

Planning Application Objection

Application Reference: DM/25/3129

Proposed Development: Up to 125 dwellings on land east of Borde Hill Lane / north of Balcombe Road, Haywards Heath

[REDACTED]

Willow Tree Cottage
Borde Hill Lane
Haywards Heath
RH16 1XP

Date: 10 February 2026

To: Mid Sussex District Council

Planning Department
Email: planninginfo@midsussex.gov.uk

Dear Sir/Madam,

RE: OBJECTION TO PLANNING APPLICATION DM/25/3129

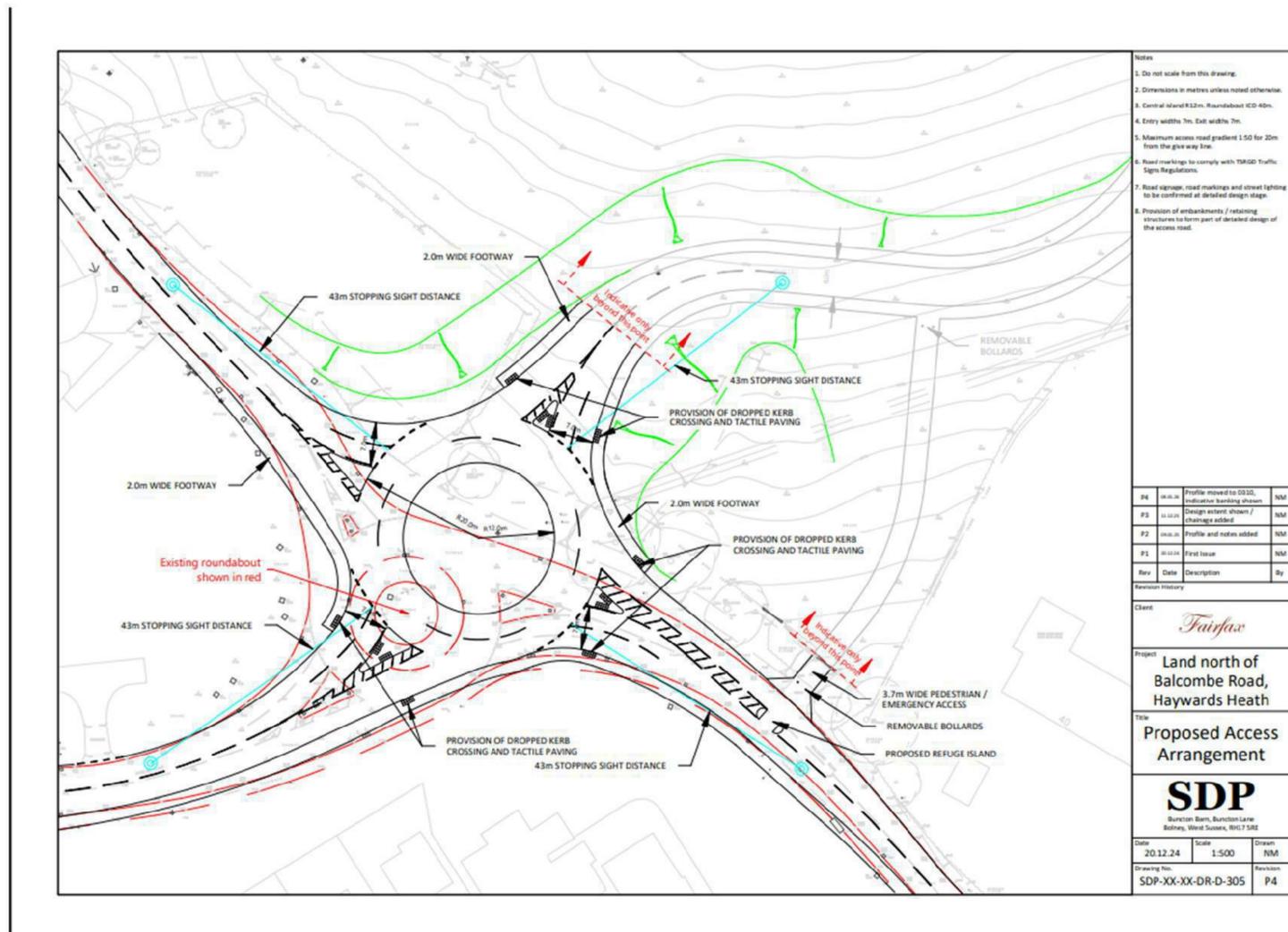
Proposed Development: Up to 125 dwellings on land east of Borde Hill Lane / north of Balcombe Road, Haywards Heath

I am writing to formally object to planning application DM/25/3129. I reside at Willow Tree Cottage on Borde Hill Lane and am a local resident directly affected by the proposed development.



