



woolf bond
planning

**TOWN AND COUNTRY PLANNING ACT 1990
SECTION 78 (AS AMENDED)**

LAND TO THE EAST OF ANSTY, CUCKFIELD BYPASS, CUCKFIELD

Appeal against the decision of Mid Sussex District Council ("the Council") to refuse an outline application ("the Application") for the redevelopment of land to the east of Ansty to create a new Garden Community.

**APPELLANT'S RESPONSE TO THE REVISED NATIONAL PLANNING POLICY FRAMEWORK
RK (AUG 2026)**

**Prepared by:
Steven Brown BSc Hons DipTP MRTPI**

On behalf of:

Fairfax Acquisitions Ltd and the Norris Family

PINS Ref: 6002030

LPA Ref: DM/23/2866

WBP Ref: SB/9161

September 2026



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1. INTRODUCTION

General

1.1. This Statement considers the matters raised in the new National Planning Policy Framework ("NPPF") (August 2026), which post-dates the planning inquiry held in June 2026; and their relevance for the determination of the Appeal. It includes contributions from the Appellant's expert team, including:

- Ms Annie Gingell – Affordable Housing
- Mrs Clare Brockhurst – Landscape
- Mr Matthew Stevens – Highways and Locational Sustainability
- Mr Iain Warner – Need for C2 Older Persons Accommodation
- Mr Andy Moger – Need for Custom/Self Build Accommodation
- Mrs Gail Stoten – Heritage

1.2. As explained at paragraph 1 of the NPPF, it is a material consideration of 'critical importance'.

Presumption in favour of sustainable development

1.3. Policy S3 introduces a revised approach to the presumption in favour of sustainable development from the approach at paragraph 11(d) of the earlier (2024) NPPF.

1.4. Policy S3 makes it clear that decisions on development proposals should apply a presumption in favour of sustainable development.

1.5. Policy S5 applies to the consideration of development proposals on land outside settlements.

1.6. Policy S5(1) states:

"Only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework:"

1.7. Part (1)(j) of the policy states:

"Development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test), and where the development would:

- i. Be physically well-related to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; or*
- ii. Comprise major development for freight and logistics purposes which accords with policy E3."*

1.8. Part (2) of the Policy states:

"In applying this policy, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances."

1.9. It is the Appellant's case that the Appeal Scheme should be approved in accordance with the presumption in favour of sustainable development at Policy S5(1)(j) because the many benefits that area realised by the Scheme, which are significant and manifest (see **ID20** for the agreed list of benefits) would not be outweighed, let alone substantially so, by the adverse effects when assessed against the national decision-making policies in the NPPF.

2. THE MAIN MATTERS IN THE CONTEXT OF THE REVISED NPPF

The Main Issues

2.1. The Inspector identified the following main issues that were canvassed in evidence at the inquiry (our emphasis in bold):

- Whether the proposal would be in a **suitable location**, with particular regard to national and local planning policy and access to services and facilities;
- The effect of the proposal on the **character and appearance** of the area, with particular regard to coalescence, trees, and the HWNL;
- Whether the proposal would make appropriate provision for **infrastructure**;
- Whether the proposal's cumulative effect would be so significant, that to grant permission would undermine the **plan-making process** by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan.
- The **overall planning balance**, including the emerging development plan.

2.2. Each main matter is considered in turn below, which assessment is undertaken in light of the national planning context now provided by the revised NPPF, which requires decisions on development proposals to apply a presumption in favour of sustainable development, each main matter is considered in section 2 below.

Locational Sustainability

2.3. One of the NPPF's principal objectives is to support the delivery of a substantial increase in the supply of homes, by ensuring that a sufficed amount and variety of land can come forward where it is needed (Chapter 6 of the NPPF refers).

2.4. The weight to the benefit of the delivery of homes and supporting infrastructure from the Appeal Site is agreed with the Council in the Addendum to the Planning SOCG (**ID20**, paragraph 1.3 refers)).

2.5. Paragraphs 2.10 to 2.12 of the Planning SoCG (**CD7.1**) also agree the locational merits of the Appeal Site, namely:

- The Appeal Site is well located in relation to the nearby settlements.
- The large village of Cuckfield is within walking and cycling distance of the site and currently provides key services, including, a secondary school, shops, public houses, and places of worship. It should also be kept in mind that the proposed development includes its own primary school and other key services.
- The larger settlement of Hayward Heath is nearby, and it is proposed that new bus stops and bus services would be delivered as part of this development. The bus services would serve the existing settlements of Ansty and Cuckfield, as well as the new development.
- On the basis that the proposed supporting infrastructure is delivered on-site, the Appeal Site affords a sustainable location in which to meet identified housing needs.

2.6. Providing further support for the locational merits of the Appeal Site, which is to be served by a high frequency bus service to Haywards Heath, with frequent connecting train services to Gatwick, is that since the inquiry was held, the Government announced that the second runway at Gatwick can be brought into full use after the Court of Appeal dismissed a legal challenge against the expansion.

2.7. A copy of the Government's Press Release 4 Aug 2026 is attached at **Appendix 1**. It states that the '*expansion will create 14,000 new jobs across the region and deliver an additional £1 billion in economic benefits every year, helping to drive growth across the South East and beyond through Gatwick's national supply chain*'.

2.8. The Appeal Site is located within the Gatwick Diamond, which stretches from the border with London to the Brighton coastline. The Gatwick Diamond area is home to approximately 45,000 businesses and 500 international businesses, including many large multinationals. It is centred around Gatwick Airport and its key sectors include medical engineering, aerospace and service industries. It is the UK's seventh largest economy in terms of total output (source: investgatwickdiamond.co.uk).

