid Sussex                                                                                                                                                                                                                                                         | Significant<br>Negative Weight |



| Issue                                     | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Weight                                         |
|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| Heritage                                  | <p>District Plan) permits development outside the BUAB only where the site is allocated or the scheme is for fewer than ten dwellings, AND is contiguous with the BUAB, AND is demonstrably sustainable – all three cumulatively. Even taking contiguity as accepted, the sustainability limb fails (Category 3 settlement; reliance on the unbuilt Foxhole Farm facilities). Policy DP12 protects the countryside. The Council’s own site assessment SSP7 found the site “not suitable for further testing” on heritage and access grounds notwithstanding contiguity. Reinforced by refusals at DM/21/1593, DM/18/0953 &amp; 0954 and DM/26/0317.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>Moderate to Significant Negative Weight</p> |
|                                           | <p>The site lies immediately adjacent to Daltons Farm (Grade II listed, entry 1354847) and The Byre (unlisted, but within the Bolney Conservation Area); the eastern part of the site and the access lie within the Conservation Area and the proposed dwellings within its setting. The Heritage Statement fails to adequately assess harm to the setting of Daltons Farm or the Conservation Area; the Council's own Local Plan review found the site "unsuitable" partly on heritage grounds. Under NPPF para 213-215, less than substantial harm must be weighed against public benefits: none capable of outweighing the harm have been identified. Reinforced by refusals DM/22/3404 (Conservation Area harm), DM/18/0953 &amp; 0954 (suburbanisation of open land harming the heritage setting) and DM/26/0317 (openness of undeveloped land contributing to the heritage setting). The Council accepted less-than-substantial heritage harm from the adjacent Foxhole Farm (DM/25/1129); this scheme adds cumulatively but offers none of the public benefits that outweighed the harm there.</p> |                                                |
| Landscape & High Weald National Landscape | <p>The application site is in the setting of the High Weald National Landscape. Policy BOLE2 (Bolney NP) requires development outside the BUAB to demonstrate it does not harm the landscape character or setting of the National Landscape. Policy DP16 (District Plan) applies the same test to the AONB setting. A statutory duty of great weight to conserve and enhance the National Landscape exists under s.85 CROW Act 2000. The Planning Statement dismisses any impact in a single paragraph without any landscape and visual impact assessment. The Council accepted a significant</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>Significant Negative Weight</p>             |



| Issue                              | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Weight                                                 |
|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
|                                    | adverse landscape impact from the adjacent Foxhole Farm (DM/25/1129), visible from the public right of way toward this site; The Byre compounds it.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                        |
| Ecology and Biodiversity           | <p>The final Ecological Impact Assessment (1 July 2026) confirms a European Protected Species (barbastelle) and a bat assemblage the applicant rates at county-level importance, and concedes a significant residual effect on bats at site level. Mitigation for the barbastelle commuting corridor depends on a “sensitive lighting plan” / “dark corridors” only recommended for the detailed-design stage — unsecured and of doubtful deliverability given the access road and dwellings alongside that corridor. The statutory BNG metric remains submitted with mandatory fields blank. The EcIA also omits any cumulative (in-combination) assessment with the adjacent permitted Foxhole Farm (c.200 dwellings), understating the true habitat loss. Policy DP38 and NPPF paras 180–182 and 193 are engaged; any permission would require robust conditions and an in-combination assessment first. Foxhole Farm’s own surveys recorded the bat hotspot (8,428 registrations, including barbastelle) at the shared boundary (DM/25/1129). NatureSpace (21 July 2026) requires a Report or Certificate on great crested newts prior to determination; none has been provided.</p> | <p>Moderate<br/>Negative Weight</p>                    |
| Drainage and the Water Environment | <p>An ordinary watercourse crosses the site and runs beneath the access road, and part of the site is at high risk of surface water flooding, on the applicant's own Flood Risk Assessment — both denied on the application form. The drainage strategy relies on discharge to that watercourse; SuDS for the new hardstanding (WSCC Principle F) and consent under the Land Drainage Act 1991 are unresolved. Policy DP42 is engaged. The Council’s own Flood Risk and Drainage Team has recommended that permission be refused on the current information (14 July 2026). Southern Water (16 July 2026) raises no objection but confirms the foul and surface-water disposal arrangements are unresolved and does not endorse the proposed discharge to the watercourse.</p>                                                                                                                                                                                                                                                                                                                                                                                                           | <p>Moderate<br/>Negative Weight</p>                    |
| Backland Development               | <p>Policy BOLH2 requires backland development to protect the amenity of neighbours. Whether or not the individual dwellings match the scale and density of nearby properties, inserting five houses, a new access road and associated parking, lighting and</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>Moderate to<br/>Significant<br/>Negative Weight</p> |



