James Bailey PLANNING

Document:	Hearing Statement - Matter 7 Continued: Sites Added by the Draft Main Modifications - MM 71
Title:	Examination of the Mid Sussex District Plan 2021-2039
Client:	Ockley Lane is Full ('OLIF')
Date:	October 2026

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Date: 16th October 2026

Jonathan Bore (Examining Inspector)
c/o Charlotte Glancy, Programme Officer

Sent via email

Dear Mr Bore,

Mid Sussex District Plan (2021-2040) – Hearing Statement

1.1 On behalf of our client action group, Ockley Lane is Full ('OLIF'), James Bailey Planning Ltd. ('JBPL') submits this Hearing Statement in response to the Inspector's agenda for the forthcoming examination hearing sessions on the larger site allocations proposed within the Main Modifications to the Mid Sussex District Plan 2021-2040 ('Plan').

1.2 Specifically, this representation concerns modification MM71: Land west of Ockley Lane, Hassocks ('Site', SHELAA reference 1137), and the associated evidence base. This Hearing Statement is structured in the order of the Hearings Agenda (IDJB-15) and focuses on points a) movement and b) landscape and countryside. This Hearing Statement should be read in conjunction with our Main Modifications Consultation response (Comment ID 17073748/5103/1), which provides detailed analysis of the respective points and signposts to the relevant policy and evidence within the examination documents.

1.3 For the reasons set out below, OLIF maintains that the proposed allocation has not been demonstrated to be justified, effective or consistent with national planning policy and would therefore render the Plan unsound.

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Movement

Access

2.1 The proposed allocation continues to rely upon assumptions regarding access that have not yet been demonstrated through sufficiently detailed evidence. Whilst the Council's assessment records a positive access score and refers to the existence of an established point of access from Ockley Lane, the mere presence of an existing access cannot in itself justify a development of this scale (SSP8, Appendix 1, site 1137). Moreover, the indicative black dashed line indicating a "proposed Vehicular Access" on the Concept Master Plan (MM71-1 and MM71-3 of the District Plan 2021-2039 Site Allocations Evidence Library) indicates a proposed access location that is different to the existing access.

2.2 The proposed access appears to be located through the existing residential property known as Woodside, raising questions concerning the extent of demolition, land availability, and engineering works necessary to facilitate its delivery. This differs materially from the existing access further south, which itself appears constrained by its alignment and the relationship of the existing driveway to Ockley Lane. Neither arrangement has been demonstrated to provide a suitable and safe means of access for development of the scale proposed.

2.3 Therefore, OLIF questions the soundness of the Council's assessment (SSP8, Appendix 1, site 1137) of an access arrangement being "positive" because '*site access exists and minor improvements are required to provide a suitable and safe site approach',* when in fact a whole new access is proposed which goes way beyond 'minor *improvements*'. There is therefore, an apparent inconsistency between the assessment of the existing access and the materially different arrangement upon which the proposed allocation appears to rely.

