



The countryside charity
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Mr Stephen Ashdown
Planning Office, Mid Sussex District Council
Oaklands Road,
Haywards Heath,
West Sussex, RH16 1SS

28 December 2023

Sent by e-mail to: planninginfo@midsussex.gov.uk

Dear Mr Ashdown,

DM/23/2866: Outline planning application to develop 1,450 houses and other buildings and Infrastructure on farmland east of Ansty Way, Cuckfield Bypass Cuckfield, West Sussex.

I am writing on behalf of CPRE Sussex (CPRESx), the Sussex countryside charity. I am writing to let you know our preliminary views on the countryside and sustainability implications of this outline planning application, and why we would support a decision by your Council to refuse this application as being, overall, contrary to your Council's District Plan policies, to relevant Neighbourhood Plans and to national planning policy.

We may wish to make additional comments when we have had an opportunity to study in more detail the very extensive documentation submitted with this application, and the linked application DM/23/2867 to develop nearby countryside into a so-called parkland. It may not be practical for us to do this by the end of this year when your consultation period is due to end.

We base our objections to this application on the twin premises that (a) development must be sustainable and (b) growth and change should be Plan led, not developer imposed. It is the District Plan Review process, not this speculative developer application, that should determine where future strategic development should take place.

Why the application is incompatible with your development plan

Whilst your District Plan 2018 is more than 5 years old, you recently demonstrated to the Planning Inspectorate that you have a 5 year housing land supply and, since the adoption of the Sites Allocation DPD (**SADPD**) sufficient sites to meet in full the District's standard method-adjusted housing target until the end of the current Plan period in 2031. The Plan's locational strategy and all other key policies are consistent with national planning policy and up to date. The presumption in favour of development is not engaged, as the applicant has acknowledged on p.11 of its Design & Access Statement (**DAC**).

We can see no material considerations that should drive your Council to depart from basing your decision in respect of this application on the policies on your District Plan/SADPD. This application for a huge development on an unallocated site seeks to drive a coach and horses through your housing policies strategy and is fundamentally incompatible with a number of other core

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development plan policies. The site they seek to develop is not one that you have identified for allocation; and in our opinion, is locationally unsustainable for major development.

There is no need in terms of your current District Plan and housing delivery requirements for such extensive further development. Approving this application would explode an Exocet beneath your District Plan/SADPD.

The 2024 District Plan Review should determine where new homes are built.

We are of course aware that you will shortly be consulting publicly on the Regulation 19 version of your District Plan Review which will extend the Plan period from 2031 to 2039, and require you to increase your housing target to meet post 2031 needs and to identify sites to allocate for them. It will be for your Council and the Planning Inspectorate examiner of your Plan Review to determine what additional housing and other facilities/infrastructure should be planned for and where that additional need can most sustainably be located. The application site is not one selected by your Council for that purpose. We believe that fact in itself merits some weight given the extensive sites' evaluation process that your Council has conducted, even though the Review process remains ongoing.

In any event it would be perverse and irrational to pre-empt that Plan Review examination and adoption process by approving this outline-only application at this stage. Given that your Council has a 5 year housing land supply, there is no pressing need to support now a windfall development of such a large scale on a site not allocated for that purpose. Indeed the effect of paras 77 and 226 of the new NPPF¹ appears to be that you now only need to demonstrate a 4 year supply.

This is merely an outline application, not a shovel ready development proposal. It has no development time frame attached to it. Moreover, the scale of the infrastructure that would need to be installed in advance to enable the delivery of the scheme further precludes its delivery in the short or even medium term. Approving this application would do nothing to boost the actual delivery of additional homes within a 5 year time frame.

The obvious proper course would surely be to proceed with your Plan Review examination, and to address the longer term housing strategy and hierarchy through that process; and to reject this application whose effect is to usurp and undermine that developing strategy as well as your current Plan.

District Plan policies that disqualify this application from approval

In determining this application by reference to your existing development plan as planning laws and NPPF para 12 require, we consider the following policies are the most significant. In each and every case the proposed development scheme would be wholly incompatible with those policies.