| Issue               | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Weight                                  |
|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
|                     | traffic on the open paddock immediately behind existing homes would harm the outlook, privacy, quiet and tranquillity of those neighbours. The proposal replicates, on a much larger scale, the amenity harm for which the Council refused a single backland dwelling at DM/21/1593 (rear of The Street, Bolney).                                                                                                                                                                                                                                                                                                                                                                                                             |                                         |
| Sustainability      | Bolney is a Category 3 settlement in the adopted settlement hierarchy. The Planning Statement relies on facilities from the future Foxhole Farm allocation which have not yet been delivered. The site has no safe walking route to key services for five large dwellings. The development will be entirely car-dependent. The Planning Statement does not demonstrate the site is sustainably located for a scheme of this scale. The only off-carriageway walking route offered (public footpath BOL/44Bo/1) is unsurfaced, unlit, floods and crosses the watercourse on a rudimentary bridge — unusable by disabled or elderly residents and engaging the Council's public sector equality duty (Equality Act 2010 s.149). | Moderate Negative Weight                |
| Housing Delivery    | Five additional dwellings would make a negligible contribution to the district's housing land supply. All five are large market homes (4- and 5-bedroom); there is no affordable housing element and no specialist or accessible housing. The NPPF's tilted balance under para 11(d) arises only where housing land supply is demonstrably below the 5-year threshold; even if engaged, it is not a trump card over the significant policy conflicts identified.                                                                                                                                                                                                                                                              | Limited Positive Weight                 |
| Transport & Parking | Multiple failures against WSCC Parking Guidance (Sept 2020): no visitor parking contrary to BOLT3 and WSCC para 5.8; EV charging at ~21% of spaces against 53% required by WSCC Appendix B index for 2026; garage dimensions unverified, putting the whole compliance calculation at risk. These are not minor technical shortcomings — the applicant's own parking compliance case depends entirely on the double garages meeting the 6m×3m standard, which has not been demonstrated. The Local Highway Authority (24 July 2026) is unable to conclude that safe and suitable access has been demonstrated and requires further information.                                                                                | Moderate to Significant Negative Weight |
| Highway Design      | Non-compliance with WSCC Local Design Guide: no Road Safety Audit submitted despite intensification of an existing access (RSA required under LDG para 7.1); adoption status and maintenance of access road not addressed;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Moderate Negative Weight                |



| <b>Issue</b>                                   | <b>Assessment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Weight</b>                           |
|------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
|                                                | Conservation Area street lighting not addressed (LDG paras 8.7–8.8).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                         |
| Residential Street Design (Manual for Streets) | Refuse vehicle routing unresolved — Transport Statement accepts that refuse collection vehicles cannot enter and exit in forward gear, requiring operatives to drag refuse to The Street (MfS 7.10.3); shared surface access road raises accessibility concerns for disabled and visually impaired residents (MfS 7.2.10–7.2.13; public sector equality duty, Equality Act 2010 s.149); new rear access to existing properties raises crime prevention concerns (MfS 4.6.3; Crime and Disorder Act 1998 s.17); adoption/maintenance of road unaddressed at the 5-dwelling adoption threshold (MfS 11.7.15). | Moderate Negative Weight                |
| Fire Safety (Approved Document B, Req B5)      | The applicant's own Transport Statement (para 4.7) confirms a 50-metre section of access track narrows to 3.1m — below the 3.7m minimum road width required by ADB Table 13.1 for a pumping appliance. The 3.1m standard applies only at gateway restrictions, not extended road sections. Turning area dimensions not verified against Table 13.1 (16.8m turning circle minimum). No hydrant proximity assessment submitted (ADB para 14.8). West Sussex Fire & Rescue Service has not been shown to have accepted the sub-standard width.                                                                 | Moderate to Significant Negative Weight |
| Cumulative Impact & Precedent                  | Granting permission would set a harmful precedent for further backland development on this and adjacent sites. It would be inconsistent with five directly comparable Council refusals: DM/21/1593 (backland dwelling, The Street, Bolney); DM/18/0953 & 0954 (residential development outside the Bolney BUAB); DM/26/0317 (Glebelands Field, Bolney); DM/26/0111 (Old Mill House, Bolney); DM/22/3404 (Conservation Area harm, The Street, Bolney). On each ground the current application is materially comparable.                                                                                      | Moderate Negative Weight                |

## 19. Conclusion

The proposal conflicts with the following policies of the adopted development plan:

- Policy BOLBB1 of the Bolney Neighbourhood Plan (Built-up Area Boundary)
- Policy BOLD1 of the Bolney Neighbourhood Plan (Design of New Development and Conservation)
- Policy BOLE2 of the Bolney Neighbourhood Plan (Protect and Enhance the Countryside)
- Policy BOLH1 of the Bolney Neighbourhood Plan (Housing Mix)



