



Planning Services
Mid Sussex District Council
Oaklands Road
Haywards Heath
RH16 1SS

19 August 2026

For the attention of Mr Stuart Malcolm, Case Officer

RE: Application DM/25/3067 - Land West of Kings Business Centre, Reeds Lane, Sayers Common Erection of 80 residential dwellings (Use Class C3) with accesses, footways, landscaping and SuDS (Reside Holdings Ltd)

Dear Mr Malcolm,

OBJECTION - THE APPLICATION SHOULD BE REFUSED

This representation is submitted within the re-consultation period on the amended plans, which closes on 26 August 2026, and I ask that it be placed on the file.

I **object** to the application and request that it be **refused**.

My grounds concern (1) ecology and protected species, (2) flood risk and drainage, (3) transport, highway safety and the sustainability of the location, and (4) prematurity and cumulative impact.

Each ground is referenced to the applicant's own documents and the responses of statutory and expert consultees. A list of the documents relied on is provided in the appendix.

In summary:

1. The district's great crested newt licensing body (NatureSpace) has twice found the ecological evidence insufficient and its position remains unresolved;
2. The scheme delivers a 13.23% net **loss** of on-site habitat units with off-site compensation unsecured
3. National Highways' operative recommendation is that permission should not be granted - its third consecutive holding recommendation
4. The applicant's own drainage drawings contradict the central claim of its Flood Risk Assessment
5. Southern Water has confirmed inadequate wastewater capacity
6. photographic evidence on the Council's own file shows the receiving watercourse overtopping into the site days before the Lead Local Flood Authority withdrew its objection.

The decision framework. The application falls to be determined under section 38(6) of the Planning and Compulsory Purchase Act 2004 and the National Planning Policy Framework as **republished on 17 August 2026** (coded policies replacing the December 2024 paragraph

numbers; every NPPF paragraph number cited in the application documents and in the consultation responses to date refers to the superseded edition).

Under the new Framework the presumption in favour of sustainable development is location-based (policies S3–S6). Whichever limb applies to this site, the outcome is the same: the presumption operates "assessed against the national decision-making policies in this Framework" and yields where a proposal would fail a national decision-making policy that directs refusal in specific circumstances (S4(2)(c); S5(2)).

Three such refusal-directive policies are engaged here: **N2(2)** (significant harm to biodiversity that cannot be avoided, adequately mitigated or, as a last resort, compensated for - refuse), **F7(2)** (development at risk of flooding "should be refused unless" each of its safety criteria is met), and **TR6(4)** (proposals "should be refused if" they would have a severe network impact **or an unacceptable impact on highway safety**, expressly including the construction phase). And to the extent the applicant relies on an unmet-housing-need gateway, the S5(1)(j) route is itself conditional on the same "substantially outweighed" balance and the same refusal-policy override.

The relevant framework includes:

1. Section 38(6) PCPA 2004; the Conservation of Habitats and Species Regulations 2017 (regulations 9(3) and 55) and ODPM Circular 06/2005
2. The statutory biodiversity net gain condition (Schedule 7A to the TCPA 1990, inserted by the Environment Act 2021, including the paragraph 6 anti-degradation rule)
3. The NPPF (August 2026): N2 and N6(1) (Chapter 19), F4–F8 and Annex F (Chapter 18), TR3, TR4 and TR6 (Chapter 15), DM4(2)–(3) (prematurity) and DM6 (conditions)
4. CIL Regulation 122(2)
5. DfT Circular 01/2022 and the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018
6. National Standards for Sustainable Drainage Systems (Defra, 2025, as invoked by NPPF F8(2)(a)); CIRIA C753; LTN 1/20; *Inclusive Mobility* (DfT, 2021)
7. Manual for Streets 1 and 2; BS 42020:2013 and CIEEM guidance including the Advice Note on the Lifespan of Ecological Reports & Surveys (2019) and BCT Bat Survey Guidelines (Collins, 4th ed., 2023)
8. Mid Sussex District Plan policies DP21, DP37, DP38, DP41 and DP42

