

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2073	Case Officer:	Hamish Evans
Application Type:	Full Application		
Proposal:	Proposed creation of new site access, driveway and gate posts.		
Site:	Rock Lodge, Lewes Road, Scaynes Hill, Haywards Heath, West Sussex, RH17 7NG, ,		
Validation Date	11 Feb 2026	Overall Expiry Date:	6 Mar 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	9 Mar 2026
Target Date:	8 Apr 2026	Recommending Officer Signature:	Hamish Evans

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	11 Mar 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2073

**Rock Lodge, Lewes Road, Scaynes Hill, Haywards Heath, West Sussex, RH17 7NG,
Proposed creation of new site access, driveway and gate posts.
Mr John Belliere**

SUMMARY OF REPRESENTATIONS

No third-party letters of representation have been received in respect of this application.

SUMMARY OF CONSULTEEES

MSDC Tree Officer

No objection subject to conditions.

MSDC Flood Risk and Drainage team

No comment subject to permeable surface material being used.

WSCC Highways

No objection, subject to conditions.

Newt Officer

No comment.

Ecology

No objection, subject to conditions.

PARISH COUNCIL OBSERVATIONS

Lindfield Parish Council

Visibility splays should be retained and water flow onto A272 be managed effectively.

INTRODUCTION

The application seeks planning permission for the creation of new site access, driveway and gate posts at Rock Lodge Lewes Road Scaynes Hill RH17 7NG.

RELEVANT PLANNING HISTORY

06/00534/FUL. New access to proposed single storey double car port. Refused.
07/03491/FUL - Erection of double garage. Granted

SITE AND SURROUNDINGS

The application site is located within the countryside and is some 300 metres to the south of the built up area boundary of Scaynes Hill. The application site comprises of a residential dwelling with a significant curtilage. The site is currently accessed from a shared private access road to the north of the site, with a

steep driveway serving the site. The existing boundary treatment to the west of the site consists of a variety of trees and hedgerows and a 1.8 metre high closed board fence.

A previous application was refused on the site for a new access and single double garage (06/00534/FUL), which was refused for the following reasons:

- The proposal would constitute an alien intrusion into the countryside, which would be out of keeping and detrimental to the rural character of the locality which forms part of the Countryside Area of Development Restraint and therefore conflicts with Policy DEV1 of the West Sussex Structure Plan and Policy B1 of the Mid Sussex Local Plan.
- The proposal does not make provision for adequate visibility at the junction of the access with the public highway, which forms part of the Strategic Road Network and therefore conflicts with Policies NE17 and DEV4 of the adopted West Sussex Structure Plan 2001-2016 and Policy T4 of the Mid Sussex Local Plan.

This proposal was located to the far southern side of the site and was visibly separate from the existing dwellinghouse, and therefore considered to be materially different to the current application.

APPLICATION DETAILS

The application seeks planning permission for the creation of a new access to the property directly off the eastern side of Lewes Road. The access point would be located some 50 metres to the south of the existing shared access and would result in the removal of part of the existing fence line and trees to allow the access along with other works to trees along this boundary to allow visibility.

The access would lead to a turning area space and drive leading to the existing parking area and garage to the property. The drive to the property would include 2.15 metre high gate posts.

The proposed hardstanding would be constructed in permeable tarmac.

The existing access onto the shared access drive would be removed. It has been confirmed that during the life of the application the proposed works have been started however they have not been completed.

LEGAL FRAMEWORK AND LIST OF POLICIES

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Using this as the starting point the development plan for this part of Mid Sussex consists of the Mid Sussex District Plan, the Mid Sussex Site Allocations DPD and Lindfield and Lindfield Rural Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Policy Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

DP12 - Protection and Enhancement of Countryside
DP21 - Transport
DP26 - Character and Design
DP37 - Trees, Woodland and Hedgerows
DP38 - Biodiversity

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

None considered relevant.

Lindfield and Lindfield Rural Neighbourhood Plan

The Lindfield and Lindfield Rural Neighbourhood Plan was made on 23rd March 2016.

No relevant policies

Other Material Considerations

Mid Sussex District Plan 2021-2039 Consultation Draft

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and the stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to some of the Policies in the draft District Plan and as such, only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

DPN1: Biodiversity, Geodiversity and Nature Recovery

DPN2: Biodiversity Net Gain

DPN4: Trees, Woodland and Hedgerows

DPC1: Protection and Enhancement of the Countryside

DPB1: Character and Design

DPT4: Parking and Electric Vehicle Charging Infrastructure

Mid Sussex Design Guide Supplementary Planning Document (SPD)

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

National Planning Policy Framework (NPPF) (December 2025)

ASSESSMENT

It is considered that the main issues that need to be considered in the determination of this application are as follows -

- The principle of development,
- the design and character,
- the impact on neighbouring amenities,
- highways matters,
- biodiversity,
- trees,
- biodiversity net gain,
- other matters, and
- conclusion.