- Policy BOLH2 of the Bolney Neighbourhood Plan (Infill and Backland Development)
- Policy BOLT1 of the Bolney Neighbourhood Plan (Transport Impact of Development)
- Policy BOLT3 of the Bolney Neighbourhood Plan (Off-street Parking Provision)
- Policy DP6 of the Mid Sussex District Plan (Settlement Hierarchy)
- Policy DP12 of the Mid Sussex District Plan (Protection and Enhancement of Countryside)
- Policy DP15 of the Mid Sussex District Plan (New Homes in the Countryside)
- Policy DP16 of the Mid Sussex District Plan (High Weald Area of Outstanding Natural Beauty)
- Policy DP21 of the Mid Sussex District Plan (Transport)
- Policy DP26 of the Mid Sussex District Plan (Character and Design)
- Policy DP28 of the Mid Sussex District Plan (Accessibility)
- Policy DP30 of the Mid Sussex District Plan (Housing Mix)
- Policy DP34 of the Mid Sussex District Plan (Listed Buildings and Other Heritage Assets)
- Policy DP35 of the Mid Sussex District Plan (Conservation Areas)
- Policy DP37 of the Mid Sussex District Plan (Trees, Woodland and Hedgerows)
- Policy DP38 of the Mid Sussex District Plan (Biodiversity)
- Policy DP42 of the Mid Sussex District Plan (Water Infrastructure and the Water Environment) and the Land Drainage Act 1991 (ordinary watercourse consent)
- WSCC Guidance on Parking at New Developments (September 2020)
- WSCC Local Design Guide (v1.1, 2010)
- NPPF (December 2024) paragraphs 44 (adequacy of information), 108–117 (transport and pedestrian safety), 180–182 and 193 (biodiversity), 189–191 (National Landscape), 213–215 (heritage assets)
- Building Regulations 2010, Schedule 1 Requirement B5 (fire service access)
- Building Regulations 2010, Schedule 1 Requirement H6 (solid waste storage)
- Conservation of Habitats and Species Regulations 2017 and the Environment Act 2021 (biodiversity net gain)
- Countryside and Rights of Way Act 2000, section 85 (duty to seek to further the conservation and enhancement of the National Landscape), as amended by the Levelling-up and Regeneration Act 2023
- Crime and Disorder Act 1998, section 17 (duty to consider crime prevention)
- Equality Act 2010, section 149 (public sector equality duty)
- Manual for Streets (DfT/DCLG, 2007)

A striking feature of this application is that, of the consultees whose responses are available at time of writing, almost every one has been unable to support its approval on the information provided, either objecting outright or requiring further information before the application can properly be assessed. The single exception is the Council's ecological adviser (Place Services), whose "no ecological objection subject to conditions" is itself heavily qualified: on its own analysis the mandatory biodiversity net gain is not achieved on-site and off-site units would be required, it does not address the cumulative effect with the adjacent Foxhole Farm scheme, and it leaves the great crested newt position to NatureSpace (see Section 12). The consultees that object, or require further information before a decision can be made, are:

- The Council's own Flood Risk and Drainage Team (14 July 2026) recommended that the application not be approved until updated information is received, finding



insufficient information to demonstrate compliance with the National Planning Policy Framework and its Planning Practice Guidance.

- West Sussex County Council, as Local Highway Authority (24 July 2026), returned a recommendation of “More Information Required”, concluding that it is “unable to conclude that safe and suitable access has been demonstrated” and that further information is required on the operation of the narrow access, passing arrangements, interaction with existing users, vehicle tracking, and refuse collection.
- NatureSpace, which administers the Council’s great crested newt District Licensing Scheme, returned a recommendation of “Further Information Required” (21 July 2026), and requires the applicant to submit a NatureSpace Report or Certificate to the Council prior to determination.
- Bolney Parish Council formally objected (22 July 2026), on grounds including the site’s countryside location outside the built-up area boundary, harm to the setting of the Conservation Area and the listed buildings, unsafe access onto The Street, and the protected trees on the western boundary.
- Southern Water (16 July 2026) confirmed that the foul and surface-water disposal arrangements remain unresolved and require further details and a section 106 connection application.
- West Sussex County Council’s Public Rights of Way team (20 July 2026) gave its “No Objection” expressly on the mistaken understanding that the proposal is “redevelopment within the existing footprint of land”, reserving the right to reconsider if that is not the case (which it is not).

Taken together, these are the considered views of the responsible technical bodies and the local authority for the area, and not one of them has confirmed that the application is capable of approval on the information currently before the Council.

For the reasons set out above, I ask the Council to refuse this application.

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

I would be grateful if this letter could be placed on the planning file and taken into account when determining the application. Please confirm receipt by return.

Yours faithfully,

