

From: planninginfo@midsussex.gov.uk <planninginfo@midsussex.gov.uk>
Sent: 30 May 2025 12:57:52 UTC+01:00
To: "Joanne Fisher" <joanne.fisher@midsussex.gov.uk>
Subject: Mid Sussex DC - Online Register - Comments for Planning Application
DM/25/1129

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 30/05/2025 12:57 PM.

Application Summary

Address: Land At Foxhole Farm Foxhole Lane Bolney West Sussex

Proposal: Outline application (appearance, landscaping, layout and scale reserved), for the erection of up to 200 residential dwellings, including affordable housing; a community building (use class F1) encompassing land for education provision, together with associated access, ancillary parking and landscaping; the creation of a vehicular access point from the A272 Cowfold Road, and pedestrian and cycle only access to The Street; and creation of a network of roads, footways, and cycleways through the site; together with the provision of countryside open space, children's play areas, community orchard, and allotments; sustainable drainage systems and landscape buffers.

Case Officer: Joanne Fisher

[Click for further information](#)

Customer Details

Address: Weald Chase The Street Bolney

Comments Details

Commenter Type: Neighbour or general public

Stance: Customer objects to the Planning Application

Reasons for comment:

Comments:

I am writing to OBJECT to the Foxhole Farm planning application DM/25/1129. My reasons are below (all details to the best of my knowledge).

Abbreviations:

ATESAN - Active Travel England Standing Advice Note

BNP - Bolney Neighbourhood Plan 2015 - 2031

MSDP - Mid Sussex District Plan 2014 - 2031 (adopted)

RDP - Mid Sussex District Plan 2021 - 2039 Submission Draft (Regulation 19)

The proposed development is outside the defined Built-up Area Boundary and so breaches Policy BOLBB1 ("Built-up Area Boundary") of the BNP. Under Policy DP6 ("Settlement Hierarchy") of the MSDP three conditions have to be met to support the expansion of settlements outside defined built-up area boundaries. As the proposed development is for 200 dwellings and is not allocated in the MSDP or the BNP, and because the proposed development is not sustainable (as shown elsewhere in this representation), the proposed development breaches policy DP6 of the MSDP. Further, the proposed development breaches Policy DP12 ("Protection and Enhancement of Countryside") of the MSDP as the development is not necessary for the purposes of agriculture and it is not supported by a specific policy reference elsewhere in the MSDP or in the BNP. Further, the proposed development does NOT meet any of the criteria to be considered under Policy DP15 ("New Homes in the Countryside") of the MSDP.

The police have stated that the permeable nature of the development with multiple access points increases the risk of crime, that the open space planned is at risk of dumping and rogue camping, that the Kangaroos centre is at risk of graffiti etc, and that play areas etc without adequate passive surveillance are at risk of anti-social behaviour. The PCC has stated that the police service is stretched and requires a contribution in the section 106 agreement, something that the draft section 106 agreement does not include. As such, Policy DP6 of the MSDP and Policy DPS6 ("Health and Wellbeing") of the RDP are not met. Further, the planned access onto the Cowfold Road (A272) has safety concerns, particularly for those turning right out of the access road and for cyclists, particularly when exiting the access road. Again, DP6 and DP12 are not met.

The poor accessibility of the site in the wider settings for wheelers means that it is not inclusive. With no safe, joined-up cycle/wheeler/foot link to the shared cycle/foot path that runs along the side of the A23, Policy DPT2 ("Rights of Way and Other Recreational Routes") and Policy DPT2 ("Active Travel") of the RDP are not met - although such a link would still not provide safe access to Haywards Heath or Cowfold, at least it could provide a safer route to Burgess Hill for cyclists and wheelers (it is too far to

be practical for pedestrians).