Ground 1 - Ecology and protected species

1.1 The great crested newt position is unresolved - the Council cannot lawfully determine

The site lies within the **red impact risk zone** for great crested newts (GCN), where NatureSpace - the GCN district licensing body to which the Council has expressly delegated comment on this European Protected Species - advises there is "a high likelihood of great crested newt presence". NatureSpace's response of 22 December 2025 identified **24 ponds within 500 m** of the site, the closest adjacent to it, of which the Ecological Assessment provided information on only three, and concluded that it was "not satisfied that the applicant has adequately demonstrated that there will [be] no impact to great crested newts and/or their habitat".

On 14 May 2026, having reviewed the applicant's April 2026 technical note, NatureSpace maintained that position: "The applicant has therefore not provided sufficient justification as to

why the cluster of several ponds to the west, the closest of which is only 30m away, has been ruled out from consideration... In situations where access has not been granted as is the case here, GCN presence must be assumed... Should GCN be present in a pond 30m from the site, the risk of an offence being committed as a result of the development works would be considered to be very high"; and "we do not believe that the applicant has adequately demonstrated the level of risk for GCN offences... further information is still required." **No acceptance by NatureSpace of the applicant's subsequent July 2026 note appears on the file.**

Ecology Solutions' April and July 2026 rebuttal notes are desk-based only. Between December 2025 and July 2026 - spanning two full GCN survey seasons - the applicant undertook **no eDNA sampling, HSI assessment, torching, bottle-trapping or egg-searching of any of the 21 unsurveyed ponds**. Its "likely absence" case instead rests on:

- **reptile refugia checks** presented as a "useful secondary survey method" for GCN (they are not a recognised presence/absence method in Natural England standing advice or the English Nature (2001) guidelines the notes cite);
- a **mis-cited dispersal paper** ("Jehle 2020" - in fact Jehle 2000, a radio-tracking study of adult summer refuges, not juvenile dispersal, which is the basis of the 500 m advice);
- the assertion that ponds larger than 250 m² are "not considered suitable breeding ponds" - **contradicted by the Oldham et al. HSI within the very guidance the note cites**, which scores such ponds as suitable;
- a **16-year-old third-party report** (Envirotech, 2010) which itself scored the nearest pond (P2, 30 m away) at HSI 0.66 - "average suitability" - and in which "detailed survey was not completed"; and
- a negative eDNA result from an on-site **ditch that the applicant's own assessment records was dry in July 2024** (Ecological Assessment 3.9.1), the laboratory report itself caveating that a negative result "does not exclude the potential for GCN presence".

Notably, the applicant's own July note concedes the 30 m pond lies within the 50 m "core" terrestrial habitat zone of its own framework (1.1.16), and its April note records a live GCN found under a reptile tin in the wider landscape in 2024 (1.1.8).

ODPM Circular 06/2005 (para 99) - quoted to the Council by NatureSpace - provides that the presence of a protected species "must be established **before** the planning permission is granted", survey being left to conditions "only in exceptional circumstances". NatureSpace has expressly advised that the applicant "does not have enough information to evidence how alternative routes such as a PWMS would be an appropriate option here", and its December 2025 letter confines that route to cases where likelihood of presence is very low - the opposite of the red-zone position here. On this evidence the Council cannot discharge its duty under regulation 9(3) of the Habitats Regulations to have regard to whether the regulation 55 derogation tests are capable of being met, and granting permission would be contrary to the Habitats Regulations, NPPF N2(2), and District Plan Policy DP38. This is, at minimum, a matter on which the application **cannot lawfully be determined as it stands**; on the file as it is, with the delegated licensing body's objection outstanding, it supports refusal.

1.2 The ecological baseline is stale and was gathered from a changing site

All faunal survey work dates from June–November 2024, the desk study from March 2024; the only 2025 input was a single habitat walkover on 10 October 2025, outside the optimal botanical season and involving no protected-species survey. At determination the protected-species baseline will be **more than two years old**.