My primary objections concern the proposed expansion of the roundabout, and the serious flooding risks this development will create. I set out my detailed objections below.

1. PROPOSED ROUNDABOUT EXPANSION - UNJUSTIFIED AND UNACCEPTABLE



The roundabout will sit above the proposed houses which will be unpleasant and noisy for any new residences.

The existing roundabout at the junction of Balcombe Road, Hanlye Lane and Borde Hill Lane was completed in September 2020, only four years ago. Its construction required 12 weeks of road closures and caused significant disruption to local residents, businesses, and emergency services. The only viable diversion route was Copyhold Lane, a narrow country lane with a single-track railway bridge that was wholly unsuitable for the volume and type of traffic diverted.

At the time of construction, Redrow Homes stated that the roundabout was designed to "improve the current junction arrangement to meet current and future needs and make the local highways network safer." This was a condition of the planning permission for 210 dwellings at Penlands Green.

The proposal by Fairfax to expand this recently constructed roundabout raises serious questions:

If the roundabout requires enlargement after only four years, either:

(a) The original roundabout was inadequately designed and failed to meet modern highway standards, or

(b) The proposed development of 125 dwellings significantly exceeds the capacity the site can reasonably accommodate

I submit that option (b) is correct. The council's draft Mid Sussex District Plan allocated this site for up to 60 dwellings. Fairfax propose 125 dwellings - more than double the suggested allocation. It is unsurprising that such overdevelopment requires substantial highway infrastructure modifications.

Approval of this application would result in:

- Further months of road closures and associated disruption
- Severe impact on Borde Hill businesses, many of which struggled to survive the 2020 closures.
- Extended periods of heavy construction traffic on unsuitable local roads
- Prolonged severance of routes to Crawley, Gatwick Airport, and the A23/M23
- Inappropriate use of Copyhold Lane (which regularly floods and has significant structural constraints) as a diversion route.

Additionally, the 2020 roundabout construction resulted in unnecessary damage to mature trees at the junction. Expanding the roundabout will inevitably cause further tree loss and damage to established vegetation that has only recently recovered from the previous works. This represents an additional environmental cost that has not been adequately assessed or justified in the application.

The community cannot be expected to endure a repeat of the 2020 disruption, including further unnecessary damage to mature trees, for a development that proposes double the number of dwellings considered appropriate for the site. The appropriate response is either refusal of the application or a substantial reduction in dwelling numbers to a level that can be accommodated by existing infrastructure.

2. FLOOD RISK AND INADEQUATE DRAINAGE MITIGATION



Picture of drainage channel residence have had to dig to divert rainwater run-off from South Lodge drive that flows across Borde Hill Lane and has to be diverted into the Sugworth farm field to avoid flooding of the houses on Borde Hill Lane. Borde Hill estate have been aware of this problem since 2022 but other than some temporary sandbags have done nothing to improve the situation.

I have directly observed flooding in this area on multiple occasions, including on Borde Hill Lane itself. I have witnessed surface water runoff from the Borde Hill estate flowing through the gates at the Lodge House and running down Borde Hill Lane. The existing drainage infrastructure is wholly inadequate:

- Most drains at the roundabout are blocked.
- Water flows down Borde Hill Lane where the drains and kerbs are completely inadequate to handle the volume.
- This results in standing water and flooding conditions along the lane.

Residents of Borde Hill Lane have made repeated requests to the Borde Hill Estate to engage with us and help improve the runoff and flooding situation. These requests have been consistently ignored or dismissed.

It is material to note that the Borde Hill Estate has a financial interest in this development proceeding. The Trustees of the Borde Hill Estate were joint applicants (with Catesby Estates) for the original Penlands Green development and sold that land to Redrow in 2015. Given this financial interest in development on adjacent land, the Estate appears unwilling to address the flooding problems caused by runoff from their land, as doing so might draw attention to the

unsuitability of the area for further development. The Estate is prioritising commercial interests over their duties as neighbours and landowners to manage surface water responsibly.

This failure to address existing flooding problems, combined with the inadequate condition of drainage infrastructure, demonstrates that the cumulative impact of development in this area has not been properly managed. Approving further substantial development when existing problems remain unresolved would be wholly inappropriate.

