



Mid Sussex District Council

Oaklands
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

18 September 2026

Dear Andrew Watt,

APPLICATION DM/26/2053 - SEVER LAND AND ERECT CONVENIENCE STORE WITH ASSOCIATED ACCESS AND PARKING. RETAIN PUBLIC HOUSE WITH REVISED PUB GARDEN LAYOUT

OBJECTION BY WORTH PARISH COUNCIL

I am writing on behalf of Worth Parish Council (WPC) to register the Parish Council's objection to the above planning application.

This letter provides a brief overview of the planning application and thereafter examines the application in the context of applicable adopted local policy and national policy. It concludes that the proposed development does not accord with the adopted development plan and should be refused.

The Parish Council's objections to the convenience store element of the previous proposal at the site (DM/24/2957) remain relevant to this latest proposal, and accordingly that previous objection should be read alongside the Parish Council's grounds for objection set out below.

THE PROPOSAL

The application site is located close to the junction of Copthorne Bank and Brookhill Road. It principally comprises the Prince Albert public house, part of its pub-garden and its associated car park.

The proposed development comprises a 372 sq.m gross convenience store on the existing pub-garden part of the site, to be served by a new car park providing 23 parking spaces (of which 4 disabled spaces), plus cycle parking facilities, pedestrian access, a store delivery bay and other associated hard landscaping. The car park and delivery bay is proposed to be shared resource, serving both the pub and the convenience store. In addition to the above, the proposal also includes landscaping works to the south of the existing (retained) pub to provide a new pub-garden.

Submission of this application follows Mid Sussex Council's (MSDC) refusal of a previous application for a similar proposal at the site (planning application DM/24/2957).

A number of issues raised by WPC in its objection to that earlier proposal are applicable to this proposal, including issues relating to the application of retail planning policy, the protection of existing community facilities, and potential transport/highway impacts associated with the proposal.

PLANNING POLICY CONTEXT

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 confirm that planning decisions should be taken in accordance with the development plan unless material considerations indicate otherwise. In this case the development plan comprises:

- Mid Sussex District Plan 2014-2031
- Copthorne Neighbourhood Plan 2021-2031

There are other documents that form part of the overall development plan for the district which are not applicable to the issues raised by this objection and so are not referenced.

In addition to the development plan, policy contained within the National Planning Policy Framework (2026) is also a material consideration in the determination of the application, as may also be emerging policy set out in the emerging Mid Sussex District Plan Review.

Development plan policies that are particularly relevant to the consideration of the application include:

Mid Sussex District Plan 2014-2031

Policy DP2 ‘Town Centre Development’ says *“A sequential test must be applied to planning application for main town centre uses that are not in an existing centre and are not in accordance with the District Plan and the relevant Neighbourhood Plan”, and that “Where an application fails to satisfy the sequential test, or fails to meet other requirements of this policy, it should be refused”.*

The policy also says that *“For the purposes of the sequential test, Neighbourhood centres do not perform the same function as Town Centres”* and that *“proposals in Neighbourhoods should reflect their role in meeting the day to day needs of the local community”.*

‘Neighbourhoods’ in the context of Policy DP2, are not defined by the policy or its supporting text.

The supporting text to Policy DP2 however, does advise that *“Proposals for retail, leisure and office and other main town centre uses should be in a town centre location in accordance with the sequential test for town centre uses. Where planning applications are for main town centre uses proposed on the edge of town, outside the town centre or out of town and are not in accordance with the District Plan or Neighbourhood Plan, the Council will apply a sequential test and require an impact assessment as set out in the National Planning Policy Framework”.*

Policy relating to *“Village and Neighbourhood Development”* is provided by Policy DP3. The policy includes reference to both *“Village Centre”* and *“small village centres”*.

Village centres are defined as the centres of Crawley Down, Cuckfield, Hassocks, Hurstpierpoint and Lindfield.

“Small Village Centres” are defined as *“the various small village and neighbourhood shopping centres which meet the needs of their communities and countryside areas”*. There is no further definition of ‘small village centres’ provided by the District Plan, and no identification of the centres on the District Plan Policies Map.

The policy requirement for development, whether within ‘village centres’ or ‘small village centres’ includes that it is *“in accordance with the relevant neighbourhood plan”*.

Policy DP6 ‘Settlement Hierarchy’ says that *“development will be permitted within towns and villages with defined built-up area boundaries. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale... and not cause harm to the character and function of the settlement”*. It then provides a settlement hierarchy. Copthorne is a Category 2 settlement. Notably the district’s other Category 2 settlements are Crawley Down, Cuckfield, Hassocks, Hurstpierpoint and Lindfield, all of which are the specific ‘village centres’ defined by Policy DP2.

Policy DP21 'Transport' requires development to provide adequate car parking.

Policy DP25 'Community Facilities and Local Services' supports the provision or improvement of community facilities and local services. Where proposals *"involve the loss of a community facility"* the policy requires evidence to be provided that demonstrates *"there is an existing duplicate facility in the locality which can accommodate the impact of the loss of the facility"* or *"that a replacement facility will be provided in the locality"*.

