



Dear Judy

**Ref – planning applications DM/23/2866 and DM/23/2867**

When we met recently and you highlighted the benefits and harms you were minded to attribute to the above planning applications, you invited us to provide any further information or evidence that we feel should be taken into account in assessing the Fairfax applications. The attached review takes you up on that offer and has drawn significant evidence from specialist legal, planning and technical advisers to form its conclusions. It has the support of the coalition of Ansty and Staplefield and Cuckfield Parish Councils, the Cuckfield Society and the Stop Cuckstye Action Group, which have the strong backing of the majority of the community.

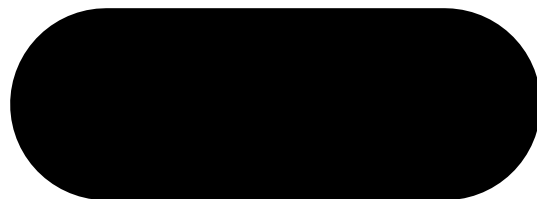
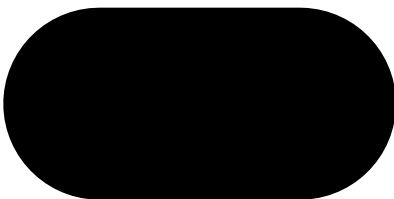
We want to be sure that officers and planning committee members will have the opportunity to consider our evidence and views, in conjunction with your planning officer's report and we would welcome the opportunity to discuss further.

We would also hope that this provides you the evidence and justification that will lead you to determine that the application should be recommended for refusal at the upcoming planning committee.

Yours truly,

Andy Burton  
Chair of Cuckfield Parish Council

Simon Stokes  
Chair of Ansty & Staplefield Parish Council



Giles King  
Chair of the Cuckfield Society



cc. Ann Biggs  
Steve Ashdown

## 1. Introduction

The chairs of the parish councils met with you on 23<sup>rd</sup> July and 7<sup>th</sup> August 2025 where you updated us on progress with the consideration of Fairfax's planning applications (DM/23/2866 and DM/23/2867). You explained that:

- because Mid Sussex District Council ('MSDC') no longer has a five-year housing supply it was likely that the "tilted balance" referred to in paragraph 11 of the NPPF would apply to the assessment of the application
- in light of national policy and the local plan situation there are benefits to the proposal and that it was not clear to officers (at the time we met at least) that these would be 'significantly and demonstrably' outweighed by the harm that would be caused if approval were granted
- your team had made a provisional assessment of the weight to be attached to the various harms and benefits.

Since we met there have been a number of further consultation responses and additional information which are highly material to the applications which no doubt you will have considered carefully as we have.

We believe that on a full and fair reassessment of the project's benefits and harms, the evident conclusion is that the applications should be rejected. Giving the go ahead for this proposal is not the solution to MSDC's current 5-year housing land supply problem. If that is not your current view as officers, we believe it would be entirely reasonable for the Planning Committee to conclude otherwise, and we will be advocating for them to do so.

In this review:

- we advocate that the tilted balance should not be applied to the consideration of the application for new housing. We believe the advice from the High Weald National Landscape Unit points to a 'strong reason' to refuse planning consent and that Footnote 7 of the NPPF is therefore engaged
- we explain why the location of the project makes it unsustainable for major development (consistent with MSDC's own conclusions in preparing the emerging replacement local plan), and why this is so important
- we highlight gaps and flaws in the evidence on which the applications rely
- we stress the importance of the Beechy Bottom site application and query the BNG and other benefits claimed for it. In our view the parkland reserve on which much of the supposed benefit depends would be undeliverable
- we highlight the significant long term financial risks associated with the project.

We would be grateful if you would give these points serious consideration and ensure that they inform your recommendations. This is, by any measure, a large, high profile and controversial proposal which could have a profound effect not just on the local area, but also on the delivery of homes across the district. The public interest requires that all material aspects be fairly assessed if protracted appeals and legal proceedings are to be avoided.

## 2. Does the ‘tilted balance’ Apply to the Application for Housing (DM/23/2866)?

We do not dispute that in the absence of a 5-year housing land supply MSDC will, in most situations, be required to apply the ‘tilted balance’ as set out in Para 11 (d) of the National Planning Policy Framework (‘NPPF’) when determining an application.

However, you will be aware that this is subject to an exception where:

*the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.*

National Landscapes are specifically identified as one of those ‘assets of particular importance’, and Para 189 of the NPPF sets out specifically that this includes consideration of its setting as well as land within its boundary. The consultation response from the High Weald National Landscape Unit of the 4<sup>th</sup> August 2025 provides a clear reason for refusal which, though it may or may not be determinative of the application, is undoubtedly sufficient for the ‘tilted balance’ to be disapplied.

In our view the application should be subject to a normal balancing exercise to assess its merits, not the tilted balance. However, even if you do not agree, the harm that would arise from allowing development to go ahead would in any case ‘significantly and demonstrably’ outweigh the benefits and therefore justify refusal even under the ‘tilted balance’.

In this respect the intervention from the High Weald National Landscape Unit, which is expert in assessing the impact of planning applications on the purposes and management objectives of the High Weald, is particularly significant. It finds that the applications are incompatible with Para 189 of the NPPF as well as a number of the High Weald’s Management Plan objectives (a material planning consideration in its own right). Their representations of 1<sup>st</sup> and 4<sup>th</sup> August 2025 provide a detailed explanation of the unavoidable long-term adverse impact on the High Weald that would result from the main site development and from the significant changes proposed to the Beechy Bottom site.

Given this advice and bearing in mind that the application site was not considered suitable for development in the emerging MSDC local plan, we believe that granting consent would be irreconcilable with your Council’s legal duty under s85 of the Countryside & Rights of Way Act 2000 to seek to further the conservation or enhancement purposes for which the High Weald National Landscape is designated and which are set out in its Management Plan.

There is important Court of Appeal and Planning Inspectorate precedent for treating adverse impacts to protected landscapes (including to their setting) as a sufficient reason on its own to reject planning applications even where a planning authority lacks a 5-year housing land supply. We refer you to the Court of Appeal decision in *Monkhill v Secretary of State for Housing, Communities and Local Government* and *Waverley BC* Ref [2021] EWCA Civ 74, and to a Planning Appeal decision involving the South Downs National Park (Planning Inspectorate appeal reference APP/M3835/W/21/3281813).

There is no doubt that there are clear and present planning reasons for refusing the applications. We would remind you that the application is, of course, contrary to the relevant policies of the development plan in particular DP38 which is strongly supported by Para 189 of the NPPF and can therefore be given full weight.

Whilst it is true that some of those policies are out of date (though not all), it is still open to you to give weight to them as you consider appropriate, particularly where they are supported by the NPPF and Planning Practice Guidance (‘PPG’). National and local planning policy is clear that inappropriate and unsustainable development in the countryside can and should be refused.

For all these reasons we are advised that applying the tilted balance to the consideration of these applications would be wrong and could expose your Council to the risk of judicial review.

### **3. The Significance of the Beechy Bottom Planning Application (DM/23/2867)**

We are very concerned about a comment from Steve Ashdown in a recent e-mail (18 August) to us that implies that the planning application to change the use of the Beechy Bottom site into a Knepp-style parkland reserve is not a material change of use **because** it is intended for BNG purposes. Mr Ashdown has written that

*The main reason planning permission is required for the Parkland Reserve site is the operational development of the proposed footpath links. The use of the land for BNG purposes does not require planning permission (in its own right) and while the comments from the High Weald Unit are acknowledged, it would not be reasonable to refuse the application based on intended land management uses, when those land management uses themselves do not require planning permission.*

Whether the changes to the management of the land are for BNG purposes or not, planning consent is required for a material change of use, or any necessary operational development required.

The change envisaged in Fairfax's Vision Document and associated reports from a mixed farmland and woodland landscape into a heavily fenced off parkland reserve filled with semi-wild livestock, new pathways, hides intended to be used as an educational resource, and requiring considerable habitat changes, all speak of substantial changes in the land's usage. Weight is added to that conclusion by the advice from the High Weald AONB Unit that the changes involved would be incompatible with the conservation of the HWNL's legally protected landscape or with NPPF para 189.

We set out in Appendix A our reasons why we differ from Mr Ashdown's assessment.

### **4. Weighting the Evidence and the Pros and Cons**

Any planning judgement must, of course, be based on an assessment of the deliverable benefits of an application and this in turn relies on the evidence submitted by the applicant. It is for them to make their case and if they fail to do so you are not required to make allowance or give them the benefit of any doubt. In reading their submissions we are sure that you and your officers can tell the difference between evidence and empty promotional rhetoric. Much of what the applicant has submitted is the latter. Outcomes cannot simply be claimed – they must be deliverable. Where there is an absence of supporting evidence or confirmation via independent advice consent should be refused.

## 5. Our Analysis of Possible Benefits Claimed for the Applications

### 5.1 Housing Delivery

We take no issue with the fact that provision of a large number of new homes can represent an important and substantial benefit. New homes, especially affordable and social housing, are needed in Mid Sussex as elsewhere, and there is a Government-imposed housebuilding completion target to be met.

But that fact has to be the start point, not the end point, of the necessary consideration – one required by the NPPF itself – as to whether the Ansty Farm site is a sustainable place to build them, especially given that it was not considered a sustainable location in the emerging local plan.

The reality is that the development would create a car dependent community (even Fairfax admits that its own - probably optimistic - expectation for its proposed active travel measures will reduce car dependency by no more than 3% to 5%).

It is also true that the development is unlikely to contribute to the calculation of MSDCs 5 year housing land supply for some years, given the definition in Planning Practice Guidance.<sup>1</sup> The constraints to development would not be resolved by outline planning consent because of the absence of any existing site infrastructure plan, the inevitable substantial delays in the installation of power, water and sewerage services, and the requirement for a Grampian condition relating to waste water treatment (Southern Water in their response to you made clear that they do not have capacity).

