

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

1st August 2025

Dear Ms. Tidey,

**PLANNING APPLICATION FOR: 'SINGLE PROPOSED DWELLING'
LAND ADJACENT TO THE MEADOWS LITTLE PARK FARM, MARCHANTS CLOSE,
HURSTPIERPOINT, HAS SOCKS
MSDC PLANNING REF: DM/25/1549**

We refer to the above Planning Application, which has been submitted on behalf of Emma Poland (the applicant), by Mel Humphrey (the planning agent).

Rodway Planning Consultancy Ltd. act on behalf of our clients, [REDACTED] (c/o Matthew Comber at George Baxter Associates) who own and occupy the adjacent house to the south west, Little Park, which is Grade II* Listed. On their behalf, we wish to **OBJECT** in the strongest possible terms with relation to the above proposal.

In summary, we **OBJECT** to the proposed development, for the following reasons:-

- The application site is located outside of any defined built up area boundary, where the principle of new development should generally be resisted subject to other policies contained in the Development Plan;
- It is our opinion that the resultant development of 1 No. dwelling on a site outside of the defined built up area boundary would fail to accord with the criteria set out within Mid Sussex District Plan (MSDP) **Policy DP6**;
- The current proposal **has not** been comprehensively designed as part of a well thought out scheme; but rather has been 'tacked on' to the adjoining development as an afterthought. It is our opinion that this piecemeal approach is wholly inappropriate and would lead to a cramped and overdeveloped site, which would further impinge on the openness of the countryside and Local Gap.
- The previously approved development to the west, which was part of a larger development site for 3 No. houses (**ref: DM/21/2367 & DM/22/0204**) sought to remove unsightly buildings and tidy up the site, which resulted in a clear visual improvement. In this instance, this greenfield and previously undeveloped site is open and grassed, with there being no benefits of introducing built form in this location.
- The proposal will not protect the character of the surrounding countryside and as such will be contrary to MSDP **policy DP12**.
- Our client's property is Grade II* listed, and as such is of heightened importance in terms of its setting in a historic context. It is our opinion that the proposal would result

in harm to the setting of this heritage asset. As no public benefits have been identified that would outweigh the harm identified in heritage terms, the proposal would fail to comply with MSDP **policy DP34** and paragraph 215 of the revised NPPF.

(i) Planning History

Planning permission was granted in 2021 for *'removal of an existing barn, mobile home and other outbuildings. Construction of 3 dwellings'*, following a number of previous refusals on the site (ref: **DM/21/2367**). Subsequently, this application was amended and the details are as follows:-

- **Planning ref: DM/22/0204:** 'Removal of dormer dairy, mobile home and other outbuildings and construction of 2 dwellings (revisions to approved scheme DM/21/2367) now including garages and alterations to eastern unit to accommodate rooms within the roof space. Approved 19th April 2022.

