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Terracotta  
Wellhouse Lane  
Burgess Hill  
RH15 0BN

18th November 2025

### DM/25/2634 | Land Adjacent to Batchelors Farmhouse RH15 0BQ

Outline planning application with all matters reserved (except the means of access from the public highway) for residential development and the construction of up to 26 new dwellings, with vehicular accesses, and new footpath links to Keymer Road, the provision of new landscape amenity space, areas of ecological enhancements, together with associated Highways, Drainage and Utilities works associated with the proposed development.

Dear Mr Dale,

We would like to register our strong objections to the above planning application on the following grounds which we respectfully request are recorded and submitted to the MSDC Planning Committee if and when this application goes before them.

#### 1. Site History, Location and Setting

Whilst the adoption and subsequent development of site SA13 in the Mid Sussex SADP has resulted in this application site now being within the built up boundary of Burgess Hill, it remains in a conservation area of countryside restraint and lies next to a nature reserve therefore it should be considered as a rural site.

In April 2024 the leader of Mid Sussex District Council, Councillor Robert Eggleston, stated in response to an application to build a single dwelling on the Batchelors Farm Nature Reserve, which is contiguous to this application site that, that quote “***The District Plan quite clearly states that Batchelors Farm will not be developed. It baffles me, I have to say, that it's got this far. We should now do the right and proper thing and put it in the recycle bin.***”<sup>1</sup> unquote

Further, in 2020 an application DM19/3334 to build 33 dwellings on this site was refused by MSDC on the following grounds

*“The proposed development is located within a countryside location outside of the built up area of Burgess Hill which is not allocated for housing nor contiguous with a built-up area boundary and thus would be contrary to policies DP12 and DP15 of the District Plan. The Council can demonstrate a five-year housing land supply and there is no identified need for these dwellings in this location as the proposal is not necessary for the purposes of agriculture and are not supported by other policies in the Plan. Whilst the dwellings will make a contribution to additional housing in the district, the proposed development would not protect the intrinsic character and beauty of the countryside and would have an intrusive and harmful urbanising impact on the landscape. The proposal is thereby contrary to policies DP12 and DP15 of the Mid Sussex District Plan and the aims of the NPPF.”*

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<sup>1</sup> 1. Burgess Hill Uncovered - Burgess Hill Town Council Come Under Scathing Criticism For Nature Reserve Proposal 28<sup>th</sup> April 2024

The formal boundary between Burgess Hill and Keymer lies less than 200 metres to the South of this application site so in effect it should be thought of as forming part of the local gap between the two settlements however, as with all the land from Folders Lane in Burgess Hill to Grand Avenue in Hassocks it falls outside the scope of the Neighbourhood Plans of either settlement and thus is not given any of the protections the NPs are supposed to bestow. Something which is a glaring anomaly in the Mid Sussex, Burgess Hill & Hassocks planning strategies which needs rectifying ASAP.

Regardless, this proposal for 26 houses will be totally out of keeping with the vernacular of the surrounding area which consists of large single detached properties set back in their own grounds a point stressed by the government inspector in her findings on the 23rd June 2014 over the dismissed appeal AP/13/0061 against the refusal in 2013 by MSDC on The Blenheims planning application 12/03230/FUL where she said and I quote.

*“The new development would occupy parts of the substantial curtilages of two large detached houses – ‘The Blenheims’ accessed from Keymer Road and ‘Dormers’ situated at the eastern end of Broadlands Road. Detached houses on large plots are a characteristic feature of the layout and pattern of Development of the area around the eastern side of Keymer Road and along Broadlands Road.*

*Sixpenny Lodge - a bungalow with a smaller curtilage than the houses closest to it – is the exception but does not detract from what is generally a low density pattern of linear development. A near continuous band of trees and dense landscaping mark both sides of Keymer Road which, combined with a lack of buildings on its western side, impart a distinctly rural feel to the area. This is in contrast to the higher intensity of development at the southern edge of the built up part of Burgess Hill. The differences are marked as one travels Southwards on Keymer Road, with the backcloth of woodland to the east adding to the area’s feeling of openness.” Unquote*

Currently this distinct rural feel noted by the Inspector in 2014 remains intact as any developments that have taken place since then, including Templegate on SA13, are almost completely out of sight from the public view travelling along the Keymer Road, however if approved this application site with its cramped layout of just 0.128 acre (5,575 sq feet) per property will change that perception completely.