It is important that you explain clearly in your advice to the Planning Committee that approving this application is not a ‘silver bullet’ to resolve a housing delivery crisis. The fact is that your 5-year housing land supply calculation will not budge at all as a result of granting an outline consent on this scale.

It is also highly relevant in planning terms that MSDC has identified (by way of the evidence base of the emerging district plan) preferred sites it considers more sustainable and more suitable for allocation, and a flow of planning applications coming forward for a series of medium sized developments on those and other windfall sites. There is no reason why these should not come forward - indeed a number already are - and be approved even if the emerging plan is eventually withdrawn – they are evidentially preferable alternatives.

### 5.2 Self-Build Units

As we read it, within their 1,450 homes plus 90 residential care homes scheme Fairfax intends to provide 30 plots (c2%) for self-build homes. We are not clear how far this goes towards meeting current and future local needs (District Plan policy DP30 – Housing Mix). We can see no justification for your treating this as a significant benefit of Fairfax’s overall proposals or one to which anything other than limited weight should be given.

### 5.3 Economic benefits

We do not consider that the construction of the development would itself constitute a benefit in employment terms. Given the current shortage of skilled tradespeople, suppliers and materials development would be in competition with existing opportunities for a finite and fully occupied workforce. It would simply displace economic benefits from elsewhere. We accept that a

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<sup>1</sup> Paragraph: 007 Reference ID: 68-007-20190722

sustainable development would produce moderate long-term benefits to local businesses before and after construction.

The applicant's socio-economic sensitivity analysis concludes that

*the Proposed Development and Parkland Reserve Site would have a low magnitude of impact on local jobs and skills. On a low sensitivity receptor, this will result in a direct, permanent effect that is negligible (not significant).<sup>2</sup>*

Job creation cannot therefore realistically be counted as anything other than a negligible benefit.

We do however urge you to take the economic risks associated with the development fully into account when considering the alleged benefits and mitigations. In particular:

- there is a significant doubt over the financial and operating model for the proposed sports facilities. What long term financial support is Fairfax willing to agree to ensure that any benefit ascribed to these is secured for the long term and with general public accessibility?
- the parkland reserve would need to be managed and maintained in perpetuity. The developer is only proposing to provide limited, capped funding via a doubtful governance structure about which we raised concerns in our 23<sup>rd</sup> December 2024 submission to you. Where will the necessary management/maintenance funding come from thereafter?

We also question whether you should be satisfied that there are robust costings of all the off-site infrastructure that would be required (such as current standard-compliant cycle paths into Cuckfield and Haywards Heath) to deliver the project and that you will be able to secure the funding of those costs in full from the developer through Section 106 commitments. We would also remind you that the draft Section 106 agreement must be published so that it can be subject to scrutiny before the date of any decision.

Any unfunded and unguaranteed, but inevitable, long term economic exposures go towards explaining why we believe that a very careful assessment of the overall economic impacts of the project is essential.

#### **5.4 Biodiversity benefits**

The environmental effects of the proposal, in particular on biodiversity and ecology are unarguably matters of great weight to determining the outcome of this application. We will address most of these in relation to the harm they cause. In relation to any potential ecological benefits, in our view the advice from Place Services on the ecological implications of the applications fails to address, even in their 25 September 2025 letter, major aspects essential to a fair evaluation of the impact of Fairfax's proposals to create a rewilding estate.

We believe that:

- the parkland reserve on which the overall claimed biodiversity benefits depend is undeliverable as proposed
- the applicant has failed to evidence that the Knepp-style rewilding scheme in the parkland needed by the applicant to compensate for the loss of biodiversity which it accepts its main development will cause will deliver the overall level of BNG needed to achieve that, even if the parkland reserve is created and managed as applied for (which we dispute will happen)

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<sup>2</sup> (ES Vol 2, Chapter 6, para 6.7.12).

- the only expert advice offered to you (by the owner of the Knepp estate) rubbishes the deliverability of the project, and that clear and authoritative advice should be taken to heart
- you have no independent ecology advice as to the biodiversity impact of the introduction of a sizeable number of large, semi-wild, livestock into the proposed parkland reserve nor, crucially, any evidence of your own that contradicts the view of Sir Charles Burrell that their introduction cannot achieve Fairfax’s core Management Plan purpose of delivering long term biodiversity gain and self-management of the reserve
- there is no basis on which your Council could be satisfied on the evidence now available that the project as a whole is deliverable, or that it would provide any, yet alone, moderate biodiversity benefits.

Our own detailed analysis of the implications of the ecological documentation submitted appears in Appendix C. This analysis highlights:

- numerous unsubstantiated assertions of benefits which will prove illusory
- material gaps and inconsistencies in the applicant’s assessment of biodiversity enhancement impacts, and
- major gaps in Place Services’ assessment of the applicant’s biodiversity implications and how biodiversity will be enhanced by their interventions.

### **5.5 The provision of bus services**

We do not consider that a bus service is a continuing benefit. The applicant estimates that once any developer bus subsidy expires continuing a bus service of the type proposed in the application would cost circa £700,000pa at current prices. Neither the applicant or WSCC provide details of expected income; our illustrative calculations show expected fare income of circa £200,000pa (based on county-wide trip number averages) leaving a residual subsidy of circa £500,000pa which would need to be funded by WSCC (or some other party) to ensure continuation of the proposed service.

Self-sufficiency depends on heroic assumptions that our consultants discredit in their appended report. There is no prospect that user fees would cover this cost and no prospect of public funding to make up the difference. The ‘promised’ bus service would inevitably collapse and with it any prospect of achieving the (already ambitious) modal shift promised. In Appendix B we explain our concerns and calculations in more detail.

The financial issue has to be viewed in the context of the modal shift proposals by Fairfax aimed at mitigating the effect of the site’s remote location. We address this further in Appendix D. We present there clear evidence that modal shift (of which new bus services would be one part if deliverable) would make negligible difference to the site’s inevitable car dependency.

### **5.6 Leisure facilities**

We agree that the provision of additional sports and leisure opportunities is essential to the mitigation of the impact of the development. We do not agree that what is proposed can be considered anything other than a limited benefit to the local area, particularly given that both Sport England and the MSDC Community Facilities Officer have expressed doubts over the viability of the Fairfax proposals, and the provision of multiple facilities already existing in the local area.

The Socio-Economic report included in Chapter 6 of Volume 2 of the Environment Statement submitted by Fairfax in November 2023 concludes that "the Proposed Development would have a low magnitude of impact on provision of community facilities. This, combined with a medium sensitivity receptor, will result in a direct, permanent effect that is minor beneficial (not significant.)" (para 6.7.48). That assessment assumed that the value of the sports facilities

would include its usefulness to the SEND school, but the inclusion of the SEND school in the project is now in doubt following WSCC's objection.

Within this heading we also include an assessment of the amenity value of the parkland reserve on the Beechy Bottom site, since Fairfax highlight that aspect. For the reasons explained in para C8 of Appendix C, its amenity value is negligible. Indeed, it would be considerably worsened if the developer now intends not to build the cycle way or the Toucan crossing providing safe access to it.

Overall, for these reasons, we rate the overall value of the leisure facility offer from Fairfax as no more than a limited benefit.

## 6. The reasons for refusing the applications because of the harm they would cause

### 6.1 The Need for a Sustainable Location

Choosing the right, sustainable locations for new development is fundamental to the whole structure of the planning system and to sound planning. The planning system does not support building major new development in unsustainable places even when there is a shortfall in housing supply. When that development would also cause permanent damage to a protected landscape the reasons for refusing permission are magnified and are 'significant and demonstrable'. On any reasonable analysis of the residential application, it should be refused.

The fact that this is the wrong place to allow new development was agreed by MSDC when it chose suitable sites for major new development areas to be included in its emerging local plan. MSDC should be consistent in that view, which is supported by:

- the permanent adverse impact on the setting of the High Weal National Landscape and therefore the National Landscape itself
- the fact that it would force car dependency of its residents contrary to the requirements of the NPPF
- its conflict with national spatial planning policy as set out in NPPF paras 82-84. Para 82 says *"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."* Fairfax's scheme is not aimed at supporting the local Ansty community and it is in no way respectful of the local rural community's circumstances, needs or wishes.
- Its conflict with policy DP6 (Settlement Hierarchy) of the District Plan. It is not an allocated site, nor can it reasonably be described as the expansion of an existing settlement, nor is it contiguous with any existing settlement boundary. The reality is that it would swamp the category 4 settlement of Ansty
- the inability of the applicant to demonstrate the deliverability of overall ecological and biodiversity improvement – see section 5.4 and appendix C, and the depletion of the locality's natural capital assets -see section 6.6
- what you yourself have been advised and assessed as being substantial harm to the area's countryside and its landscape – see para 6.3
- the coalescence and heritage harm, both of which you will rightly consider to be significant
- the lack of evidence as to the deliverability of elements of essential mitigation, including long term bus service and parkland reserve management funding highlighted elsewhere.

### 6.2 Transport non-sustainability/Car dependency

A car dependent community cannot be a sustainable location for such a major development. The location and development proposals are incompatible with the NPPF strategic policy requirement (paras 109/110) that *"Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes"* and with NPPF sustainable travel policies in paras 115 - 118 as reflected in your own District Plan policies.

The inevitably high car dependency of its residents would be incompatible with the central aim of your District Plan *"to increase the sustainability of communities within Mid Sussex and reduce the need to travel to other areas for employment and other facilities."* (para 3.6) and with your policy DP21. People without cars, and the physically handicapped, will be largely excluded from the benefits of the area, contrary to your District Plan's inclusivity objectives and NPPF para 117b).

The October 2023 Site Selection Conclusions paper, which led to your Council's decision not to allocate the Ansty Farm site for development as incompatible with that core purpose of your proposed new District Plan, concluded that "*Due to its location, opportunities for sustainable transport mitigation are not likely to be as effective as other sites promoted for inclusion.*" (para 3.17) and that, whilst "*Ansty is well served by secondary education (Warden Park, Oathall, Brookleigh) but will be largely reliant on private car/public transport to reach it.*" (Para 3.3.7. Of course, the Brookleigh school site has since been withdrawn). Nothing has since changed the validity of those conclusions.