CIEEM's Advice Note on the lifespan of ecological reports - put on the file by NatureSpace itself - treats data 18 months to 3 years old as requiring an updated assessment and justified validity statement. The need is heightened because the applicant's own assessment records the site changing under its feet: spoil deposition in the northern field, scrub "cut close to ground level before the initial survey", and trees "removed from the Application Site at some point since 2020 but prior to Ecology Solutions['] initial survey" (Ecological Assessment 3.2.3, 3.4.1, 3.8.1).

1.3 Bat survey effort falls short of the guidelines its conclusions rely on

No activity survey was undertaken before 25 July 2024, so the May–June maternity peak is entirely absent; the October transect proceeded in rain at marginal temperature and its GPS failed, so no registration locations could be produced; and the northern boundary static detector failed after five hours in July and was not redeployed (Ecological Assessment 4.3.6–4.3.17).

Despite this truncated effort, nine species were recorded, including multiple-night registrations of **barbastelle** - an Annex II, highly light-averse species - on both boundaries. The conclusion that barbastelle merely commute offsite is not one this dataset can support (BCT Guidelines, 4th ed., Collins 2023).

A tree with bat roost potential (T2/T09) is to be lost to the access without any climbing inspection or emergence survey; Place Services (5 February 2026) required compensation **in advance of works** and endoscope-supervised felling per BCT Table 6.3, neither of which the assessment provides. The lighting strategy on which the "dark corridor" claims rest is expressly indicative only (Planning Statement 7.64).

1.4 Biodiversity net gain - a net loss on site, with compensation unsecured

The applicant's own metric shows the proposal "results in a **-13.23% decrease in habitat units**" on site (Planning Statement 7.41, confirmed by Place Services, 5 February 2026). The claimed 10% gain depends wholly on the purchase of 8.74 off-site grassland units for which "discussion... [is] underway" (7.42) - nothing is secured, registered or before the Council. The statutory biodiversity gain hierarchy requires on-site delivery first, and the 30-year securing mechanisms (habitat bank registration, HMMP, planning obligation) that Place Services required remain absent.

This is a failure against the **statutory** framework (Schedule 7A, TCPA 1990) - no reliance is placed on any above-statutory local requirement. There is also a live baseline question: the applicant's own evidence of post-2020 tree removal and pre-survey scrub clearance engages the anti-degradation rule in paragraph 6 of Schedule 7A, under which the pre-degradation habitat value should form the baseline.

1.5 Further survey gaps and report quality

There is no breeding bird survey despite 1,131 desk records of notable species within 3 km including Schedule 1 species; no invertebrate survey despite desk records of brown hairstreak

and 47 other Section 41 invertebrates; and reptile survey effort stopped at six visits against the seven-visit standard, with grass snake and slow-worm confirmed and mitigation limited to displacement into retained margins without any receptor capacity assessment.

The Ecological Assessment was prepared by an **Assistant Ecologist** without any statement of competency, and contains errors indicating inadequate review - including reliance on "The **Norfolk** BAP" for a West Sussex site (5.1.6), contradictory bat detector locations, and an unverified greater horseshoe bat registration far outside the species' range.

The Council is entitled to conclude this evidence base does not meet the standard required by BS 42020:2013 or NPPF N2.

Ground 2 - Flood risk and drainage

2.1 The FRA's central claim is contradicted by the applicant's own drawings - and the Sequential Test is not passed

The LLFA's initial response (23 December 2025) was a formal **objection** "in the absence of an acceptable Flood Risk Assessment", withdrawn on 30 January 2026 on the strength of a technical note, a new hydraulic model and a Levels Strategy drawing produced in seven weeks.

The FRA asserts that the surface water flood extent "falls outside of the proposed hardstanding areas and residential development footprint" (FRA 4.14). Yet the Levels Strategy drawing (2406076-0310 Rev P02) on which the objection was withdrawn, states "**Localised ground raising required within flood extent**" to achieve gravity connections.

