



Mr A Watt
Planning Officer
Mid Sussex District Council
Oaklands
Oaklands Road
Haywards Heath
RH16 1SS

Our ref MIDS/26/04
Your ref DM/26/2053
23.09.26

Dear Mr Watt,

Sever land and erect convenience store with associated access and parking. Retain public house with revised pub garden layout at The Prince Albert, Copthorne Bank, Copthorne, Crawley, West Sussex RH10 3QX.

I have been instructed by [REDACTED] who live opposite the application site at Little Gregg, Brookhill Road, Copthorne, to review the submitted application documents and make representations on their behalf. Having reviewed the application documents and visited the site I write on their behalf to **OBJECT** to the proposals.

The development is as described above. However, it needs to be seen in the context of the recent planning history and the other application currently awaiting determination for the severing of the site and the erection of two detached dwellings with associated access and parking, reference DM/26/2054.

Applications for planning permission should be determined in accordance with the policies of the development plan, insofar as they are relevant, unless material considerations indicate otherwise. The adopted development plan for the area is made up of the Mid Sussex District Plan, Site Allocations Development Plan Document and the Copthorne Neighbourhood Plan.

According to the Council's policy map, the site is within a defined settlement boundary but is also historically designated as part of the Green Belt. Whilst there are no development plan policies relating to development within the Green Belt, this policy designation is referenced in the previously refused planning application (reference DM/24/2957) and is therefore a material consideration.





An updated National Planning Policy Framework was published by the Government in August 2026. As it is a recent and up to date document setting out central Government's policies for development. As such it is a material consideration of significant weight, particularly given that the policies of the development plan adopted by the District Council are considered to be out of date.

Policy S3 of the NPPF sets out that;

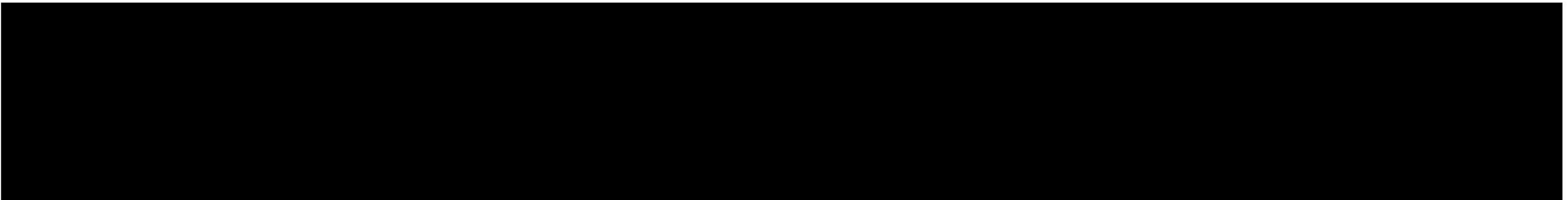
Decisions on development proposals should apply a presumption in favour of sustainable development. This means:

- a. Policy S4 in this Framework should be applied when considering development proposals within settlements;
- b. Outside settlements, policy S5 should be applied; and
- c. In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.

As the site is within a settlement as defined in the development plan, policy S4 applies. Policy S4 sets out that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework.

The development is for a retail convenience store. This falls within the definition of a main town centre use having regard to the glossary of the NPPF. As such, it is subject to policy TC3 of the NPPF- "Main town centre uses outside town centres". This policy sets out that a sequential test should be applied to proposals for main town centre uses for which planning permission is required, where these are neither in an existing centre nor in accordance with an allocation for that purpose in an up-to-date development. The site is not within an identified centre, nor in accordance with an allocation for that purpose, and the development plan is not up to date. Consequently, this policy of the NPPF requires a sequential test to be undertaken.

The previous application which was refused planning permission was presented to the Council's Planning Committee and the issue of a sequential test was discussed in the committee report. In response to the requirement for a sequential test, the applicant referred to advice in the NPPG which sets out that the use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. In relation to this, the applicant appears to be suggesting that the proposed retail use must be in the location chosen in order to serve the local community. However, there are three existing retail convenience stores within the village, and there is no market or locational requirements, other than there is a site apparently available, that have been presented. It is