The vast majority of the services and facilities that residents and others using the estate will need to access are far too remote to be accessible by foot: distances far exceed those in all active travel maximum distance guidelines, including most importantly, Active Travel England's Standing Advice Note: Active Travel & Sustainable Development issued in June 2024<sup>3</sup>.

There is no arrangement for safe and standards-compliant cycling routes and crossings to be provided<sup>4</sup> between the proposed estate and the centres of Haywards Heath, Burgess Hill, nor to their mainline stations or to local schools, nor for their off-site construction to be funded. There are significant routing issues and logistical challenges in constructing needed routes.

Even Fairfax, on its optimistic assumptions in its Framework Travel Plan, envisages that attempts to reduce car dependency through a variety of potential modal shift measures "target" no more than a 3% reduction in single occupancy car travel within 3 years of first occupation, and 5% thereafter. That 5% target itself assumes a continuation of a full bus service after the initial developer subsidy stops.

Within those limited modal shift provisions Fairfax relies heavily for its delivery on the introduction of a new bus service network to overcome the current paucity of public bus routes serving the area between Ansty and Cuckfield. In correspondence with Compass Bus, they made clear to us that they had no intention of diverting the existing service 89 onto the site. Other national Bus Companies - Arriva, Stagecoach, and the Go-Ahead Group - do not as a matter of policy support the provision of services on what one of them described as "cowpat estates". These settlements they deem too low density and remote from local services to ever be economic to run unless subsidised in perpetuity. Our evidence is that the take-up of bus services is in any case liable to be negligible (nowhere near enough on its own to justify Fairfax's claim of a 3% - 5% overall modal shift), and in a world where overall bus usage has been in long term decline.

Our consultant, Velocity Transport Planning, has analysed the applicant's Travel Plan, bus service and other modal shift proposals and concluded that they cannot remove that unsustainable car dependency or promise self-sustaining bus services. Their analysis appears in Appendix D.

### **6.3 Landscape and countryside**

The application is of course in conflict with the countryside protection policies of the District Plan and – to the extent that it has any weight – also with the emerging plan. The importance of retaining what is left of the ever-diminishing rural characteristics of our District require that substantial weight is given to the protection of the countryside and in particular the adjacent protected landscape. The advice that you received from your Conservation Office, your Visual Landscape Consultant, including the latter's strong and entirely justified criticism of the

<sup>3</sup> <https://assets.publishing.service.gov.uk/media/667ace3fc7f64e234208ffb5/ate-travel-sustainable-development.pdf>

<sup>4</sup> See e.g. Dept of Transport Cycle Infrastructure Design Guide (July 2020), chapter 4: <https://assets.publishing.service.gov.uk/media/5ffa1f96d3bf7f65d9e35825/cycle-infrastructure-design-ltn-1-20.pdf>

applicant's LVIA, and our highly qualified landscape consultant confirms that view (as well as demonstrating the danger of taking much of the applicant's "evidence" at face value). Your experts have advised that the scheme would have an unacceptable adverse impact on the intrinsic quality of the countryside causing harm to visual experience and character. They have also warned that it would fail to create a sense of place reflecting the surrounding pattern of development and by virtue of its scale would not positively address the character of the surrounding landscape or the form of built development.

Given that advice, the applications are incompatible with your District Plan policies DP12, DP26, DP34 and DP35. They are also incompatible with the local countryside protection policies in the Neighbourhood Plans of both our parishes. These conflicts must attract substantial weight in your evaluation.

We appreciate that the advice HWNL Unit Planning Adviser arrived relatively recently. In the light of their strong objections, we believe that that the adverse impacts of the two development proposals on the HWNL and its setting must be given the greatest possible weight.

NPPF para 189 promises the HWNL the "highest status" of protection from large scale and inappropriate development. It requires your Council to give "great weight" to that right to protection, and that "the scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas".

Your own planning expert from the HWNL has objected to both applications on the basis that they will adversely impact the HWNL and conflict with NPPF para 189 and District Plan policy DP16, if you take the view, as we think you should, this advice provides a strong reason for rejecting the applications.

Your Council has a legal obligation to seek to further the HWNL's conservation and enhancement (Levelling Up & Regeneration Act 2023 s.245). Given that the normal exercise of your Council's planning powers and responsibilities in these circumstances gives the strongest possible grounds for refusing the application, we say that you should not be supporting proposals that adversely and unavoidably affect its landscape, natural beauty and its Management Plan objectives designed to further those purposes.

The only possible assessment of the implications of these applications is that the conservation and enhancement of the HWNL is a matter of very great importance, and that harm to the HWNL (even moderate harm) must be given great weight in the planning balance. The South Downs National Park appeal decision mentioned above demonstrates that even modest harm to the setting of a protected landscape is sufficient, by itself, to justify refusing a planning application, and the Monkhill case – another example – confirms that is so even where the planning authority lacks a 5-year housing land supply.

#### **6.4 Coalescence**

We support your assessment that the applications would involve significant harmful coalescence of Antsy village with Cuckfield. We assume that you have factored into your conclusion the advice from your Urban Designer that Fairfax's scheme does not sufficiently address the principles set out in your Council's Design Guide (contrary to NPPF chapter 12) and risks not according with your District Plan policies DP13 and DP26 which is, in our view a relevant consideration even at outline application stage. In our view that significance is augmented because loss of the individual identities of different communities involves a material and permanent loss. It would be a tragic result for Ansty to become, in effect, a suburb of Cuckfield through the creation of a new major development that would share none of the

separate characteristics of either and integrate with neither. Your assessment also fairly reflects the advice from your landscape consultant of the value of the landscape that forms the gap between our communities.

## 6.5 Heritage

We support your assessment that the applications would involve significant harm to the local heritage assets. In the local context these are important historical and cultural assets. That assessment is supported by the evidence that you have received from your Conservation Officer and the High Weald AONB Unit's planning adviser. This is an aspect of importance in its own right. The advice is clear that adverse impacts would be significant. Your Conservation Officer highlights the contravention of DP34 and 35, the relevance of NPPF paragraphs 205 & 208 and states "In carrying out the balancing exercise, the great weight which should be given to the conservation of all of the assets identified should be borne in mind, as well as the higher grade of listing of some of the designated assets affected". This also aligns with NPPF paragraph 212.

## 6.6 Depletion of natural capital, including loss of trees, BMV farmland and flood risk

You have identified both loss of trees and loss of best & most versatile agricultural land as adverse impacts, albeit ones of limited importance. These losses, though, are just examples of the wider issue of the depletion of the sites' natural capital assets – loss of carbon absorbing habitat, for example - that will result from the proposed changes of land use and development. Whilst some individual natural capital aspects have been assessed, as discussed below, there has been no holistic examination of the overall degree of that degradation or its economic cost across the board. That is a significant gap in the evidence base given that the importance of the maintenance of our natural capital resources is considerable. Whilst the impact of individual harms may fairly be rated as moderate or limited, that impact assessment may well not fairly reflect the overall aggregate degree of harm involved.

As to the **loss of trees** we say this: The applicant's Arboricultural Impact Assessment and Tree Protection Plan (AIA) accepts that the proposed development intends to cut down 128 trees in total: 116 for development and a further 12 for "Arboricultural best practice". However, the AIA's claim that "*In the context of this site and these proposals, the loss of these trees is a **low and acceptable impact** and is likely to have a limited amenity impact on the wider area*" is wholly unjustified.

The Council's Assistant Tree Officer, Emma Rivett, is very clear that the significant loss of trees is "excessive" and contravenes District Plan policy DP37. This includes mature oak trees which cannot be compensated by replanting, as the ecological value of mature oak trees would take years to develop from newly planted. The Tree Officer has "*further concerns for the future pressure on the trees to be retained, in addition to the ancient woodlands and veteran trees, should this proposal be implemented. The section of ancient woodland in the centre of the proposed development, to the north of plot AC, indicates several mixed hedgerows (wildlife corridors) to be cleared around it. I note that two category B oaks close to this location are to be removed to facilitate this proposal. Further, several category B oak trees are to be removed to create the access to this proposal. I find that this development would be contrary to policy DP37 of the Mid Sussex District Plan 2014-2031, and therefore, I object to this application*".

The submission by West Sussex Wildlife Trust should be taken into account. They highlight that the proposed development is adjacent to Great Wood & Copyhold Hangar Local Wildlife Site (LWS), which is recognised as a site of Nature Conservation Importance for the purposes of DP38, and that the development could directly and adversely impact to that ecologically important site contrary to DP38. The Trust also warns of the harm to ecological sensitivity from fencing that precludes connectivity between individual woodland parcels and raises concerns about the impact to ancient woodland.

Given the advice from your tree officer and the West Sussex Wildlife Trust, the negative weighting on this aspect of the application should be at least moderate.

In the case of **BMV land** on the site, we say that the harm should more fairly be assessed as “moderate”. Sussex’s agricultural economy is an important one in the context of the county and the Government’s drive to increase our self-sufficiency in agricultural produce. Whilst we cannot identify the precise acreage, it is very widely acknowledged that there is precious little BMV land here. This site includes 190 acres of agricultural land of which 32.6 acres is BMV quality. Sources say that over 35,500 acres of grade 1, 2 and 3a agricultural land in Sussex was lost to development between 2010 and 2022. That is a huge loss that must be staunch. One cannot keep chipping away at our most productive soil, bit by bit, until it has all disappeared under concrete. Any loss of potentially productive high-quality farmland is a significant loss.