The Mid Sussex Design Guide Supplementary Planning Document (SPD) states that all new development should have regard to "Optimising development opportunities especially on brownfield sites and in locations close [enough to walk/cycle/wheel to] to facilities or with good transport links". The proposed site is not a brownfield site, is not a location close to facilities capable of sustaining a household, and does not have good transport links - no rail, minimal bus service, unsafe for cycling, too far from shops etc to walk. The location of the proposed development (without adequate shops to sustain a household, no medical/health services, no junior or secondary schools or colleges within safe walking/cycling/wheeling distance etc), no library etc., exacerbated by the lack of a joined-up (let alone safe) cycle network and the lack of bus services at practical times to appropriate destinations, means that the vast majority of journeys outside Bolney will still need to be made by private car (the Framework Travel Plan shows 81% of journeys to work in Mid Sussex involve "Driving a car or van", 4% being a "Passenger in a car or van", 1% use a "Motorcycle, scooter or moped", so a total of 86% even before considering that the 4% who use a train would need to use a vehicle to get to the railway station from Bolney). As a result, the proposed development is not sustainably located and breaches Policy DP21 ("Transport") of the MSDP, Policy DPS1 ("Climate Change") para 3 of the RDP, and section 2.9 of the ATESAN. Even within the proposed development, the position of the proposed Kangaroos centre has been poorly chosen, with all vehicles to/from the Kangaroos centre having to pass through the length of the southern parcel of residential dwellings, the length of the spine road through the supposed open space, and then (despite the apparent provision of a car park and layby) likely pulling up immediately after a sharp bend, before likely doing three point turns and repeating the route in the opposite direction. The proposed location of the Kangaroos centre within the development is not itself sustainable, also breaching DP21.

Developing on greenfield agricultural land in an area under water stress (the "Sustainability & Energy statement" acknowledges that "The majority of England is under water stress, with more water often being consumed than is available during dry weather. As the population continues to grow, and with changes to the frequency of rainfall events projected as a result of climate change, this situation will be further exacerbated, with even greater pressure exerted on the supply of potable water") is also contrary to Policy DPS1 ("Climate Change") para 8 of the RDP which requires minimising vulnerability from the effects of climate change, including in terms of food security and water supply. The success of the vineyard just yards from the site strongly suggests that the land remains viable for agricultural purposes.

Table 2 of the Utilities Assessment document shows 38 x 4

bedroom units. This is 19% of all dwellings, so breaches Policy BOLH1 ("Residential Development Mix") of the BNP, which permits a maximum of 15% of all dwellings.

The proposed access onto the Cowfold Road (A272) and related changes to the Cowfold Road will likely increase the number of accidents that already occur on that stretch of the road. In particular, right turns from the proposed access road onto the Cowfold Road westbound will be particularly dangerous, and there appears to be no provision for protecting cyclists when exiting or waiting to exit the access road, made even worse by the acknowledged risk of surface water flooding at the junction. As a result, this breaches Policy BOLT1 ("Transport Impact of Development") of the BNP and Policy DP21 of the MSDP. Additionally, linking to PRoW 44Bo at the northern edge of the development will increase pedestrian usage of this footpath (and likely introduce cyclists onto the footpath too), but no mention has been made of improving 44Bo to cope with the extra usage. Given its propensity to flood, for the surface to turn into a quagmire, how narrow the path is, and the barbed wire alongside, this additionally breaches Policy BOLT1 of the BNP. It also does not meet the ATESAN sections 2.6 and 2.9. Further, the proposal to have pedestrian and cycle access through the private car park south of Bankside is unsafe (even if it were possible, which as it is privately owned is not certain) - car parks with poor visibility and awkward slopes are not safe or accessible places for pedestrians, cyclists or wheelers. If such access were to reduce the number of parking spaces, this would also be contrary to Policy BOLT2 ("Preservation of off-street car parks") of the BNP.

Whilst parking is a reserved matter, the documents in the planning application at outline stage suggest that Policy BOLT3 ("Off-street parking provision for new residential developments") of the BNP and policy DP21 of the MSDP may not be met by the current plans, in particular the requirement for 4-bed houses to have a minimum of 3 off-road car parking spaces, and for visitor parking to be accommodated within the development.