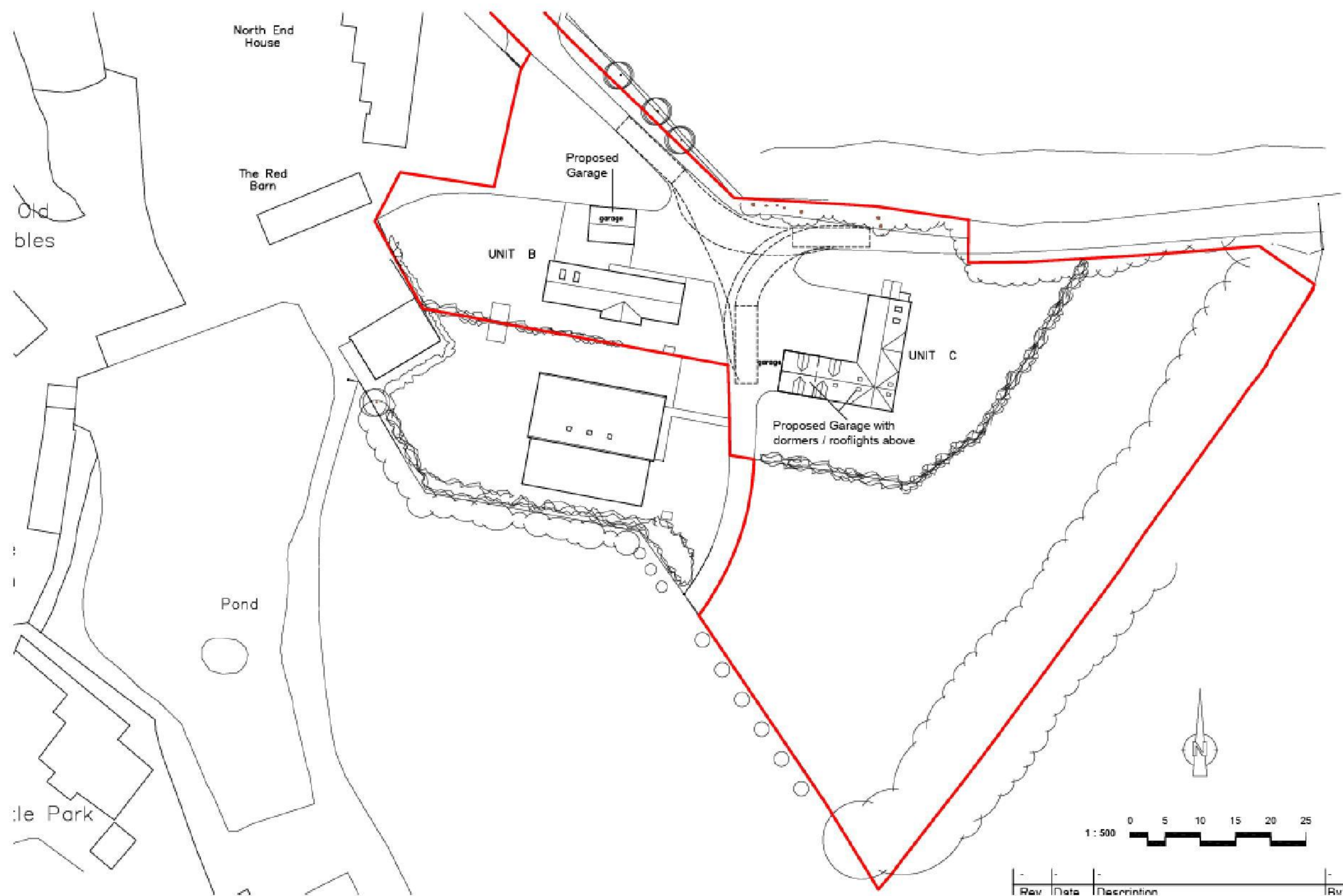


Fig 1. Approved Block Plan (ref: DM/22/0204)

(ii) Planning Policy

Planning applications should be assessed against the relevant planning policies contained within the Development Plan, which in this instance comprises:

- The Mid Sussex District Plan 2014-2031; and,
- The Hurstpierpoint & Sayers Common Parish 2031: Neighbourhood Plan

In addition, Government policies and guidance as contained in the National Planning Policy Framework (NPPF) (revised version, December 2024), and National Planning Policy Guidance, will be applicable.

The NPPF confirms that planning law, as set out at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

(iii) Planning Designations and Constraints

The Mid Sussex District Plan Proposals Map (extract below at **Fig 2**) confirms that the application site lies outside of the built-up area for Hurstpierpoint. It therefore lies within an area that is designated as countryside.