The applicant's own Flood Risk Assessment acknowledges that the site has clay geology with poor drainage characteristics. Parts of the site fall within flood zones 2 and 3. The Lepus Consulting Sustainability Appraisal (October 2022) assessed this site as having a "major negative impact on flooding."

The proposed development of 125 dwellings will create extensive impermeable surfaces:

- Internal road network
- Individual property driveways
- Roof coverage for 125 dwellings
- Pavements and footpaths
- The enlarged roundabout infrastructure

This will dramatically increase surface water runoff into a drainage system that is already failing. The existing blocked drains at the roundabout and inadequate drainage infrastructure along Borde Hill Lane cannot cope with current runoff volumes. Adding substantial additional impermeable area will exacerbate an already serious problem.

The applicant proposes mitigation through engineered drainage solutions including attenuation basins, bunds behind residential gardens, French drains, and the use of estate roads as exceedance flow paths.

These proposed measures are inadequate for the following reasons:

- a) They require ongoing maintenance, creating long-term management risks and potential failure points.
- b) They have not been tested against updated climate change allowances, and the modelling relies on outdated data.
- c) The proposal to use roads as exceedance flow paths indicates that flooding of the highway network is anticipated during extreme rainfall events.
- d) Such complex engineered solutions are inherently less resilient than natural drainage, particularly given the increasing frequency of extreme weather events.

The National Planning Policy Framework (paragraphs 159-169) requires that development be directed away from areas at risk of flooding and must not increase flood risk elsewhere. Policy DP41 (Flood Risk and Drainage) of the Mid Sussex District Plan requires development to manage surface water sustainably and ensure no increased flood risk on or off site.

This application fails to comply with these requirements. The safest and most policy-compliant approach is to refuse development on this site. At minimum, any approval must require a substantial reduction in dwelling numbers and impermeable area, not the addition of further hard surfacing through roundabout expansion.

3. INADEQUATE PROVISION FOR PEDESTRIAN SAFETY AND PUBLIC RIGHT OF WAY ACCESS

The application fails to adequately address existing pedestrian movements along Borde Hill Lane and access to public rights of way.



Currently, an informal but well-established footpath exists on the right-hand side of Borde Hill Lane. This path is used extensively by:

- Residents of properties on Borde Hill Lane (including myself) for daily access to our homes
- Members of the public accessing the network of public footpaths that cross the Borde Hill estate.
- Recreational users (walkers, runners, dog walkers)

The applicant appears to assume that all pedestrian movements will utilise the proposed new entrance at the gatehouse on the corner of Hanlye Lane. This assumption is fundamentally

flawed. The gatehouse entrance provides access only to Borde Hill Gardens for paying customers. Similarly, the proposed opening of Borde Hill's South Park will require paid entry.

Residents of Borde Hill Lane and users of the public rights of way network have no obligation to pay for access to Borde Hill Gardens in order to reach their homes or to exercise their statutory right to use public footpaths. These users will necessarily continue to use Borde Hill Lane for pedestrian access.

The proposed development will:

- Substantially increase vehicular traffic on Borde Hill Lane through 125 additional dwellings
- Introduce extended periods of construction traffic during the development phase.
- Significantly increased risk to pedestrians using the existing informal footpath.
- Provide no formal pedestrian infrastructure to address this increased risk.

The application provides no safe pedestrian route for:

- Borde Hill Lane residents accessing their properties on foot.
- Members of the public exercising their right to use public footpaths without payment to a private landowner.
- Other legitimate users of Borde Hill Lane

This represents a serious pedestrian safety concern and a failure to provide adequate infrastructure for existing users. The development will make an already inadequate situation substantially worse by dramatically increasing traffic volumes while providing no mitigation.

The application fails to comply with highway safety requirements and demonstrates inadequate consideration of existing residents' needs and public rights of way. This deficiency alone provides grounds for refusal.

4. LOSS OF MATURE TREES AND WOODLAND

The application proposes the removal of a mature English oak and reduction of woodland areas. The applicant asserts this is unavoidable due to access requirements. It is avoidable!



This assertion has not been robustly tested against alternative access designs. The loss of mature trees and woodland reduction compounds the landscape and ecological harm already identified and indicates that the site is being over-engineered to accommodate an excessive number of dwellings.

Mature trees represent a valuable ecological and landscape resource that takes decades to replace. Their loss further demonstrates that the proposed development density is inappropriate for this site.