On **flood risk**, subject to what we say here, we take no issue with the Flood Risk Assessment or proposed mitigation measures. The Copyhold stream, one of the headwaters of the Adur, is the ultimate repository of run off from the development and the volume of this can be expected to increase due to landscape disruption caused by the build out. We believe that any rating of the impact of potential flooding and water pollution beyond the boundaries of the site, and downstream, depends on the results of an analysis of the future potential for (i) downstream flooding, (ii) river pollution and (iii) bank erosion attributable to the development and its construction. These are not hypothetical risks and the NPPF is clear that flood mitigation must not “increase flood risk elsewhere” and must take account of the present and future risks of climate change (paras 170 and 172). So far as we can see, no such downstream impacts analysis has been carried out. One is needed. Meanwhile, the flood risk impact evaluation should surely be “unknown” rather than “neutral”.

## **6.7 SEND School**

You referenced in our discussions the proposed inclusion of a SEND school within the Ansty Farm site as a beneficial facility generated by Fairfax’s proposal. Given WSCC’s objection to the location of the school within the site on grounds of access, transport integration with existing services, noise, and development design, the future of the inclusion of a SEND school within the project must currently be regarded as at best uncertain. The applications’ consideration should surely therefore disregard the SEND school as part of the project.

## 7. Our summary analysis of the pros and cons of the applications

Table A

ISSUE	OUR IMPORTANCE RATING	OUR IMPACT RATING	NEW INFORMATION / RATIONALE FOR CHANGE
Homes	High	Significant +	New homes will not improve 5 year supply (para 5.1)
Self-build plots	Low	Limited +	Low demand in district and low supply (30). (para 5.2)
Leisure facilities	Medium	Limited +	Significance contradicted by evidence (on- and off-site). (5.6)
Transport sustainability (including bus services)	High	Significant -	You appear to consider only buses, which is just one component transport sustainability. Effective modal shift undeliverable and bus service not sustainable (5.5, 6.2 and Appendix B&D)
Ecology / biodiversity (including BNG)	Med	Not possible to fully assess	Incomplete advice (5.4 & Appendix C)
Economic impact	Medium	Limited +	Significant economic risks/costs to Council not considered (para 5.3 & Appendix B)
Landscape	Medium	Substantial -	Agreed (para 6.3)
Coalescence	Medium	Significant -	Agreed (para 6.4)
Heritage assets	Medium	Significant -	Agreed (para 6.5)
High Weald NL Impact	High	Substantial -	Material advice of harm from HWNL Unit requires great weighting. (para 6.3)
Loss of Trees, BMV Agriculture Land	Medium	Moderate -	Wider scope of depletion (para 6.6)
SEND School	Medium	Not relevant	WSCC objection raises significant delivery doubt (para 6.7)
Flood risk	Medium	Not possible to fully assess	No assessment of impact risks beyond the site boundary (para 6.6).
Wastewater supply	High	Significant -	No infrastructure. S Water indicate significant delays. (para 5.1)
Sustainable Location	High	Substantial -	You appear not to consider <u>the</u> most important feature of the proposed development and hence avoid the question of its sustainability (para 6.1)

In the hope that it will be helpful we have set out in appendix E the main relevant policies in your 2014-2031 District Plan, our two Neighbourhood Plans, NPPF paragraphs (using the current version of the NPPF) and the HWNL Management Plan objectives.

## 8. Conclusions

Fairfax's twin planning applications are interdependent and need to be considered as a whole. Based on our assessment, its proposals do not represent sustainable development; and the cumulative effect of their adverse impacts patently far outweighs the benefits which the development is likely to deliver. That would be true even if the tilted balance applied. The applications conflict with national planning policy and, overall, with your District Plan's policies on sustainable development location, ecology enhancement, countryside and designated landscape and heritage protection, and coalescence avoidance.

Our parish councils and residents have much appreciated the staunch support that we have consistently received from your Council in opposing the proposals to develop the Ansty Farm site support since Fairfax's proposal was first mooted. Like us, you have hitherto taken the position that the site was not a sufficiently sustainable site to permit its allocation or development. You determined that the District's future long term housing needs could be met in full by allocating alternative sites within the District that could be brought forward and developed far more sustainably.

We cannot understand how it could now suddenly be thought that the Council's current inability to demonstrate a five year housing land supply turns what we have to date all agreed is an unsustainable site into a sustainable one, particularly given that approval of the applications may well not see more homes built for a decade or so, and would not serve to resolve the Council's current housing supply shortfall. We hope that what we have said in this letter will persuade you that the benefits of this proposed development are in reality far outweighed by its downsides, and that your Council has a better, more reliable, way to deliver its housing requirement.

With the number of other developer planning applications recently approved or in the pipeline there seems to us to be every prospect of your Council being able significantly to improve its land supply position, and encouraging developers to bring forward applications on those more sustainable sites would seem to us to offer a far better way forward for your Council than approving these extremely controversial applications that offer far more downsides than benefits.

We want to be sure that all members of the District Planning Committee will have an opportunity to consider our views in full in conjunction with your planning officer's report to aid their decision.

## **Appendix A - The significance of the Beechy Bottom planning application (DM/23/2867)**

We challenge the 18 August statement of Mr Ashdown quoted in para 4.1 on the following grounds:

- A1 It understates the nature and extent of the works required to change the use of the land into a parkland reserve, and the adverse impact of those works on the delivery of the High Weald NL's Management Plan.
- The High Weald AONB Unit's 1 August objection letter draws attention to "*the disturbance of ancient woodland (PAWS) with the introduction of cycle paths, proposals relating to 'rewilding', specifically the introduction of deer (including into woodland areas of the site), the erection of 6m high deer fencing which would introduce a hard, artificial barrier around the majority of the site, and the re-use of an existing derelict building as an 'educational hub', for which no information regarding the refurbishment of this building as a non-designated heritage asset has been submitted, nor information regarding access to it.*"
- A2 It applies an inappropriately restrictive construction on the circumstances in which planning permission is required for a change in the use of land. It is the materiality of the impact of the change on the land, not just the nature of the works, that matters:
- The Government's National Planning Policy Guidance says "*A change of use of land or buildings requires planning permission if it constitutes a material change of use. There is no statutory definition of 'material change of use'; however, it is linked to the significance of a change and the resulting impact on the use of land and buildings. Whether a material change of use has taken place is a matter of fact and degree and this will be determined on the individual merits of a case.*"
  - Fairfax's 14/11/24 Environmental Statement Vol 11 para 11.6.7 describes the works involved in creating the Parkland Reserve as follows: "*The creation of the Parkland Reserve Site includes the change of use of farmland and woodland to parkland reserve, including establishment of pedestrian and cycle tracks, with new pedestrian and cycle access points to the north, the addition of two wooden viewing platforms and instigation of long-term management and rewilding regime which is intended to have significant benefits for wildlife.....*" It also includes the introduction of a number of large grazing animals that are otherwise absent from the HWNL and very significant new high deer fencing and access barriers.
  - There is surely a strong case that the fact that the land is within a national landscape and that the changes envisaged by Fairfax are significant in their extent and likely impact, and that they would be contrary to both NPPF para 189 and a number of the Management Plan's core objectives for reasons explained in the AONB Unit's 1 August letter would result in a material change of use for which planning permission is needed for the scheme as a whole.
- A3 It ignores HMG's official guidance that the Council's statutory duty to further the purposes for which the High Weald was designated as a National Landscape extends to functions beyond those for which planning permission is needed.
- The Government Guidance on the new "furtherance of the purposes" duty says: "*Relevant authorities will need to apply the duty when undertaking any function in relation to, or so as to affect, land in a Protected Landscape. This may include ....decision making in respect of .... planning applications, .....day-to-day functions such as maintenance, the refurbishment of buildings and infrastructure and the management of land, ..... functions outside of a Protected Landscape which may have an effect on land in a Protected Landscape ....*"

*When seeking to further the purposes, relevant authorities should consider the information contained in a Protected Landscape's Management Plan. Management Plans describe the natural beauty, special qualities and key characteristics of and targets and objectives for the designation.*

*Relevant authorities should make efforts to understand the Management Plan and relate their functions to it. Dialogue with the Protected Landscape team (National Park Authority, Conservation Board, National Landscape Partnership, or Joint Advisory Committee) can assist the relevant authority. Relevant authorities should also refer to the [Protected Landscapes Targets and Outcomes Framework](#).”*

- A4 The parkland reserve proposals must also be considered in the context of
- The application's interdependence with the main development site application, and its deliverability;
  - the Council's duty to further the purpose of conserving and enhancing the High Weald NL's natural beauty, with which they are, in our view, are plainly incompatible;
  - the NPPF requirement that planning authorities must give great weight to the conservation and enhancement of the landscapes and natural beauty of Natural Landscapes;
  - the fact that there is a material change of use of the land from farmland & woodland to parkland reserve with considerable imported livestock, that requires planning permission;
  - the high risk that the parkland reserve as a largely self-maintaining BNG feature will not be deliverable;
  - the strong grounds (including, but not limited to the reasons underpinning the AONB Unit's objection) for refusing permission having regard to the proposals' conflict with NPPF para 189 and the great weight that has to be given to that incompatibility;
  - the proposal's incompatibility with (inter alia) District Plan policy DP16; and
  - the ownership, governance, health & safety and financial implications of the proposals and their potential long term risks to your and our councils.
- A5 Our view would not be affected by the threat not to build the proposed north-south cycle path through the Beechy Bottom site, which we are advised would not affect the High Weald AONB Unit's objection to the overall changes to the site that are proposed. If carried out that threat would reduce the attractiveness of the area as a place to visit (an objective of the High Weald Management Plan) and its amenity value to no good purpose other than saving the developer money.
- A6 For these reasons we strongly believe that all aspects of the proposals referred to in application DM/23/2867 need to be considered in full and with care along with application DM/23/2866.

## **Appendix B: Bus Service long term economics**

### **1.1 The proposed bus service requires a subsidy to be sustainable**

WSCC propose a condition that a 3 bus service is provided for the build-out period and limited to at least 2 years after the final residential occupancy. The applicant indicates (2023) costs of this service in the region of circa £700,000 / year<sup>5</sup>.