- 2.9. In accordance with the objective at chapter 6 of the NPPF, allowing the Appeal would support the delivery of a substantial increase in the supply of homes, by ensuring that a sufficient amount and variety of land can come forward where it is needed.
- 2.10. Chapter 15 relates to sustainable transport, where the objective is to ensure that transport considerations are taken fully into account in the evolution and assessment of development proposals; using a vision-led approach to embed the role that transport infrastructure and choices can play in creating well-designed, sustainable, inclusive and popular places.
- 2.11. As Mr Stevens explained in evidence, the Appeal Site has adopted a vision-led approach to transport planning; and which position is agreed with County Highways (**CD7.2**, paragraph 4.3 refers).
- 2.12. The Highway and Locational Sustainability Statement prepared by Mr Stevens at **Appendix 2** expands upon the Appeal Scheme's acceptability in relation to the NPPF's approach to sustainable travel and its physical relationship to existing settlements.
- 2.13. Appendix MS2 to Mr Stevens's Proof of Evidence (**CD8.4**) provides the full suite of active travel infrastructure improvements that will be delivered to integrate the Appeal Site with Ansty, Cuckfield and Haywards Heath. Appendix MS3 (CD8.4) also clearly demonstrates the catchment area of the Bus Service Strategy to be delivered by the Appeal Site and the inherent connections to and from surrounding communities and settlements.
- 2.14. Taking account of Policy TR8, the Appeal Site proposals protect and enhance the network of Public Rights of Way, including works to 8aCU, 8bCU, 50bCU, 62CR, 67CR and 69CR, as evidenced within the Inquiry.
- 2.15. The Appeal Scheme also offers a genuine choice of transport modes to a range of local amenities and facilities on desire lines of movement to fully meet the needs and safety of walkers, wheelers, and cyclists within the Appeal Site itself but also to the neighbouring communities of Ansty and Cuckfield, including the Warden Park Academy, as well as Haywards Heath town centre and station through Active Travel interventions, as set out in paragraphs 4.46 – 4.61 of Mr Stevens's Proof of

Evidence (**CD.8.4**) including:

- Prioritising the quality of pedestrian and cycle routes with continuous footways, segregated cycleways, good lighting, accessible cycle parking, regular public seating.
- Providing easy access to public transport with the proposed bus routes permeating through the heart of the Appeal Site scheme to minimise walk distances for users alongside the provision of high quality passenger waiting facilities.
- Delivering an internal street layout that is safe, inclusive, and attractive for all users through deconflicting pedestrian, cycle, and vehicle movement, meeting the needs of vulnerable users and avoiding unnecessary street clutter.
- Facilitating servicing / deliveries and access for emergency vehicles without compromising placemaking principles.
- Providing a suitable number of parking spaces where appropriate.
- Providing an extensive network of off-carriageway commuter and leisure routes within the Appeal Site for pedestrians and cyclists.
- The means of multi-modal access, including pedestrian / cycle crossings at key off-site locations to secure means of connection with existing infrastructure.
- Pedestrian and cycle route improvements to Haywards Heath on the A272 / B2272 corridor and at the B2036 London Road / Ardingly Road mini-roundabout.

2.16. In addition, and as set out in paragraphs 4.65 – 4.82 of Mr Stevens's Proof of Evidence (**CD.8.4**) the Appeal Site proposals deliver a full commitment to a comprehensive Bus Service Strategy. Further, evidence is before the Inspector in paragraphs 4.65 – 4.82 of Mr Stevens's Proof of Evidence (**CD.8.4**) that the Bus Service Strategy will be commercially viable well in advance of full occupation of the Appeal Site, supported by an interim period of financial contribution during the build-out phase of development.

2.17. The Bus Service Strategy secures a direct contract with an approved bus operator for a minimum period of up to two years post final residential occupation of the Appeal Site, delivering a half-hourly service between to / from Haywards Heath as well as an hourly service to / from Burgess Hill during Monday - Saturday daytime hours, as well as an hourly service to both destinations during evening hours and on Sundays, not only delivering offering genuine transport choice to occupants of the Appeal Site but also offering an enhancement for the existing surrounding

communities.

2.18. Overall, including for the reasons explained in evidence at the inquiry, it is clear from the Appellant's assessment of the Scheme in the context of the approach to sustainable development set out in the revised NPPF (including policies S5, TR3, TR4, TR6, and TR8), that the Appeal will result in an inherently sustainable form of development, with a choice of transport modes to access higher order services and facilities, including by bus and cycle, that is physically well-related to existing settlements; which also enables residents in those existing settlements to access the services and facilities provided on the Appeal Site (including education, retail, community health care and sport/recreation).

Character and Appearance

2.19. Following on from the publication of the new NPPF it is clear that the approach of the Appellant has been forward thinking; and now finds greater support in the NPPF.

2.20. There are some clear changes in emphasis which have already been addressed in the evidence of Mrs Brockhurst and now find support in the 2026 NPPF, in particular we draw attention to:

- In relation to Policy N4, the Appeal Site is not within a 'protected landscape'.
- Part (4) to Policy N4 requires development proposals within the setting of Protected Landscapes to be sensitively located and designed to avoid or minimise adverse impacts on the Protected Landscape. This is exactly what the Appeal Scheme has achieved; which matter was addressed in the evidence presented by Mrs Brockhurst.
- The emphasis of chapter 19 is on delivery of positive outcomes for the natural environment in the context of bringing forward new development. This embraces and accepts change will occur and places a need for an environmentally led solution. As explain in written and oral evidence the appeal proposals have taken this approach with a strong landscape framework to the new development.
- There is no longer an ambiguous reference to 'Valued Landscapes'. It is clear that the value ascribed to landscapes should be plan-led (Section 19, para N1. 1a). In this instance there are no adopted local landscape designations.
- Section 19, para N2.1a requires the landscape character and natural beauty of the countryside to be 'considered'. This is similar to the previous requirement to 'recognise'. As explained in the evidence of Mrs Brockhurst and demonstrated in the DAS and LVIA; the landscape

character of the Appeal Site has been properly scrutinised and that in turn has informed the design of the proposals.

- Paragraph N2.1d requires the conservation and enhancement of natural features of value (of relevance to my evidence are those assets of visual and nature conservation). The proposals provide for retention and enhancement of the trees, vegetative cover and diversification of the grassland associated with the Appeal Site.
- Paragraph N2.1e and 1g supports the inclusion of appropriately located multifunctional Green and Blue Infrastructure. As demonstrated in the application documents and evidence (written and oral) from the appellant the appeal proposals deliver on this requirement. The function and value of the GI strategy was mainly ignored by the evidence of Mr Peacock and therefore was not taken into account in the Council's planning balance.
- Furthermore, CC3, paragraph 2 affords substantial weight to:

"the benefits of improving the resilience of existing buildings and public spaces to anticipated climate change impacts where this would be achieved through proposals for development."

- This was a matter considered in the evidence of Mrs Brockhurst Table LP4.1, CD 8.3a.
- Policy N5, paragraph 4 is similarly worded as Para 189 in the previous version of the NPPF. It requires:

"Development proposals within the setting of Protected Landscapes should be sensitively located and designed to avoid or minimise adverse impacts on the Protected Landscape."