DP3 (Village and Neighbourhood Centre development) and DP6 (Settlement hierarchy): Ansty is classified as a category 4 settlement. It is a small village with services limited to those serving the village community. The proposed scheme would introduce about 3,500 more people into Ansty, would move the historic village centre, would swallow up the existing community and would

¹ References in this letter to the National Planning Policy Framework are to its December 2023 version.

fundamentally alter the setting of the village. This would ruin one of the core objectives of the Ansty & Staplefield Neighbourhood Plan (**ASNP**), which aims to ensure that Ansty should maintain its distinctive identity through to at least the end of the current District Plan period (see p.15).

Neither the current District Plan nor the Ansty & Staplefield Neighbourhood Plan (**ASNP**) provides any mandate for such a violent change to that small village community's status. There is very little, if any, local appetite evident to change that status, yet alone to accept a development of such overwhelming scale.

Given the level of local opposition, local people should have the chance to have their democratic say on any proposal to allow a strategic development at Ansty via the public examination of your District Plan Review; otherwise their community is exposed to a fundamental change in its current status contrary to adopted District Plan policy without full consideration of the implications and a chance to contribute to that process.

Fairfax's scheme is also locationally incompatible with your Plan's land use strategy:

- Policy DP12 (Protection and Enhancement of the Countryside) whose purpose is to protect the countryside and higher grade agricultural land from development in accordance with NPPF para 181². DP12 is subject to only limited exceptions, none of which are applicable in this case. Significant development of agricultural land has not been demonstrated by the applicant to be necessary - which, given that the development would be contrary to the Plan's land use strategy, it patently isn't. Moreover over 13ha of BMV agricultural land would be lost even though it comprises 13.5% of the whole site area and 17% of the agricultural land area, and DP12 expressly says that it must be protected from non-agricultural development,.
- Policy DP14 (Sustainable Rural Development) By reason of its scale, this application is not supported by policy DP14, which supports only small-scale economic development, and then only where the development is compatible with DP12 and 13.
- Policy DP15 (New Homes in the Countryside). Because this application is in conflict with the Plan's settlement hierarchy and DP12, and non-agricultural, this development scheme cannot be considered to be consistent with policy DP15.
- NPPF para 82. By reason of the housing development's large scale it is likewise incompatible with para 82, which provides that *"In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs, including proposals for community-led development for housing."*

These policies, along with DP3, DP6 and DP13 are all core strategic policies that deliver your Council's adopted development plan. The ASNP also contains material strategic policies on where

² NPPF para 181 requires local planning authorities to *"allocate land with the least environmental or amenity value, where consistent with other policies in this Framework [62]; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale"*, with a footnote (footnote 62) stating that *"Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development"*.

development should, and should not be, permitted and on environmental conservation which this application ignores.

It is noteworthy that the applicant, despite acknowledging (as it must) that the District Plan policies apply to the application, makes scant attempt to justify its scheme by reference to any of these above DP policies with which it is inconsistent.

The scheme may well also be inconsistent with DP34 (Listed Buildings), DP37 (Trees, Woodland and Hedgerows) and DP38 (Biodiversity). We have noted what Sussex Wildlife Trust has said in their 20 December representation. Consistency or otherwise with those and other policies would have to be considered further at full application stage, if it ever came to that.

Given that the new homes proposed are not required in order to meet – and could not deliver housing to meet - your District Plan's existing housing needs or target, the benefit of delivering them is largely illusory. Whatever (if any) benefit as there may be is patently outweighed by the fact that the application effectively demands that you flout your core strategic locational policies, and that you should do so immediately in advance of the considered examination of your detailed proposals to update those policies to meet the District's needs beyond the end of the current Plan period.

The site is not a sustainable site for development

In any case the site for this proposed development is, in our firm view, not a sustainable location for such a large and strategic scheme. You cannot build there without irreparably harming its natural character and assets and its biodiversity; harm that the benefits of the built environment will not compensate for here.