There is a current price cap of £3 per fare for bus Journeys in West Sussex and the average number of bus trips per head per annum in West Sussex is 25<sup>6</sup>. If there are roughly 3000 people in the proposed Ansty Farm Development, then the passenger fare revenue would be £225,000 (=3\*25\*3000).

This would require a subsidy of £475,000 (=700,000-225,000) just to break even.

You could try to argue that the proposed service will somehow be far more successful than the average across WSCC. To illustrate how more successful, it would require all of the 3000 people in the development to use the service 77 times a year (=700,000/3/3000), which is 3 times more than the average across West Sussex.

Detailed analysis of modal-shifts shown in Appendix D reach similar conclusions. Velocity find:

“3.1.18 The level of bus mode share stated by WSCC for the service to break even (4.9%) is significantly greater than bus mode shares experienced anywhere else in the borough, including in urban areas which have a greater range and frequency of bus services.

3.1.19 The target bus mode share of 4.9%, required for the bus service to remain viable after initial funding, equates to a mode share which is 2.8 times greater than current bus mode share achieved across the borough (1.7%).”

They further find:

“3.1.20 The central urban areas of Haywards Heath and Burgess Hill, which benefit from a range of more frequent bus services, achieve bus mode shares of 1.7% and 2.5%, respectively. This is still well below the target mode share for the development of 4.9%

3.1.21 It is therefore evident that the bus mode share of 4.9%, which WSCC state will be required for the bus service to remain viable and break even after the initial period of funding is unlikely to be achieved. As such, it is evident that the proposed bus service will likely be withdrawn from service following the initial period of funding or additional funding from the local authority. Without a suitable bus service, the site would be inaccessible by public transport resulting in reliance on private car usage and higher levels of vehicle trips will be generated.”

Note at the moment we are just considering break-even economics. A bus service provider would require a 10-15% margin over costs (and probably significantly more for a risky service such as that proposed), and so the total revenue for such a service would need to be circa £800,000+/year. This would correspond to a subsidy of £575,000 per year (=800000-225000) Whichever way we look at this, the proposed bus service can-not survive after the developer walks away without significant subsidies in the region of £500,000/year. Calculations to demonstrate the viability of the bus service and how this deficit is met once the subsidies

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<sup>5</sup> Potential Bus Service to Ansty Garden Community Development, MCL, 28 September 2023

<sup>6</sup> <https://www.gov.uk/government/statistics/annual-bus-statistics-year-ending-march-2024/annual-bus-statistics-year-ending-march-2024>

provided by the applicant cease is not explained in the application nor WSCC's Highway Authority Consultation dated 9 July 2025.

### **1.2 Bus use is in decline not increasing which the County Council Network notes is a significant challenge**

Rather than increasing numbers of people using buses, the trend is opposite. Passenger journeys on local bus services per head for West Sussex fell by 19% over 2019-2024. The County Councils Network note a similar pattern and raise serious concerns over travel budgets<sup>7</sup>:

*“One fifth of ‘lifeline’ bus routes serving residents in county and rural areas have disappeared over the last five years despite pledges of a bus revolution, as analysis reveals the extent that these areas have lost out to cities and towns for much-needed funding”*

*“County leaders warn that unless the government focuses more on their areas, rural residents will be ‘let down’, with services effectively in a state of managed decline. With county and unitary councils having significant shortfalls in their local transport budgets, and spending large proportions of their budgets on care services, they are increasingly reliant on central government funds to improve existing services or create new routes”*

Against the increasingly challenging funding status for County Councils, the declining number of people using buses, the inherent challenges to attract people to use buses versus cars, creating and sustaining a comprehensive bus service for Ansty Farm is not economically viable without subsidies. Its viability could be improved if WSCC committed to an annual subsidy of around £500,000 – but is this realistic?

### **1.3 It has not been demonstrated who will provide a guarantee to cover the cost of subsidies**

WSCC Planning Consultation response states:

“The provision of the proposed service in conjunction with the mobility hubs, the proposed internal design that promotes public transport permeability, provision of travel plan and trip monitoring strategy as well as the early provision of the services to embed sustainable transport habits would **provide an opportunity for the service to be successful (added emphasis).**”

Saying that there is “an opportunity for the service to be successful” is not the same as committing £500,000 each year. Without such a guarantee, there can be no claim that the site is in a sustainable location and meets the provisions of the NPPF.

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<sup>7</sup> <https://www.countycouncilsnetwork.org.uk/one-in-five-rural-bus-routes-have-vanished-despite-pledges-of-a-bus-revolution/>

## Appendix C: Biodiversity implications

Our conclusions from our analysis of the ecological and biodiversity evidence filed with MSDC re. the Ansty Farm and Beechy Bottom (Parkland Reserve) sites are as follows:

- C1 Our conclusions are based principally on our analysis of the following documents:
1. Fairfax's Beechy Bottom Vision Document re DM/23/2867 dated June 2024 filed with MSDC on 8 November 2024;
  2. Temple Group's Environmental Statement Volume 2, Chapter 11 and Appendix G re Ecology and Biodiversity. Filed with MSDC 14 November 2023.
  3. Tadorna's Habitat & Ecological Restoration Management Plan (March 2023) in Temple Group Environmental Statement Volume 2, Appendix G re Ecology and Biodiversity parts 5 (from p 45) – 8. Filed with MSDC 14 November 2023;
  4. The Ecology Co-op Biodiversity Impact Calculation re the Beechy Bottom Parkland Reserve filed as an appendix to the Environment Statement on 14 November 2023 (and re-filed on 8 November 2024)
  5. Eco-Logic (October 2023) Preliminary Ecological Appraisal re Beechy Bottom site Temple Group Environmental Statement Appendix G, Parts 2 and 3;
  6. Temple Group Environmental Statement Volume 2, Chapter 14: Effect Interactions. Filed with MSDC 14 November 2023;
  7. Environment Agency response filed with MSDC on 18 December 2023 re DM/23/2866
  8. Place Services responses filed with MSDC on 22 December 2023 (DM/23/2866), 4 January 2024 (DM/23/2867) and 5 December 2024 (both sites);
  9. Tadorna's Landscape & Ecology Management Plan (LEMP) re DM/23/2867 filed with MSDC on 8 November 2024;
  10. Letters from Sir Charles Burrell, Knepp Castle Estate, dated 9 January 2024 and 4 December 2024;
  11. BNG Metric filed by Fairfax with MSDC on 27 May 2025 on DM/23/2866;
  12. High Weald AONB Unit Planning Adviser objections filed with MSDC on 1 August (re DM/23/2867) and 4 August 2025 (re DM/23./2867);
  13. Detailed Masterplan Rev P09, filed with MSD on 15 August 2025; and
  14. Place Services letter dated 25 September 2025 re site DM/23/2867.
- C2. Establishing an overall net gain in biodiversity across the two sites, assessed in combination, is important to Fairfax because
- MSDC District Plan policy DP38 and the NPPG both require new development to demonstrate onsite or off-site biodiversity protection and enhancement. [Note that, because the planning applications were filed in November 2023 the current requirement to demonstrate a 10%+ net gain in biodiversity does not apply].
  - Failure to provide robust evidence of biodiversity enhancement is incompatible with the District Plan and the NPPG, and is a material adverse impact to which one would expect a planning authority to give significant weight given that environmental sustainability is one of the cornerstones of good planning.
  - Fairfax admits that development of its main site will result in a degradation of the site's biodiversity, not an enhancement.
  - Fairfax's ability to demonstrate an overall enhancement of biodiversity, and compatibility with District Plan policy DP38, therefore depends on their establishing by evidence that their proposed change of use of the Beechy Bottom site to a parkland reserve (a) is deliverable as a

project and (b) will provide a sufficient net off-site gain in biodiversity to compensate for the degradation in the biodiversity on the main site and an overall biodiversity enhancement across the two site.

**C3 As to deliverability** of the Beechy Bottom project as applied for, especially its parkland reserve Knepp-style, rewilding, we conclude that this is not robustly evidenced by Fairfax:

- MSDC’s ecologists, Place Services, have noted the documents filed by Fairfax, but have provided no critique at all of the rewilding scheme’s deliverability or of the management scheme proposed for the site in the LEMP. MSDC has absolutely no independent advice on the issue – an extraordinary lapse;
- Sir Charles Burrell, owner of the Knepp estate on which Fairfax claims to model its project, and patently a top authority on rewilding schemes, has debunked the deliverability of the project in the most robust terms. His is the only assessment of deliverability that exists;
- The parkland reserve management plan (LEMP) only has a 10 year management horizon. So it is liable to expire before the main development has even been completed;
- The LEMP asserts that the activities of introduced animals will thereafter make the proposed parkland habitat improvements and BNG self-sustaining. That assertion is unsupported by any evidence, and is contradicted by Sir Charles Burrell’s warnings.
- MSDC has not taken any advice from anyone on the funding, financial, ownership, governance or human health and safety implications of the short and long term management of the parkland reserve. These are all significant issues on which real concerns have been raised and which go to the heart of deliverability, as well as to potential financial risks to the local authorities involved.

**C4.** If the change of use of the Beechy Bottom site into a parkland reserve that is both self-sustaining and adequately managed to deliver the mitigation and habitat improvements on which all BNG calculations have been premised cannot be delivered, then the issue of whether or not biodiversity will be enhanced becomes moot.