The supporting text to Policy DP25 confirms that community facilities and local services referred to by the policy, include *"Local shops including banks and post offices"*.

Copthorne Neighbourhood Plan 2021-2031

Policy CNP2 'Redevelopment and infill development within the defined built-up area' supports redevelopment and infill development within the defined built up area where it complies with 3 criteria relating to design, access and parking, and amenity.

Policy CNP4 'Important Community Facilities' identifies community facilities in Copthorne designated as *"Important Community Facilities"*. It states that development proposals that result in the loss of an Important Community Facility whether it be the actual facility or the use, will not be supported unless it can be demonstrated that the use and building is no longer required.

Policy CNP16 'Car Parking' expects new development to provide parking in accordance with the latest WSCC guidance.

OTHER MATERIAL CONSIDERATIONS

National Planning Policy Framework 2026.

The latest version of the NPPF was released on 17th August 2026 and applied immediately.

Policy TC3.1 requires a sequential test to be applied to proposals for main town centre uses that are not in an existing centre or not on a site allocated for that purpose in an up-to-date development plan.

Policy TC3.4 says where a development fails to satisfy the sequential test it should be refused.

Policy TC3.5 says the sequential test does not apply to applications for small scale rural offices or other small scale rural development. No other types of 'main town centre uses' are excused from the sequential test requirements of national policy.

Main town centre uses, are defined by the NPPF glossary as including retail development.

Policy DM4 of the NPPF confirms that weight may be given to relevant policies in emerging development plans according to the stage of preparation of the plan: the extent to which there are unresolved objections to relevant policies and the degree of compliance of policies with national policy.

Mid-Sussex District Plan Review, Submission Draft, Dec 2023

Policy DPE4 requires a sequential test to be applied to planning applications for main town centre uses that are not in an *"existing defined Town or Village Centre"* and are not in accordance with the District Plan and the relevant neighbourhood plan. Town and village centres are defined by the policies map. There is no primary shopping area, and no town or village centre boundary identified for Copthorne by the emerging Local Plan policies map for Copthorne. Accordingly, Copthorne is not a town or village centre for the purposes of DPE4.

Policy DPE4 also says that *“for the purposes of the sequential test, neighbourhood and smaller village centres do not perform the same function as the town and village centres”* and that *“Proposals in neighbourhoods and smaller villages should reflect their role in meeting the day to day needs of the local community in accordance with Policy DPE7”*.

Policy DPE7 Smaller Village and Neighbourhood Centres says: *“In smaller villages, neighbourhood centres and parades of main town centre uses will be protected to meet the needs of their own communities and countryside areas, except where it can be demonstrated in accordance with marketing guidance at Appendix 1 that the existing use is no longer viable, and the proposed use is appropriate in scale and function, will not result in adverse amenity impacts, and/or is in accordance with a relevant Neighbourhood Plan”*.

Policy DP16 Community and Cultural Facilities and Local Services says existing community and cultural facilities will be protected. Community facilities are defined by the supporting text to Policy DP16 and include *“Local shops including banks and post offices”*.

We are not aware that there are any main modifications proposed to these emerging District Plan policies, or the accompanying policies map in respect of policy allocations associated with the policies.

KEY ISSUES

Principle of Development – Sequential test

The proposal is for a main town centre use at a site which is not within a town centre as defined by the development plan or national policy. As such, it is our view that the proposal should be subject to national and local policy requirement for the proposal to be subject to a sequential test, and there is no sequential test evidence provided by the application. Policy DP2 of the development plan is explicit that *“where an application fails to satisfy the sequential test ... it should be refused”*.

The applicant's submitted planning statement, relies on the officer's committee report for the previously refused application for a convenience store at the site (DM/24/2957) as evidence of the proposal's compliance with retail planning policy, including sequential test requirements. The officer's committee report, in turn, referenced a 'retail justification' document submitted by the applicant for that previous application which provided a sequential justification for the proposal based on the then expressed purpose of the proposed store to *“serve the needs of the local catchment”* by providing 'top-up' convenience shopping provision. There is no similar supporting evidence submitted by this latest application.

In the absence of any retail policy evidence specific to this proposal, MSDC cannot conclude that the sequential test requirements of national and local policy are met by this proposal. In such circumstances applicable policy expects the application to be refused.

Impact – Copthorne Neighbourhood Plan Policy CNP4 & Mid-Sussex District Plan Review Policy DP16

We recognise that as the amount of retail floorspace proposed by this application (372 sq.m gross) falls below the 500 sq.m threshold set by Policy DP2 of the Mid Sussex District Plan 2014-2031, there is no Policy DP2 requirement for a specific retail impact assessment to be undertaken for this application.

However, that does not remove the requirement to satisfy other policy or lessen the expressed concerns of residents about the potential impact of this proposal on existing stores in Copthorne and particularly the neighbouring KwikMart, including the Copthorne Post Office which is a designated Important Community Facility protected by Neighbourhood Plan Policy CNP4 and emerging policy District Plan DP16.

In respect of this issue, the applicant's submitted planning statement again relies on information submitted in respect the previous application at the site and the associated officer's committee report for that refused application.