Under the August 2026 Framework, this contradiction is decisive in a way the Council should note carefully. The Sequential Test (F5) applies in areas known to be at risk **now or in the future from any form of flooding** - surface water expressly in scope (F5(2)) - and the only route by which an application on such land escapes it is F5(2)(b)(i): an FRA demonstrating clearly that **no built development, "including access/escape routes, land-raising or other vulnerable elements", would be located on land at risk.**

The applicant's own drawing shows land-raising within the mapped flood extent, so that exemption fails **on the face of the applicant's own submission**, and no sequential assessment of reasonably available lower-risk sites has been provided. Separately, raising ground within a flood extent displaces storage and conveyance onto third parties; no level-for-level compensatory storage assessment appears anywhere in the application, and no post-development "with-scheme" model run was submitted - so F7(2)(e) (flood risk "not ... increased elsewhere") is not demonstrated either.

The same drawing declares its levels "preliminary... there could be a **variance of +/- 500mm** between preliminary and detailed design levels" - a tolerance exceeding the entire 300 mm freeboard the LLFA's Condition 4 requires. The drawing that satisfied the LLFA is incapable of demonstrating compliance with the condition that satisfaction rests on.

F7(2) is refusal-framed: development at risk of flooding "should be refused unless" safety for its lifetime and no increase in risk elsewhere are demonstrated - before permission, not deferred to conditions the fixed layout may be unable to meet (see also NPPF DM6(1)(a): a condition cannot be "necessary to make the development acceptable" where it papers over the absence of the demonstration itself). Policy DP41 is engaged to the same effect.

2.2 Real-world evidence contradicts the modelled position

The Council's file contains dated photographic evidence (representation from 1 Kingsland Cottages, 13 February 2026; adopted by Hurstpierpoint & Sayers Common Parish Council on 3 June 2026) showing that on **27 January 2026 - three days before the LLFA withdrew its objection** - the western boundary watercourse was at full capacity, submerging the footpath 1AL bridge under some 40 cm of water, overtopping both banks, flooding into the site across the exact locations proposed for the exceedance flow storage area, children's play area, foul pumping station and both surface water outfalls, and beginning to flood Reeds Lane at the culvert. Comparison photographs from January 2024, January 2025 and December 2025 show this is a regular winter occurrence.

The applicant's evidence for the receiving watercourse's condition and capacity - the LLFA's December point 4 - amounts to a single October site visit, an OS-derived connectivity plan whose author "cannot guarantee the accuracy of the data provided", and a drainage drawing conceding the outfall invert is "TBC on site" and that the ditch must be "cleared of sediment **to restore depth**".

The Ardent hydraulic model was, on its own terms, uncalibrated ("there was no flow / level data available for the catchment to calibrate flows") and initialised with dry channels - assumptions the January 2026 photographs show to be unrealistic for the winter condition. The model also found the twin 525 mm Reeds Lane culvert "**already surcharged**" in the 1% AEP plus climate change event, and offsite flows overtopping Reeds Lane into the site - a mechanism for which the scheme provides no mitigation, and precisely where the ground-raising at 2.1 is proposed.

I ask that the LLFA be re-consulted with the January 2026 photographic evidence squarely before it.

2.3 A strategy wholly dependent on a lined basin in winter groundwater and third-party ditches

The applicant's own winter monitoring recorded groundwater "at approximately **0.5 mBGL or shallower** across the development site" (FRA 2.19, 4.18). The attenuation basin (base 14.25 mAOD, 1,525 m³) and the permeable paving sub-bases sit within that zone, protected only by an impermeable geomembrane; yet the FRA contains no uplift/flotation check for the empty lined basin (a recognised failure mode - CIRIA C753), no liner-failure contingency, and **no liner inspection item in the lifetime maintenance schedule** (FRA Tables 7.1–7.2). NPPF F8(2)(a) now requires SuDS to be "designed in accordance with the National Standards for Sustainable Drainage Systems" (Defra, 2025) and F8(2)(b) requires maintenance arrangements for the development's lifetime - neither is demonstrated.

One hundred per cent of runoff discharges to a single ordinary watercourse whose capacity is unverified (2.2 above) and whose initial clearance and perpetual maintenance lie on third-party riparian land outside the red line, secured by nothing in the application.

