

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1198	Case Officer:	Andrew Horrell
Application Type:	Full Application		
Proposal:	Provision of new access for agricultural purposes		
Site:	Land Off, Cuckfield Lane, Warninglid, West Sussex, , , ,		
Validation Date	20 May 2025	Overall Expiry Date:	25 Jul 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	7 Aug 2025
Target Date:	15 Jul 2025	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	2
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Signed and Agreed By:	Stephen Ashdown	Date:	8 Aug 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1198

**Land Off, Cuckfield Lane, Warninglid, West Sussex, , ,
Provision of new access for agricultural purposes
Ms Kirsty Allen**

SUMMARY OF REPRESENTATIONS

Two letters of objections were received on the following grounds:

- Highway safety
- Lack of visibility

SUMMARY OF CONSULTEES

WSCC Highways:

WSCC in its role as Local Highway Authority (LHA) has been reconsulted by the Local Planning Authority (LPA) following the applicant's submission of an amended plan. The LHA most recently provided comment on this application, dated 21/07/2025, requesting more information regarding visibility.

This application seeks the provision of a new access for agricultural purposes. The is located on Cuckfield Lane, a B-classified road subject to national speed limit in this location.

The applicant has now provided a visibility splay diagram, demonstrating visibility splays of 2.4m x 215m in both directions.

The applicant has also confirmed that the splays are solely within land of the owner and publicly maintained highway boundary.

As such, the demonstrated visibility would be in accordance with DMRB CD109. I advise the LPA to secure visibility splays via condition, to ensure the visibility splays are maintained in perpetuity.

The proposed access works will be subject to a licence obtained from WSCC and constructed to a specification agreed with a WSCC Highway Area Engineer.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application, the following conditions and informative should be applied:

Conditions

Access (Access to be provided prior to first occupation)

No use of the proposed access shall take place until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled "Block Plan" and numbered "BP01 - Rev A".

Reason: In the interests of road safety.

Visibility (details approved)

No use of the proposed access shall take place until such time that visibility splays of 2.4 metres by 215 metres have been provided at the proposed site vehicular access onto Cuckfield Lane in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

Informative

Vehicle Crossover - Minor Highway Works

The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted because the highway license process considers wider factors than are considered by the Highway Authority at planning stage.

Additional information about the licence application process can be found at the following web page: <https://www.westsussex.gov.uk/roads-and-travel/highway-network-permits-andlicences/highway-licences/west-sussex-county-council-licences/dropped-kerbs-or-vehiclecrossovers-for-driveways/>

PARISH COUNCIL OBSERVATIONS

Object. Having visited this site on numerous occasions. The sight lines required from the revised field gate location cannot be achieved from 2.5m from the edge of the carriageway. Further it is not believed the ownership of the land required to achieve the sight lines rest with the applicant. Significant mature hedgerow, again not believed to be owned by the applicant would need to be removed to get close to sight lines required.

INTRODUCTION

Planning permission is sought for the provision of new access for agricultural purposes and the installation of an entrance gate.

RELEVANT PLANNING HISTORY

None relevant

SITE AND SURROUNDINGS

The site forms a field with public footpath to the south with hedging to highway to the north.

The site is located within the countryside and within the High Weald Area of Outstanding Natural Beauty.

APPLICATION DETAILS

Full planning permission is sought to create a new access gateway to field with new entrance gate and hardstanding area.

The gates measures 3.8m by 1.2m and will be set back from the access which measures approximately 8m in width. The hardstanding measures 24sqm. The access will be laid with MOT type 1 hardcore and the railings will be timber post and rail with a timber 5 bar gate.

The proposed gateway will provide a safer access route for agricultural machinery for the land which is used for pasture, rather than using the existing smaller access serving the field currently to the south.

LEGAL FRAMEWORK AND LIST OF POLICIES

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Using this as the starting point, the development plan for this part of Mid Sussex consists of the Mid Sussex District Plan, Site Allocations Development Plan Document (DPD) and the Slaugham Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Practice Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan (Mar 2018)

The Mid Sussex District Plan 2014-2031 was adopted at Full Council on 28 March 2018.