2.21. Overall, the evidence demonstrates that the Appeal Scheme has been designed in relation to a full consideration of landscape impacts.

2.22. Accordingly, whilst the appeal scheme will result in a localised the landscape, change 2 and is a matter to be weighed in the overall planning balance, there are no national decision-making policies in landscape terms that the Appeal Scheme would conflict with.

Infrastructure Provision

2.23. As agreed with the District Council and West Sussex County Council, all of the necessary obligations to secure the on and off-site provision of infrastructure have been entered into by the Appellant through the signed and dated legal agreement that has been submitted to PINS as part

of the Appeal.

Plan-Making Process and Prematurity

2.24. NPPF Policy DM4 relates to emerging development plan proposals, which Mr Brown dealt with in evidence at the inquiry.

2.25. Policy DM4 states (our emphasis underlined):

"Development proposals should not be refused on the grounds of being premature, other than in the limited circumstances where both:

a. The development proposal is so substantial, or its cumulative effect alongside other development proposals would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and

b. The emerging plan is at an advanced stage but is not yet formally part of the development plan for the area. An emerging plan is unlikely to be in an advanced stage if a draft spatial development strategy, local plan, minerals and waste plan or supplementary plan has yet to be submitted for examination; or, in the case of a neighbourhood plan, the local planning authority publicity period on the draft plan has not ended.

Where planning permission is refused on grounds of prematurity, the reason for the refusal should indicate clearly how granting permission for the development proposal would prejudice the outcome of the plan-making process."

2.26. This wording is similar to the wording at paragraph 50 of the earlier (2024) NPPF.

2.27. As heard in evidence at the inquiry, the Council's witnesses provided no evidence to support an argument that the grant of planning permission for the Appeal Scheme would in any way undermine the plan making process.

2.28. Regardless, and in the context of policy DM4, the circumstances at (a) and (b), both have to be engaged in order for the Appeal Scheme to be refused on the grounds of being premature.

- 2.29. Although the emerging Plan is at an advanced stage on the process, the modifications proposed by the Council are so substantial that the strategy now proposed is entirely different from that contained in the submission Local Plan. Moreover, the Appeal Scheme is not so substantial or its cumulative effect alongside other development proposals would not be so significant. As such, it would not undermine the plan making process as it would not predetermine decisions about the scale location or phasing of new development that are central to the emerging plan.
- 2.30. For the reasons that have been explained, the appeals scheme would not conflict with Policy DM4.

The Overall Planning Balance

- 2.31. As explained in Section 1 above, NPPF Policy S3 introduces a revised approach to the presumption in favour of sustainable development from the approach at paragraph 11(d) of the earlier (2024) NPPF. Policy S3 makes it clear that decisions on development proposals should apply a presumption in favour of sustainable development.
- 2.32. Policy S5 applies to the consideration of development proposals on land outside settlements.
- 2.33. The Appeal Scheme would comply with Policy S5(1)(j) because the development would address an evidenced unmet need, as the Council cannot demonstrate a five-year supply of deliverable housing sites.
- 2.34. As recorded in the Housing Land Supply SoCG (**CD7.5**), the Council is only able to show a 3.75 year supply of deliverable housing land, which is a shortfall of 1,758 dwellings. It is agreed that the shortfall is substantial.
- 2.35. In addition to the inability of the Council to demonstrate a five year supply of deliverable housing land, the Council is not able to demonstrate a sufficient supply of affordable housing or self-build housing to meet identified needs (See **Appendix 4** (Affordable Housing Statement) and **Appendix 5** (Self Build Statement)).
- 2.36. Sub-paragraph S5(1)(j)(i) makes it clear that development that would be physically well-related to an existing settlement and is of a scale which could be satisfactorily accommodated by necessary

infrastructure would be acceptable. This is the case for the Appeal Scheme, given the agreement reached with the Council in the Planning SoCG that the proposal is well-related in relation to nearby settlement (**CD7.1**, paragraph 2.10 refers); and for the reason Mr Stevens explained in evidence; which matter he expands upon in his Statement at **Appendix 4**.

- 2.37. As the evidence has demonstrated, the Appeal Scheme secures excellent sustainable transport connections to and from the Site, including through footpaths, cycle-ways that context to Ansty and Cuckfield, whilst the on-site facilities proposed as an integral part of the Appeal Scheme also provide options for existing residents to utilise the Site for education, recreational and health purposes, which enhances the wider sustainability merits of the area generally.
- 2.38. In addition, the scale of the development is supported by the planning obligations that have been secured through the legal agreement.
- 2.39. Although the Appeal Scheme would result in some harms, relating to (i) conflict with the development plan (which carries very limited weight (Annex A, paragraph 2 pf the NPPF refer), (ii) landscape and visual harm (which carries moderate weight), (iii) loss of agricultural land (which carries limited weight); and (iv) less than substantial harm to the setting of identified heritage assets (which attracts great weight), the cumulative impact of the harms would come nowhere near to substantially outweighing the many benefits that area realised by the Scheme, which are significant and manifest (**ID20** refers).
- 2.40. The statements on Heritage (**Appendix 3**), Affordable Housing (**Appendix 4**); and self-build housing (**Appendix 5**) lend further support to the Appeal Scheme in the context of the approach to sustainable development as set out in the NPPF.
- 2.41. Overall, it is the Appellant's case that the Appeal Scheme should be approved in accordance with the presumption in favour of sustainable development at Policy S5(1)(j) because the benefits (see **ID20** for the weighting attributed to the list of benefits and harms) would not be outweighed, let alone substantially so, by the adverse effects when assessed against the national decision-making policies in the NPPF.

- 2.42. There are a total of 15 national decision-making policies in the NPPF which state that development proposals should be refused in specific circumstances.
- 2.43. The Appellant's assessment is included at **Appendix 6**, where we have assessed the Appeal Scheme against these policies and find no conflict with any of them.

Summary and Conclusion

- 2.44. Overall, the Appeal Scheme should be allowed in the context of the presumption in favour of sustainable development. Importantly, and as the evidence demonstrates, it is not the case here that the proposal would fail to comply with any of the national decision-making policies which state that development proposals should be refused in specific circumstances. Furthermore, paragraph seven of the NPPF is clear in explaining there are only limited circumstances in which it is expected that permission would be refused. This is not one of them. On the contrary, and for the reasons we have explained, the benefits secured by the proposal are substantial and manifest.
- 2.45. To conclude, the Appeal should be allowed because the adverse effects do not substantially outweigh the benefits secured by the Scheme, which are significant and manifest, particularly when the Appeal Scheme also satisfies the applicable national decision-making policies in the NPPF.