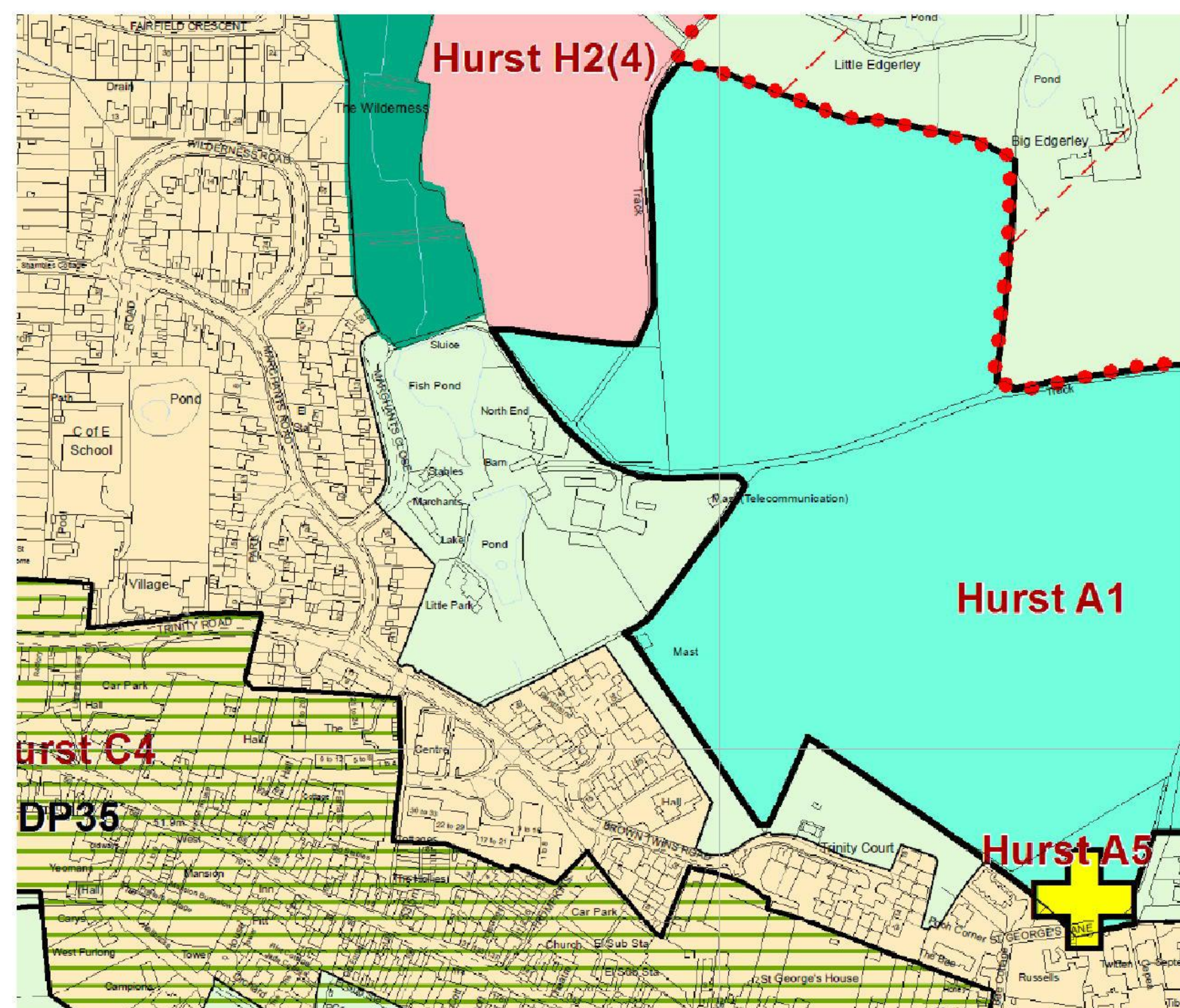


Fig 2. Extract of Mid Sussex District Plan Proposals Map: Inset 15 - Hurstpierpoint

The Hurstpierpoint & Sayers Common Neighbourhood Plan, also includes a Proposals Map (see **Fig 3** below), but this appears to have been incorporated into the District Plan map above.