The proposed development contains a Kangaroos centre (misleadingly spun as a "Community Hub" - it will be unlikely to be used by more than a tiny number of households in Bolney) that 82% of respondents to the developer's questionnaire were either opposed or strongly opposed to. Policy BOLB3 ("Village shop") listed in the BNP, whether for a commercial or community shop (a community shop is listed as an aim in the BNP), would likely to have had support from the Bolney community, although it would have to be sited carefully to avoid attracting traffic into residential areas (as the Kangaroos centre will clearly do).

The proposed development breaches Policy DP26 ("Character and Design") of the MSDP and Policy DPB1 ("Character and Design") of the RDP. As the BNP says, "The village has a

charming semi-rural character derived from abundant trees and hedgerows, narrow sunken lanes and a wide variety of building styles and features. It is linear in form" and "The diversity in building styles contributes greatly to the character of Bolney and future development should respect the distinctive height, scale, spacing, layout, orientation, design and materials of the area in which it is located. Innovative design should continue to reflect design cues associated with the context of the building". The proposed development is not linear in form, and does not respect the diversity of building styles seen elsewhere in the village. Further, active building frontages do not face onto public open spaces (which in the words of DP26 "encourage community interaction by creating layouts with a strong neighbourhood focus/centre").

The documents forming the application bundle do not contain enough information to determine whether Policy DP28 ("Accessibility") of the MSDP would be met. The drainage assessment states that all properties will have threshold levels at least 150mm above the surrounding ground, so clarification is required as to how many properties will have step-free access and doorways suitable for wheelchairs etc. One would hope that the Equality Act (2010), an ageing population, and greater empathy in general would mean that in 2025 all dwellings would be as accessible as possible. Note that Policy DP28 of the MSDP and Policy DPH12 ("Accessibility") of the RDP state "The Requirement will also apply to" ... "those in need of care or support services", so not just developments aimed at assisted living schemes etc.

The ATESAN section 2.20 and Paragraph 117 of the NPPF state that all developments that will generate significant amounts of movement should be required to provide a travel plan. Active Travel England specify that a framework travel plan is not appropriate for this type of application and consider that a "full" travel plan is required. The applicant only submitted a framework travel plan and should be required to submit a "full" travel plan. Policy DPT1 ("Placemaking and Connectivity") of the RDP is not met.

Under the terms of DP29 ("Noise, Air and Light Pollution"), the application should be required to provide an assessment of the impact of noise generated by the proposed Kangaroos centre on the nearest dwellings. Policy DPN7 ("Noise Impacts") of the RPN expects development to be located, designed and controlled to minimise adverse impacts from noise, which having the Kangaroos centre in the currently planned location will not do.

Clarification is required about if/how the spine road through the development is to be lit, as it would be visible from the South Downs International Dark Sky Reserve (Moore's Reserve). Policy DPN8 ("Light Impacts and Dark Skies") of the RDP requires proposals to demonstrate "all" opportunities to reduce light

pollution with artificial lighting are minimised.

The proposed arrangement of different types of housing does not appear to integrate affordable and market housing in accordance with DP31 ("Affordable Housing") of the MSDP. DP31 very clearly states "Proposals that do not meet these requirements will be refused unless significant clear evidence demonstrates to the Council's satisfaction that the site cannot support the required affordable housing from a viability and deliverability perspective".

Policy DP41 ("Flood Risk and Drainage") of the MSDP states "The preferred hierarchy of managing surface water drainage from any development is:

1. Infiltration Measures
2. Attenuation and discharge to watercourses; and if these cannot be met,
3. Discharge to surface water only sewers".

Surface water from the southern parcel of the proposed development is planned to ultimately discharge to a combined (NOT surface water only) sewer that runs alongside the Cowfold Road (A272), so does not comply with the preferred hierarchy of Policy DP41. Additionally, clarification is required about the capacity and maintenance of the culvert under Foxhole Lane that the plan intends to discharge surface water from the northern parcel of the development to.

