

From: planninginfo@midsussex.gov.uk <planninginfo@midsussex.gov.uk>
Sent: 26 January 2026 16:52:46 UTC+00:00
To: "Joseph Swift" <joseph.swift@midsussex.gov.uk>
Subject: Mid Sussex DC - Online Register - Comments for Planning Application
DM/26/0073

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 26/01/2026 4:52 PM.

Application Summary

Address:	Land Off West Hoathly Road East Grinstead West Sussex
Proposal:	The erection of 44 new homes with access from West Hoathly Road, vehicle and cycle parking, landscaping, drainage, and associated infrastructure and highway works.
Case Officer:	Joseph Swift

[Click for further information](#)

Customer Details

Address:	145 Dunnings Road East Grinstead
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Comments Details

Commenter Type:	Neighbour or general public
Stance:	Customer objects to the Planning Application
Reasons for comment:	
Comments:	I wish to formally object to application DM/26/0073 for the development of up to 44 dwellings on land adjoining my home at 145 Dunnings Road, East Grinstead (RH19 4AS). This objection is made having reviewed the submitted Planning Statement, Design & Access Statement, Ecology Reports, Drainage Strategy and Transport Statement.

1. Principle of Development - Conflict with the Development Plan

The application's own documents confirm that:

- The site is unallocated in the adopted Mid Sussex District Plan
- The site lies outside the built-up area boundary
- The site is in open countryside
- The site lies within the High Weald Area of Outstanding Natural Beauty (AONB)
- The proposals do not accord with the spatial strategy of the Development Plan
- The proposals conflict with countryside restraint policies
- The proposals conflict with the Neighbourhood Plan

The application explicitly admits:

"The proposals do not accord with the spatial strategy of the Development Plan, however it is considered that material considerations indicate that planning permission should be granted."

This is a clear acknowledgment of Development Plan conflict. Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

There is no adopted Development Plan policy that supports residential development on this site.

The proposal conflicts with, among others:

- Policy DP6 - Countryside
- Policy DP12 - High Weald AONB
- Policy DP15 - Character and Design
- Neighbourhood Plan Policy EG1 - which resists housing in this countryside location

This conflict alone is a lawful reason for refusal.

2. High Weald AONB - Failure to Apply "Great Weight"

The site lies within the High Weald AONB, where national policy requires:

"Great weight" to be given to conserving landscape and scenic beauty

(NPPF paragraph 176)

The application seeks to downplay this by arguing:

- The site is not "major development"
- Landscape harm is limited
- Mitigation will reduce impacts

This is not sufficient.

A development of up to 44 dwellings on undeveloped countryside within an AONB, adjoining a heritage asset and forming an intrusive new settlement edge, is highly likely to constitute major development in AONB terms.

Even if it were not classified as "major", the proposal still causes:

- Harm to landscape character
 - Harm to rural edge character
 - Harm to tranquillity
 - Harm to scenic quality
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- Suburbanisation of open countryside

These harms are admitted in the application's own Landscape and Heritage assessments.

The application has failed to demonstrate:

- Exceptional circumstances
- Public interest justification
- Lack of reasonable alternative sites

Housing delivery alone is not sufficient to override AONB protection.

The proposal therefore conflicts with:

- NPPF paragraph 176
- Policy DP12
- Neighbourhood Plan AONB protection policies

3. Prematurity and Emerging Plan Status

The application relies heavily on the site's proposed allocation (DPA4) in the emerging Mid Sussex District Plan.

However:

- The emerging plan is not adopted
- It has unresolved objections
- The Inspector has raised Duty to Cooperate concerns
- The allocation carries limited weight
- The evidence base does not confer allocation status

Granting permission now would:

- Pre-empt the democratic plan-making process
- Undermine proper examination of alternative sites
- Set an undesirable precedent

This engages the prematurity principle and weighs against approval.

4. Inconsistency with a Recently Refused Nearby Scheme (DM/22/0981)

A nearby, materially similar scheme (DM/22/0981) was refused because it:

- Lay in the High Weald AONB
- Lay outside the built-up area boundary
- Was unallocated
- Conflicted with Neighbourhood Plan policy EG1
- Had unsuitable access geometry under policy EG3D

The application site lies in the same countryside block, same AONB, same settlement edge and same policy context.

In the absence of any clear and compelling material distinction between the two schemes, approval of DM/26/0073 would appear inconsistent with that earlier decision and would require particularly careful and transparent justification. Consistency in decision-making is an important principle of good planning practice, and this matter should weigh significantly in the determination of the current application.

5. Severe and Disproportionate Harm to the Only Adjoining Dwelling (145 Dunnings Road)

145 Dunnings Road is the only dwelling that directly adjoins the application site.

The proposal would cause unique and disproportionate harm, including:

- Direct overlooking into its private garden
- Loss of privacy in the home and garden
- Noise and disturbance from new dwellings and roads
- Headlight glare
- Loss of outlook
- Loss of tranquillity
- Oppressive sense of enclosure
- Urbanisation of the rural edge

These impacts are permanent and cannot be mitigated by landscaping or fencing.