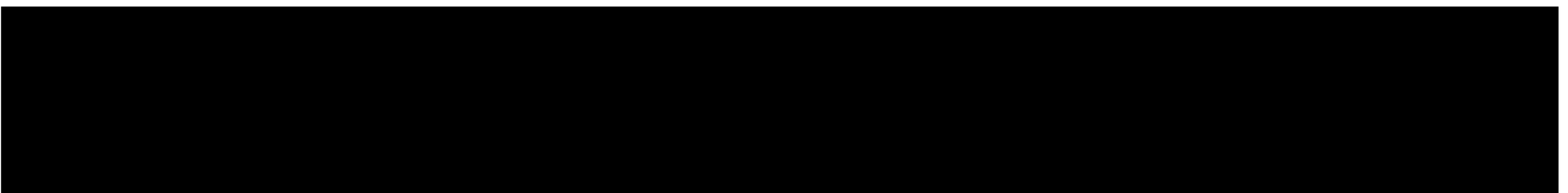
clear that any retail convenience outlet unit would want to be close to a local community in order to generate revenue- this is not a “particular” market or locational requirement. As a result, it is submitted that a sequential test should be submitted as part of the current application. Until and unless a sequential test is submitted and reviewed, there is a conflict with this policy of the NPPF.

The previous committee report also identifies that the site is designated as Green Belt. Whilst there may not be any development plan policies in relation to Green Belt, if this is the designation, then it falls to be considered against the current policies of the NPPF. In this regard, the proposed retail use does not fall within the exceptions to inappropriate development identified within policy GB7 (1) of the NPPF. Whilst the site may be considered to be previously developed land, the test under policy GB7 (1) (e) is that there would not be “substantial harm” to the openness of the Green Belt. Whilst the test of substantial harm is high, it is submitted that the proposed development fails this test. The land the subject of the application has an area of car parking to the Copthorne Bank frontage, and this area will also be car parking under the current proposals. The area to the rear of the car parking area is currently undeveloped and open. The proposed development will result in a new building virtually filling this part of the site- meaning that the whole of the site will be developed- unquestionably falling within the definition of substantial harm to the openness of the Green Belt.

The previous committee report also referred to the site falling within the definition of grey belt land, as it falls within the definition of previously developed land. Within such areas, policy GB7 (g) sets out that development would not be inappropriate development if it did not fundamentally undermine the purposes of the Green Belt across the area of the plan, and there is evidenced unmet need for the development. It is submitted that there is no evidenced unmet need for the development and therefore the proposal is inappropriate development, and no very special circumstances have been advanced. In the light of this, there is a presumption against the development, and a conflict with the policy of the NPPF.

The above policy conflicts result in adverse effects when assessed against the relevant policies of the NPPF. These adverse effects need to be weighed against the benefits of the proposal. The benefits of the proposal appear to be the introduction of a retail convenience store, in an area with a limited catchment, where there are already long-established retail convenience stores. The applicant argues that the proposed development will allow for a “short term” investment into the existing public house. However, the proposed development, together with the accompanying development for the dwellings, will result in a reduction in the garden area for the public house, and potentially a reduction in its attractiveness and as a local community meeting place. There is no guarantee that the proposed development will secure the long term future of the public house.

As a result, it is submitted that the alleged benefits of the proposed development are substantially outweighed by the adverse effects, and therefore in accordance with policy S4 of the NPPF, permission should be refused.



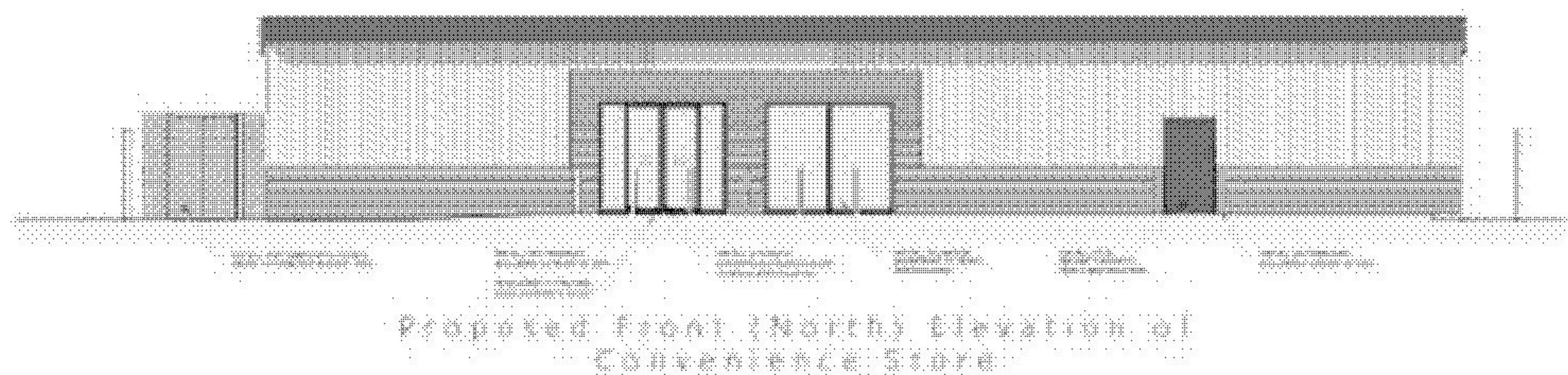


Policy DP26 of the District Plan sets out that;