APPENDIX 1

Press release

Gatwick to open second runway as government wins legal challenge

From 2030, Gatwick Airport's expansion is expected to enable up to 100,000 additional flights a year, increasing passenger choice and boosting airline competition.

From: **[Department for Transport \(/government/organisations/department-for-transport\)](/government/organisations/department-for-transport)** and **[The Rt Hon Heidi Alexander MP \(/government/people/heidi-alexander\)](/government/people/heidi-alexander)**

Published: 4 August 2026



- Gatwick Airport's second runway can now be brought into full use after the Court of Appeal dismissed a legal challenge against the expansion project, bringing years of uncertainty to an end

- expansion will create 14,000 new jobs across the region and deliver an additional £1 billion in economic benefits every year (PDF) (https://gatwickairport.com/on/demandware.static/-/Sites-Gatwick-Library/default/dw4589b9ba/images/Corporate-PDFs/Northern-Runway/Other-Technical-Documents/NR_Autumn_2021_Economic_Impact_Assessment.pdf), helping to drive growth across the South East and beyond through Gatwick's national supply chain
- first flights to take off from the extended Northern Runway from 2030, which will mean 100,000 additional flights each year – massively expanding on the 200+ destinations currently offered to give passengers more choice and boosting competition to drive down fares
- the government remains committed to improving sustainability in aviation, with any expansion project – including a third runway at Heathrow – required to meet strict conditions on air quality, carbon emissions and noise
- the government has just announced £219 million to boost production of sustainable aviation fuel in the UK (<https://www.gov.uk/government/news/219-million-to-power-britains-green-aviation-revolution>), as well as £43 million to drive forward hydrogen-powered and electric flight (<https://www.gov.uk/government/news/43-million-boost-for-green-aviation-to-drive-growth-jobs-and-cleaner-flights>), to make the UK a leader in greener flight
- the Court of Appeal has also today refused permission for the campaign group to appeal

Heidi Alexander, Transport Secretary, said:

“This is a major milestone for Gatwick and for local communities, with expansion unlocking investment and creating thousands of new jobs.

“Around 13 million more passengers and 100,000 more flights will give holidaymakers greater choice and strengthen global links to help make the UK one of the most attractive places in the world to invest.

“We’ll back expansion that supports growth and our climate goals. To drive forward sustainable change, we’re also investing over £219 million for green fuel production to cut emissions from flying and secure the future of aviation.”

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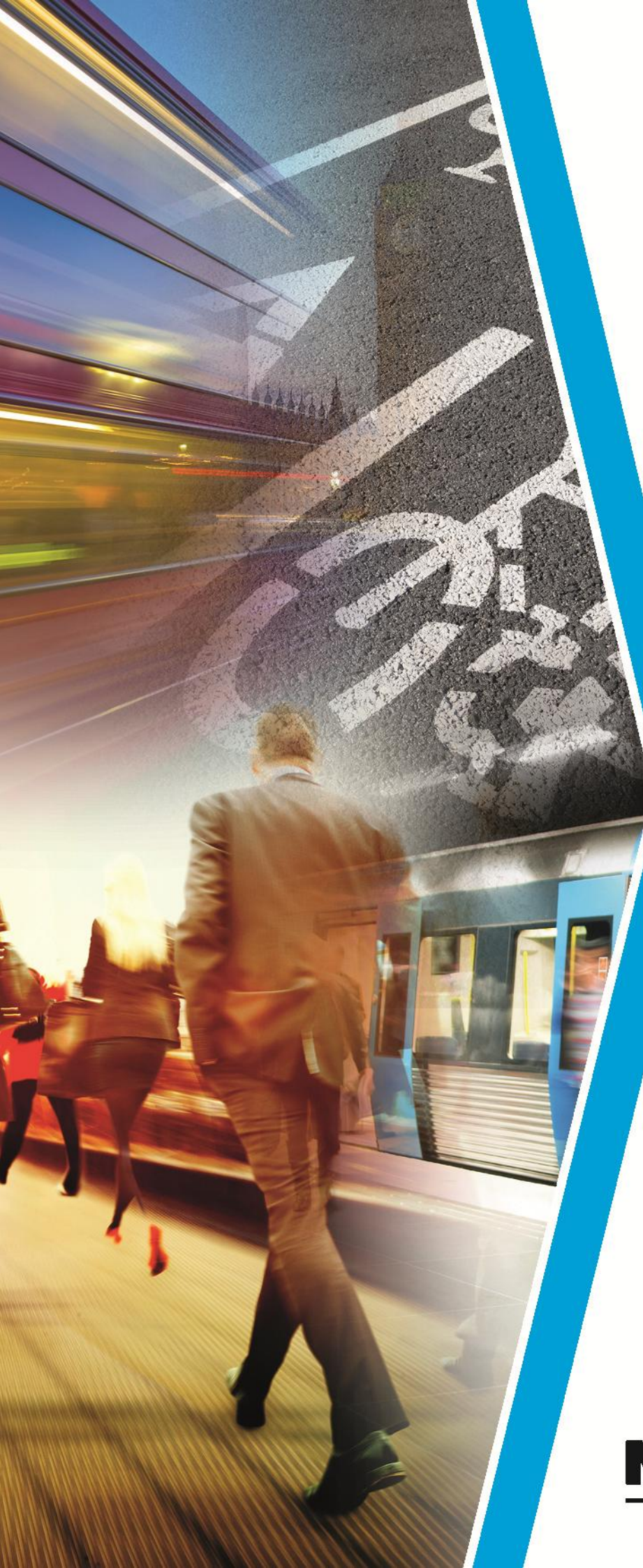
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APPENDIX 2



Town & Country
Planning Act 1990
Section 78 (as
amended)

Land to the East of
Ansty, Cuckfield Bypass,
Cuckfield

PINS Ref: 6002030
LPA Ref: DM/23/2866

Appellant's Response to the
Revised National Planning Policy
Framework (Aug 2026)

Appendix 2 - Highway Statement

Prepared on behalf of
Fairfax Acquisitions Ltd and the
Norris Family

September 2026

MILESTONE
TRANSPORT PLANNING

Land to the East of Ansty, Cuckfield Bypass, Cuckfield

Project No: MTP Ref: 26-045

Document Reference No: 26045/Reports/NPPF Response

Document Title: Highway Statement

Date: September 2026

Client Name: Fairfax Acquisitions Ltd and the Norris Family

Project Manager: Matt Stevens

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Document history & status.