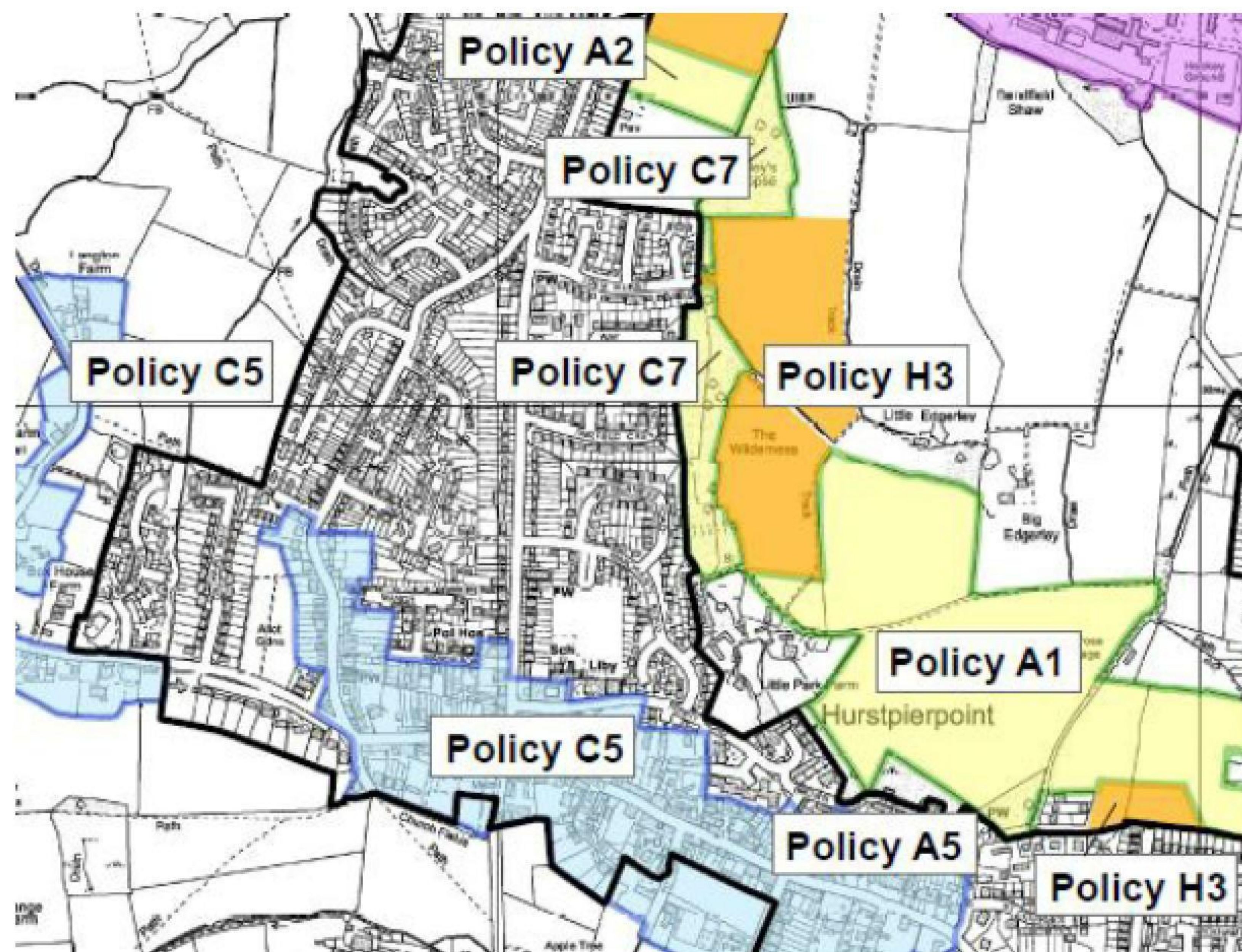


Fig 3. Extract of Neighbourhood Plan Proposals Map

To the immediate north and east of the site is an area of land that was allocated as a new area of countryside public open space for informal recreation ('Hurst Meadows'). This adjoins, to the north, an area of land allocated in the Neighbourhood Plan as a new housing site, which now benefits from planning permission for 140 new dwellings following Outline approval 12/04141/OUT and Reserved Matters approval DM/15/4736. The former was allowed on Appeal by the Secretary of State (Planning Inspectorate reference APP/D3830/A/13/02203080 in September 2014. **Importantly, the application site is not included within any site allocation.**

(iii) The Planning Application

This application relates to an inverted triangular portion of land to the east side of the consented scheme (ref: **DM/22/0204**).