The experience of existing Bolney residents regarding low water pressure, water outages, and localised foul and surface water flooding at the southern end of the main part of Bolney, suggests that there are issues regarding the existing adequacy of the water supply and the capacity for foul and surface water drainage. An email from Southern Water Planning (in the Drainage Strategy documents) says "the 'regular pumping into the local stream' you refer to relates to the water industry's use of CSOs (Combined Storm Overflows)" ... "We recognise that this is no longer acceptable". It continues "surface water" ... "from new development should not be permitted to connect to the foul network, as this places increased pressure on the network during heavy rainfall, leading to increased risk of CSO use. It should be noted that" ... "Southern Water cannot object to development, as this would conflict with our legal obligation under Section 94 of the Water Industry Act 1991". Further clarification is clearly required as the proposed plan appears to ultimately have surface water from the southern parcel of the development end up in a combined sewer, part of the foul network that Southern Water Planning say new development should not be permitted to connect to. This would appear to be in contravention of Policy DP42 ("Water Infrastructure and the Water Environment") of the MSDP and Policy DPS4 ("Flood Risk and Sustainable Drainage") of the RDP. It should be noted that the "Design and Access Statement" says "It is acknowledged that the development of this Site will increase the amount of surface water runoff that is

generated". Additionally, the water demand estimates in the proposal do not include water capacity required for fire strategy (hydrants + storage). Until this is included, it cannot be certain that water capacity is available. No water neutrality statement has been provided that provides full details of how any water use will be offset, so Policy DPS5 ("Water Neutrality") of the RDP is not met.

The experience of existing Bolney residents is that health services in local villages and towns are overwhelmed, with GP practices closing their books to new patients for prolonged periods and having long waiting lists for appointments. Hospital waiting lists are such that the local trust directs patients to Eastbourne or elsewhere, journeys that are impractical when ill. Pharmacies are stretched, underfunded and closing. Again, this reinforces the unsustainable location of the proposed development.

The "Mid Sussex District Council Statement of Community Involvement (March 2019)" and the NPPF require that community consultation has been effectively undertaken, with the MSDC Statement of Community Involvement (March 2019) stating "It should enable communities to have real influence over proposals before they are finalised. The process can help to identify improvements and overcome objections at a later stage". It is clear from the "Statement of Community Involvement" that the local community has not had "real influence over proposals" so the community consultation was not effective. The following are a few of the results from the community, each of which has been progressed even though there was such overwhelming opposition:

- 97% of respondents were either opposed or strongly opposed when asked "How do you feel about adding new homes (30% affordable) and community facilities in the local area?"
- 82% of respondents were either opposed or strongly opposed when asked "Do you support the inclusion of a community hub in partnership with the Kangaroos Adult & Children's Learning Disabilities Charity to support local children, young people and adults with special educational needs and learning disabilities?"
- 70% of respondents were either opposed or strongly opposed when asked "What are your views of the sustainable transport measures such as enhanced pedestrian and cycle links and the introduction of a car club with EV charging facilities?"

Appendix 8 of the Heritage Assessment contains the "District Plan: Site Selection" form that instigated the inclusion of the site into the RDP. Landscape is negative, Train Service is poor, Public Transport is negative, Main Service Centre is negative, Health is negative. There are then two elements shown as Very Positive that do not appear in the proposed plan. Primary School shows as Very Positive with the note "On site Primary school proposed". Retail shows as Very Positive with the note "On site community shop proposed". Given that two elements shown as Very Positive are based on things that are not included in the proposed plan,

the inclusion in the RDP is questionable and unless those two elements are added to the plan the plan should come under even closer scrutiny.