5. FAILURE TO IMPROVE EXISTING SUBSTANDARD ROAD INFRASTRUCTURE

The application proposes expansion of the roundabout at the junction of Balcombe Road, Hanlye Lane and Borde Hill Lane but makes no improvements to these three roads themselves. This is a fundamental flaw in the highway proposals.

All three roads are ancient country lanes with significant physical constraints that prevent widening or meaningful improvement:

- Borde Hill Lane borders the Grade II* Registered Park and Garden of Borde Hill, making road widening impossible without causing substantial harm to a designated heritage asset and passes under the viaduct, creating a physical constraint that cannot be modified.
- Balcombe Road passes under the railway viaduct, creating a physical constraint that cannot be modified is bounded by existing residential properties, preventing any meaningful expansion.

- Hanlye Lane is bounded by existing residential properties, preventing any meaningful expansion borders the Grade II* Registered Park and Garden of Borde Hill, making road widening impossible without causing substantial harm to a designated heritage asset.

These roads were never designed for the traffic volumes that would result from 125 additional dwellings. They remain narrow, winding country lanes with:

- Inadequate width for two-way traffic at many points
- Poor visibility at bends
- No continuous footway provision.
- Substandard alignment by modern highway standards
- Serious issues with surface water on all three road, especially when icy

Only piecemeal safety improvements have been implemented historically, constrained by the fundamental limitations of these ancient routes.

The proposed roundabout expansion addresses only the junction itself. It does nothing to improve the capacity, safety or suitability of the three roads that feed into it. This creates a dangerous situation where:

- The roundabout may have increased capacity.
- But the approach roads remain constrained, narrow and unsuitable for increased traffic volumes.
- Traffic flow will simply be moved from one bottleneck (the junction) to multiple bottlenecks (the constrained approach roads) – the turning for Penland Road is just passed the roundabout on the Balcombe Road – anyone turning into Penland Road causes build ups at the roundabout. Local residence reports regular near misses and traffic issues.
- Safety risks will increase along the full length of these unsuitable roads.

The applicant has failed to demonstrate that the highway network as a whole can safely accommodate the development. Focusing solely on junction capacity while ignoring the fundamental inadequacy of the approach roads does not constitute a safe or policy-compliant highway solution.

This represents a further ground for refusal of the application.

6. EXCESSIVE DEVELOPMENT DENSITY - INCONSISTENT WITH DISTRICT PLAN ALLOCATION

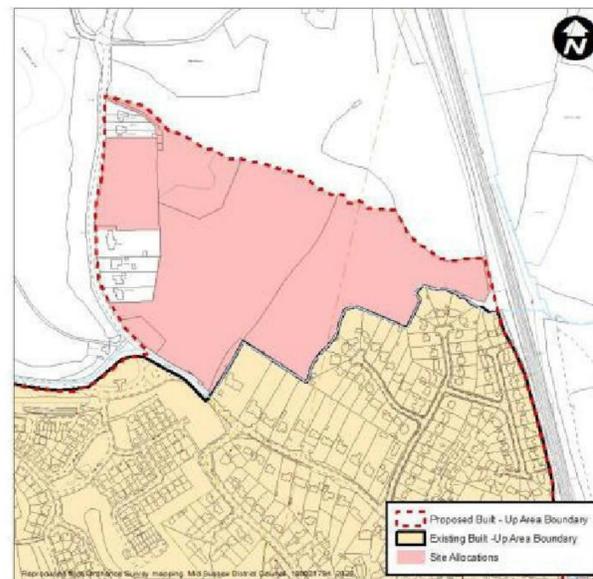
The council's draft Mid Sussex District Plan allocated this site for up to 60 dwellings. The current application proposes 125 dwellings - more than double the suggested allocation. The developers are trying to use the delays in the district plan to their advantage.

Inclusion of Sugworth Farm is contrary to the stated aims and priorities of the District Plan, in particular protecting and enhancing the natural environment.

The draft District Plan identifies a number of environmental challenges for Mid Sussex which are relevant to the objections set out in this document, including:

- The need to conserve and enhance the numerous sites protected for their biodiversity value across the district.
- The fragmentation and erosion of natural habitats and the wider ecological network which is a threat to biodiversity.
- Areas of the district protected for species and habitat value which come under pressure from development and activity.