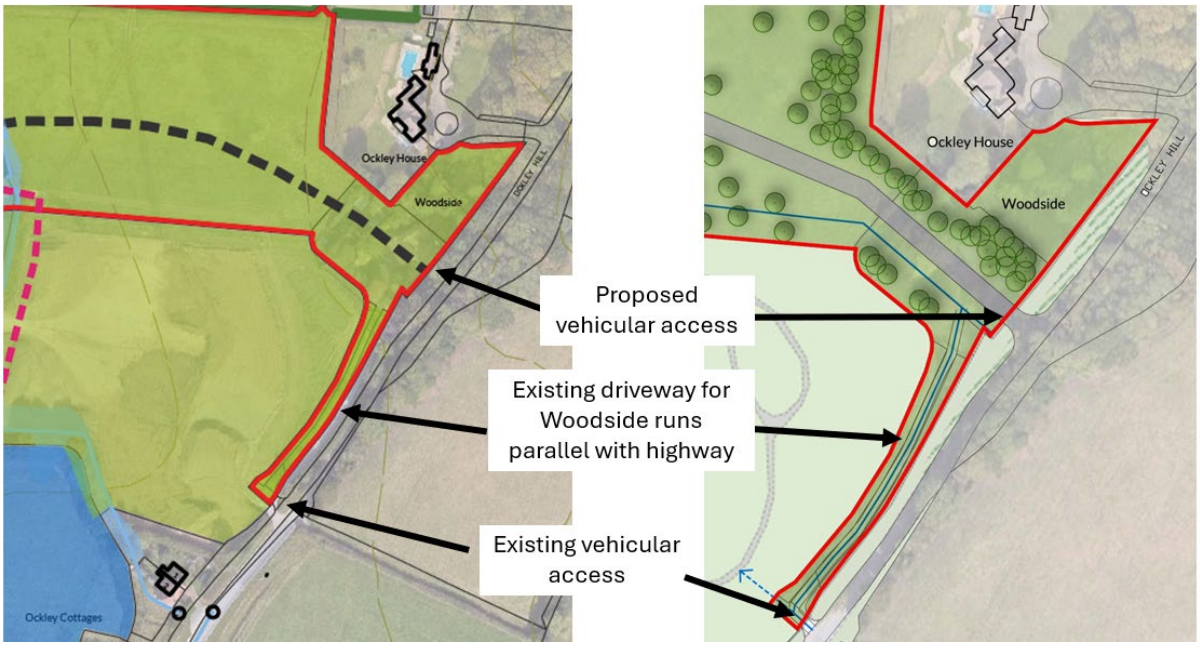


Figure 1. Extracts from (MM71-1 and MM71-3 of the District Plan 2021-2039 Site Allocations Evidence Library.

2.4 The proposed vehicular access shown on the Masterplan(s) is located within an area of pronounced topographical constraint and steep, densely vegetated terrain. Delivering an access and subsequent visibility splays at this point would inevitably require substantial regrading together with the removal of a substantial number of trees and hedgerows (see Figure 2 below).

2.5 These interventions, and their environmental and landscape consequences, have not been adequately assessed. In particular, no proper consideration has been given to how the resulting loss of verdant character would erode the countryside qualities that underpin the gap designation in the Neighbourhood Plan. Until robust evidence demonstrates that a safe and deliverable access can be provided without unacceptable harm to those defining characteristics, the proposed access—and therefore the allocation itself—cannot be regarded as 'justified'.



Figure 2. Approximate access location based on MM71-1 and MM71-3 of the District Plan 2021-2039 Site Allocations Evidence Library. Extent of potential tree and hedgerow loss and level changes required.

2.6 The Inspector should be satisfied that safe and suitable access can be achieved for all users, including pedestrians, cyclists, and motorists, before the principle of allocation is endorsed as required by paragraph 110 (b) of the 2023 NPPF. At present, there remains limited evidence demonstrating how the proposed (not existing) access arrangements would operate in practice, and how they would integrate with the constrained characteristics of Ockley Lane. Whilst it is accepted that the detailed design of the access would be considered through any subsequent planning application, the allocation must nevertheless be supported by sufficient evidence to demonstrate that a suitable and deliverable access can be achieved. This is particularly important where the engineering works necessary to provide access may themselves conflict with the landscape and environmental requirements of MM71. At present, it has not been adequately demonstrated that those requirements can be satisfied together.

Effect on the Road Network

2.7 We refer the Inspector to Paragraphs 4.12 – 4.15 of our Main Modifications Consultation response (Comment ID 17073748/5103/1). To summarise, the transport evidence does not currently provide sufficient certainty regarding the effects of the allocation on the wider highway network. Whilst the modelling work that has been carried out using a 2019 baseline

year concludes that the development is not a reason in itself to reject the allocation, it also acknowledges uncertainty when applying assumptions to minor roads such as Ockley Lane. This is particularly important given that local conditions on rural and semi-rural routes are often materially different from those found on the principal highway network used to calibrate the modelling baseline. The Examination should therefore seek a clearer understanding of how local traffic conditions, existing congestion points and route capacity have been assessed before substantial additional traffic is planned to utilise the network.

2.8 Particular concern arises from the cumulative effects of development.

2.9 Site 1137 cannot be considered in isolation given the presence of Ockley Park, the Batchelors Farm allocation, and other committed developments within the locality. Evidence before the Examination identifies Junction S8 (A273 / B2116 Hassocks) as already operating under constrained conditions, with future scenarios forecasting additional delay. Whilst reliance is placed upon sustainable transport interventions to mitigate these effects, the nature, timing and delivery mechanisms of those interventions remain inadequately defined within the policy. Without certainty over the implementation of mitigation, there is a risk that additional traffic generated by the allocation would place further pressure on an already constrained network.

Pedestrian and Cycling Proposals

2.10 The proposed pedestrian and cycling improvements represent a necessary response to the site's acknowledged accessibility shortcomings, but there remains a significant distinction between identifying desirable infrastructure and demonstrating that it can be delivered. MM71 anticipates the provision of a footway and cycle route along Ockley Lane, connections to the railway-side pedestrian and cycle corridor, and links into Ockley Park. The Infrastructure Delivery Plan similarly identifies new footway and cycle infrastructure as necessary mitigation. However, the evidence currently provides limited certainty regarding land availability, engineering feasibility, delivery mechanisms or implementation timescales. As a result, the proposed connections presently appear more aspirational than guaranteed. This uncertainty is reflected in criterion (3) of MM71, which requires a footway and cycle path

along Ockley Lane but expressly qualifies its provision as being "to be discussed with the Highways Authority". Whilst this does not necessarily mean that the infrastructure cannot be delivered, the policy wording leaves uncertainty as to whether its feasibility, extent and delivery arrangements have been adequately established.