Policy DPA14 ("Land at Foxhole Farm, Bolney") of the RDP requires that the plan "Retain the character of footpath 44Bo which runs along the site's northern boundary". View B in the "Design and Access Statement Rev P01 Part 2 of 3" document shows the current (if badly lit/exposed) view southbound from PRoW 44Bo. Plates 108 and 109 in the Heritage Assessment document show what the view south from PRoW 44Bo is expected to change to. Currently, this view is across open pasture with uninterrupted sky and beautiful light. Plate 108 shows a housing estate, plate 109 shows a claustrophobic view obstructed by a mix of planting and housing estate. Policy DPA14 of the RDP has not been met. Even the letter accompanying the application states that "it is recognised that there would be localised effects on the landscape character of the site".

The RDP itself is still at examination stage, has not been adopted, and may never be. However, the NPPF still applies even in the absence of a five-year housing supply being demonstrated. Paragraph 115 of the NPPF (Dec 2024) says "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) Sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location". Paragraph 117 then stipulates that planning applications should "Address the needs of people with disabilities and reduced mobility in relation to all modes of transport". The location of the proposed development means that sustainable transport modes are either not practical, not accessible, or not safe for accessing Haywards Heath, railway stations etc., so the criteria applied by the NPPF are not met. The presumption in favour of sustainable development therefore does not apply as the location is not sustainable.

The application has not demonstrated how it will contribute to "addressing identified local skills shortages and support local employment, skilled development and training") other than construction-related work during the build-phase, so Policy DPE1 ("Sustainable Economic Development") of the RDP has not been met.

The proposed development would not "Maintain and restore the historic pattern and fabric of the woodland and agricultural landscape for scenic, nature conservation and recreational purposes" so does not comply with the Mid-Sussex Landscape Character Assessment (November 2005).

Note that there are multiple errors (ignoring spin that is open to disagreement) scattered through the various documents in the

application bundle. Of note are:

- Figure 5.3 of the Transport Assessment and Figure 3.3 of the Framework Travel Plan show the footpath on the west side of the London Road from the roundabout north to Top Street as being a "shared footway/cycleway between A272 and Bolney High Street". It doesn't link to Bolney High Street (even if that name were correct), and it's only a footpath up the west side of the London Road, not a cycle path. Were this a shared foot/cycle path it would have round, blue signs showing pedestrians and cycles. The actual signage shows a road route that can be cycled (possibly a leftover from the National Cycle Network Route 20, which was withdrawn in the area because of safety concerns over traffic levels), not a dedicated or shared cycle path. If the Transport Assessment is basing information about sustainable routes on incorrect information, then the Transport Assessment has to be deemed unreliable in this regard.
- Appendix 5.A of the Transport Assessment (repeated in the Framework Travel Plan and in Design and Access Statement Rev P01 Part 2 of 3) lists "Bolney Post Office" as one of the key facilities in Bolney. Bolney Post Office is no longer operating.
- The Transport Assessment claims "The principle that the application site and wider study area provide a sustainable location for development has been established by its allocation in the Mid Sussex District Plan for residential development (ref: Policy DPA14)". This is false. The draft plan referred to has not been adopted (and may never be), but even if it had inclusion does not infer that a location is sustainable. There are tests for sustainability within Policy DPA14 that have to be met, which as shown above, not all are met.
- Artists' impressions used in various documents are misleading/incorrect. View 05 from the North East of the Kangaroos hub shows people "enjoying the sunshine" outside the entrance, with the sunshine coming from a north-ish direction. The sun is never in the north in the northern hemisphere, so in reality those people would be waiting, probably cold, in the shade of the building, not warming themselves happily in the sunshine. Similarly, documents refer to photovoltaics, but images such as View 02 and View 04 in the Design and Access Statement do not show their inclusion.

If the proposed development is granted outline planning permission, I would suggest it be conditional upon the following:

- (1) A combined cycle/foot path be introduced from a signalled crossing across the Cowfold Road (A272) all the way to the cycle/foot path that runs alongside the A23. Whilst not providing safe access for cyclists/wheelers to Haywards Heath or Cowfold, this would at least provide a safer route to Burgess Hill for shopping and railway station. The signalled crossing could be combined with adding signals to the junction from the London Road roundabout to the Cowfold Road (A272).
- (2) As well as the proposed Option 1 traffic measures on The Street, appropriate measures be added to Ryecroft Road, Foxhole

Lane, and potentially Lodge Lane (which could even be closed to through traffic) to prevent traffic just relocating from The Street to other narrow village lanes.