**C5. As to the level of BNG impacts**, we conclude that Fairfax has not sufficiently evidenced that there would be sufficient enhancement in the planned change of use of the Beechy Bottom site to compensate for the biodiversity loss on the main development site and to provide an overall gain in biodiversity across the two sites in combination. We also conclude that MSDC lacks appropriate independent expert advice of its own to be able to conclude that Fairfax’s proposals, if implemented, would in practice deliver the level of biodiversity enhancement that Fairfax aspires to achieve. We do so for the following reasons:

- The Natural England 4.0 metric used for Ecology Co-op’s Beechy Bottom site BNG impact calculation in October 2023 is out of date. Natural England’s 4.9 metric is the current metric.
- Ecology Co-op’s BNG 4.0 metric is different from the 4.9 metric used to evaluate the BNG impact on the main development site. It is therefore impossible to establish the combined BNG impact of the twin site development proposals. Apples v pears.
- Fairfax has not filed any report, based on updated planning application proposals, which provides a combined assessment of BNG impacts across the two sites. Their claim of overall biodiversity net gain is based on nothing more than the assertion (by Eco-Logic conclusion 1.6) that the overall proposal “*is considered to represent a major gain for biodiversity overall*” and the assumption by Temple Group that “*Whilst the proposal is not without impact risk or sources of potential harm (such as increased wildlife disturbance risks from increases in the number of*

visitors to the site), this is set against the clear overwhelming wildlife benefits that will result from the rewilding regime and as such, this assumption of significant overall benefits for wildlife is well founded.” (para 11.6.7). These statements are not supported by any scientific evidence in their reports.

- The BNG metrics used appear not to evaluate the biodiversity impacts of human and animal interventions. The importance of this vacuum of evidence is all the greater given that the longer term management of the parkland reserve is supposed to depend on the grazing and other activities of newly introduced wildlife. Ecology Co-op’s assessment (and Place Services’ evaluation)
  - do not address the animal impact on biodiversity of creating the deer park, nor the prospects of successfully introducing the bird and other species (red deer, wild pigs, long horn cattle and hares) or culling fallow deer and squirrels as proposed in the Parkland Reserve Vision Statement (June 2024);
  - take no account of current Natural England guidance on assessing the BNG impact of a rewilding project and is an incomplete assessment of biodiversity impacts<sup>8</sup>;
  - make no reference to the impacts on habitat or species of additional human activity within the site during and, especially, after completion of the main development; nor of the extensive new fencing proposed.

These create a major lacuna in the evidence base.

- The applicant has provided no evidence to support Ecology Co-op’s claim that the loss of (on their figures) 2.19ha of woodland habitat and a massive 1.74km of native hedgerows\* to provide access to or within the main site will be compensated for by mixed scrub and new hedgerow planting within the Beechy Bottom site. Like for like new planting of immature species does not replace the loss of mature habitat. This looks to us like a significant loss of habitat biodiversity that has not been adequately measured in any overall BNG analysis.
- The Ecology Co-op Biodiversity Impact Calculation relies on an out of date version of Tadorna’s Landscape/Ecology Management Plan, and (contrary to their own recommendation) has not been updated to take account of Tadorna’s September 2024 LEMP. Ecology Co-op’s habitat unit-based conclusions as to BNG impacts generated by the Parkland Reserve Plan is therefore valueless on this count too.
- MSDC’s ecology advisers, Place Services, have been largely missing in action in relation to key aspects of the ecological impacts of Fairfax’s schemes:
- Their latest ecology advice is largely limited to securing mitigation against the risks of harm to existing protected bats and dormice and other threatened species. They make no evaluation of, or comment on, the potential biodiversity impacts resulting from the introduction of semi-wild livestock, or on the prospects of that livestock to self-manage habitat biodiversity (a vital component of the Parkland Reserve Management Plan and its anticipated cost); Nor do they address the deliverability of other wildlife benefits that Fairfax’s Vision Document claims (claims rubbished by Knepp’s owner) that a rewilded parkland reserve would deliver in terms of suitable breeding habitat for grey partridge, corncrakes and skylarks.
- Place Services’ commentary on the BNG calculator effects is limited to the Beechy Bottom site. They don’t mention the fact that different metrics have been used by Fairfax to evaluate the two sites. There is therefore no reliable baseline from which to evaluate the overall amount of BNG gain or loss across the two sites based on the same current methodology.

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[file:///Users/michaelbrown/Downloads/Statutory%20biodiversity%20metric%20calculation%20tool%20-%20Case%20study%205%20-%20Rewilding%20\(1\).pdf](file:///Users/michaelbrown/Downloads/Statutory%20biodiversity%20metric%20calculation%20tool%20-%20Case%20study%205%20-%20Rewilding%20(1).pdf)

- Place Services have not provided any critique of any of the detailed reports on the establishment and management of the parkland reserve.
- Even on its own terms the Ecology Co-op's conclusions give the lie to the statements by Temple Group in the Biodiversity & Ecology section of its 2024 Environmental Statement that "*The achievement of significant biodiversity net gain in Habitat Units [on the Beechy Bottom site] that exceeds 20%*" (Ch 11, para 9.3) or that their "*enhancements will provide an overwhelmingly positive benefit for local conservation*" (Ch 11, para 11.11.8).
- There remains considerable vagueness in the detail of the plans: the nature and scale of the fencing (note Sir Charles Burrell's warnings), accessibility etc.
- The validity of all BNG predictive calculations as to the overall BNG gain that their project would deliver vitally depends on the delivery on the ground of the detailed habitat improvement and mitigation proposals in Fairfax's planning submissions, and on effective implementation of the LEMP. How would this be adequately monitored and enforced by MSD in practice?

\* We take Ecology Co-Op's 1.74km of hedgerows to refer only to the onsite length of hedgerow involved. In practice there would be considerably more extensive hedgerow removal involved off-site to accommodate standard-complaint cycle paths and lighting. You would need to satisfy yourselves that any hedgerow removal complied with the Hedgerow Regulations 1997 and 2024.

- C6. We note that some of the BNG calculations undertaken for Fairfax are premised on a target of achieving a 20% overall net gain in biodiversity based on DEFRA metrics. Whilst Fairfax is not legally required to demonstrate that level of BNG, and we accept that no weight can be given to the 10% BNG envisaged in your draft 2024 -2039 Plan, Fairfax's own assessment (based on 4.0 metric calculation made by Ecology Co-op in October 2023) is that it would fail to achieve that 20% level of gain, despite Temple Group assertions to the contrary.
- C7. Whatever the biodiversity impact effects, any BNG comes at the cost of harm to the High Weald National Landscape, its setting and its Management Plan, as advised in the High Weald AONB Unit's objections to Fairfax's project. That degradation is incompatible with (i) District Plan policy DP16, (ii) NPPF para 176 (Sep 2023 version) and (iii) MSDC's legal obligation to further the enhancement of the purposes for which the High Weald National Landscape was designated.
- C8. **Amenity benefits** of the change of use of the Beechy Bottom site, to which the public already has access via PROWs, is very limited:
- The applicant claims that the area will provide a "local recreation facility" open to the local community and others. However, the Masterplan shows that, for much their length, pedestrians will be constrained on both sides behind high deer and stock fencing. They will have no access to the parkland reserve or the ancient woodland. This will not create an open countryside experience.
  - Sir Charles Burrell has warned that the fencing proposed will not work to contain some of the livestock that the applicant to be introduced onto the site. There is therefore a real risk of animals escaping the restricted area and becoming a danger to the public;
  - The footpath around to the eastern side of the parkland reserve will be closed to people between 1 March and 31 August.
  - As the footpaths around the parkland reserve will not be hard-surfaced and only open in the autumn and winter they are likely quickly to become very muddy and slippery;

- There is no suggestion that any of the footpaths will be lit after dark. They would not be safely usable after dark and would not provide an accessible route between the main development and Whiteman's Green or the sports facilities there.
- The proposed removal of the Toucan Crossing increases the safety hazard of accessing Beechy Bottom whilst not materially mitigating the overall harm to the HWNL's setting;
- The Management Plan boasts of the creation within the reserve of an "educational hub to involve the local schools and community groups". However details of the proposed hides/viewing platform are insufficient to demonstrate their being of particular nature-watching or educational value;
- Sir Charles Burrell advises that the proposed culling of fallow deer already present in the parkland reserve, and their replacement with red deer, is unnecessary and inappropriate.

## Appendix D: Car dependency

**Copy of a technical note by Velocity on behalf of Ansty & Staplefield Parish Council re the locational sustainability of the Ansty Farm project (August 2025).**

# 1. INTRODUCTION

## 1.1 REPORT PURPOSE

1.1.1 This Technical Note has been produced by Velocity Transport Planning ('Velocity') on behalf of Ansty and Staplefield Parish Council (the 'client') to assess the Outline Planning Application (OPA) submitted by Fairfax Acquisitions Limited (the 'applicant') for the following proposed development:

*"Outline planning application (All matters reserved except for access) for the redevelopment of land to the east of Ansty to create a new Garden Community, comprising of the erection of up to 1,450 homes (including 30% affordable housing), up to 90 residential care (C2 units), a primary school, new SEND school, sports facilities including all weather hockey pitches and tennis centre, allotments, retail, community and employment uses together with ancillary and associated development including new and enhanced pedestrian/cycle routes, open spaces, and landscaping"*

1.1.2 The proposed development would be located between the villages of Cuckfield and Ansty which are located to the west of Haywards Heath. The applicant is an experienced land acquisitions company, who has been supported by Ardent Consulting Engineers (ACE) as the transportation and highways consultant for the OPA submission (ref: DM/23/2866).

1.1.3 As part of the OPA, a Transport Assessment was prepared by ACE, dated October 2023. Mid Sussex District Council (MSDC) are the Local Planning Authority and West Sussex County Council (WSCC) are the Local Highway Authority.

1.1.4 Following consultation responses from WSCC, National Highways (NH), Active Travel England (ATE) and the WSCC Public Rights of Way Officer, the applicant has submitted a Transport Addendums, prepared by ACE, dated November 2024 and May 2025.

1.1.5 This Technical Note has considered the additional information included within the Transport Addendums dated November 2024 and May 2025, alongside the original Transport Assessment (October 2023), to assess the suitability of the site for residential development from a transport perspective.

1.1.6 This Note should be read in conjunction with the previous Objection Notes (TN003 and TN004) prepared by Velocity on behalf of Ansty and Staplefield Parish Council and submitted to the planning application in December 2023 and December 2024.