Principle

The relevant countryside protection policy is Policy DP12 of the District Plan, which states:

'The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District,

and:

- *it is necessary for the purposes of agriculture, or*
- *it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.'*

The proposal seeks the creation of a new access to serve an existing property within the countryside. The proposal would not be for agricultural purposes and not supported by a specific policy. However, the proposal would be seen in relation to the surrounding access points and driveways of neighbouring properties. The proposal would also maintain the surrounding boundary planting and is therefore considered protect the intrinsic character and beauty of the countryside, and acceptable in this instance.

It is therefore considered that the proposal would comply with policy DP12, and acceptable in principle.

Character and Design

Policy DP12 of the District Plan refers to the protection of the Countryside and states, in part, that development will be permitted in the countryside provided it maintains or where possible enhances the quality of the rural and landscape character of the District.

Policy DP26 of the Mid Sussex District Plan states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- *is of high-quality design and layout and includes appropriate landscaping and greenspace;*
- *contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- *creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *protects valued townscapes and the separate identity and character of towns and villages;*
- *does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP27);*
- *creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- *incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- *positively addresses sustainability considerations in the layout and the building design;*
- *take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- *optimises the potential of the site to accommodate development.'*

The Mid Sussex Design Guide requires all development to be of a high standard of design.

The proposed access would be located to the south of the existing access point and would connect to the existing parking area of the property. The proposal would be seen in relation to the existing

driveways and access points of surrounding residential properties, as well as the application property. Given this, and that the existing front boundary planting would be largely retained the proposal is considered to be in keeping the character of the site and the locality.

As such the proposal is considered to address the character and scale of the surrounding buildings and landscape, it would maintain the rural character of the locality and complies with policies DP12 and DP26 of the Mid Sussex District Plan and the Mid Sussex Design Guide SPD.

Neighbouring Amenities

Policy DP26 in part states that development:

'does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29);'

A similar ethos is contained within the Mid Sussex Design Guide SPD.

The closest neighbouring residential property Rock Lodge Cottage, which would be some 60 metres to the north of the proposed works. Given the significant separation distance, it is considered that the proposal would not cause harm to the amenities of neighbouring properties.

As such the proposal is considered to comply with the above part of policy DP26 of the Mid Sussex District Plan and the Mid Sussex Design Guide SPD.

Highways Matters

WSCC Highways Authority have been consulted on the application and have provided the following comments:

'The site is located on Lewes Road, an A-classified road subject to a speed limit of 50mph...

The application has been identified in the MSDC RAG (Red, Amber, and Green) Report as "Amber" with comments raised regarding forward visibility of vehicles travelling in the leading direction, particularly in regards to vehicle speeds travelling southbound and the crest of the hill located in proximity to the existing access. As such, a site visit was undertaken on 16th September 2025.

The proposed plans indicate that a bell-mouth access will be constructed, approximately 6m in width at the carriageway edge with 5m kerbed radii. As such the access works would be subject to a Section 278 agreement with the WSCC Implementation Team and must be constructed to a specification agreed with them. An informative is provided below.

The site is currently accessed from a shared private access road, with a steep driveway serving the site. Visibility at the existing access is very restricted in the trailing direction due to the presence of a large private sign. To the leading direction, visibility is restricted somewhat by the road geometry and estimated to provide approximately 100m visibility. This could likely be improved by some maintenance of vegetation within the splay.

Speeds observed during the site visit did not appear to exceed the posted speed limit of 50mph. Splays of 2.4 x 160m in both directions have been demonstrated on the proposed plans, in accordance with Design Manual for Roads and Bridges CD109 for a 50mph road. The demonstrated splays are wholly maintainable within the public highway.

It was observed on site that the proposed access will provide a significant improvement to visibility in both directions over the existing access. Concerns were raised with regards to the crest of the hill potentially obscuring visibility of the access for vehicles travelling south. On site it was observed that the crest of the hill in the leading direction does not obscure visibility for vehicles waiting at the proposed access point, with oncoming vehicles fully visible within the entire length of the splay. As such, it is

considered that oncoming vehicles have sufficient forward visibility of the proposed access and sufficient time to react if required.