(3) Protection be provided for cyclists at the junction of the proposed access road and the Cowfold Road (A272).

(4) Add red-light cameras to the crossing on the Cowfold Road (A272).

(5) Introduce a 30mph speed limit through the altered section of the Cowfold Road (A272), a requirement identified in section 4.84 of the BNP.

(6) The Kangaroos centre (or alternative facility, ideally a community shop) being relocated to the southern parcel of the development to reduce traffic through the length of the development. If the developer continues to push the Kangaroos centre, require a noise assessment be produced for the centre. If it remains in the northern parcel of the development, move it away from the bend in the access road.

(7) PRow 44Bo be given a permeable all-weather surface suitable for walkers and wheelers, whilst protecting existing roots systems. A number of passing places, at least 3m wide as per the Local Policing Service Improvement & Engagement Department, be introduced so that personal space is protected when passing people in the same or opposite direction. Additional planting be done so that housing to the south is not visible, whilst allowing enough light to the PRow so that it does not feel claustrophobic.

(8) Make footpaths through the development official PRow's.

(9) Consider whether there is any option to include a bridlepath across the site (given there used to be equestrian facilities on the west of the site, an access to Foxhole Lane should be easily provided).

(10) Play areas, outdoor gym and allotments be relocated so that they have passive surveillance to reduce opportunity for anti-social behaviour and crime.

(11) Measures be put in place to reduce opportunity for fly-tipping, traveller encampments etc on the open space between the south and north parcels of development.

(12) Ensure that as many dwellings as possible are accessible to wheelchair users and others who have mobility issues.

(13) Where solar panels are fitted to dwellings, ensure that future residents are able to easily increase the number of panels and to integrate battery technology.

(14) Require that mobile voice/data signal be provided that is usable indoors, rather than requiring each dwelling to fit their own signal booster.

(15) Given that the SuDS strategy is dependent upon the "large amount of amenity and open-space", a condition of approval should be that none of this amenity or open-space can be developed in future

(16) Clarification required as to what happens during a prolonged power cut when the northern parcel of the development is dependent upon a foul pumping station to direct sewage flow.

(17) Given that the Air Quality Assessment used readings from

possibly unrepresentative devices as there are none nearby, have the addition of air quality monitoring devices for PM10, PM2.5, PM1 and NOx as a requirement of the development, with data publicly available. This should be in place before construction begins in earnest in order to monitor air quality during construction, and then left in place once the development is operational. Note that the Air Quality Assessment said "There is an element of uncertainty in all measured and modelled data. All values presented in this report are best possible estimates"

(18) As well as bat boxes, consider the inclusion of "swift" bricks in developments.

(19) To assist in improving energy efficiency, safety and security, ensure that technologies (EV chargers, Photovoltaics, Air Source Heat Pumps, batteries, energy monitoring via sub-metering, ideally water flow monitoring etc) can all be integrated using smart home technologies such as Home Assistant, SmartThings etc.

(20) Consider whether it is practical to set up a system to arrange for supermarket deliveries to different households to be grouped together, so that one delivery vehicle does one trip through the development to deliver to multiple houses, rather than doing multiple trips in and out of the development.

(21) Measures be put in place to enforce (with penalties and towing) construction workers NOT parking on The Street and elsewhere outside the actual development. This was not done for recent development at Marylands and off the London Road, and residents had to put up with dangerous conditions for an extended period as a result.

(22) Install three-phase electricity supplies to the larger houses, to cope with multiple electric vehicles being charged, either now or in future.

(23) Consider a site closer to Farney Close School for the Kangaroos Centre, as there may be opportunities to share resources.

(24) Fund a mobile library to visit both the Rawson Hall on a regular basis.

Kind regards