Relevant policies:

Policy DP12: Protection and Enhancement of Countryside
Policy DP16: High Weald Area of Outstanding Natural Beauty
Policy DP21: Transport
Policy DP26: Character and Design
Policy DP38: Biodiversity

Site Allocations DPD

The SADPD was adopted on 29 June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

There are no relevant policies.

Slaugham Neighbourhood Plan (Sep 2019)

Mid Sussex District Council formally 'made' the Slaugham Neighbourhood Plan part of the Local Development Plan for the Parish of Slaugham as of 25 September 2019. The policies contained therein carry full weight as part of the Development Plan for planning decisions within Slaugham.

Relevant policies:

Policy 1: Protecting the Area of Outstanding Natural Beauty

Other Material Considerations

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

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021-2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and the Stage 1 hearings were concluded on 31 October 2024. There are unresolved objections to some of the policies in the draft District Plan and as such, only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant policies:

DPN2: Biodiversity Net Gain
DPC4: High Weald Area of Outstanding Natural Beauty
DPB1: Character and Design

Mid Sussex Design Guide Supplementary Planning Document (Nov 2020)

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4 November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

National Planning Policy Framework (NPPF) (Dec 2024)

The National Planning Policy Framework (NPPF) 2024 is also a material consideration and paragraphs 8 (overarching objectives), 11 (presumption in favour of sustainable development), 131 and 135 (design), 189 (National Parks and National Landscapes) and 193 (biodiversity and ancient woodland) are considered to be relevant to this application.

High Weald AONB Management Plan 2024-2029 (2024)

This Plan has been prepared by the High Weald Joint Advisory Committee (including representatives from 15 local authorities, including Mid Sussex District Council) and sets out the long-term objectives for conserving this nationally important landscape.

ASSESSMENT

Principle of development

Policy DP12 of the Mid Sussex District Plan states (in part):

'The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

- *it is necessary for the purposes of agriculture; or*
- *it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.'*

The application complies with the first criteria of DP12, as it will provide an improved access for agricultural purposes.

Design and visual impact on the character and appearance of the area

Policy DP26 of the Mid Sussex District Plan states (in part):

'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:

- *is of high quality design and layout and includes appropriate landscaping and greenspace;*
- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *positively addresses sustainability considerations in the layout and the building design;'*

Similar openings and access arrangements to fields characterise the streetscene. It is considered that the proposal will be sympathetic to the rural character of the area and hence would comply with the above policies.

Impact on the High Weald AONB

The site is located within the High Weald Area of Outstanding Natural Beauty.

The legal framework for AONBs (also known as National Landscapes) in England and Wales is provided by the Countryside and Rights of Way Act 2000 (CRoW Act) which at Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty. Section 84 of the CRoW Act requires Local Planning Authorities to *'take all such action as appears to them expedient for accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB'*. The Levelling-up and Regeneration Act (2023) amended Section 85 of the CRoW Act, to create a new duty on relevant authorities to *'seek to further the purpose of conserving and enhancing the natural beauty of the area' when discharging their functions in AONBs*. A similar ethos is found within The High Weald Area of Outstanding Natural Beauty Management Plan which is a material consideration in the determination of planning applications in the AONB.

Policy DP16 of the Mid Sussex District Plan states:

'Development within the High Weald Area of Outstanding Natural Beauty (AONB), as shown on the Policies Maps, will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan, in particular:

- *the identified landscape features or components of natural beauty and to their setting;*
- *the traditional interaction of people with nature, and appropriate land management;*
- *character and local distinctiveness, settlement pattern, sense of place and setting of the AONB;*
- and*
- *the conservation of wildlife and cultural heritage.*

Small scale proposals which support the economy and social well-being of the AONB that are compatible with the conservation and enhancement of natural beauty will be supported.

Development on land that contributes to the setting of the AONB will only be permitted where it does not detract from the visual qualities and essential characteristics of the AONB, and in particular should not adversely affect the views into and out of the AONB by virtue of its location or design.'