Fig 4. Proposed Block Plan, showing indicative siting of proposed dwelling

The applicant has applied for permission in principle ('PiP'), with all submitted plans being of an indicative nature.

The Planning Statement submitted in support of the Application states that *"the permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed"*.

(iv) Principle

MSDP Policy DP6 relates to Settlement Hierarchy and designates Hurstpierpoint as a Category 2 Settlement. A Category 2 Settlement is defined as being 'larger villages acting as Local Service Centres providing key services in the rural area of Mid Sussex. These settlements serve the wider hinterland and benefit from a good range of services and facilities, including employment opportunities and access to public transport'. This policy states: *"the growth of settlements will be supported where this meets identified local housing, employment and community needs. Outside defined built-up area boundaries, the expansion of settlements will be supported where:*

1. *The site is allocated in the District Plan, a Neighbourhood Plan or subsequent Development Plan Document or where the proposed development is for fewer than 10 dwellings, and*

2. The site is contiguous with an existing settlement edge, and
3. The development is demonstrated to be sustainable, including by reference to the settlement hierarchy."

The application site is **not allocated** for development.

The application site is **not contiguous** with the built-up area of Hurstpierpoint.

As such, it is our view that the provision of new housing on this site would fail to accord with the criteria set out within **Policy DP6**.

At the time of planning **ref: DM/21/2367** being considered for a 'removal of an existing barn, mobile home and other outbuildings. Construction of 3 dwellings', the Council considered the principle of developing this wider site in detail. Due to the current PiP proposals being located to the eastern side of this plot, we are of the opinion that the Council's comments in this regard are pertinent to the consideration of this planning proposal.

Within the Officers Report, they stated that *"in the recent Appeal decision for Appeals A and B, in respect of planning refusals under DM/19/4153 and DM/20/1533 the Planning Inspector considered whether the proposal to build new housing on this site complies with development plan policy regarding the location of new housing. In his assessment the Inspector referred to Policy DP12 of the District Plan, which 'seeks to protect the countryside in recognition of its intrinsic character and beauty. Development will only be permitted where it maintains or where possible enhances the quality of the rural and landscape character of the District and it is either necessary for the purposes of agriculture or supported by a specific policy reference either elsewhere in the MSDP, a Development Plan Document or relevant Neighbourhood Plan.'* He also made reference to Policy DP15 of the District Plan. He identified that: *'Policy DP15 states that new homes in the countryside will be permitted where special justification exists. Of the criteria set out in the policy, the only one of potential relevance is the circumstance where the proposal meets the requirements of MSDP Policy DP6 on Settlement Hierarchy. This supports the expansion of settlements outside of defined built-up area boundaries where the proposed development is for fewer than 10 dwellings. In order to comply with the policy, the site must be contiguous with an existing built-up area of the settlement and the proposal must be demonstrably sustainable, including by reference to the settlement hierarchy.'* He concluded, with reference to the physical features in the close vicinity of the site, that the land forming the development site *'is physically divorced from the built-up area boundary.'* He therefore concluded that the previous development proposals did conflict with Policies DP12 and DP15. He also found the design of the scheme under Appeal A failed to comply with the aims of District Plan Policy DP12 to maintain the quality of the rural and landscape character of the District. Referring back to the proposal that is the subject of this application the red line that denotes the site of the planning application remains unchanged relative to the built up area boundary. A consistent assessment has to be taken in regards to Policy DP6. The red line of the site boundary is

not contiguous with the built up area boundary of Hurstpierpoint and therefore the proposal therefore does not comply with the terms of District Plan Policy DP6 or the exceptions clause of District Plan Policy DP15”.