## 2. SUSTAINABLE TRANSPORT ACCESSIBILITY

### 2.1 INTRODUCTION

2.1.1 As set out in previous Objection Notes (TN003 and TN004), submitted to the planning application in December 2023 and December 2024, Velocity has demonstrated that the facilities, amenities and local settlements would be largely inaccessible for the majority of residents in the proposed development, given the distances involved and lack of supporting infrastructure.

2.1.2 It is Velocity's view that, given the distances involved and remoteness of the development site, the site should not be considered accessible by foot and will encourage additional travel by private car to the wider area, which would not be necessary for homes located in more sustainable locations.

## 2.2 ROUTE TO BURGESS HILL

2.2.1 Paragraph 5.2 of the ACE Transport Assessment highlights that the route to Burgess Hill is one of the primary desire lines associated with the site. The planning application submission had previously indicated options for delivering a pedestrian and cycle connection to Burgess Hill.

2.2.2 The most recent submission from the applicant and the consultation response from WSCC confirms that no pedestrian or cycle connection will be provided from the site to Burgess Hill, despite it being one of the primary desire lines from the site.

2.2.3 The consultation response from WSCC dated 9 July 2025 confirms that the: *"the inability to deliver suitable cycle and pedestrian connections to Burgess Hill is negative"*

2.2.4 There will be no pedestrian or cycle connection from the proposed development to Burgess Hill. The only sustainable travel connection between the site and Burgess Hill, would be a proposed bus route, which the consultation response from WSCC dated 9 July 2025 indicates would be limited to one bus per hour.

2.2.5 As set out in Section 3 of this Note, the applicant has not provided detail of the route that the bus service would utilise or the hours of operation of the service. Furthermore, no information has been submitted to demonstrate that the bus service would be viable in the long term, and it is considered that mode share estimates reference in the Transport Assessment and WSCC response are an over-estimate and are unlikely to be achieved,

2.2.6 Without a suitable bus service and, given that no pedestrian or cycle connection is provided, Burgess Hill would be inaccessible by active and sustainable modes of travel, resulting in reliance on private car usage and higher levels of vehicle trips will be generated.

2.2.7 It is Velocity's view that the lack of any pedestrian or cycle connection between the site and Burgess Hill, combined with the limited frequency of public transport service proposed and the uncertainty over the long term viability of the bus service, will encourage additional travel by private car between the site and Burgess Hill.

## 2.3 ROUTE TO WARDEN PARK ACADEMY

2.3.1 Warden Park Academy is located to the north of the site in Cuckfield and would be the main school for secondary school aged pupils from the application site. As set out in previous Objection Notes, the Warden Park Academy is a circa 2.8km or 40-minute walk from the application site.

2.3.2 Paragraph 5.2 of the ACE Transport Assessment highlights that the route to Warden Park Academy is one of the primary desire lines associated with the site. No further assessment of the route between the site and Warden Park Academy is provided elsewhere within the ACE Transport Assessment or subsequent Transport Assessment Addendums.

2.3.3 The consultation response from WSCC dated July 2025 states that the proposed development would provide: *"PROW upgrade to Footway 8aCU towards Cuckfield – to enhance the connection to Warden Park Academy"*

2.3.4 The consultation response from WSCC also states that the: *“The majority of the route of PROW 8ACU is along farm track, however the southern section surfacing would benefit from improvement and would be secured as part of the application”*

2.3.5 Public Right of Way (PRoW) 8aCU is currently an unmade route, with no street lighting and is not considered an appropriate all-weather route for students to use to walk to school.

2.3.6 The planning application submission and Transport Assessment do not provide details of the scope or extent of improvements to public footpath 8aCU that would be provided as part of the development. No information or highway drawing is provided showing the extent of proposed works to the footpath and no details of the proposed width, surface treatment or street lighting are provided. In addition, no consideration has been given to the impact of these improvements on adjacent accesses, trees or planting.

2.3.7 The WSCC response confirms that PRoW 8aCU is a farm track and serves adjacent agricultural properties and fields. Pedestrians, including school children, using the PRoW would need to share the space with agricultural traffic and no assessment is presented as part of the Transport Assessment or subsequent submissions regarding the interaction of pedestrians, including school children, with agricultural traffic and whether these can safely pass and share space on the route. In addition, no road safety audit has been undertaken of the proposed increased use and changes to PRoW 8aCU.

2.3.8 The improvements of the PRoW 8aCU referenced in the WSCC response relate solely to the southern section of the route. No drawing has been provided demonstrating the extent of works that would be secured and provided.

2.3.9 PRoW 8aCU only forms part of the route between the application site and the Warden Park Academy. From the northern end of PRoW 8aCU, pedestrians would be required to route east along PRoW 6aCU or west along Newbury Lane to connect towards the Warden Park Academy. No information is presented showing how pedestrians including school children, would utilise the remainder of the route from the end PRoW 8aCU to the Warden Park Academy.

## 2.4 PUBLIC RIGHTS OF WAY IMPROVEMENTS

2.4.1 The additional submissions from the applicant, including the Pedestrian Route Improvement Strategy (ACE Drawing 2207280-SK04) and Cycle Route Improvement Strategy (ACE Drawing 2207280-SK03) and the response from WSCC indicate that the proposed development will provide upgrades to PROW footpaths 8aCU towards Cuckfield and 69CR towards Copyhold Lane, along with pedestrian/cycle enhancements to Copyhold Lane.

2.4.2 The planning application submissions by the Applicant do not provide details of the scope or extent of improvements to PROW 8aCU, 69CR or Copyhold Lane that would be delivered as part of the development. No information or highway drawing is provided showing the extent of proposed works to the footpaths and Copyhold Lane and no details of the proposed width, surface treatment, gradient or street lighting are provided.

2.4.3 As such the planning application submission do not demonstrate what improvements to these routes will be delivered by the Applicant and do not demonstrate that appropriate pedestrian and cycle facilities will be provided on these routes. Furthermore, as no detail of the works to the routes is provided, the current application does not assess the impact of the works on adjacent trees, hedges or ancient woodland, nor does it assess the impacts of lighting on these routes.

## 2.5 SUMMARY

2.5.1 It is Velocity's view that, given the distances involved and remoteness of the development site, the site should not be considered accessible by foot and will encourage additional travel by private car to the wider area, which would not be necessary for homes located in more sustainable locations.

2.5.2 It is evident that the proposed development does not provide a safe or convenient route from the site to the Warden Park Academy. Given that the Academy is a 40-minute walk from the site, well in excess of recommended walking distances, it is considered unlikely students will walk or cycle this distance and will more likely travel by car, as a passenger with a parent driving.

2.5.3 The WSCC consultation response indicates that improvements will be provided to PRoW 8aCU to enhance the connection to Warden Park Academy. However, no details have been provided to demonstrate the improvements that will be provided to the route and PRoW 8aCU only comprises part of the route between the site and the Academy. Students walking to school via this route will be required to share the route with farm traffic and no assessment of the interaction of pedestrians, including school children, with farm traffic has been undertaken.

## 3.ACCESSIBILITY BY PUBLIC TRANSPORT

1.1.1 This section considers the accessibility of the site by public transport and the mitigation proposed to be provided by the applicant.

1.1.2 As set out in previous Objection Notes (TN003 and TN004), submitted to the planning application in December 2023 and December 2024, Velocity has demonstrated that the existing bus services in the local area do not provide adequate access to public transport services to support a development of this nature and scale. Furthermore, our previous Objection Notes have highlighted that previous submission by the applicant have provided limited detail on potential enhancements to public transport and include over-estimates likely public transport usage as a proportion of the overall mode share, which will undermine the potential future viability of a new bus route.

### 3.PROPOSED BUS ROUTE

1.1.3 The application site is situated in an inaccessible location and as concluded by WSCC, is not well served by existing bus services. The need to provide viable and regular bus services is imperative to ensuring that the development has appropriate access to public transport.

1.1.4 The ACE Transport Assessment and subsequent submissions, states that discussions have been held with local operators with a view to diverting an existing route or creating a new service. However, the ACE Transport Assessment does not provide details of the final bus services that will be in place to support the development and therefore does not demonstrate that appropriate access to bus services will be provided.

1.1.5 The ACE Transport Addendum dated May 2025 states that a bus report has been shared confidentially with WSCC but does not provide any further details confirming what bus services will be provided to support the development proposals, the frequency of the services, the destinations that they service or how this will be secured to ensure the bus services are viable in the long term.

3.1.6 The consultation response from WSCC dated July 2025 states that the bus service proposed to be provided by the applicant would comprise:

- Two buses per hour between the site and Haywards Heath
- One bus per hour between Haywards Heath and Burgess Hill serving the site.

3.1.7 The information provided in the applicants' submissions or the WSCC consultation response does not confirm the route that buses would take between the application site, Haywards Heath and Burgess Hill and does not confirm the destinations which would be served by the bus route i.e., would the bus services provide access to the train stations, high streets, key employment and retail areas and the hospital. Furthermore, the proposed frequency of bus services, with just 1 bus an hour to Burgess Hill, is not considered appropriate to encourage use of bus by future residents of the development.

3.1.8 No detail is provided on the number of buses that will be required to operate the frequency of service detailed in the WSCC consultation response, but it is considered that to provide access to an appropriate range of destinations include train station, high street, key employment and retail areas and the hospital, multiple buses would likely be required to provide an appropriate frequency of service.

3.1.9 Full details of the bus services that will serve the development should be provided prior to any determination of a planning application. This should include details of the proposed routes, destinations served, frequency of services, how they will be secured to ensure that they are viable, and any financial contributions required to ensure the future operation of these services.

3.1.10 Given that the costs of running a single bus can come at a cost of up to £300,000 per annum, there is concern regarding the viability of the new bus route, given the isolated rural location of the site and anticipated travel patterns.