Other than noting that this application depends in large part on claimed off-site benefits to achieve its BNG requirements, whereas the imminent published Planning Practice Guidance calls for such gains to be sought on-site, we leave those more expert on the biodiversity implications, including the Sussex Wildlife Trust, to address those aspects. We will focus our comments here on the why the absence of necessary infrastructure, the travel distances and economic value of the loss of natural assets make this an unsustainable site with downside climate change, and economic, costs that exceed any benefits that development at this location would bring.

The development site is an all greenfield rural site covering 250 acres (100ha) located between the villages of Ansty and Cuckfield and, as the crow flies, its central point is just under 4 kilometres from the centre of Haywards heath. The DAC describes it as *“mostly gill valley which is ancient in origin and several old, abandoned water meadows. The ground flora is generally quite species rich and well developed, becoming increasingly so nearer the streams. The site also has particularly good fern and bryophyte communities.”* Wooded gill streams are nationally rare habitats according to the High Weald AONB Unit. 76.7ha of site land is said to be agricultural, of which 13.2ha is BMV grade (very rare in Sussex), spread over the site. Most of the rest of the site is woodland, including 7.3ha of unconnected pockets of ancient woodland. The DAC says that most of the woodland is in the Priority Habitat Inventory. The site would surround two listed buildings. It is crossed by a number of PROWs, and is directly adjacent to Great Wood & Copyhold Hangar Local Wildlife Site. The High Weald AONB borders a stretch of the A272 on the north-west of the site and adjacent to the proposed “parkland reserve”. Part of the site is in the WSCC Minerals Safeguarding Area for sandstone and other building materials.

Ever since the second world war it is been a cardinal principle that strategic planning should seek to develop within and around existing urban centres and avoid scattering new developments as urban sprawl across the countryside. Around major cities this principle led to the establishment of protected green belt land. But the purpose of avoiding urban sprawl spreading into the countryside applies nationwide, and should be at the heart of all strategic land use planning.

The principle of locational sustainability is at the core of the NPPF. It is also at the heart of your Council's own District Plan via its environmental protection objectives, via policy DP6 governing the settlement hierarchy which requires that *"the development is demonstrated to be sustainable, including by reference to the settlement hierarchy"*, and via its policies DP12 - DP18.

This development application would be sited on agricultural land in a car-dependant rural location that flies directly in the face of this fundamental principle that new isolated developments are to be avoided in order to prevent urban sprawl into the countryside and high adverse climate change impacts.

Local Gap

Policy DP13 of your District Plan allows Neighbourhood Plans to include local gap policies based on robust evidence as to their purpose. The ASNP includes such a Local Gap policy. The ASNP provides that *"The third gap that is important to preserve is that between Ansty and Cuckfield. The Sustainability Appraisal demonstrated that development on the edge of Ansty which would serve to narrow this gap would have a significant detrimental impact on views of the ancient woodland and Cuckfield to the east."* To that end ASNP policy AS2 states *"Development proposals are expected to demonstrate that they would not result in the coalescence with any neighbouring settlement either individually or cumulatively or result in the perception of openness being unacceptably eroded between the following areas Ansty & Cuckfield. Planning permission will not normally be granted for development which contributes to the ad hoc Development of dwellings outside the built up area"* This development would flagrantly breach that policy.

Infrastructure non-sustainability

To be sustainable, large scale new development also needs to be built where there the infrastructure already exists to support it. This is a countryside site that has NO infrastructure in place to support this proposed development. The limited facilities that the developer would build on site would fall way, way short of making the development – which is not even big enough to qualify as a village – self-sustaining: no utility infrastructure; no accessible train station; no entertainment or significant retail facilities; limited healthcare support; limited walking or cycling access routes to Haywards Heath with travel times that severely limit their usefulness to many residents. Just the adjacent A272. Could you satisfy yourselves that none of the direct and indirect cost of providing all the infrastructure utilities and facilities required to complete this private development would fall on your Council or other public bodies?