Revision	Date	Description	Prepared By	Checked By	Authorised By
	03.09.26	Final for Submission	M. Stevens	M. Stevens	M. Stevens

The written and oral evidence presented by Mr Stevens on transport matters clearly demonstrated that the Appeal Site proposals were fully aligned with the draft version of the new NPPF that was available at the time of the Inquiry. The new version of the NPPF published on 17 August 2026 formally carries forward the policy wording and, as demonstrated below, the Appeal Site proposals can be viewed as being wholly in alignment with the current policy framework when it comes to promoting sustainable transport.

In respect of **Policy TR1**, written and oral evidence has been presented by the Appellant that demonstrates, based on consultation with the Highway Authorities and transport providers, sustainable transport considerations (i.e. active travel and public transport accessibility) has been prioritised and maximised, from the earliest stages of the Appeal Site proposals.

It has been demonstrated that this comprehensive package of vision-led active travel interventions, significant public transport and highways improvement strategies are full aligned with policies, allocations and wider strategies such as Local Transport Plans, Local Cycle and Walking Infrastructure Plans and Rights of Way Improvement Plans, in accordance with **Policy TR1(a)**.

As evidenced at the Inquiry, these will deliver direct and sustained long-term positive impacts for future residents within the Appeal Site and the surrounding local communities.

Within the Inquiry, it was agreed by Mr Lewis on behalf of the R6 Party in cross-examination that, whilst being useful in determining the baseline sustainability of any given site, including the Appeal Site, the Connectivity Tool referenced in **Policy TR1(b)** and **Policy TR3(2)** has limitations in its current form for assessing the future sustainability of the Appeal Site when taking account of the quantitative and qualitative evidence presented.

Notwithstanding, and as demonstrated in paragraph 2.28 (page 6) and Figure 2.1 (page 7) of Mr Stevens's Rebuttal Proof of Evidence (CD8.8), the implementation of the Bus Service Strategy would, using the Connectivity Tool, increase the public transport connectivity score from 34 to 42, an uplift of 25%.

It is also the case that the Appeal Site proposals are of scale to align with **Policy TR1(c)** by supporting a mix of land uses including employment, shopping, leisure, education, and other activities to reduce the number and length of journeys.

The application of **Policy TR2** in respect of the Appeal Site proposals is more a matter for any future reserved matters application, nevertheless the Transport Assessment and Framework Travel Plan that formed part of the Core Documents provided to the Inspector demonstrate alignment with vision-led principles including the application of measures such as car sharing, car cubs, provisions for EV, pedal, and electric cycles / e-scooters as tools to seek a reduce on vehicle parking requirements.

Overwhelming written and oral evidence is before the Inspector that the Appeal Site proposals met the vision-led principles of **Policy TR3**. The Council's Officer's Report to Committee (CD3.1) confirmed that the Appeal Site proposals incorporate "...appropriate opportunities to promote sustainable transport...".

Further, the agreed position of the Appellant and WSCC, as Highway Authority, as set out in the Highways Statement of Common Ground (CD7.2), is that the vision-led approach to the Appeal Site proposals ensures that it is sustainable, and through a comprehensive package of interventions, facilitates limiting the need to travel, particularly by private car, and enables a genuine choice of transport modes. This fully aligns with **Policy TR3(1)(a)**.

As shown within the Illustrative masterplan (CD16.4) and Parameter Plans (CD16.5 - 16.9 inclusive) before the Inspector, the Appeal Scheme delivers higher density in and around the local centre(s) and along the key transport corridors in accordance with **Policy TR3(1)(b)**.

Further, the Appeal Site delivers substantial on-site facilities and mixed uses including a primary school, SEND school, a health hub with GP surgery, a village centre with retail, employment and community uses, sports and recreational facilities. Alongside the provision of a network of Mobility Hubs within the Appeal Site (incorporating cycle storage, repair facilities, e-scooter charging / storage, car club provision, EV charging, wayfinding, seating, and integrated public transport facilities), these limit the need to travel, particularly by private car (**Policy TR3(1)(a)**) and support more walking, wheeling, cycling and public transport use (**Policy TR3(1)(b)**).

The Illustrative masterplan and Parameter Plans show that in accordance with **Policy DP3(2)(d)** in respect of the movement strategy principles to create well-designed places the Appeal Site proposals provide transport infrastructure and choices which support the design vision for the site, provide good connections to the wider settlements of Ansty, Cuckfield, Haywards Heath and Burgess Hill, and prioritise walking, wheeling, cycling and public transport.

Further, and in accordance with **Policy TR4**, transport considerations are integral to the Appeal Site proposals, where **parts (1)(a)-(d)** of **Policy TR4** have been applied in regard to:

- Prioritising the quality of pedestrian and cycle routes with continuous footways, segregated cycleways, good lighting, accessible cycle parking, regular public seating.
- Providing easy access to public transport with the proposed bus routes permeating through the heart of the Appeal Site scheme to minimise walk distances for users alongside the provision of high quality passenger waiting facilities.

- Delivering an internal street layout that is safe, inclusive, and attractive for all users through deconflicting pedestrian, cycle, and vehicle movement, meeting the needs of vulnerable users and avoiding unnecessary street clutter.
- Facilitating servicing / deliveries and access for emergency vehicles without compromising placemaking principles.
- Providing a suitable number of parking spaces where appropriate.

The Appeal Scheme also offers a genuine choice of transport modes to a range of local amenities and facilities on desire lines of movement to fully meet the needs and safety of walkers, wheelers, and cyclists within the Appeal Site itself but also to the neighbouring communities of Ansty and Cuckfield, including the Warden Park Academy, as well as Haywards Heath town centre and station through Active Travel interventions, as set out in paragraphs 4.46 - 4.61 of Mr Stevens's Proof of Evidence (CD.8.4) including:

- An extensive network of off-carriageway commuter and leisure routes within the Appeal Site for pedestrians and cyclists.
- The means of multi-modal access, including pedestrian / cycle crossings at key off-site locations to secure means of connection with existing infrastructure.
- Pedestrian and cycle route improvements to Haywards Heath on the A272 / B2272 corridor and at the B2036 London Road / Ardingly Road mini-roundabout.

