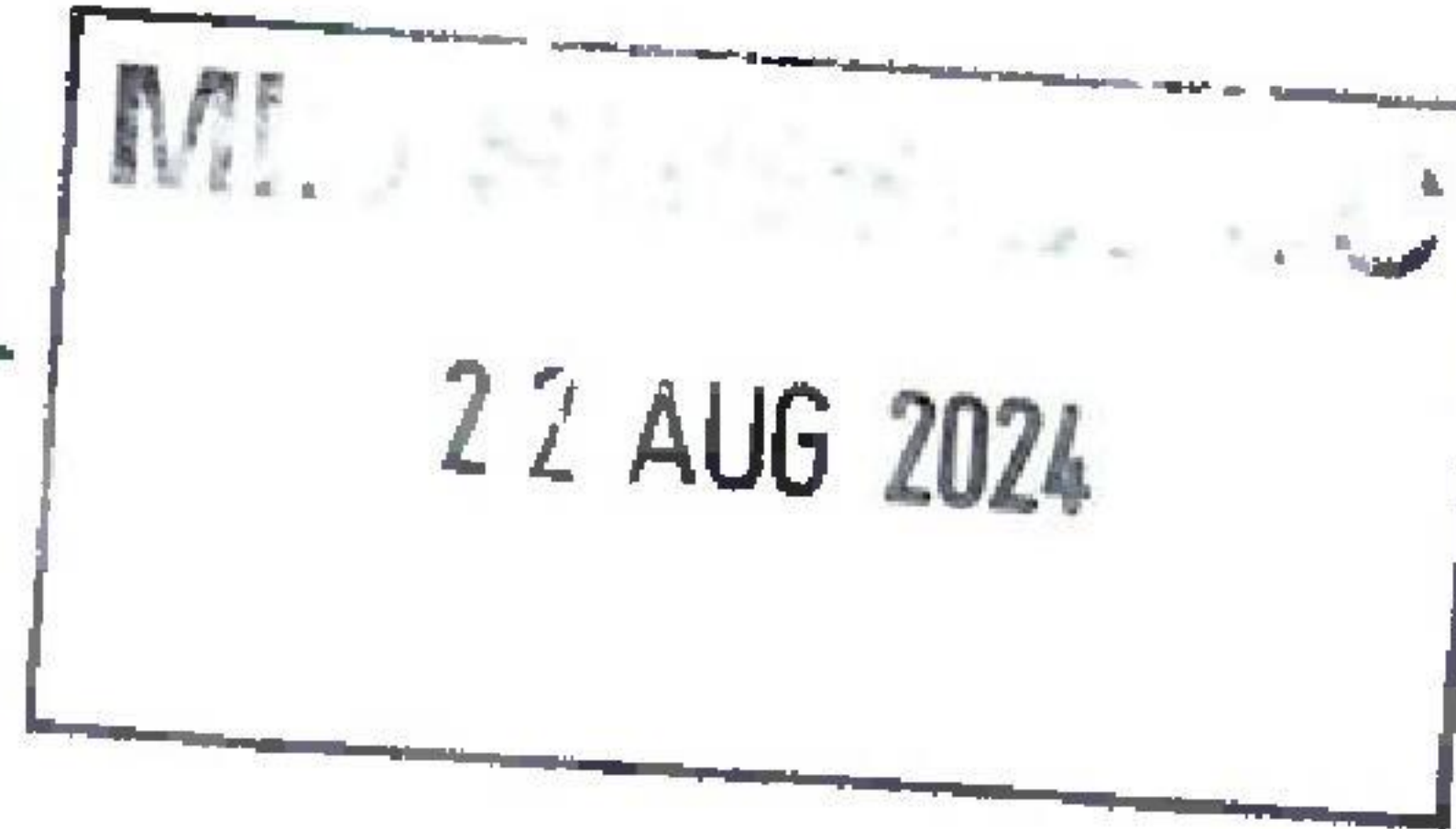




Lindfield Society



36 High Street
Lindfield
West Sussex
BN16 2UH

14 August 2024

Dear Mr Malcolm,

We note the readvertisement of this application (DM/24/0446) and that Gladman have added nothing to answer the objections that our Society, the District Councils and many others have made. The site remains excluded from the District Plan as unsuitable for development. The proposal continues to contravene DP6 (Settlement Hierarchy), DP12 (Protection and Enhancement of Countryside) and DP34 (Listed Buildings and other Heritage Assets). We therefore stand by our objections of 14 March 2024 (see attachment) and urge refusal of permission.

The Ecological Impact Assessment (23 July 2024) also fails to answer several important issues:

- 1.) The rare, light sensitive barbastelle bat has been recorded in the area and there is no lighting strategy proposed (even in outline) at this stage to provide details on dark corridors and the protection of its foraging and commuting habitat. It is also disappointing not to see the lighting strategy where there are also records of trees with potential roosting features. Standard practice is to provide an outline lighting strategy with the planning application.
- 2.) The dormouse survey will not be completed until October 2024 and should be completed prior to the determination of the planning application as the dormouse is a European Protected Species and legally protected under Schedule 5 of the Wildlife and Countryside Act 1981.
- 3.) There is a potential population of reptiles on site, yet a reptile mitigation strategy won't be provided until Reserved Matters Application stage which is usually required prior to determination of a planning application.
- 4.) A Construction and Environmental Management Plan for Ecology, Habitat Management and Monitoring Plan or Landscape and Ecological Management Plans is usually required for an outline planning application (at least in outline) but will not be produced until Reserved Matters. It is needed to ensure that all mitigation measures are secured and implementable.
- 5.) While mature trees are generally being kept on site, there are some high-quality oak trees. At least one is mature and possibly veteran which should be examined by the MSDC tree officer for consideration for Tree Preservation Order status.

