

From: planninginfo@midsussex.gov.uk <planninginfo@midsussex.gov.uk>
Sent: 07 June 2025 12:33:29 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 07/06/2025 12:33 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

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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:

BNP - Bolney Neighbourhood Plan

NPPF - National Planning Policy Framework (December 2024)

PRoW - Public Right of Way

Whilst it is clear that the proposed development fails many of the policies of the Bolney Neighbourhood Plan 2015 - 2031, the Mid Sussex District Plan 2014 - 2031 (adopted), the Active Travel England Standing Advice Note, and the Mid Sussex District Plan 2021 - 2039 Submission Draft (Regulation 19), given the current lack of a 5 year housing supply, I will concentrate in this representation on the NPPF which in paragraph 11 requires of decision-takers "particular regard to key policies for directing development to sustainable locations" ... " with a related footnote (for paragraph 11 d) ii that says: "The policies referred to in the footnote are those in paragraphs 66 and 84 of chapter 5; 91 of chapter 7; 110 and 115 of chapter 9; 129 of chapter 11; and 135 and 139 of chapter 12". It should also be noted that NPPF paragraph 49 states that "Local planning authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given)", so even in the absence of a 5 year housing supply the Mid Sussex District Plan 2021 - 2039 Submission Draft (Regulation 19) still carries weight.

NPPF paragraph 110 says "Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes".

The proposed location is not sustainable, the proposal does not make it sustainable, and the proposal does not provide "genuine choice of transport modes", as outlined in my Objection Clarifications below.

NPPF paragraph 115 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;

b) safe and suitable access to the site can be achieved for all users".

The proposal does not provide "safe and suitable access" ... "for all users", nor provide "sustainable transport modes" for travel beyond Bolney, as shown in my Objection Clarifications below.

The NPPF paragraph 129 says "Planning policies and decisions should support development that makes efficient use of land, taking into account:" ...

"c) the availability and capacity of infrastructure and services - both existing and proposed - as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

d) the desirability of maintaining an area's prevailing character and setting (including residential gardens)".

Infrastructure is creaking at the seams already (as demonstrated yet again by part of the village having a power cut this week, less than 4 weeks after another problem resulted in the village and wider area being blasted with 280 volts), and many services are at capacity or simply not available. The proposed development (and another nearby - DM/23/2866, referenced below in the section "Alternative Options/Suggestions") will only make this worse. Future car use is not limited by the proposal, and the character and setting of the area are not maintained by the proposed development.

The NPPF paragraph 135 says "Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".

In this representation, I will demonstrate that paragraph 135 is failed on multiple accounts.

In not meeting the terms of these specific paragraphs, paragraph 11 of the NPPF indicates that permission should NOT be granted.

Additionally, I will explain in my objection clarifications below that permission also should NOT be granted as a result of NPPF paragraph 116 and identify other parts of the NPPF that are not met.

Objection clarifications - ACCESS & SAFETY

I. 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. This does not meet NPPF paragraph 135(f) and NPPF paragraph 96(b). Further, 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.

II. The poor accessibility of the site in the wider setting 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, the only safe way to get to Burgess Hill is by car. Even were that link to be added (which is not part of the

proposal) it would still be too far for pedestrians, and still would not provide safe access to closer localities of Haywards Heath, Cowfold etc. This does not meet NPPF paragraphs 110, 115 and 135.

III. Other than by car, the proposed site is not within practical reach of facilities capable of sustaining a household, including adequate shops, medical/health services, library, junior or secondary schools, colleges, a primary school with adequate capacity, sports facilities etc. It does not have good transport links - no rail, minimal bus service (what services there are mostly run at times that are not practical), no safe links to useful cycle paths, etc. The developer's references to liaising with bus operators will be so unlikely to make a significant enough difference (if any at all) to make anything but car use realistic for most. The vast majority of journeys outside Bolney will still need to be made by private car as they are for existing Bolney residents (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 require a vehicle to get to the railway station from Bolney). As a result, NPPF paragraphs 110, 115, 129 (c) and 135 are not met.

IV. The plan to have a Kangaroos centre in the proposed development would draw vehicular traffic from a much wider area into the proposed development. The position of the proposed Kangaroos centre in the northern parcel of the development would mean that all vehicles to/from the Kangaroos centre would have 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 pull up immediately after a sharp bend, before likely doing three point turns and repeating the route in the opposite direction. As a result, NPPF paragraphs 110, 115, 129 (c) and 135 (f) are not met.

V. 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. The proposed changes result in a junction, almost opposite a garage, with a dangerous crossroads slightly to the west, bends in the road, pedestrian crossings (one signalled), and accesses to private properties. Road users will likely be mentally overloaded by the multiple hazards, and those exiting the proposed development may take risks in an attempt to exit the junction. As a result, NPPF paragraphs 115 (b), 115 (d) and 135 (f), as well as paragraph 117 are not met.