Paragraph 4.4 of the signed Highways Statement of Common Ground (CD7.2) states:

"Through the transport measures that form the vision adopted for the Appeal Site, it is interconnected with the existing residential populations of Ansty, Cuckfield and Haywards Heath by active travel modes (foot and cycle) and public transport (bus), and also with Burgess Hill by public transport (bus), thereby offering an enhancement for existing residents."

This agreed position between the Appellant and West Sussex County Council, as Highway Authority, fully accords with **Policy S5(1)(j)(ii)** in that it clearly demonstrates the Appeal Site is well related to not only one existing settlement, but multiple existing settlements by a choice of sustainable transport options.

Appendix MS2 to Mr Stevens's Proof of Evidence (CD8.4) provides the full suite of active travel infrastructure improvements that will be delivered to integrate the Appeal Site with Ansty, Cuckfield and Haywards Heath. Appendix MS3 (CD8.4) also clearly demonstrates the catchment area of the Bus Service Strategy to be delivered by the Appeal Site and the inherent connections to and from surrounding communities and settlements.

Taking account of **Policy TR8**, the Appeal Site proposals protect and enhance the network of Public Rights of Way, including works to 8aCU, 8bCU, 50bCU, 62CR, 67CR and 69CR, as evidenced within the Inquiry.

The Active Travel Interventions outlined above extend, link and improve the quality of existing routes, improve access to green spaces and the countryside, deliver new direct and circular routes and connections to local and long-distance footpaths, bridleways and cycle routes, provide accessible, safe and convenient links to services and facilities, and improve connections with public transport stops and interchanges.

As set out in paragraphs 4.65 - 4.82 of Mr Stevens's Proof of Evidence (CD.8.4) the Appeal Site proposals deliver a full commitment to a comprehensive Bus Service Strategy. Further, evidence is before the Inspector in paragraphs 4.65 - 4.82 of Mr Stevens's Proof of Evidence (CD.8.4) that the Bus Service Strategy will be commercially viable well in advance of full occupation of the Appeal Site, supported by an interim period of financial contribution during the build-out phase of development.

The Bus Service Strategy secures a direct contract with an approved bus operator for a minimum period of up to two years post final residential occupation of the Appeal Site, delivering a half-hourly service between to / from Haywards Heath as well as an hourly service to / from Burgess Hill during Monday - Saturday daytime hours, as well as an hourly service to both destinations during evening hours and on Sundays, not only delivering offering genuine transport choice to occupants of the Appeal Site but also offering an enhancement for the existing surrounding communities.

Evidence is before the Inspector, and is confirmed in the Highways Statement of Common Ground (CD7.2) that the Appeal Site proposals fully address the requirements of **Policy TR6(3)** in regard to assessing transport impacts, aligned with the vision-led principles.

In full accordance with **Policy TR3(1)(c)** and **Policy TR6(4)**, the Highway Infrastructure Package for the Appeal Site, as illustrated in Appendix MS2 to Mr Stevens's Proof of Evidence (CD8.4), delivers alongside each phase of development, and in most cases, prior to the first occupation, the necessary connections to the local highway network and off-site infrastructure improvements such that any significant adverse impacts in terms of capacity and congestion and on highway safety are mitigated to an acceptable degree, as confirmed by WSCC, as Highway Authority, in the Highways Statement of Common Ground (CD7.2) before the Inspector.

The implementation of the Highway Infrastructure Package which includes the delivery of off-site highway works at the A272 / Tylers Green / Issac's Lane roundabout, minor works to the B2036 London Road / Ardingly Road mini roundabout in Cuckfield, and widening of the western approach arm to the A272 / Bolney Road / B2036 mini roundabout in Ansty, will also avoid and mitigate any adverse environmental effects, and will secure gains such as reduction in air pollution, in accordance with Policy **TR3(1)(d)**.

Based on the above, it has been comprehensively demonstrated and the Inspector can be reassured that, in accordance with **Policy TR6(4)**, the Appeal Site proposals should not be refused as there is no severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account the mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement.

APPENDIX 3

Note on Heritage following August 2026 NPPF.

Evidence of Gail Stoten BA (Hons) PG Cert Res MCI fA FSA.

Land East Of Ansty Way, Cuckfield Bypass, Cuckfield, West Sussex.

On behalf of Fairfax Acquisitions Limited And The Norris Family.

Date: August 2026 | Pegasus Ref: P26-0684

LPA Ref: **DM/23/2866**



1. Update following August 2026 NPPF

- 1.1. The issue of an updated NPPF in August 2026 has little bearing on the assessments contained in my proof of evidence, with the only resultant changes being slight ones to terminology as set out below.

Asset	Significance	My assessment of harm (Scheme A or Scheme B)	Revised terminology following NPPF update of August 2026
Harvest Hill House	Grade II Listed	Very low less than substantial harm	Very low harm which is not substantial
Upper Ridges	Grade II Listed	No Harm	No Harm
West Riddens Farm	Grade II Listed	Low to mid less than substantial harm.	Low to mid harm, which is not substantial
Mount Noddy Cottage	Grade II Listed	No Harm	No Harm
The Old Place and The Barn House	Grade II Listed	Less than substantial and low to mid on the spectrum.	Low to mid harm, which is not substantial
Mackrells Cottage	Grade II Listed	Less than substantial and low to mid on the spectrum.	Low to mid harm, which is not substantial
Lodge Farm	Grade II Listed	No Harm	No Harm
Highbridge Mill	Grade II Listed	Very low less than substantial	A very low level of harm, which is not substantial
Highbridge Mill Cottages	Non-designated heritage asset	Low to moderate harm	Low to moderate harm, which is not substantial
Holy Trinity Church	Grade I Listed	Very low less than substantial harm	A very low level of harm, which is not substantial

Asset	Significance	My assessment of harm (Scheme A or Scheme B)	Revised terminology following NPPF update of August 2026
Other assets at Holy Trinity	Grade II	No harm	No harm
Cuckfield Park and Lodge	Grade II* and Grade II Listed	No harm	No harm
Laines Farm and Courthouse Farm	Non-designated Heritage Asset	Very low level of harm	A very low level of harm, which is not substantial
Cuckfield Conservation Area	Conservation Area	Low level of less than substantial.	A low level of harm, which is not substantial

- 1.2. Overall, no harm is considered to occur which would seriously affect a key aspect of any of the assets' significance (NPPF Policy HE5.2c), as set out in the Proof of Evidence on heritage.
- 1.3. Under Policy HE6.4, where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal.
- 1.4. Under Policy HE7.2, where a development proposal would harm the significance of a non-designated heritage asset, this should be weighed against the benefits of the proposal and a balanced judgement made, having regard to the scale of any harm or loss and the significance of the non-designated heritage asset.