The FRA's internal figures do not agree - rainwater harvesting storage of c.110 m³ in the text (6.30) but **61 m³ in its own Appendix N**, and three different rainfall totals across the submission - and its exceedance section simultaneously claims flows would pass "without impacting... land owned by a third party" while identifying "some industrial business" as the downstream receptor (6.50).

2.4 Foul drainage - inadequate capacity confirmed by Southern Water

Southern Water's capacity check concluded the additional flows "may lead to a minor increased risk of impact on the sewer network" under the heading "**Inadequate Capacity**", and requested a condition that occupation "is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required" (26 March 2026, reaffirmed 12 August 2026).

No reinforcement programme, timescale or funding is identified anywhere in the application; the PPG on water supply and wastewater supports phasing - or refusal - where capacity works do not fit the development's timescale, and the right to connect under s.106 of the Water Industry Act 1991 is qualified and says nothing about downstream capacity.

The scheme depends on a **privately owned package pumping station** - located in the western part of the site that the photographic evidence shows flooding - with 12 m³ emergency storage, equivalent to roughly **six hours** at the FRA's own average flow of 48,000 litres/day (8.4, 8.7), well below the norm for pumped systems serving 80 dwellings. Sayers Common's documented history of sewer flooding (acknowledged at FRA 4.22) makes this combination of unquantified network capacity, minimal emergency storage and a flood-exposed private asset unacceptable under Policies DP41 and DP42.

Ground 3 - Transport, highway safety and sustainability of location

3.1 National Highways - three consecutive recommendations not to determine

National Highways' formal responses of 29 December 2025, 26 March 2026 and 18 May 2026 each recommend "that planning permission **not be granted** for a specified period" - most recently to **18 August 2026** - because "it is currently not possible to determine whether the application would have an unacceptable impact on the safety, reliability and/or operational efficiency of the SRN".

Eight months after submission, the statutory consultee for the A23 cannot rule out an unacceptable impact. Unless and until National Highways confirms it is satisfied, the Council cannot find compliance with NPPF TR6(3)–(4); and under the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018 it could not in any event lawfully grant contrary to the operative recommendation without first consulting the Secretary of State for Transport.

The applicant's July 2026 note answers National Highways' repeated requests for a site-specific, vision-led approach with: "**We do not deem it necessary for our Site, being 80 units, to provide a site-specific vision**". Under the August 2026 Framework that is a direct policy non-compliance: TR6(1)–(2) requires the transport assessment and travel plan to "reflect the transport vision for the development", and TR3(1)(c) requires significant impacts to be "mitigated to an acceptable degree using a vision-led approach" - National Highways accepted the trip rates only as a "pre-vision scenario".

The revised trip distribution relies on an unsourced "30 vehicle" screening threshold appearing in no current national policy; changed the key junction flow by a single vehicle (20 to 21 two-way trips) despite purporting to address the very methodology National Highways warned "**could underestimate**" SRN traffic; rests on **2011 Census data**, superseded by the 2021 Census; and

contradicts the Transport Assessment's own access model, which distributed traffic 51/49 east/west where the Census work concludes 96/4 - without the access assessment ever being re-run. The collision analysis lists 19 collisions at three SRN junctions, including serious-injury collisions at the A23/A2300, dismissed in a single unevidenced sentence as "driver error" - TR6(3) requires impacts to be assessed against reasonable future scenarios including cumulative impacts, which this work does not do.

3.2 An unresolved Road Safety Audit problem at a 60 mph access

The Stage 1 RSA identified Problem 3.1 - "**Inadequate side road visibility may lead to collisions**" - recommending relocation of the speed limit terminal and "effective speed management measures". The designer's response did not address the speed-limit recommendation, and the applicant's April 2026 note declines it: "it is not deemed necessary to relocate the speed limit change terminal", suggesting the timing "may be better in relation to the future development of the site to the immediate south" - deferring a safety measure at its own access to a draft allocation (DSPC3) for which no application exists.