It is clear that the red line of the application site is not contiguous with the built up area boundary of Hurstpierpoint and therefore the current proposal does not comply with District Plan **Policy DP6** or the exceptions clause of District Plan **Policy DP15**.

The proposal must also be considered with reference to **DP12. Policy DP12** is entitled ‘Protection and Enhancement of the Countryside’, and relates to land located outside of the settlement boundaries. It is therefore applicable to the site in question. It sets out that *“the countryside will be protected in recognition of its intrinsic character and beauty”*. It explains that development will be permitted in such locations provided it is for agricultural purposes or *“it is supported by a specific policy reference elsewhere in the Plan, a Development Plan Document, or relevant Neighbourhood Plan”*.

A key criteria in that policy is whether the development maintains or enhances the rural and landscape character of the District. As will be seen from a site visit and as demonstrated by **fig 5** below, the application site comprises an inverted triangular shape, located on the edge of residential development and adjoining open countryside to the north, east and south sides. The PiP application is to consider the principle of development in this location only, with all technical details reserved for a later stage. It is our opinion that the introduction of a residential property on this site would represent an inappropriate incursion into the open countryside which would further erode and harm the character of the locality.



Fig 5. Aerial map showing the application site and its surroundings

At the time of the Council considering application **ref: DM/21/2367**, the case officer was of the view that *“the proposed development of the three new houses represents a comprehensive development of the whole site. It is considered that the form and layout of the proposed development will serve to enhance and improve the current appearance of the site, as seen from public vantage points, will enhance the immediate setting by spacing the development on the site and, as result of the removal of the mobile home and related structures and domestic paraphernalia across the land, positively contribute to the character and appearance of this rural site”*.

In contrast however, the current proposal **has not** been comprehensively designed as part of a well-thought out scheme; but rather has been ‘tacked on’ to the previously approved development apparently as an afterthought. It is our opinion that this piecemeal approach is wholly inappropriate and would lead to a cramped and overdeveloped site, which would further impinge on the openness of the countryside and Local Gap. In addition, the previous approval was granted partly on the basis that it removed unsightly buildings, which resulted in a visual improvement. In this instance, this greenfield and previously undeveloped site is open and grassed, with there being no benefits of introducing built form in this location.

The development proposal is considered to be inappropriate on this part of the site, and its rural setting would neither be maintained nor enhanced, resulting in harm to the quality of the rural and landscape character of the District contrary to **Policy DP12** of the District Plan. It is our opinion that the landscape buffer that is provided by this site should be maintained in perpetuity.

Policy DP15 is entitled ‘New Homes in the Countryside’. This sets out that new homes will only be permitted in countryside location where there is special justification for this. This is defined as

- essential rural worker accommodation;
- if a new dwelling (singular) is of exceptional design quality that would enhance its immediate setting;
- it will provide affordable housing in accordance with Policy DP32
- it would meet the requirements of Policy DP6.

Other exceptions include replacement dwellings, or proposals that would re-use existing rural buildings for a new residential use (i.e. barn conversions).

At the time of the adjoining development being considered, the case officer noted that *“the proposed scheme necessitates the demolition of the existing Dutch barn, a dairy building that is in a poor state of repair, and the removal of a mobile home and other associated structures and vehicles that are spread across the site. This is a factor in favour of this application”*. The application site is previously undeveloped and there is nothing in favour of inducing built form onto this site. In our view, the provision of 1 No. new house at this site would fail to accord with **Policy DP15**, as it would **not comply** with the specific justification criteria set out by the policy.

In terms of the Neighbourhood Plan (NP), relevant policies are **Policy HurstC1** entitled 'Conserving and enhancing character', **Policy HurstH1** entitled 'Hurstpierpoint and Sayers Common new housing development'

Policy HurstC1 sets out that *"Development, including formal sports and recreation areas, will be permitted in the countryside, where:*

It comprises an appropriate countryside use;

It maintains or where possible enhances the quality of the rural and landscape character of the Parish area..."