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APPENDIX 4

NPPF Supplemental - Affordable Housing Matters

Land to the East of Ansty Way, Cuckfield Bypass, Cuckfield, West Sussex

August 2026

1. The Affordable Housing Proof of Evidence (**CD8.2**) dated May 2026 was prepared against the December 2024 NPPF. The underlying evidence presented in relation to affordable housing need, past delivery, market conditions and future supply remains unchanged. The Proof concludes that the provision of up to 435 affordable homes should attract **substantial positive weight** in the planning balance.
2. The August 2026 NPPF introduces a new suite of national decision-making policies. The implications of the new presumption in Policy S3, including the application of Policy S5 to the Appeal Site, are addressed elsewhere in this Supplemental Statement. Of particular relevance to affordable housing are Policies HO7 and HO8.
3. Policy HO7, *Meeting the need for homes*, provides that “*substantial weight should be given to the benefits of providing accommodation that will contribute towards meeting the evidenced needs of the local community, as identified through needs assessments prepared for the area of the local planning authority and other relevant evidence” (emphasis added). This expressly includes homes which meet the needs of the different groups assessed under Policy HO1, which expressly includes those who require affordable housing, including Social Rent.*
4. This is significant in the context of the Appeal. Under the December 2024 NPPF, the provision of affordable housing was identified within paragraph 11(d)(ii) as a matter to which “particular regard” should be had where the presumption was engaged. Policy HO7 now provides a separate and explicit national policy direction that **substantial weight** should be given to the benefit of providing homes which contribute towards meeting evidenced accommodation needs.
5. The evidence set out in the Affordable Housing Proof demonstrates the scale, breadth and immediacy of that need in Mid Sussex. In particular:
 - the 2024 SHMA identifies a net need for **694 affordable homes per annum**, against which a cumulative shortfall of **1,213 affordable homes** had already arisen by 2024/25; only 56% of identified need was met between 2021/22 and 2024/25;
 - there were **2,333 households on the Housing Register** at 31 March 2025, representing an increase of 29% since 2021;
 - some households have waited more than **9 years for a one-bedroom affordable home and 13 years for a two-bedroom home**;
 - **101 households, including 89 children**, were living in temporary accommodation at 31 March 2025, whilst the Council spent **£3.298 million** on temporary accommodation in 2024/25, an increase of 35% from the previous year;

- opportunities to access affordable housing locally are extremely constrained, with only **two affordable homes let in Ansty and Staplefield and six in Cuckfield** during 2024/25, and no three-bedroom or larger affordable homes let in either Parish;
 - affordability remains severely constrained, with the lower quartile affordability ratio in Mid Sussex standing at **11.23 in 2025**, around 17% above the South East and 61% above England; and
 - based on the Council's own trajectory, only around **317 affordable homes per annum** are expected over the next five years, materially below the 694 homes per annum identified as needed. The cumulative shortfall is projected to increase to **7,178 affordable homes by 2039/40**.
6. Against this context, the delivery of up to 435 affordable homes from the Appeal Site would make a substantial contribution towards meeting evidenced need. It would represent approximately 63% of the annual affordable housing need identified in the 2024 SHMA and would exceed the total affordable housing delivery achieved across the District in the most recent monitoring year.
 7. Policy HO8, *Providing affordable homes*, is also relevant to the affordable housing offer. It requires development proposals to meet or exceed up-to-date Development Plan requirements for the proportion and mix of affordable housing tenures relevant to the location, including any minimum proportion of Social Rent, with on-site delivery remaining the starting point.
 8. The Appeal proposals provide 30% affordable housing on-site, comprising **326 Affordable Rent homes (75%) and 109 First Homes (25%)**. As set out in the Committee Report (**CD3.1, [12.33 and 12.36]**) the Council has confirmed that this tenure split aligns with the requirements of District Plan Policy DP31 and that the scheme would provide a policy-compliant affordable housing provision.
 9. Overall, the August 2026 NPPF reinforces the conclusions of the Affordable Housing Proof. In particular, Policy HO7 now provides an explicit national policy direction that **substantial weight** should be given to the benefit of homes which contribute towards meeting evidenced accommodation needs.
 10. Given the scale, persistence and breadth of affordable housing need demonstrated in the evidence, and the contribution of up to 435 affordable homes proposed, the conclusion that the affordable housing benefit should attract **substantial positive weight** remains unchanged and is now expressly supported by national policy.

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Client

Fairfax Acquisitions Limited, The Norris Family

Our Reference

05129

August 2026

APPENDIX 5



Appeal 6002030 – Land east of Ansty, Cuckfield Bypass, Cuckfield

In line with the Inspectors request of 17 August 2026 the Appellants position on the relevance of the National Planning Policy Framework (2026) in respect of self-build and custom housebuilding are set out below.

At Chapter 6: delivering a sufficient supply of homes, the National Planning Policy Framework (NPPF) sets out that the objective of the policies within the chapter are to support the delivery of a substantial increase in the supply of homes.

National Decision-Making Policy (NDMP) HO7: Meeting the need for homes

Policy HO7(1) states that:

“Substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community, as identified through needs assessments prepared for the area of the local planning authority and other relevant evidence. This includes, but is not limited to, homes needed for different groups assessed under policy HO1.”

Policy HO1(2)(i) includes within the homes needed for different groups ‘people wishing to commission or build their own homes’ i.e., self and custom builders.

The self-build register represents ‘other relevant evidence’ cited under Policy HO7(1)

As set out in Mr Moger’s Proof of Evidence, there are a total of 599 Part 1 self and custom build register entries in Mid Sussex across Base Periods 1 to 8. And in every supply scenario there is a substantial shortfall of plots which has resulted in persistent statutory duty failure against Section 2A of the 2015 Self-Build and Custom Housebuilding Act (as amended).

The self-build register in Mid Sussex provides relevant evidence of the accommodation needs of the community with 599 Part 1 entries to which the Section 2A duty is to be applied. The Self-Build section of the PPG directs (paragraph 014) that the self-build register and the duty to have regard to it are material considerations in decisions involving proposals for self and custom build.