Policy 1 of the Slaughtam Neighbourhood Plan states:

'The extent of the High Weald Area of Outstanding Natural Beauty is shown on the Proposals Map.

Development proposals within the High Weald AONB will only be supported where they conserve or enhance natural beauty and have regard to the High Weald AONB Management Plan in particular:

- 1. The identified landscape features or components of landscape beauty and to their setting;*
- 2. The traditional interaction of people with nature and appropriate landscape management;*
- 3. Character and local distinctiveness, settlement pattern, sense of place and setting of the AONB; and*
- 4. The conservation of wildlife and cultural heritage.*

Small scale proposals which support the local economy and social wellbeing of the AONB will be supported where they are compatible with the conservation and enhancement of the AONB.

Development proposals on land that contribute to the setting of the AONB will only be permitted where it does not detract from the visual qualities and essential characteristics of the AONB, and in particular does not adversely affect the views into, and out of, the AONB by virtue of its location and/or design.'

Paragraph 189 of the NPPF states that:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited, while

development within their setting should be sensitively located and designed to avoid or minimize adverse impacts on the designated areas.'

Given the modest scale of the proposed access and the use of natural materials and landscaping, it is not considered that the proposal would detract from the visual quality of the Area of Outstanding Natural Beauty.

Accordingly, the scheme would comply with Policy DP16 of the Mid Sussex District Plan, Policy 1 of the Slaugham Neighbourhood Plan and paragraph 189 of the NPPF.

Highways Safety

Policy DP21 of the Mid Sussex District Plan states (in part):

'... Decisions on development proposals will take account of whether:

- *The scheme is sustainably located to minimise the need for travel noting there might be circumstances where development needs to be located in the countryside, such as rural economic uses (see policy DP14: Sustainable Rural Development and the Rural Economy);*
- *Appropriate opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking, have been fully explored and taken up;*
- *The scheme is designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages;*
- *The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;*
- *Development which generates significant amounts of movement is supported by a Transport Assessment/ Statement and a Travel Plan that is effective and demonstrably deliverable including setting out how schemes will be funded;*
- *The scheme provides appropriate mitigation to support new development on the local and strategic road network, including the transport network outside of the district, secured where necessary through appropriate legal agreements;*
- *The scheme avoids severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation;*
- *The scheme protects the safety of road users and pedestrians; and*
- *The scheme does not harm the special qualities of the South Downs National Park or the High Weald Area of Outstanding Natural Beauty through its transport impacts.*

Where practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles.

Neighbourhood Plans can set local standards for car parking provision provided that it is based upon evidence that provides clear and compelling justification for doing so.'

The Highway Authority has raised no objection to the application. In respect of visibility splays the LHA are content that sufficient information has been submitted to demonstrated visibility that would be in accordance with DMRB CD109. These can be secured via a planning condition.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal. Accordingly, subject to conditions, the scheme would comply with Policy DP21 of the Mid Sussex District Plan and the NPPF.

Impact on neighbouring amenity

Policy DP26 of the Mid Sussex District Plan states (in part):

'All applicants will be required to demonstrate that development:

- does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29)'*

It is not considered that the proposal will result in any adverse impact to neighbouring properties. Accordingly, the scheme would comply with Policy DP26 of the Mid Sussex District Plan.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. As the impact on habitat is less than 25sqm this development is exempt from the requirement to provide biodiversity net gain.

Other

The ownership of the land to allow for the installation of the visibility splays hereby approved is a legal and not a planning matter.

PLANNING BALANCE AND CONCLUSION

The application is deemed to be of an appropriate scale and design in relation rural character of the street scene, with no harm to the AONB, and would not cause significant detriment to surrounding residents. Accordingly, it is considered that the proposed development would comply with Policies DP12, DP16, DP21, DP26 of the Mid Sussex District Plan, Policy 1 of the Slaugham Neighbourhood Plan, the Mid Sussex Design Guide SPD and the NPPF and is therefore considered acceptable.

Decision: Permission

Case Officer: Andrew Horrell