The supporting text to Policy HurstH1 states *"to meet the needs of the future populations of the Parish, the number of new houses in the Plan period would range from 140 to 395. However, allowing for additional economic growth generated by demands from outside the Parish a target in the higher end of this range would be appropriate, tempered only by the larger allocations in the Burgess Hill Northern Arc development"*. The NP itself makes allocations, including the 140 houses at Little Park Farm, totalling 252 units in Hurstpierpoint and 30-40 units in Sayers Common. We are aware that since the NP was 'made' that a scheme for 120 units in Sayers Common has been allowed at Appeal, and there have been other windfall development approvals within the Parish.

Policy HurstH1 itself states that *"To meet the future needs in the Neighbourhood Plan Area new housing development will be supported in areas which:*

(a) Enhance the existing settlement pattern of the village;

(b) In Hurstpierpoint, can also provide significant areas of parkland adjacent to the built zones, to be owned and managed by the local community..."

It is our view that it is clear that there is not sufficient justification in planning policy terms for allowing new residential development to take place on this site and the planning proposal **would not** enhance the existing settlement pattern of the village.

Although **Policy DP6** was formulated to positively consider new housing outside the built-up areas, this site **does not fulfil the necessary criteria**. It will also not comply with **Policy DP15**. Therefore, it must follow that housing on this site does not comply with the development strategy set out in the adopted District Plan.

Taking all of this into consideration, it is our opinion, and that of our client, that the principle of development should therefore be considered unacceptable in this case.

Furthermore, when considering the wider site, the case officer previously noted the notable rural value of the site. They stated that *"the site is in a rural setting, being visually divorced from the detached houses on Marchants Close and some distance from the new houses on the new residential estate to the north. The site is open to public inspection. The newly created pedestrian access from the track leading to the proposed development site has*

allowed the use of the intervening land, and areas to the east of the site, for open public access, dog walking and leisure and recreation. This means that the site is in an important position on the village margin, and its value is also related to its historic use and close relationship to the adjacent Grade II Listed Building at Little Park. The importance of this site and the surrounding converted barns and ponds at Little Park have been given special consideration in the land designation as an allocated 'Protection and Enhancement of Countryside area', outside the designated built up area". In our opinion these comments are extremely pertinent, especially when considering this greenfield site, which adjoins open countryside to three sides.*

At the time of the previous development, a comprehensive approach was applied with care being taken to carefully position built form in the place of existing footprints; *"the built form of the three proposed dwellings has been carefully positioned on the site to reflect the existing building footprints. Units B and C are of a similar design to the last proposal (DM/20/1533). In the Inspectors opinion the scale of these units 'would be modest, well-proportioned dwellings, their designs being broadly reflective of converted vernacular barns'. He supported the replacement of the mobile home with a building of the form of Unit C and in this position on the site".* Due to their being no existing built form of site, this approach would not be possible in this instance and further supports the inappropriateness of this site for new development. Any resultant development would appear contrived and out of character within the rural context.

(v) Heritage

It is noteworthy that our client's property, Little Park, is a Grade II* Listed Building and as such is of heightened heritage importance. It is our view that the proposed development by reason of introduction of built form and domestication and proximity to our clients site would have a detrimental impact upon the setting of this nearby Grade II* listed building.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is relevant in the determination of this application, as it states:

'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

In addition, in enacting section 66(1) of the Listed Buildings Act, the desirability of preserving the settings of listed buildings should be given 'considerable importance and weight' when the decision taker carries out the balancing exercise, thus properly reflecting the statutory presumption that preservation is desirable.

District Plan **Policy DP34** is relevant in the determination of this application. This requires development to protect listed buildings and their settings.

It is our opinion that the planning proposals would be harmful to the setting of Grade II* listed Little Park, including views from the building, and therefore contrary to the requirements of **Policy DP34**.

Paragraph 215 of the NPPF states that *“where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”*. It has previously been accepted by the Council and Planning Inspectorate that the development of the adjoining site, would result in less than substantial harm.