DPH11: Land east of Borde Hill Lane, Haywards Heath			
<i>Note: the boundary shown on the site map below represents the extent of the site inclusive of all built development and any mitigation requirements (e.g. landscape buffers or open space) listed within the policy requirements.</i>			
SHELAA:	556	Settlement:	Haywards Heath
Gross Site Area (ha):	10.5	Number of dwellings:	60
Infrastructure	On-site: 30% affordable housing Playspace Financial contributions towards the provision of: Sports facilities Community buildings Library Education Sustainable Travel and/or Highways Improvements Healthcare Emergency Services Provision of: Highway works Sustainable transport measures		
Policy Requirements			
<ul style="list-style-type: none"> • Refer to Policy DPH4 which sets out the general development principles for all District Plan Housing Allocations • Provide suitable vehicular, pedestrian and cycle access from Borde Hill Lane via fourth arm from roundabout, south west of site. • Roundabout to be enlarged and positioned to allow safe movement of road users and provision of new dropped kerbs and tactile paving on southern approach, in agreement with the Highways Authority. • Contain development to central and eastern parts of site to reduce potential impacts on setting on High Weald AONB (to be informed by an LVIA). • An Archaeological Impact Assessment and mitigation will be required • Provide appropriate mitigation to address the potential impact on nearby Grade II listed building 'South Lodge'. The mitigation strategy should be informed by a Heritage Impact Assessment. 			



- Increased risk of flooding.
- The importance of protected landscapes, including Areas of Outstanding Natural Beauty (AONBs) and the impact of development on them. This is identified as a “key principle” at page 32 of the draft Plan.
- The impact of climate change on increasing the risk of flooding.

Other challenges identified in the draft plan include:

- Pressure on the transport network, in particular arising from pressure on the public transport network and reliance on the private car.

- Impact of future development on the highways network, which is already constrained and in need of further investment to increase capacity.
- The draft Plan identifies [at p 17] the creation of “20 minute neighbourhoods” as a priority: walkable environments in which people are willing to travel short distances to access the services they need.

The first of three “priority themes” which are identified by the draft Plan is the environment: protecting and enhancing the natural, built and historic environment. it includes:

- Protecting valued landscapes for their visual, historical and biodiversity qualities.
- Maintaining green infrastructure, green corridors and spaces around towns and villages to act as wildlife corridors and leisure and recreational routes.

The core submission of this document is that the priorities and challenges identified above are plainly incompatible with housing development of Sugworth Farm. A housing development would undermine the priorities and goals identified in the plan. The application is not policy-compliant and should be refused on this basis alone.

7. HARM TO LEGALLY PROTECTED SPECIES

The applicant's Ecological Impact Assessment confirms the presence of legally protected species on the site:

- Common dormouse (protected under the Conservation of Habitats and Species Regulations 2017)
- Multiple bat species, including vulnerable species (protected under the Wildlife and Countryside Act 1981)

Dormouse presence is confirmed along hedgerows that will be directly affected by the proposed layout. The development will result in:

- Significant loss of grassland habitat
- Fragmentation of hedgerow corridors
- Loss of foraging habitat for bats

The application acknowledges that a European Protected Species License will be required, and that mitigation relies on future design stages. This introduces unacceptable legal risk. At outline stage, the applicant must demonstrate that the principle, scale and extent of harm to protected species can be adequately mitigated. This has not been achieved.

The application fails to comply with statutory requirements for wildlife protection and should be refused on this basis.

8. HARM TO LANDSCAPE CHARACTER AND HIGH WEALD AONB SETTING

The application site is located immediately adjacent to the High Weald Area of Outstanding Natural Beauty (AONB), a nationally protected landscape designation.



An independent Landscape and Visual Impact Assessment dated December 2022 by Louise Hooper assessed that development of 60 dwellings would result in "a major adverse impact on the High Weald AONB" and "a major adverse impact on the landscape character of the site and its surroundings including Borde Hill Lane" (page 5).

The current proposal for 125 dwellings would result in significantly greater harm than that assessed for 60 dwellings.

The development would:

- Create a substantial extension of built development into countryside immediately adjacent to the AONB.
- Introduce an abrupt change in landscape character in close proximity to nationally protected landscape.
- Result in loss of natural landscape contiguous with the AONB
- Adversely impact the perceptual qualities of tranquillity and rurality through increased noise, activity and lighting

The applicant relies on proposed boundary planting as mitigation. However:

- Such planting requires many years to mature and provides no mitigation in the medium term.
- The assessment lacks winter photography to demonstrate visual impact when trees are not in leaf.
- No Zone of Theoretical Visibility has been provided.
- The rising topography (particularly affecting Orchard Way properties) creates visual harm that cannot be adequately mitigated by planting.