The access sits within the 60 mph section of Reeds Lane; WSCC recorded 85th percentile speeds of 37–39 mph through the 30 mph gateway; the visibility splays demonstrated are 96 m against the 98 m WSCC calculated as required to the north-east (MfS2 Table 10.1), using average rather than the CD109-banded 85th percentile speeds the auditor specified; and "perhaps unusually" (the Transport Assessment's own words, 4.8) no footway is provided at the bellmouth. WSCC Highways' last substantive position (5 February 2026) was a request for more information, and its 4 March 2026 email confirms it was "still awaiting further information". NPPF **TR6(4)** now provides that development "**should be refused if**" it would have "an unacceptable impact on highway safety".

3.3 A car-dependent location whose sustainability case rests on other people's schemes

On the applicant's own evidence: the nearest bus stops are 800 m away, served by two **hourly** routes (one not running on Sundays); the primary school is a 2 km, 25-minute walk; there is no GP, supermarket or meaningful employment in the village; the baseline mode share is **81% car driver** (TPS Table 3.1); and the new footway narrows to 1.5 m - below the 2.0 m normal minimum in *Inclusive Mobility* (2021) and LTN 1/20 - with the only crossing point uncontrolled and due to be relocated by a different developer's undetermined scheme (DM/25/1434). This is not a location offering a "genuine choice of transport modes" (NPPF TR3(1)(a)).

WSCC Highways posed the correct test on 5 February 2026: the site "will need to demonstrate how sustainable/active transport can be encouraged **in the interim, even in the event that the adjacent and surrounding allocated sites may not come forward**". The application fails that test on its face. Its Transport Assessment claims the emerging District Plan carries "limited weight" (3.44), while its sustainability case, travel plan vision, junction modelling (borrowed from the undetermined DM/25/2661), pedestrian crossing, B2118 active travel works, RTP1 provision and contributions package all depend on draft allocations and undetermined applications. Obligations relied on to make the scheme acceptable must themselves satisfy CIL Regulation 122(2) - necessary, directly related, and fairly and reasonably related in scale and kind - which contributions "under discussion" between third parties cannot.

The Parish Council has objected twice (7 January and 3 June 2026), noting among other matters that suggested footway improvements sit on land "**that belongs neither to WSCC nor to the**

developer". Policy DP21 requires mitigation and travel plans that are "effective and demonstrably deliverable including setting out how schemes will be funded".

National Highways' verdict on the revised Travel Plan Statement (18 May 2026) was that it **"still lacks a clear vision in line with Circular 01/2022 and any firm financial commitments beyond monitoring"** - and the August 2026 Framework adds a further, directly applicable requirement the document cannot meet: travel plans must now "identify fallback options in the event that initial measures for encouraging sustainable transport choices do not deliver the expected outcomes" (TR6(2)).

Finally, as was evidenced at the recent public inquiry into Miller Homes Ltd's appeal at Land at Colwell Farm, Haywards Heath (PINS ref. 6005786; Mid Sussex DC ref. DM/25/0445), it is incumbent on planning officers and not WSCC Highways to assess the sustainability of the site with respect to transport. WSCC Highways may comment on matters of safety and capacity, and may comment on sustainability – but it is for the planning officer to evaluate on the facts whether the scheme is sustainable in terms of transport – and the current evidence suggests that this scheme is not.

Ground 4 - Prematurity and cumulative impact

Sayers Common is subject to draft allocations totalling some 2,400 dwellings (DSPC3–DSPC7) in an emerging District Plan that the applicant itself accepts carries limited weight, within an examination in which the duty-to-cooperate position remains contested.

Four of the five allocation sites are the subject of live applications promoted piecemeal by different developers, each - as this application illustrates - leaning on the others for mitigation, while the co-ordinated masterplan, cumulative junction modelling, drainage strategy and infrastructure programme the allocations presuppose do not yet exist.