3.1.11 As set out in previous submissions, there are concerns regarding the mode share analysis which has been presented within the ACE Transport Addendum and have been utilised to assess the viability of a bus service. The mode share analysis presented in the ACE Transport Addendum has been based on the Haywards Heath 009 Census Middle Super Output Area. This area includes Haywards Heath Town Centre, Haywards Heath railway station and multiple frequent bus services and is therefore a significantly more accessible and sustainable location than the application site. Figure 3.1 below shows the geographical area covered by Middle Super Output Area of Haywards Heath 009.

3.1.12 Furthermore, the assessment of mode share, presented in the ACE Transport Assessment has been based on data from the 2021 census. That census was undertaken in March 2021 at a time when COVID pandemic travel and working restrictions were in place. Mode share estimates based on census data collected at that time will therefore be affected by the travel and working restrictions and are not considered a reliable estimate of mode share.

3.1.13 On that basis, the mode share analysis presented in the ACE Transport Addendum would over-estimate bus usage as a proportion of the overall mode share.

3.1.14 The application site located within Census for the Middle Super Output Area of Mid-Sussex 011. Table 3.1 below provides a summary of bus mode shares as a proportion of journey to work trips for Mid-Sussex 011 and all Middle Super Output Areas in Mid-Sussex. As set out above, census data from the 2021 census is not considered a reliable assessment of mode share as this would have been affected by the travel and working restrictions associated with the COVID-19 pandemic. As such, data from the 2011 census is presented below.

**Table 3-1: Mid-Sussex – Bus Mode Share by Mid Super Output Area**

<b>MIDDLE SUPER OUTPUT AREA</b>	<b>BUS MODE SHARE</b>
Mid-Sussex 001	1.8%
Mid-Sussex 002	1.8%
Mid-Sussex 003	1.2%
Mid-Sussex 004	1.3%
Mid-Sussex 005	2.7%
Mid-Sussex 006	1.9%
Mid-Sussex 007	0.9%
Mid-Sussex 008	1.3%
Mid-Sussex 009	1.7%
Mid-Sussex 010	1.8%
<b>Mid-Sussex 011 (Site Location)</b>	<b>1.5%</b>
Mid-Sussex 012	1.1%
Mid-Sussex 013	2.5%
Mid-Sussex 014	2.1%
Mid-Sussex 015	1.4%
Mid-Sussex 016	1.7%
Mid-Sussex 017	1.5%
<b>Average</b>	<b>1.7%</b>

3.1.15 The data presented at Table 3.1 demonstrates that the average bus mode share across Mid-Sussex is 1.7% of trips. The highest levels of bus mode share are achieved in Middle Super Output Areas 013 and 014 which cover the central urban area of Burgess Hill and achieve bus mode shares of 2.5% and 2.1% respectively. In addition, Middle Super Output Area 005 has a bus mode share of 2.7%. This Middle Super Output Area is located around Crawley Down which benefits from frequent and convenient bus connections to Crawley.

3.1.16 As previously set out, the ACE Transport Addendum and other submissions by the applicant, do not provide details of how the likely level of bus usage and expected mode share of trips by bus have been calculated. However, the consultation response from WSCC data states that supporting costings provided by the applicant directly to WSCC indicate that the proposed development will need to achieve a bus mode share of 4.9% when the scheme is fully built out, for the bus service to remain viable and break even.

3.1.17 As details of the bus viability assessment have not been submitted with the planning application, Velocity has not had the opportunity to review any of the calculations or costing associated with this conclusion, and it may be that a higher bus mode share is required for the bus service to remain viable and break even.

3.1.18 The level of bus mode share stated by WSCC for the service to break even (4.9%) is significantly greater than bus mode shares experienced anywhere else in the borough, including in urban areas which have a greater range and frequency of bus services.

3.1.19 The target bus mode share of 4.9%, required for the bus service to remain viable after initial funding, equates to a mode share which is 2.8 times greater than current bus mode share achieved across the borough (1.7%).

3.1.20 The central urban areas of Haywards Heath and Burgess Hill, which benefit from a range of more frequent bus services, achieve bus mode shares of 1.7% and 2.5%, respectively. This is still well below the target mode share for the development of 4.9%

3.1.21 It is therefore evident that the bus mode share of 4.9%, which WSCC state will be required for the bus service to remain viable and break even after the initial period of funding is unlikely to be achieved. As such, it is evident that the proposed bus service will likely be

withdrawn from service following the initial period of funding or additional funding from the local authority. Without a suitable bus service, the site would be inaccessible by public transport resulting in reliance on private car usage and higher levels of vehicle trips will be generated.

### 3.2 SUMMARY

3.2.1 The information submitted with the planning application does not demonstrate that suitable access to bus services will be provided and no information is provided on the routes or destinations that will be served by any new bus route. The proposed frequency of bus services referenced within the WSCC consultation response, with just 1 bus an hour to Burgess Hill, is not considered appropriate to encourage use of buses by future residents of the development.

3.2.2 The assumptions regarding likely bus mode share are considered to significantly over-estimate the number of future residents that will likely travel by bus and therefore do not provide a robust assessment of the future viability of the proposed bus service.

3.2.3 It is therefore evident that the bus mode share, which WSCC state will be required for the bus service to remain viable and break even after the initial period of funding, is unlikely to be achieved.

3.2.4 If suitable self-sustaining bus services are not provided, then it will likely be withdrawn from service following an initial period of funding. Without a suitable bus service, the site would be inaccessible by public transport resulting in reliance on private car usage and higher levels of vehicle trips will be generated.

## 4. SUMMARY

4.1.1 This Technical Note has been produced by Velocity Transport Planning ('Velocity') on behalf of Ansty and Staplefield Parish Council (the 'client') to assess the Outline Planning Application (OPA) submitted by Fairfax Acquisitions Limited (the 'applicant') for the following proposed development:

*"Outline planning application (All matters reserved except for access) for the redevelopment of land to the east of Ansty to create a new Garden Community, comprising of the erection of up to 1,450 homes (including 30% affordable housing), up to 90 residential care (C2 units), a primary school, new SEND school, sports facilities including all weather hockey pitches and tennis centre, allotments, retail, community and employment uses together with ancillary and associated development including new and enhanced pedestrian/cycle routes, open spaces, and landscaping"*

4.1.2 This Note should be read in conjunction with the previous Objection Notes (TN003 and TN004) prepared by Velocity on behalf of Ansty and Staplefield Parish Council and submitted to the planning application in December 2023 and December 2024.

4.1.3 In summary this Technical Note demonstrates that:

- Given the distances involved and remoteness of the development site, the site should not be considered accessible by foot and will encourage additional travel by private car to the wider area, which would not be necessary for homes located in more sustainable locations.
- There would be no pedestrian or cycle connection to Burgess Hill, a primary desire line, as identified by the applicant;
- There is not a safe and convenient route between the site and the Warden Park Academy and the distance between the site and the Academy, combined with the unsuitability of the route, means that students are unlikely to walk or cycle and will travel by car, as a passenger with a parent driving.

- The route to Warden Park Academy, via PRoW 8aCU, is not considered an appropriate walking/cycling route to the school.
- The consultation response from WSCC indicates that improvements to PRoW 8aCU would be provided, but no information or drawings showing the proposed width, surface treatment or street lighting are provided as part of the submission.
- The submitted information does not demonstrate that suitable access to bus services will be provided and the assessment of the long-term viability of the bus service is based on unrealistic estimates of bus share.
- It is therefore evident that the bus mode share, which WSCC state will be required for the bus service to remain viable and break even after the initial period of funding, is unlikely to be achieved.
- If suitable self-sustaining bus services are not provided, then it will likely be withdrawn from service following an initial period of funding. Without a suitable bus service, the site would be inaccessible by public transport resulting in reliance on private car usage and higher levels of vehicle trips will be generated.

4.1.4 In summary, Velocity consider that the site is located in an area with limited access to public transport services and lacks adequate infrastructure to promote walking or cycling, resulting in an overreliance on private car use.

4.1.5 The proposed development fails to provide suitable and convenient access to sustainable modes of transport and does not provide appropriate opportunities to facilitate the increased use of alternative means of transport to the private car and does not offer future residents a genuine choice of transport modes.

4.1.6 The development proposals are therefore contrary to the requirements of the NPPF and the Mid-Sussex District Plan which require significant developments to provide a genuine choice of transport mode and provide appropriate opportunities for alternatives to the private car.

## Appendix E Relevant policies

Framework	Relevant Policies	Area
NPPF	Para 7 Para 8 Para 11d) i Para 11d) ii Para 82 Para 83 Para84 Para 109-118 Para 170 Para 172 Para 179 Para 189 Para 205 Para 208 Para 212 Ch 12	Sustainable development Sustainable development Protect areas of importance Adverse impacts outweigh benefits Reflect local needs – Rural housing Located to enhance rural communities Appropriate development Sustainable transport Flood risk Flood risk Strategic Priorities/Protected Areas National Landscape “highest protection” Historic Environment record Heritage Assets Setting Heritage Assets Design Guides and codes
DP	DP6 DP12 DP13 DP16 DP21 DP26 DP34 DP35 DP37 DP38 DP42	Settlement hierarchy Protection and enhancement of Countryside Preventing Coalescence High Weald National Landscape Transport Character and design Heritage Assets Conservation areas Trees, Woodland and hedgerows Biodiversity Water Infrastructure and Environment
ASNP	AS1/AS4/AS5 AS12	Protection of the Countryside/HWNL/Nature Conservtn Public Sewerage
CNP	CNP1 CNP3 CNP4/CNP5	Building for Life Criteria in new building developments Preventing Coalescence Protect and enhance biodiversity and the countryside
HWNL	S1 S2 W2 DS1 DS2 PQ2 FH1 FH3 LBE1	Protect historic pattern and character of settlements Devt should reflect character of HWNL in siting, scale Protect quality of woodland at a landscape scale Preserve the dark skies of HW by minimising light pollution Protect wildlife and habitats from light pollut’n across HW Protect the unspoilt rural landscape and green space Secure agriculturally productive use of fields of HW Protect ecological function of field and heath HW habitats Improve returns in land management, conserving beauty