Natural capital and ecological implications

The site provides significant natural capital services and therefore has material natural capital value that would be lost if the development were permitted. Its nearly 100ha of agricultural fields and woodland serve, amongst other benefits, to capture CO² (potentially up to 500 tonnes p.a.); as a food and agricultural resource; as what the applicant itself calls a well developed, species rich habitat;

and as a quiet local countryside walking network for peoples' health, wellbeing and enjoyment. It provides a rich biodiversity habitat that the applicant itself acknowledges would be harmed and could only be enhanced (if its claims are correct) by creating offsite improvements (contrary to the imminent Planning Practice Guidance which will call for such gains to be sought on-site).

The Government's Office of National Statistics (ONS) have adopted a trial methodology to value the services provided by our natural capital. Applying that methodology, the ONS has, for example, calculated the capital value of health benefits from recreation in England at £369.8 billion and of air pollution removed by nature at £113.8 billion.³

The application gives no consideration to the irretrievable permanent loss of much of the site's natural capital services, yet alone put an economic value on that loss. The loss could be considerable. It is a loss that converting other green space into a parkland reserve cannot reverse.

When evaluating the economic implications of this proposal, it is essential to weigh up against the employment opportunities that the development would open up, the fact that harm to the natural services and ecology that this large greenfield site provides has a significant economic cost as well as an environmental cost; and that cost needs to be weighed in the balance. In our view, an independent natural capital asset/services valuation is a necessary component of a balancing exercise in order for the appraisal of the application to comply with NPPF para 180b) which provides that planning policy and decisions must "*recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services* – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland". So we call on your Council to commission such a valuation if you were otherwise uncertain whether to grant permission for this outline application.

Transport non-sustainability

There is no such thing as a car-dependent sustainable community. If the large majority of residents of a community are going to use their cars regularly to access their places of work, their main shops, their train station, their health, entertainment and leisure facilities, their library, then that community cannot be regarded as self-sustaining.

CPRESx supports the purpose expressed in para 3.6 of the District Plan which says that: "*A central aim of the District Plan is to increase the sustainability of communities within Mid Sussex and reduce the need to travel to other areas for employment and other facilities.*" We agree that new housing estates should be built so that residents of all ages and abilities can walk, cycle and use public transport to go about their daily lives.

A development of 1,400 homes close to a category 4 settlement - – which, by the applicant's own admission, will be too small even to qualify as a village –will be unable to generate enough economic activity to support long term more than the barest of on-site facilities, and very limited

³ <https://www.ons.gov.uk/economy/environmentalaccounts/bulletins/englandnaturalcapitalaccounts/2023#main-points>. Here is the link to the guide that explains the methodology used by the ONS: <https://www.ons.gov.uk/economy/environmentalaccounts/methodologies/uknaturalcapitalaccountsmethodologyguide2023>

employment opportunities for new residents. Inevitably residents would need to travel off-site on a daily basis: potentially multiple daily journeys.

Cuckfield has only limited facilities and is more than a 20 minute walk away. Most residents would be tied into using the facilities offered by Haywards Heath and/or Burgess Hill. The applicant's Design & Access Statement understates travel distances to both. Neither town is in walking distance: We measure the shortest safe walking route from the centre of the site to Haywards Heath station and its adjacent supermarkets at 2.75 miles, a 1hr+ walk each way. The Orchard Centre is a similar distance. We question whether a continuous safe, lit, segregated off-road hybrid cycling/walking path could be built as far as Muster Green⁴. The application does not even offer a safe cycling route to/from Cuckfield or Burgess Hill.

As to buses, the existing limited 89 route service through Ansty is plainly insufficient, and the service operator has told us that *"we would not want to divert it via the new estate as there is insufficient time and it would make through journeys unattractive to existing passengers"*.