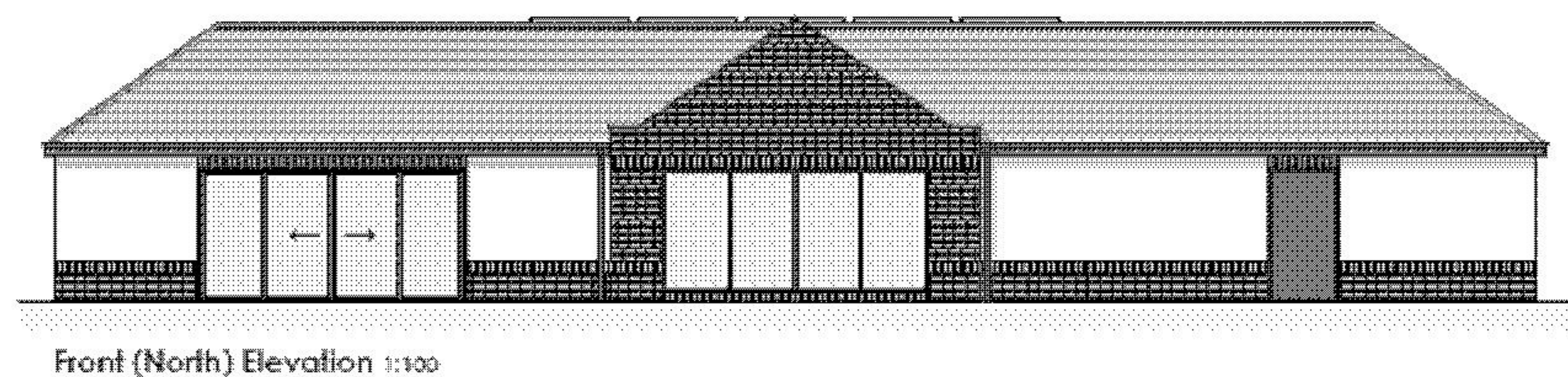
“All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside”.

All applicants will be required to demonstrate that development meets a number of criteria, including, in summary, that it is of high quality design and layout, 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, and creates a sense of place while addressing the character and scale of the surrounding buildings and landscape.

The previous proposal (reference DM/24/2957) was refused in part due to the unsympathetic design and appearance of the retail unit. The previously proposed retail unit is shown below;



The current proposal is shown below;



The current proposal is broadly similar to the previous proposal for a retail unit with the addition of a hipped roof with a flat roof element across the top of the building. The scale and form of the surrounding development is mainly two storey and of a residential scale- the other commercial properties nearby have the appearance of a set of two storey semi detached properties. In this regard the proposed development does not reflect the distinctive character of the surrounding area. For the same reason, the proposal does not create a sense of place while addressing the character and scale of the surrounding buildings. This results in the proposal being in conflict with policy DP26 of the development plan.



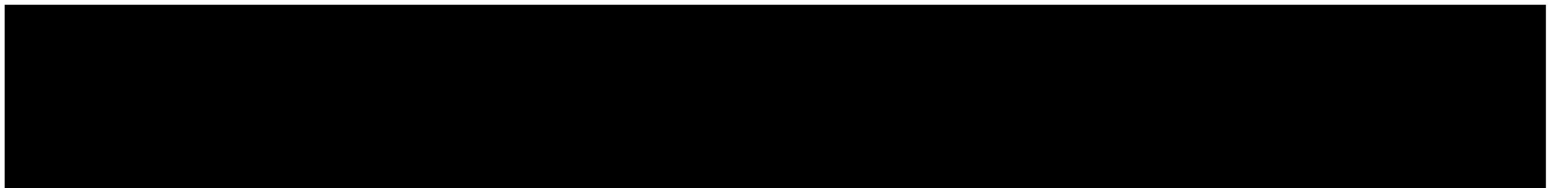
In addition, the siting of the building is set some distance back from the road frontage. The front elevation of the building presents two sets of glazed doors/windows but does not demonstrate an “active building frontage” - the proposed development does not “animate and provide natural surveillance” to the street and public space as required by policy DP26. Furthermore, the setting back of the building means that the frontage area is laid out as a large area of hard surfacing and used as a car park. Whilst it is accepted that the current use of this part of the site is as a car park, the surrounding frontages tend to be defined by soft landscaping. The proposed development seeks to remove the existing trees within the site- which provide some degree of relief to the hard surfaced area, and provide the proposed car parking area with paving, tarmac and gravel, with only a narrow margin of soft landscaping to the side (east) boundary. Replacement planting is provided to the western boundary and is unrelated to the proposed retail unit as it is located within the much reduced garden to the public house. In this way, the proposed development does not address the character of the surrounding buildings and landscaping as required by policy DP26.