The proposal conflicts with:

- Policies DP34 and DP26 of the Mid Sussex District Plan
- NPPF paragraph 176 (now paragraph 189) regarding development within the setting of National Landscapes
- Section 85 of the Countryside and Rights of Way Act 2000
- Objectives S1, S2, W2, DS1, DS2 and PQ2 of the High Weald AONB Management Plan

The application fails to conserve and enhance the landscape character and natural beauty of the High Weald AONB and should be refused.

9. HARM TO HERITAGE ASSETS AND ARCHAEOLOGICAL UNCERTAINTY

The applicant's Heritage Impact Assessment identifies harm to designated heritage assets, including:

- Sugworth Farmhouse (Grade II listed)
- South Lodge (Grade II listed)

While classified as "less than substantial harm," national policy (NPPF paragraphs 199-208) requires that any harm to heritage assets must be clearly justified and weighed against public benefits.

Given the significant unresolved concerns regarding flood risk, infrastructure capacity, and environmental impacts, the case that public benefits outweigh heritage harm has not been made. Reducing the scale of development is the most effective means of minimising heritage harm.

Additionally, the submitted archaeological evidence identifies a putative Roman road alignment within the site. Anomalies identified cannot be ruled out without further investigation. This creates a high likelihood that trial trenching and potential design changes will be required. The application has not adequately addressed the programme, cost, and layout implications of this archaeological risk.

The application fails to comply with heritage protection requirements under Policies DP36 and NPPF paragraphs 199-208.

10. INADEQUATE INFRASTRUCTURE CAPACITY

Using standard occupancy estimates, 125 dwellings (predominantly 3-4 bedroom properties) will generate:

- Approximately 350 additional residents
- Approximately 30-40 primary school age children

The application provides no evidence that:

- Local healthcare facilities have capacity for additional patients.
- Local schools have available places.
- Other essential services can accommodate increased demand.

This failure to demonstrate adequate infrastructure provision conflicts with Policy DP20 of the Mid Sussex District Plan, which requires that development is supported by necessary infrastructure.

The application should be refused until such evidence is provided.

CONCLUSION

This application should be refused for the following reasons:

1. It requires expansion of a roundabout constructed only four years ago to modern standards for "current and future needs," demonstrating that the proposed development density is excessive for the site.
2. It presents unacceptable flood risk in an area with documented flooding issues, with proposed mitigation measures that are inadequate and insufficiently resilient.
3. It fails to provide safe pedestrian infrastructure for Borde Hill Lane residents and users of public rights of way, despite substantially increasing traffic volumes.
4. It requires the removal of mature trees and woodland without adequate exploration of alternative designs.
5. It proposes roundabout expansion without any improvements to the three ancient, constrained country lanes (Borde Hill Lane, Hanlye Lane, Balcombe Road) that feed into it, which cannot be widened due to physical constraints.
6. It proposes 125 dwellings where the council's draft plan allocated up to 60 dwellings, with no adequate justification for this substantial increase.
7. It will result in the destruction of habitat for legally protected dormouse and bat species, with inadequate demonstration of mitigation at outline stage.
8. It will cause major adverse harm to the landscape character and setting of the High Weald Area of Outstanding Natural Beauty.

9. It will cause harm to designated heritage assets without adequate justification through public benefits.
10. It provides no evidence of adequate capacity in local healthcare, education and other essential services.

The application's own submitted evidence demonstrates non-compliance with the National Planning Policy Framework and the Mid Sussex District Plan. The combination of flood risk, infrastructure inadequacy, environmental harm, and pedestrian safety concerns provides substantial grounds for refusal.

Should the council be minded to approve development on this site (which I submit would be inappropriate), approval should only be granted for a substantially reduced number of dwellings (no more than the 60 originally allocated), with the following requirements:

- No expansion of the existing roundabout infrastructure
- Comprehensive evidence demonstrating that flood risk has been adequately addressed through resilient, sustainable drainage solutions.
- Appropriate buffers and boundary treatments to protect ecological features and landscape character.
- Demonstrated adequate capacity in local infrastructure and services.
- Provision of safe, formal pedestrian infrastructure for Borde Hill Lane residents and public right of way users

However, given the severity of the flood risk, the proximity to the AONB, the presence of legally protected species, and the complete failure to address pedestrian safety, I submit that this site is fundamentally unsuitable for residential development at any density.

I respectfully request that this application be refused.

Yours sincerely,



Willow Tree Cottage, Borde Hill Lane, Haywards Heath, RH16 1XP