This issue was also noted in the Inspectors findings in 2014 when she said and I quote

*“Given the size of plots relative to the house sizes proposed, and the immediate context of spacious settings of neighbouring properties, the new development would appear distinctly out of place. The combination of tightly marked plots, close positioning of the new houses and an access road extending along much of the length of the site would introduce an unwelcome urbanising effect to the detriment of the pleasant, spacious character of this neighbourhood. With little opportunity for landscaping or tree planting within the layout, the proposal would represent a stark, overdeveloped intrusive scheme with a poor relationship to its context.” Unquote*

**The entrance to the proposed Blenheims site in 2014 lies just 100 metres to the South of the proposed access point to this application site so clearly if the Blenheims application for Nine Detached houses was totally out of character with the surrounding area then it follows that this application for 26 tightly packed homes will be even more so, so on these grounds alone this application fails under District Plan Policies DP 12, 13, 15 & 26.**

## **2. Planning Policies v Planning History**

This site was not allocated for residential development in either the District Plan 2014-2031 or as part of the Mid Sussex SHLAA Call for Sites 2017 or 2018. In fact under the Mid Sussex assessment of Burgess Hill sites in 2012, as site 573 this site was excluded from assessment for potential housing as quote "**Site is wholly outside and unrelated to existing settlement built up area boundary which would make it unacceptable for development. Site is excluded from assessment in accordance with the Methodology (2008, paragraph 4.9).** "unquote

**Fast forward 11 years and the site is now included again in the 2023 SHLAA 15 with a potential yield of 48 homes where it notes it is NOT in a flood zone, NOT a site of special scientific interest, has NO ancient woodland or area of natural beauty and is not part of a local nature reserve.**

**However, what the SHLAA fails to note is that the site lies less than 100 metres from a nature reserve, which in fact bears the name Batchelors Farm Nature Reserve! Owned by Burgess Hill Town Council this is a very popular area for the community, both near and far, so building 26 houses in clear view of this reserve will no doubt destroy the enjoyment of this amenity for the community.**

Mid Sussex has an approved Development Plan up to 2031 and as confirmed by the judgement in the Supreme Court<sup>2</sup> "*Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.*

**Therefore as the official development plan for Mid Sussex, it is the policies within the DP that all planning applications need to comply with and it is very clear that this application conflicts with a number of those policies, specifically policies DP6, DP12, DP13, DP18, DP26, DP29, DP31& DP41.**

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<sup>2</sup> Suffolk Coastal District Council v Hopkins Homes Ltd and SSCLG, Richborough Estates Partnership LLP and SSCLG v Cheshire East Borough Council [2017] UKSC 37

### 3. Site Constraints

#### Vehicular Access

**The proposed access and exit point for this site is in a totally unsuitable location, just 132 metres from a blind bend for oncoming traffic travelling at speed towards Burgess Hill on a road where the official speed limit was only reduced to 40mph in 2024 so a lot of drivers still drive closer to the previous limit of 60mph. In the winter and after dark this could become a serious accident just waiting to happen.**

On that basis alone it would be absolute madness and dereliction of its duty of care for MSDC to allow this application to go forward.

We live in Wellhouse Lane which lies 185 metres to the South of this access point and in 2009 West Sussex Highways Authority described the access from Wellhouse Lane onto the Keymer Road thus quote

*"Vehicles exiting Wellhouse Lane do need to encroach onto Keymer Road to observe any on coming vehicles. In the southerly direction, the vertical alignment of the carriageway again restricts visibility and northbound vehicles are not evident until they have emerged over the hill brow. Whilst, there is only one recorded accident to the south of the junction, concerns would be raised with the continued intensive use of this substandard junction." (3) unquote*

There are 10 houses in Wellhouse Lane and it is probably only by the grace of God and the extreme care taken by the residents that a serious accident has not occurred so far however, that risk will be far higher once 26 properties are trying to exit onto this ever increasingly busy link between Burgess Hill and the South.