Whilst the Planning Statement of Common Ground already records that the parties are agreed (paragraph 5.9 of CD-7.1) that the provision of up to 30 plots from the appeal scheme is a

benefit which should be afforded substantial weight, this approach to the individual weighting of this benefit is also now required to be applied through NDMP H07 of the NPPF (2026).

APPENDIX 6

Appendix 6

Assessment of the Appeal Scheme against the national decision-making policies which state that development proposals should be refused in specific circumstances. As identified, the Appeal Scheme does not conflict with any of the policies.

NPPF Policy	NPPF reason(s) to refuse development: specific circumstances	Assessment
DM4: Emerging development proposals plan	Premature development that: Is so substantial that it would undermine the plan-making process, and; The emerging plan is at an advanced stage	As Mr Brown explained in evidence, the Appeal Scheme is not premature to the emerging Local Plan. As explained in ID20 Mr Brown (for the Appellant) gives limited weight to the conflict between the Appeal Scheme and the emerging Local Plan (paragraph 4.163 of his evidence (CD8.1)). The R6P's position is that the weight to be attached to the policies of emerging plan are also limited. The witnesses for the Council As ID20 records, the witnesses for the Council did identify the weight they to the emerging local plan or its policies.
S4(c): Principle of development within settlements	Failure to comply with applicable national decision-making policies which state that development proposals should be refused in specific circumstances	This policy is not engaged as the Appeal Site is not within a settlement.
S5(2): Principle of development outside settlements	Failure to comply with applicable national decision-making policies which state that development proposals should be refused in specific circumstances	The Appeal Scheme is not contrary to any of the applicable national decision making policies which state that

		development proposals should be refused in specific circumstances.
TC3: Main town centre uses outside town centres	Failure to pass the retail sequential test Failure to meet criteria of Policy TC4 (if applicable)	Not applicable. The Appeal Scheme does not include any main town centre uses above the default threshold in the Policy.
M5: Development involving peat, coal or onshore oil and gas	Proposals for the extraction of peat at new or extended sites Development involving surface or underground coal workings, or for onshore oil and gas extraction, should be refused.	Not applicable to the Appeal Scheme.
L3: Achieving appropriate densities	Development that fails to make an efficient use of land for its context	The Appeal Scheme density as shown on Density Parameter Plan No. D3012-FAB-00-XX-DR-Y-045 – Rev 12 CD2.21) is agreed as being appropriate, which takes account of proposed storey heights and the policies in the NPPF (design, ecology, drainage, landscape, and heritage) and the context within which the Site is located; satisfying the approach at policy L3(2)(b).
DP3: Key principles for well-designed places	1) Failure of design to respond to local context 2) Failure to create a mixed & vibrant community 3) Failure to contribute toward climate change mitigation 4) Failure to incorporate/connect to multi-functioning green infrastructure networks 5) Failure to provide transport infrastructure and choices 6) Failure to optimize site's potential 7) Failure to create safe and inclusive public spaces 8) Failure to create attractive development	The acceptability of the Appeal Scheme in design terms is explained in the Urban Design Technical Note at Appendix LP3 to Mrs Brockhurst's evidence (CD8.3). The approach to the Appeal Scheme design is also explained in the Design and Access Statement at CD1.23.

TR6: Assessing transport impacts	If development would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety	The Appeal Scheme would not result in a severe adverse impact on the transport network, which position is agreed with the Council and West Sussex County Highways.
HC5: Hot food takeaways	Takeaways should be refused: 1) Within reasonable walking distance of schools and other places where children and young people congregate 2) In locations where there is evidence that a concentration of such uses is having an adverse impact on local health, pollution or anti-social-behaviour.	Not applicable to the Appeal Scheme.
F6: Development in areas at risk of flooding from rivers or the sea	In areas falling within flood zones 2, 3a, or 3b: 1) if the use is incompatible with the risk from river or sea flooding, as set out in Annex F, table 3; and 2) Where applicable, failure to pass the exception test	There is no objection to the Appeal Scheme from the Environment Agency ("EA") or the Lead Local Flood Authority "LLFA"). Paragraph 5.13 of the Planning SoCG (CD7.1) records as follows: <i>"It is agreed that there are no flooding, surface water drainage or foul water drainage issues that would prevent development, subject to suitable conditions being applied."</i>
F7: Ensuring development is safe from flooding	Where development is proposed in a location known to be at risk from any form of flooding, now or in the future, it should be refused	The position is as per the response to Policy F6 above.
N2: Improving the natural environment	Development that results in significant harm to biodiversity and cannot avoid, mitigate, or compensate for this.	Paragraph 5.11 of the Planning SoCG (CD7.1) records as follows: <i>"It is agreed that there no ecological issues that would prevent development, subject to suitable conditions being applied."</i>

N4: Protected Landscapes	Major development within protected landscapes	The Appeal Site is not in a 'Protected Landscape'.
N6: Areas of particular importance for biodiversity and geodiversity	Development proposals affecting: 1) A site of international importance 2) A site of national importance 3) A site of local importance Development proposals resulting in: 4) Loss or deterioration of irreplaceable habitats	The Appeal Site is not within an 'Area of Particular Importance for Biodiversity and Geodiversity'. Paragraph 5.11 of the Planning SoCG (CD7.1) records as follows: <i>"It is agreed that there no ecological issues that would prevent development, subject to suitable conditions being applied."</i>
HE6: Proposals affecting designated heritage assets	Where a development proposal would cause substantial harm to, or the total loss of, the significance of a designated heritage asset	The Appeal Scheme would not result in substantial harm to a designated heritage asset. Paragraphs 2.5, 4.58 and 5.5 of the Planning SoCG (CD7.1) record as follows: <i>"The Site does not fall within a Conservation Area, nor are there any listed buildings within the Site's boundary. However, the Site does surround two listed buildings, "The Place" and "Barns to north of Forsyth's Farmhouse" ("Old Place" and "The Barn House" on some records), which are around 500m east of Ansty and are excluded from the Site boundary. In addition, there are other heritage assets in the vicinity of the site.</i>

		<i>The Council's Conservation Officer has acknowledged that there would be "less than substantial" harm to the designated heritage assets in all cases. It is agreed that the less than substantial heritage harm is outweighed by the public benefits of the scheme.</i> <i>It is accepted that the significant public benefits outweigh the less than substantial harm to designated heritage assets."</i> Further agreed on heritage matters is set out in the Heritage SoCG (CD7.4).
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