The benefit of this development would be the creation of 1 No. new dwelling. Whilst this would contribute to the supply of housing within Mid Sussex District, it would have a negligible impact upon supply. Furthermore benefits from 1 No. dwelling, in terms of social and economic impacts, are limited and not significant enough to outweigh the identified harm to a designated heritage asset. As insufficient public benefits have been identified that would outweigh the harm identified in heritage terms and the proposal would fail to comply with **policy DP34** of the Mid Sussex District Plan.

Further, the introduction of 1 No. dwelling on the site will result in the creation of a new garden for the dwelling, which will become domesticated with the introduction of residential paraphernalia, and consequently the visual character of the site will change, and the intensity of domestic activities will increase.

At the time of planning **ref: DM/20/1533** for *‘Removal of an existing barn, mobile home and other outbuildings. Construction of 3 dwellings’* being considered, the Council considered this issue in detail. They stated that *“the proposed redevelopment at this site will conflict with the setting, character and appearance of the Listed building. There would be no public benefits from this proposal that would outweigh the harm to the setting of the Listed building, although it is recognised that there would be some limited public benefits from the provision of the new housing on the site and economic benefits in the course of the construction works. It is therefore considered that the proposed development would fail to accord with the requirements of District Plan Policy DP34 and the National Guidance contained in Paragraphs 193-197 of the NPPF”*.

It is our opinion that the development proposal would harm with the setting and character of the Grade II* Listed Building, and this harm would not be outweighed by the limited benefits of the development.

(vi) Local Gap

The site lies within the Hurstpierpoint and Hassocks Gap and Policy **Hurst C3** in the Neighbourhood Plan states:

'Development will be permitted in the countryside provided that it does not individually or cumulatively result in coalescence and loss of separate identity of neighbouring settlements, and provided that it does not conflict with other Countryside policies in this Plan. Local Gaps between the following settlements define those areas covered by this policy:

- *Hurstpierpoint and Hassocks;*
- *Sayers Common and Albourne;*
- *Hurstpierpoint and Albourne;*
- *Hurstpierpoint and Burgess Hill.'*

It is our opinion that the site acts a rural buffer to the east of existing development. The site is previously undeveloped and bordered by open countryside to three side. The proposal would conflict with **Policy DP13** of the District Plan. The proposal would also be contrary to **Policy Hurst C3** of the Hurstpierpoint & Sayers Common Neighbourhood Plan. The Local Gap would be impacted upon as a result of the development.

(vii) Summary

In conclusion, it is considered that the proposed development is poorly conceived. The resultant development of 1 No. dwelling on a site outside of the defined built up area boundary would fail to accord with the criteria set out within **Policy DP6**.

Further, our client's property is Grade II* listed and as such conserving its setting should be awarded significant weight in the planning balance. It is our opinion that the proposal would result in less than substantial harm, however as minimal public benefits have been identified that would outweigh the harm identified in heritage terms, therefore the proposal would fail to comply with **policy DP34** of the Mid Sussex District Plan.

The current proposal **has not** been comprehensively designed as part of well thought out scheme; but rather has been 'tacked on' to the development as an afterthought. It is our opinion that this piecemeal approach is wholly inappropriate and would lead to a cramped and overdeveloped site, which would further impinge on the openness of the countryside and erode the Local Gap. In addition, the previous development sought to remove unsightly buildings, which resulted in a visual improvement. In this instance, this greenfield and previously undeveloped site is open and grassed, with there being no benefits of introducing built form in this location.

The development proposal is considered to be inappropriate on this site, and its rural setting and would neither maintain or enhance the quality of the rural and landscape character of the District contrary to **Policy DP12** of the District Plan. It is our opinion that this landscape buffer should be maintained.

In our opinion the proposal will conflict with well-established local and national planning policies. It is therefore respectfully requested that the application be refused.



We trust the above comments will be taken into consideration in the determination of the application. If the Council's Planning Department requires any further information please do not hesitate to contact ourselves.

Yours sincerely,

Rodway Planning Consultancy Limited

c.c. [REDACTED] *Little Park, Trinity Road, Hurstpierpoint*
Mr. Matthew Comber – Gould Baxter