This scheme is unplanned and unneeded. Granting permission would therefore undermine the District Plan and open the door to similar unregulated development across Mid Sussex.

Best Regards



Co-chairs,
The Lindfield Society



Lindfield Society

35 Dukes Road
Lindfield
West Sussex
RH16 2JQ

Mr Stuart Malcolm
Planning Department
Mid Sussex District Council

14 March 2024

Dear Mr Malcolm,

Application No: DM/24/0446: Land off Scamps Hill, Scaynes Hill Road, Lindfield

The Lindfield Society objects strongly to this application. The site has been excluded from the District Plan as unsuitable for development. The proposal contravenes the requirements of DP6: Settlement Hierarchy, DP12: Protection and Enhancement of Countryside and DP34: Listed Buildings and other Heritage Assets.

This site (ref no. 983) is not allocated for development in the adopted District Plan 2014-31 and has also been rejected in the current District Plan Review. The proposal is therefore entirely unnecessary for meeting Mid Sussex District Council's housing requirement. A recent appeal decision in the Council's favour (5 October 2023, ref. APP/D3830/W/23/3319542) found that "the Council has demonstrated that it can identify a supply of specific deliverable sites sufficient to provide *a minimum of 5 years' worth of housing against the standard method*" (para 97, *our italics*). It is worth noting that due to a subsequent legislative change (NPPF as revised Dec 2003, para 226), the Council is now required to demonstrate only a four-year supply. Furthermore, the Planning Inspector found that overall, "development plan policies... are not out-of-date" (para 129), confirming the soundness of the District Plan.

The applicants attempt to argue with this ruling in order to find an opening for their rejected site. They state that there are sites "within the Council's supply that should not be included and that the proposed delivery rates... are overly optimistic", and that "the Council cannot demonstrate a four-year housing land supply" ("Planning and Affordable Housing Statement", 3.7.6). Therefore, "the policies most important for determining the application are out-of-date" (4.17.2). These are sweeping assertions, but the applicants provide no evidence to support them. Nor do they demonstrate why their self-interested claims should outweigh the detailed decision of the Planning Inspector. Their argument is insubstantial and provides no grounds for overruling the District Plan. This site should therefore continue to be excluded.

The application also conflicts with several District Plan policies:

DP6: Settlement Hierarchy, undertakes to protect the countryside outside built-up area boundaries by “minimising the amount of land taken for development and preventing development that does not need to be there.” Outside built-up boundaries, the expansion of settlements will be supported only where “the site is allocated in the District Plan, a Neighbourhood Plan or subsequent Development Document”. This proposal contravenes both provisions, being demonstrably unnecessary and having been rejected in the District Plan. Permission should be refused for these reasons.

DP12: Protection and Enhancement of Countryside, stipulates that “the countryside will be protected in recognition of its intrinsic character and beauty... Development will be permitted... provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and... it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan”. This scheme would be an alien, urban intrusion that would do the opposite of maintaining the rural character of its setting. It obviously also fails the test of being part of the development plan.

It is notable that even the applicants concede that their scheme “does not accord with policies DP6 and DP12” (“Planning and Affordable Housing Statement”, 4.3.3). They argue that the importance of this conflict should be reduced because the Council “is unable to demonstrate a four-year land supply” - something they have signally failed to prove.

These are further reasons for refusal.

DP34: Listed Buildings and Other Heritage Assets, requires that development protects both “listed buildings and their settings”. The extensive bulk of the proposed scheme would loom over the Grade II listed Greyfriars, detracting seriously from both the building and its setting. The District Plan Review notes this “high impact” on a listed building and sees no benefits that would “outweigh harm or loss to the asset” (Site Selection, appendix 4). This judgement is logical: as the entire scheme is unnecessary (see para 2 above) it cannot be seen to offer benefits in the planning balance. The Review concludes that “the site is therefore considered unsuitable for development”. Permission should be refused for this reason as well.

Lindfield has been compelled over the past decade to accept more than 700 new homes, mostly on the eastern perimeter of the village and close to this site. This translates into a population increase of 30% and 850 additional cars on narrow village roads. No supporting infrastructure has been added to healthcare or educational facilities that were under strain to begin with, nor have there been any improvements to the road network. The community has suffered considerable ecological damage as large stretches of irreplaceable countryside have disappeared beneath sprawling warrens of speculative housing. The application is strangely silent on this history and on the cumulative impact of yet more building. Given the disfigurement that Lindfield has already undergone, it is doubly important that the District Plan be respected and that this site continues to be excluded.

The logic of the NPPF is that policy should be plan-led. The applicants themselves concede that their scheme is not consistent with the District Plan. They have presented no material considerations to suggest that a determination should be made otherwise than in accordance with the plan. To grant permission would therefore depart from the principles of national planning legislation. It would also tacitly accept the applicants' (unsupported) claim that the District Plan is unsound, opening the door to similar unregulated development across the District.

Even if the Planning Inspector's October 2023 conclusion about the housing land supply were incorrect and there were no demonstrable four-year supply, no considerations outweigh the harm that would still be caused by the proposal's contravention of DP6, DP12, DP34 and by its conflict with the development plan as a whole. This is a transparently speculative scheme that should be rejected.

Yours sincerely

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Chairman,
Lindfield Society