

FORMAL PLANNING OBJECTION

Application Ref: DM/26/0303
Cross-Boundary Proposal – Cophorne Meadows

Submitted to: Mid Sussex District Council

Linked Tandridge Application: 2025/1376

Tandridge Planning Portal Biodiversity Ref: PP-14501171

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EXECUTIVE SUMMARY

This objection is submitted in respect of Mid Sussex District Council application DM/26/0303. The proposal forms part of a cross-boundary development of up to 260 dwellings. Although the majority of the red-line site lies within Tandridge District, the functional, infrastructure, economic and environmental impacts fall significantly within Mid Sussex.

This objection is grounded in the statutory decision-making framework under Section 70(2) of the Town and Country Planning Act 1990, Section 38(6) of the Planning and Compulsory Purchase Act 2004, Schedule 7A of the TCPA 1990 (as inserted by the Environment Act 2021), and the National Planning Policy Framework (NPPF 2024).

When assessed under NPPF paragraph 11(d), the adverse cross-boundary impacts significantly and demonstrably outweigh the asserted benefits.

1. STATUTORY DECISION-MAKING FRAMEWORK AND CROSS-BOUNDARY DUTY

Under Section 70(2) TCPA 1990 and Section 38(6) PCPA 2004, the authority must determine the application in accordance with the development plan unless material considerations indicate otherwise.

Cross-boundary impacts are plainly material considerations. The fact that the majority of the site lies within Tandridge does not remove Mid Sussex's obligation to assess impacts occurring within its administrative boundary.

NPPF paragraph 24 and the duty to cooperate framework require coordinated strategic planning across administrative boundaries where development has inter-authority implications.

2. GREEN BELT IMPACT AS MATERIAL CONSIDERATION (NPPF 142–153)

Although Mid Sussex is not determining the majority of the Green Belt land, the proposal is intrinsically linked to a development that constitutes inappropriate Green Belt development under NPPF paragraphs 142–153.

Mid Sussex must consider whether facilitating the access and enabling works contributes to substantial Green Belt harm and countryside encroachment.

NPPF paragraph 153 requires substantial weight to be given to Green Belt harm. Any cross-boundary facilitation of such harm is a material planning concern.

3. HIGHWAY SAFETY AND TRANSPORT IMPACTS (NPPF 110–116)

The primary access via Borers Arms Road directly affects the Mid Sussex highway network.

Based on average vehicle ownership (~1.5 vehicles per household), 260 dwellings could generate approximately 390 additional vehicles.

NPPF paragraph 110 requires safe and suitable access for all users. Paragraph 115 states that development should be refused if residual cumulative impacts on the road network would be severe.

The constrained nature of Copthorne's local roads, pedestrian infrastructure and junction capacity raises a credible risk of severe cumulative impact.

4. EDUCATION, HEALTHCARE AND COMMUNITY INFRASTRUCTURE (NPPF 96)

NPPF paragraph 96 requires that planning decisions ensure sufficient choice of school places are available.

The development will generate additional demand for school places and GP capacity within Copthorne and surrounding Mid Sussex facilities.

Absent secured, deliverable and proportionate mitigation within Mid Sussex, the proposal conflicts with national sustainable community objectives.

5. LOSS OF EMPLOYMENT FLOORSPACE – ECONOMIC IMPACT

The proposal includes demolition of existing commercial floorspace located within Mid Sussex.

This results in a direct and certain loss of employment floorspace and business rates revenue to the district.

Replacement floorspace within Tandridge does not offset the economic loss experienced within Mid Sussex.

6. BIODIVERSITY BASELINE INTEGRITY (SCHEDULE 7A TCPA 1990)

The Tandridge Planning Portal biodiversity declaration (PP-14501171) records a 'No' response to whether habitat loss or degradation occurred after 30 January 2020.

There is credible evidence of repeated flail cutting and vegetation clearance during the relevant period.

Under Schedule 7A TCPA 1990 (Environment Act 2021), the biodiversity gain condition relies on an accurate baseline.

A planning authority must not determine an application on materially inaccurate or misleading information. Failure to investigate discrepancies risks procedural unfairness and irrational decision-making.

7. FLOOD RISK AND DOWNSTREAM EFFECTS (NPPF 181–182)

NPPF paragraph 181 requires that development does not increase flood risk elsewhere.

Increased impermeable area has potential to increase runoff affecting downstream receptors within Mid Sussex.

If flood risk implications cannot be robustly demonstrated as acceptable, the proposal conflicts with national policy.

CONCLUSION – NPPF PARAGRAPH 11(d) BALANCE

When assessed against the NPPF as a whole, including sustainable transport, infrastructure capacity, biodiversity integrity and flood risk policy, the adverse impacts affecting Mid Sussex significantly and demonstrably outweigh the benefits.

Mid Sussex District Council is respectfully requested to refuse application DM/26/0303.