Observed visibility in the trailing direction appears to be restricted marginally due to the road gradient - whilst the proposed plans indicate that 160m is achievable in this direction, it is estimated that splays of approximately 130-140m are achievable in reality. The LHA acknowledge this shortfall in the southern splay, however given the significant improvement over the existing arrangement, would not raise a highway safety concern to the proposal.

The applicant intends to close off the existing driveway to the private shared access. As such, it is acknowledged that the proposal would reduce the number of daily movements at the existing access, which is considered a benefit.

The proposed plans indicate that a gate will be provided within the site, this is set back sufficiently within the site to enable vehicles to wait clear of the carriageway whilst the gate is in operation. A turning head is also provided within the site, enabling vehicles to turn on site and exit onto the public highway in a forward gear.

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.'

An informative has been suggested to inform the applicant that all appropriate consents from WSCC will be required to cover the off-site highway works, along with requested conditions. The recommended conditions seek to secure the completion of the proposed access prior to the use of the proposed driveway and turning space and the completion of the proposed turning space prior to the use of the access. However, given that the proposed development has been started and that the access and turning space are already under construction it is not considered necessary to impose these conditions. Given the above, it is considered that the proposal would not have an unacceptable impact on highway safety or result in 'severe' cumulative impact on the operation of the highway network and is considered acceptable and complies with policy DP21 of the Mid Sussex District Plan.

Biodiversity

Policy DP38 of the Mid Sussex District Plan states:

'Biodiversity will be protected and enhanced by ensuring development:

- *Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and*
- *Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances); and*
- *Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and*
- *Promotes the restoration, management and expansion of priority habitats in the District; and*
- *Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.*
- *Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks.*

Valued soils will be protected and enhanced, including the best and most versatile agricultural land, and development should not contribute to unacceptable levels of soil pollution.'

Paragraph 193 of the NPPF states:

'When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.'*

The Council's Ecologist has been consulted on the application and has raised no objection to the proposal subject to the imposition of conditions to secure the recommendations within the submitted Preliminary Ecological Appraisal and a Biodiversity Enhancement Strategy. One of these recommended conditions states that information relating to a Biodiversity Enhancement Strategy should be provided prior to any works above slab level. Taking into account that the proposed works have started during the life of the application it is considered appropriate to amend this condition so that the information should be provided within three months of the granting of permission of this application.

Nature Space Partnership have been consulted on the application and consider that the proposal would be not likely impact on great crested newts or their habitat.

It is therefore considered that the proposal is acceptable on ecology terms subject to conditions. It is therefore considered that this proposal would also comply with the aims of policy DP38 of the Mid Sussex Plan and the NPPF.

Trees

Mid Sussex District Plan policy DP37 states:

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- prevents damage to root systems and takes account of expected future growth; and*
- where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*

- *has appropriate protection measures throughout the development process; and*
- *takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*
- *does not sever ecological corridors created by these assets.*

Proposals for works to trees will be considered taking into account:

- *the condition and health of the trees; and*
- *the contribution of the trees to the character and visual amenity of the local area; and*
- *the amenity and nature conservation value of the trees; and*
- *the extent and impact of the works; and*
- *any replanting proposals.*

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary.'

The Tree Officer has been consulted on the application and raised no subject to a condition to a landscaping condition to secure appropriate mitigation to the loss the category B tree to be removed. It is therefore considered that the proposal would be acceptable in terms of policy DP37 of the Mid Sussex District Plan subject to a condition.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain this application is deemed to have been granted subject to the biodiversity net gain condition for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

The biodiversity net gain condition is set out in the Town and Country Planning Act 1990, Schedule 7A, Part 2, 13 (2). It states:

'The condition is that the development may not be begun unless—
(a) a biodiversity gain plan has been submitted to the planning authority (see paragraph 14), and
(b) the planning authority has approved the plan (see paragraph 15).'

Other Matters

The Council's Flood Risk and Drainage Team have also been consulted on the application and raise no objection due to the permeable materials proposed.

CONCLUSION

In conclusion, due to the design, scale and nature of the proposed works is considered to maintain the quality of the rural and landscape character of the District and address the character and scale of the existing buildings and landscape. It does not cause harm to the amenities of existing nearby residential properties and impact on highways safety, biodiversity and trees are considered acceptable. Therefore, the application complies with policies DP12, DP21, DP26, DP37 and DP38 of the Mid Sussex District Plan, the Mid Sussex Design Guide SPD, and the objectives of the National Planning Policy Framework.

Decision: Permission

Case Officer: Hamish Evans