The applicants Transport Statement Para 1.2 states "This Access Strategy (used for this application) has previously been considered and approved by MSDC and West Sussex County Council (WSCC) in 2015 as part of the access strategy for a two residential development scheme."

Are they kidding?! There is a vast difference in the traffic levels produced by two houses compared to the 26 proposed in this application, about 13 times more in fact. A two house development could be expected to generate approx 10-11 vehicle trips per day whereas a 26 house development would generate approx 130-143 vehicle trips per day<sup>4</sup>

**So No, this access strategy cannot be considered approved!**

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3. Ian Gledhill WSCC Local Development to Charlotte Bath MSDC Planning 30th April 2009

4. Gordon Stokes Transport [gordonstokes.co.uk](http://gordonstokes.co.uk)

**In the previous planning application to build 33 dwellings on this site (DM19/3334) this issue had clearly been identified and the risk recognised as in that application they proposed to introduce a Shuttle Working Traffic Calming modification to the road which would effectively narrow the carriageway so vehicles could not pass each other without risk as they do now. In other words they proposed to effectively halt or slow down the flow of traffic along the Keymer Road to safely allow vehicles to safely exit and enter the development.**

WSCC Highways Authority had also clearly picked this up in their response to that application by saying, Quote

*"The proposal for built-out kerbs into Keymer Road and priority working along Keymer Road is presumably intended to allow appropriate sight lines to be achieved. It is considered not ideal that it does not appear possible to gain access to the site with the correct visibility using the existing road alignment." Unquote*

In short this location with that amount of anticipated vehicle traffic per day is incompatible with the existing road layout and will become a danger to vehicles travelling along the Keymer Road.

### **Pedestrian Access**

The overriding requirement in the NPPF and the District Plan is that developments must be sustainable, one strand of which is the environment and the need to reduce dependency on the car by siting developments in proximity to high quality transport facilities within reasonable walking distances, thus encouraging residents to use public transport, cycle or walk.

There is no footpath on the western side of Keymer Road where this site is located, until you reach Greenlands Drive some 274 metres away. Whereas on the Eastern side of the Keymer Road the footpath begins at Broadlands some 66 metres away so the applicants proposal is to funnel all pedestrian traffic to the NE corner of the site and create a crossing point to the opposite side of the Keymer Road to join the footpath just North of Broadlands.

The residents of these 26 dwellings will therefore have no choice but to cross a very busy road with very poor sightlines to the South in order to gain the safety of the nearest footpath. Especially hazardous for the elderly and those with children and prams, this is not in line with sustainability.

### **4. Impact on Local Residents**

There is no doubt this development will cause significant harm to the local area contrary to NPPF paragraphs 14 & 49.

I would draw your attention to the following statement

*"While access on the west side of the town has benefited from the new development, east-west movements across the town are hampered by the railway and the limited number of crossing points. A number of roads in the area lying to the east of the*

*railway have restricted capacity and suffer from serious congestion at peak periods. There are no simple solutions to these problems and efforts will be made to encourage the increased use of local bus services". Mid Sussex Local Plan Para 11.14 May 2004*

In the 21 years since this statement was made there have been NO improvements whatsoever to the road system serving the South East area of Burgess Hill for those travelling West whilst traffic volumes have continued to grow.

Over the last decade especially, the level of traffic along the Keymer Road and Folders Lane has significantly increased, in part due to the additional housing that has been built in this southern part of Burgess Hill and beyond, some **700 + dwellings**, whilst the road system has remained completely unaltered. Now at least 260 more dwellings are destined to come online in the near future with the completion of the Templegate development on the Keymer Road just North of this application site.

It is now the norm that long traffic delays build up at the junction of Folders Lane with the Keymer Road during 'rush hour' and this will get far worse once the 500 homes at Ockley Park in Hassocks plus Templegate fully come on stream.

NPPF Para 109 states "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*"

If ever an application fulfilled all the points in NPPF Para 109 then this application is the one.

## 5. Environmental Impacts

### Drainage & Sewage

The application site lies in an area classified as Low Weald with heavy clay soils which, during heavy or persistent rainfall, becomes heavily waterlogged. The properties on the opposite side the Keymer all suffer with flooding during the wetter periods and I provided photographic evidence of this to Scott Wakely, the MSDC Drainage engineer in 2016, which he acknowledged.