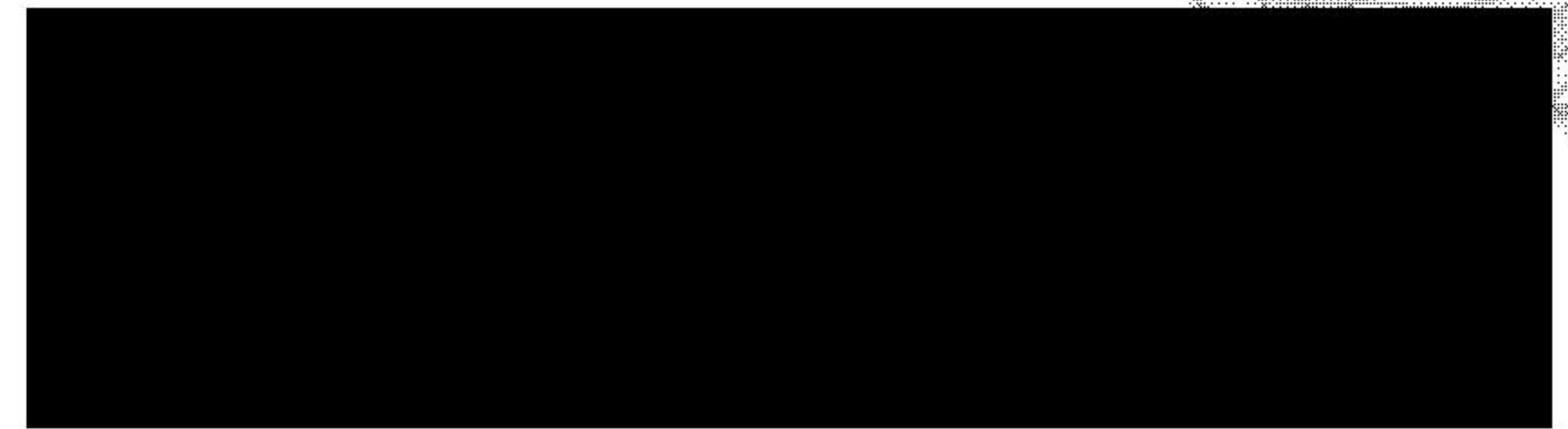
Policy CNP1.1 requires proposals to sustain or reinforce the positive aspects that make up the individual character and distinctiveness of each Character Area, as defined on the Policies Map, in which they sit. The site is within the identified Historic Core as set out in the Copthorne Heritage and Character Assessment (HCA). Under the heading “Land Use” at section 4.8.4, the HCA sets out that the “limited number commercial premises, and high proportion of independent shops, help to maintain the rural character of the Historic Core LCA.” The proposed development will erode this character. Paragraph 4.8.5 includes the description that the “settlement is structured around the primary roads of Brookhill Road and Copthorne Bank. Buildings located on these roads are typically two storeys, semidetached, residential dwellings which are regularly spaced with vegetated front gardens and boundary treatments.” The proposed development does not reflect this character, and as a result there is a conflict with policy CNP1 of the Neighbourhood Plan.

Policy CNP2 sets out that new development should not appear incongruous with the existing character and/or street scene, ensuring the proposed materials, plot size, boundary treatment, built form, building line and gaps between buildings is like those around it. For the reasons set out above, it is submitted that the proposed development is in conflict with policy CNP2.

Conclusion

As highlighted above, the proposed development results in adverse effects when considered in the light of the recently published policies set out in the NPPF. There are also adverse effects in relation to the impact of the proposal on the character of the area, and a conflict with the policies of the development plan in this regard. In accordance with policy S4 of the NPPF, the adverse effects need to be weighed against the benefits of the





proposal. The benefits, as highlighted above, are considered to be limited. The adverse effects however are considered to be substantial and outweigh the benefits.

As a result of the above, the proposed development for the provision of a convenience retail store should be refused planning permission.

Yours sincerely,