VI. Linking to, and relying on for access to the existing centre of Bolney, PRoW 44Bo at the northern edge of the development, with no mention of improving 44Bo (it is narrow, uneven, enclosed by barbed wire, floods regularly, the surface turns into a quagmire, and it is most certainly not wheelchair-friendly) is not inclusive as it is not accessible to many. Similarly, the proposal to have pedestrian and cycle access through the private car park south of Bankside (even if it were possible, which as it is privately owned is not certain) is unsafe,

with poor visibility, awkward slopes, and no separation of vehicles, pedestrians, cyclists and wheelers. As a result, NPPF paragraphs 110, 115 (b) and 135 (f) are not met.

Objection clarifications - CHARACTER

VII. As the Bolney Neighbourhood Plan 2015 - 2031 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. As a result, NPPF paragraphs 129 (d) and 135 (c) are not met.

VIII. The proposed development does not generate a new "strong neighbourhood centre", nor strengthen the existing centre of Bolney. Instead, it attaches two parcels of development to the west of the centre of Bolney, with a separate access to the wider setting, resulting in "hoods" between which social interaction is not promoted by the proposal. As a result, NPPF paragraph 96(a) is not met.

IX. 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. Even the letter accompanying the application states that "it is recognised that there would be localised effects on the landscape character of the site". NPPF paragraph 135 is not met.

Objection clarifications - INFRASTRUCTURE & SERVICES

X. The experience of existing Bolney residents regarding low water pressure and water outages suggests that there are issues regarding the existing adequacy of the water supply. After the "Beast from the East", South East Water produced a report (" 'Beast from the East' Lessons learned put into practice Investing in Cuckfield, Bolney, Warninglid and Haywards Heath" ref. <https://cdn.southeastwater.co.uk/Publications/'Beast+from+the+East'+incident+response/lessons-learned-put-into-practice-cuckfield-bolney-warninglid-and-haywards-heath.pdf>). In Table 2 of that report, three investments were proposed together with timescales. The last of them was due to be done by 2025 if it were deemed possible. It has not yet been confirmed by South East Water if all of those proposed investments have been made (they have not been publicised and a question to South East Water is still unanswered at date of writing this), so Bolney likely remains vulnerable to such prolonged water outages. It should be noted also that another application, reference DM/23/2866, has recently been submitted for up to 1,450 homes (as well as schools etc) at Ansty, the next village east on the A272. As the water supply to Bolney is at the end of the

supply network, with Haywards Heath, Cuckfield and Ansty drawing their supply first, the planned development DM/23/2866 would make the Foxhole Farm site at Bolney even more vulnerable to loss of water supply and hence not sustainable. South East Water should be required to reassess whether they can meet the demand of the proposed Foxhole Farm development, taking into account the DM/23/2866 proposal. Without adequate infrastructure and services, NPPF paragraphs 110 and 129 (c) are not met.

XI. The experience of existing Bolney residents regarding foul and surface water flooding at the southern end of the main part of Bolney, suggests that there are issues regarding the existing 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. 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". Without adequate infrastructure and services, NPPF paragraphs 110 and 129 (c) are not met.

XII. 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. NHS Sussex have confirmed nearby GP practices are at capacity. Hospital waiting lists are such that the local trust directs patients to Eastbourne or elsewhere, journeys that are impractical when ill or immobile. Pharmacies are stretched, underfunded and closing. Again, this reinforces the unsustainable location of the proposed development. Without adequate infrastructure and services, NPPF paragraphs 110 and 129 (c) are not met.

Objection clarifications - INFORMATION ACCURACY

NPPF paragraph 44 says that "The right information is crucial to good decision-making, particularly where formal assessments are required". There are multiple errors (ignoring spin that is open to disagreement) scattered through the various documents in the application bundle. As a result, NPPF paragraph 44 is not met. 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 of a site 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.

ALTERNATIVE OPTIONS / SUGGESTIONS

Given the significant and foreseeable impact that DM/23/2866, a plan for up to 1,450 homes, up to 90 residential care units, a primary school, a SEND school, health hub, sports facilities, retail etc at Ansty would have on traffic and safety, particularly around the A272, any decision with regard to the Foxhole Farm proposal should, as a minimum, require updated traffic assessments and updated utility assessments prior to any decision being made on application Foxhole Farm DM/25/1129. If the combined impacts of DM/25/1129 AND DM/23/2866 on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios" the proposal for Foxhole Farm should be refused under NPPF paragraph 116.

If the proposed Foxhole Farm 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 sharp bend in the access road or require the access road to be re-routed to eliminate the sharp bend.
 - (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 Sustainable Drainage Systems 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) Since the northern parcel of the development is dependent upon a foul pumping station to direct sewage flow, require a back-up solution for prolonged power cuts which can (and have) happen(ed) in Bolney.
 - (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
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etc.

(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 an alternative site for the Kangaroos Centre, either closer to Farney Close School or to the new SEND school planned as part of DM/23/2866 as there may be opportunities to share resources.

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

Kind regards