Whilst the Travel Plan refers to discussions with bus companies to extend the current bus service, their information is all very vague and limited. Delivery of an effective, long term, bus service has not even been costed. The application offers no assurance that a bus service will be available to residents that is convenient and regular, extends both to Haywards Heath and Burgess Hill and their train stations, and operates in the evenings and at weekends, and no assured long term funding commitment. Without credible assurances on all those points, developer chatter about a bus service is of no value. We note that the Travel Plan aspiration is that a bus service might serve to reduce single occupancy car travel by only 5% after 5 years (which in itself raises a serious doubt as to the service's long term viability).

In reality, car dependency is built into the structure of the application. If you cannot drive and don't have a car, in practice you won't be able to live in the new development. Car dependency would be increased by having the lure of the A272 bounding the site on two sides, with access to the A272 being facilitated by new junctions, and the A23/M23 in close driving proximity.

The majority of working age residents moving into the development will presumably already have employment, and that employment will be remote from the site. It is unrealistic to anticipate that most of them will travel to and from work by the one irregular bus service or by bicycle when the A272 beside them beckons.

Some of the new jobs that the development would offer are unlikely to be filled by new on-site residents, and will involve people visiting the site for work purposes. That would also be true of the sports facilities proposed. It is doubtful whether low paid residential care home workers or primary school teachers would be able to afford even the affordable homes intended for the site given the financially challenging qualifying definition of affordability in the NPPF on which the developer

⁴ Dept of Transport Cycle Infrastructure Design guidance sets a minimum two way 3m width standard: <https://assets.publishing.service.gov.uk/media/5ffa1f96d3bf7f65d9e35825/cycle-infrastructure-design-ltn-1-20.pdf> See table 5-2, p.43.

presumably relies. All of this would serve to increase the amount of car-based traffic to and from the site, but has apparently not been measured.

The local road network is already facing significant additional pressures in the coming years as a result of the 3,600 home Brookleigh development on the south side of Ansty. The serious impact of the anticipated additional traffic volumes that would result from the current more car-dependant application, particularly on the A272, have been modelled for your Council and WSCC. We are not in a position to add to that assessment, though we are not clear whether it addresses the capacity of public parking facilities within Haywards Heath to cope with the additional demands on it. This local traffic congestion concern is a further consequence of the site's unsustainable car dependency.

Moreover, regular users of the proposed walking/cycling route to and from Haywards Heath would be exposed to the CO, CO², NO^x and fine particulate emissions of more slow-moving congested traffic on the immediately adjacent A272. The adverse health implications for pedestrians and cyclists of sharing the A272 route would need to be evaluated.

And, of course, car dependency increases the level of greenhouse gas emissions. This militates against the Council's climate change mitigation aims, and is another significant reason why this location is demonstrably unsustainable.

The existence of a Travel Plan is not a magic wand that turns a car dependent development into a sustainable community. Whilst the applicant's Travel Plan claims to offer sustainable travel options, these are demonstrably mere window dressing. The main thrust of the Travel Plan is in fact how to make the site convenient for car use with adequate on-site car parking and convenient new access junctions onto the A272.

When it comes to the reality of small community development sustainability, the gulf between developer vision promotion and actual delivery in practice is flagged up in a 2020 Transport for New Homes/ CPRE joint report called "Garden Villages and Garden Towns: Visions v Reality".⁵ This report studied the actual impact of 20 new permitted village developments and concluded that all of them have ended up as car dependent communities: not a single one of them had ended up delivering the sustainability that the developers promised, particularly when it came to transport sustainability. This location would be no different.

Conclusion

For all the reasons identified in this letter, the planning balance falls four-square on the side of rejecting this application, and we would support a decision by your Council to turn it down. To do otherwise would be to disregard clear District Plan and ASNP objectives and policies that give effect to national sustainable planning policy, and to undermine the Plan Review strategy that you will be advocating at its forthcoming public examination.

Yours sincerely,

Michael A. Brown

On behalf of CPRE Sussex, the Sussex countryside charity www.cpresussex.org.uk

⁵ <https://www.transportfornewhomes.org.uk/wp-content/uploads/2020/06/garden-village-visions.pdf>