No submitted document properly assesses or mitigates the impacts on the only adjoining dwelling.

This conflicts with:

- Policy DP15 - Character and Design
- Policy DP26 - Noise
- Residential amenity principles

6. Drainage and Surface Water Flood Risk

The submitted Drainage Strategy admits that:

- The site naturally drains toward the north and east
- The site lies up-gradient of 145 Dunnings Road surround neighbours.
- Exceedance flows are routed toward neighbouring land / built up area
- Infiltration has not been tested on site
- BRE365 testing is deferred to a condition
- The receiving watercourse capacity is unproven
- The system relies on perpetual maintenance

The drainage report does not:

- Model runoff toward the boundary of 145 Dunnings Road
- Assess impacts existing surface water problems at 145 Dunnings Road and surrounding neighbours
- Demonstrate that exceedance flows will not reach the boundary at 145 Dunnings Road nor surrounding neighbours

Flood risk mitigation must be demonstrated at application stage where neighbouring land is at risk.

Deferring this to conditions is not acceptable.

This conflicts with:

- Policy DP41 - Flood Risk
- NPPF flood risk policy

7. Ecology - Inadequate Surveys and Corridor Harm

The bat ecology report confirms:

- At least seven bat species
- Heavy bat activity along the woodland edge
- Significant activity near boundary at 145 Dunnings Road
- Connectivity to ancient woodland

However:

- Seasonal survey coverage is incomplete
- Spring and peak summer data are missing
- Flight lines are not assessed across boundary of 145 Dunnings Road
- Lighting impacts are not modelled
- Corridor fragmentation is ignored
- Reliance is placed on future mitigation

The dormouse report admits:

- Excellent suitability habitat
- Strong connectivity
- Late-season surveys only
- Single survey method
- Missed breeding season

The conclusion of "likely absence" is therefore uncertain and not supported by comprehensive seasonal data and potentially unreliable.

National policy and established ecological practice require that protected species and priority habitats are adequately surveyed before planning permission is granted, rather than relying on future mitigation or conditions.

In its current form, the ecological information is not sufficient to robustly demonstrate that the development would not result in harm to protected species or to functional ecological corridors, particularly in a High Weald AONB setting. This conflicts with:

- Policy DP38 - Biodiversity
- NPPF biodiversity policy
- AONB conservation duties

8. Transport and Access - Non-Compliance with EG3D

The Transport Statement is not fit for purpose because:

- It fails to assess Neighbourhood Plan policy EG3D
- It uses inappropriate urban design standards
- It does not assess construction traffic
- It underestimates trip generation
- It fails to assess rural lane tranquillity
- It fails to assess noise at boundary of 145 Dunnings Road, Toybox Nursery and other neighbours
- Visibility splays may not be deliverable
- It ignores cumulative impacts

The refused nearby scheme (DM/22/0981) was rejected on similar access geometry grounds.

This is a lawful refusal ground in its own right.

9. Heritage Harm

The application admits:

- Less than substantial harm to Dunnings Mill
- Loss of rural setting
- Intervisibility impacts
- Historic field pattern loss

This harm must be weighed under NPPF paragraph 208.

The application fails to demonstrate that public benefits clearly outweigh this harm when combined with:

- AONB harm
- Countryside loss
- Amenity harm
- Prematurity

10. Tilted Balance Does Not Justify Approval

The application relies on the five-year housing land supply shortfall and NPPF paragraph 11(d).

However:

- This is an AONB site
- NPPF paragraph 176 applies
- Neighbourhood Plan policies remain part of the Development Plan
- Significant and demonstrable harms arise
- Exceptional circumstances are not demonstrated

The tilted balance does not override AONB protection or Development Plan conflict in this case.

Conclusion

This application should be refused because:

- It conflicts with the adopted Development Plan
- It causes unacceptable harm to the High Weald AONB
- It is premature in light of the emerging plan
- It conflicts with the Neighbourhood Plan
- It is inconsistent with a nearby refusal (DM/22/0981)
- It causes severe harm to the only adjoining dwelling
- It fails to demonstrate no flood risk harm
- It relies on inadequate ecological surveys
- It fails EG3D on transport and access
- It causes heritage harm
- It fails to demonstrate exceptional circumstances or public interest

The sudden urbanisation of this land would replace open fields and woodland with housing, roads, lighting and noise immediately outside our neighbourhood, destroying our privacy, tranquillity and enjoyment of our homes. No amount of landscaping or conditions can undo that harm once permission is granted. I respectfully ask the Council to apply its own policies consistently, to protect the AONB as required by national policy, and to refuse this application in the interests of fairness, proper planning and the long-term character of this area.

Kind regards