WILD's response (14 May 2026) makes the point squarely: the application is premature pending a masterplan showing how the schemes relate, and Reeds Lane "floods regularly" and is already heavily used as a through route. NPPF DM4(2) permits refusal on prematurity grounds where a proposal would predetermine decisions about the scale and location of development that are central to an emerging plan. TR6(3) separately requires cumulative impacts to be assessed - which, on the applicant's own borrowed junction modelling, they have not been.

Approving 80 dwellings now, on the strength of infrastructure to be delivered by undetermined third-party schemes, would prejudice the plan-led approach and pre-empt the proportionate infrastructure contributions framework WSCC says is "yet to be agreed".

Conclusion and the planning balance

The application conflicts with Policies DP21, DP37, DP38, DP41 and DP42 of the Mid Sussex District Plan, with the Conservation of Habitats and Species Regulations 2017, with the statutory biodiversity net gain framework, and with national decision-making policies N2(2), F5, F7(2), F8, TR3, TR6(2)–(4) and DM4 of the August 2026 NPPF.

Three of those are refusal-directive policies before which the Framework's presumption in favour of sustainable development yields (S4(2)(c)/S5(2)).

The scheme's benefits - 80 dwellings including affordable housing - are acknowledged, but they are the ordinary benefits of housing development, and several are themselves undemonstrated: the affordable contribution is unsecured, the sustainability case rests on other parties'

undetermined schemes, and the claimed biodiversity gain is, on the applicant's own metric, a 13.23% on-site loss with unsecured off-site compensation.

The deficiencies are not matters of detail capable of resolution by condition (NPPF DM6(1)(a)): the protected-species evidence is inadequate at the point of decision (Circular 06/2005, para 99); the drainage strategy's failures go to layout (compensatory storage, basin location, levels - and the Sequential Test itself); the mitigation package depends on third parties; and the strategic road network consultee's operative advice is that the application should not be determined at all.

I therefore request that the application be **REFUSED**.

In the alternative, the application should not be determined unless and until:

1. National Highways has withdrawn its holding recommendation and confirmed no objection (noting the Development Affecting Trunk Roads Direction 2018);
2. full GCN survey information satisfying NatureSpace has been submitted and consulted upon;
3. updated ecological surveys (all taxa) meeting CIEEM currency standards have been provided;
4. the Sequential Test position under NPPF F5 has been addressed, and a post-development hydraulic model, compensatory flood storage assessment and secured downstream maintenance regime have been submitted and accepted by the LLFA in the light of the January 2026 flood evidence; and
5. Southern Water's network reinforcement requirements have been defined and secured.

Yours sincerely

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Appendix - documents referenced

- NatureSpace Partnership consultation responses, 22 December 2025 and 14 May 2026
- Place Services (ecology) responses, 23 December 2025, 5 February 2026 and 7 May 2026
- Ecological Assessment (Ecology Solutions, ref 12144, November 2025) and GCN Technical Notes (April and July 2026)
- Planning Statement (SLR Consulting, ref 433.066642.00001 Rev 03, 28 November 2025), 7.38–7.64
- WSCC LLFA responses, 23 December 2025, 30 January 2026 and 6 May 2026
- Flood Risk Assessment and Drainage Strategy (Motion, 27 November 2025); Technical Note TN01 with Levels Strategy 2406076-0310 Rev P02 and Ardent Hydraulic Modelling Report (January 2026)
- Southern Water responses, 2 January, 26 March and 12 August 2026
- Representation and photographic record, 1 Kingsland Cottages, Reeds Lane (5 January and 13 February 2026); adopted by Hurstpierpoint & Sayers Common Parish Council, 3 June 2026
- National Highways responses, 29 December 2025, 26 March 2026 and 18 May 2026
- WSCC Highways responses, 5 February 2026 and 4 March 2026; Stage 1 Road Safety Audit (November 2025)
- Transport Assessment V1.2 (Iceni Projects, November 2025); Transport Technical Notes (April and June/July 2026); Travel Plan Statement v2.0 (March 2026)
- Hurstpierpoint & Sayers Common Parish Council objections, 7 January and 3 June 2026; WILD response, 14 May 2026