The officer's committee report dismissed consideration of the likely impact of the proposal on the protected Post Office on the grounds the application *"has to be considered on its own merits, rather than speculation on what may or may not occur in the future"*.

We fundamentally disagree with the officer's advice to the MSDC committee. It is the role of planning policy to provide the framework for managing development in the public interest, and the application of that policy therefore to have regard to likely or potential outcomes of development proposals. That is, in essence, the purpose of the planning system.

The retail expenditure evidence provided by the applicant in respect of the previous application at the site demonstrated that there is insufficient top-up convenience goods expenditure available to support the proposed new store and the existing convenience stores in Copthorne. It is reasonable to conclude therefore that some or all of the turnover of the proposed new convenience store will be drawn from existing expenditure that is currently directed to the existing stores – including the neighbouring Kwik Mart. Indeed, given the locational distribution of convenience shops in Copthorne, it is more than likely that the proposed store will draw a higher proportion of expenditure from the Kwik Mart than the other convenience stores. That would potentially put the future viability of existing stores and particularly the neighbouring KwikMart - and thereby its resident Post Office – at risk.

There is therefore clear potential for the proposal to result in the loss of a designated Important Community Facility. Additionally, there is no *"duplicate"* post office within Copthorne and no indication within the documentation and evidence supporting application DM/26/2053 that a replacement facility forms part of the proposed development.

The proposal therefore fails to comply with Development Plan Policies DP25 and CNP4, and emerging District Plan policy DP16.

Traffic & Parking

As stated in the submitted Transport Statement, the parking standards require 26 car parking spaces for the convenience store and 16 car parking spaces for the pub. This makes an overall requirement of 42 car parking spaces. The scheme provides only a 23 shared-space car park and therefore falls significantly short of the required standards for the convenience store and pub.

The central locations of Copthorne are already under significant pressure from on-street parking and falling far short of the standards for the pub and convenience store has the potential to result in additional on-street parking and exacerbate the serious congestion issues associated with the area and the safety of all users.

The scheme therefore provides an unacceptable level of parking contrary to policies DP21 and CNP16.

The anticipated number of vehicle trips to the store is estimated by the submitted Transport Statement to be around 350 inbound vehicle trips per day, of which approximately 30 would be within AM and PM peak (discounting the subsequent reduction to that figure applied by the Transport Statement). Given the current congestion and traffic issues experienced along Copthorne Bank and the Copthorne Bank / Brookhill Road junction, the addition of a potential further 350 inbound vehicle movements - and particularly an additional 30 or so during AM and PM peak times - has the potential to materially and significantly worsen traffic conditions in the area.

We note that the submitted Transport Statement applies a 72% reduction to the TRICS-based traffic generation figures, on the argued basis that the car trips to the proposed store will be *"incidental trips"* and therefore already on the network. However, there is no evidence provided to demonstrate that that would be the case. Additionally, we question the suitability of relying on a 1998 study to justify applying a 72% reduction to the TRICS trip data. Customer's shopping patterns as well as the evolution and 'offer' of local convenience stores (plus other factors such as car ownership levels and work/commuting patterns) mean shopping behaviour and people's travel patterns are likely to be materially different today than they were in 1998.

Policy CNP15.2 states that *‘For all new development, all off road parking spaces must be ready for electric charging’* either through the installation of electric car charges, or the installation of cabling or ducting between the consumer unit and the location designed for the installation of a car charged in the future. The submitted details, including site plan, provide no evidence that this will be done.

CONCLUSION

The proposal is for a main town centre use at a site which is not within a town centre as defined by the development plan or national policy. As such national and local policy requires it to be subject to a sequential test, and there is no sequential test evidence provided by the application. In the absence of a sequential test – or indeed any retail policy evidence specific to this proposal - MSDC cannot conclude that the sequential test requirements of national and local policy are met by this proposal, and in such circumstances applicable planning policy - including Policy DP2 of the development plan - expects the application to be refused.

The Copthorne Post Office is a designated Important Community Facility protected by District Plan Policy DP25, Neighbourhood Plan Policy CNP4 and emerging District Plan Policy DP16.

Previously submitted evidence demonstrates there is insufficient local convenience goods expenditure to support the proposed store in addition to the existing local convenience shops in Copthorne. Accordingly the proposed convenience store is likely to draw trade and expenditure away from these existing shops and particularly the neighbouring KwikMart store, which hosts the Copthorne Post Office.

There is therefore clear potential for the proposal to result in the closure of the Post Office and thereby the loss of a designated Important Community Facility. The proposal therefore fails to comply with Development Plan Policies DP25 and CNP4, and emerging District Plan policy DP16.

The development fails to comply with the parking standards required for the convenience store and pub and the applicant has not demonstrated that all parking spaces will be provided with electric car charges or cabling or ducting contrary to policies DP21, CNP15 and CNP16.

The traffic movements associated with the proposal are likely to exacerbate existing congestion as well as community impact and safety concerns relating to this part of Copthorne, with consequential impact to the amenity of local residents and the wider Copthorne community.

Overall therefore, the proposal fails to accord with the development plan and there are no material considerations which indicate that a decision should be made contrary to the development plan. We therefore ask that planning permission is refused for the proposed development.