It would appear that the applicants strategy for dealing with surface water flooding is to naturally use the topography of the land which slopes from South East to North West to discharge into a natural minor watercourse or ditch to the North West of the site. It should be noted this ditch is outside the boundary of the site and therefore is NOT under the control of the applicant.

It is not clear at present as to how surface water from the site will be collected and routed to this ditch and who will maintain the system in perpetuity? If the applicant is relying on natural soakage then it should be noted that the results of testing on the soil showed negligible soakage potential as indicated in the report by the applicants consultants Aqua Terra where they state.

***"The results of the soakage testing undertaken in SP1 and SP2 indicated negligible soakage potential, with water levels not dropping in the trial pits over a period of 3 hours. Based on the results obtained the use of shallow chamber type soakaways for the disposal of surface water is not considered feasible"***<sup>5</sup>

*Southern Water who are responsible for sewage disposal in the area, have in part recognised this in their response to this application where they have stated*

***"Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity."***

Sewage is an even bigger issue as there is no mains sewer beyond Greenlands Drive in Burgess Hill until you reach Grand Avenue in Hassocks, so all the properties in-between rely on off mains sewerage facilities such as Septic Tanks, Cess Pits or Sewage Treatment plants.

In the previous application for this site (DM19/3334) the applicants sustainable drainage experts acknowledged this fact in their Sustainable Drainage Statement

Quote ***"The Site is further than 100 m from a surface water or combined sewer and therefore discharge to sewer is unlikely to be appropriate. It should be noted there are public foul sewers within 200m of the Site, however these features are approximately 115 m north of the Site. Drainage of foul sewage from the Site may require the implementation of treatment systems."*** <sup>5</sup> Unquote

A treatment system for a development of this size would be large and it cannot be acceptable in this day and age to support development plans of this sort which rely solely on this method for disposing of foul water and effluent.

In short, in terms of drainage and foul water this development site is not sustainable and could inevitably result in significant harm to the local area in contravention of NPPF paragraphs 49 & 53 and DP41.

## **6. Ecology & Wildlife**

One of the reasons the planning application for The Blenheims was refused was because of the Meta breeding population of Great Crested Newts, a European and UK Protected Species in the ponds on the site and the lack of mitigation possibilities in terms of moving the Newts to a safe location in the area.

Residents of the area are very fortunate to enjoy a variety of wildlife in the area from Badgers, Deer & Foxes to various Reptiles. Birdlife is prolific too with a wide variety of garden birds such as Nuthatches, Tits, Wrens etc with Buzzards & Tawny Owls seen or heard on a daily basis and Barn Owls and even Ring Necked Parakeets on occasion. This development site abuts the Batchelors Farm Nature Reserve an area important to all wildlife and popular with residents and visitors from both far and wide to walk through.

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*5 Batchelors Farms: Flood Risk Assessment and Outline Drainage Strategy*

**Therefore, allowing an intensive development such as this cannot but have a severe detrimental effect on the environment and its ecology which following the decimation caused by the nearby Templegate development is already under severe strain in contravention of the NPPF and DP.**

## **7. Layout**

There is strong emphasis in the NPPF and DP on high quality and inclusive design with the affordable housing element being pepper potted throughout the development as suggested by best practice. The applicant states there will be eight affordable dwellings but at present it is not clear where they are located on the site layout i.e. are they confined into a discrete area if so there is concern this will inevitably lead to a ghetto effect. **This conflicts with policy DP31.**

## **8. Conclusion**

This application if allowed would we believe set a harmful step for further development and erosion of the strategic gap separating Burgess Hill with the villages to the South whilst also impinging on a large area of beautiful countryside which is enjoyed by the residents of Burgess Hill and beyond.

Once lost this can never be re-gained and in the current era of climate change the concern has to be the loss of the environment for the sake of 26 homes, the majority of which are likely to be beyond most peoples budget and particularly when Mid Sussex can show it does not need them.

Therefore, we sincerely urge you to recommend refusal of this application on all of the points raised above.

Yours Sincerely

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