2.11 This is particularly significant because the sustainability credentials of the allocation are heavily dependent upon these improvements being delivered. Within the most recent Sustainability Appraisal The Site performs relatively poorly against accessibility indicators, with key services and facilities located beyond comfortable walking distances and existing active travel connections remaining limited. Consequently, the acceptability of the allocation relies upon the successful provision of new walking and cycling infrastructure. The policy should therefore provide much greater certainty that such routes will be secured, constructed and available before occupation of relevant phases of development.

Landscape and Countryside

Effect on the Separate Identity of Settlements

3.1 The proposed allocation would result in a significant erosion of the remaining open land between Hassocks and Burgess Hill, undermining the distinct identity of the two settlements and conflicting with the long-established purpose of the Local Gap designation. The importance of preserving this remaining area has increased substantially following the delivery of Ockley Park and other committed developments in the locality, which have already reduced the physical and visual separation between the settlements. Whilst the allocation seeks to retain the northern fields as open land (MM71 criterion (15)), the introduction of 250 dwellings and associated infrastructure would nevertheless extend the urban edge northwards into the countryside, creating a pronounced urbanising influence within the gap. The issue is not whether the settlements physically merge, but whether the perception and experience of them as separate places is materially diminished. The cumulative impact of this proposal, when considered alongside Ockley Park and Batchelors Farm (DPA1), would substantially weaken the integrity and function of the remaining gap, contrary to the objectives of Policy DPC2 and the Hassocks Neighbourhood Plan.

3.2 The Council has not adequately demonstrated why its earlier concerns regarding the site's relationship with the settlement pattern, landscape character and separation between settlements have been overcome. In particular, the Council's assessment of SHELAA site 1137 within ENV8 identified that the then proposed development of 400 dwellings would significantly erode the gap between settlements and represent a significant incursion into the countryside. The assessment also identified low landscape capacity and substantial landscape sensitivity and value. Whilst the proposed allocation has subsequently been reduced to 250 dwellings, the Council has not convincingly demonstrated that this reduction, together with the proposed retention of the northern fields, adequately addresses those previously identified concerns. In our view, the allocation therefore remains insufficiently justified having regard to the objectives of Policy DPC2 and the Hassocks Neighbourhood Plan.

Effect on the Countryside and Access to It, Trees, Woodland and Wildlife

3.3 The site forms part of an attractive area of countryside that contributes positively to the rural setting of Hassocks and provides an important transition between the urban area and the wider landscape, notably the Batchelors Farm Nature Reserve to the north. The verdant character of Ockley Lane allows residents to experience a distinctly rural environment immediately beyond the settlement edge. The proposed allocation would urbanise a substantial area of this countryside by introducing housing, roads, car parking, formal open space, sports facilities, drainage infrastructure and associated lighting. In particular, the new access onto Ockley Hill/Ockley Lane would cut through an otherwise dense, verdant, tree-lined verge that provides an important transition between the settlements. Whilst some areas to the north would remain undeveloped, the landscape would inevitably become dominated by the presence of built form and suburban infrastructure, fundamentally altering its rural character and reducing the sense of openness currently experienced.

3.4 As indicated in paragraphs 3.6-3.9 of our Main Modifications Consultation response, the Council's assessment of SHELAA site 1137 within ENV8 identifies substantial landscape sensitivity and value, together with low landscape capacity. The assessment also recognises that, although the site is not considered to be directly within the setting of the South Downs

National Park, it may contribute to its visual setting and could be visible in longer views from within the National Park. It recommends that a Landscape and Visual Impact Assessment should inform the design of any development and necessary mitigation. Whilst the proposed allocation has subsequently been reduced in extent, the evidence does not adequately demonstrate how the revised scheme addresses these identified sensitivities, particularly having regard to the wider landscape character and the experience of the countryside from surrounding public routes, particularly around Ockley Lane and the network of footpaths to the north.

3.5 The site's environmental value extends beyond its open character and includes established woodland blocks, mature trees, species-rich hedgerows and associated habitats which collectively contribute to local biodiversity and landscape quality. Whilst the policy proposes the retention and enhancement of certain ecological features, the allocation would inevitably increase recreational pressure, disturbance and urban influence upon habitats that currently benefit from a relatively undeveloped setting. The previous Sustainability Appraisal identified adverse impacts relating to ancient woodland and priority habitats, and there remains insufficient evidence demonstrating how the revised scheme has overcome those concerns. In the absence of detailed ecological assessment and mitigation, there is a significant risk that development would harm important landscape and ecological assets that contribute to the rural character of the area.

3.6 Particular concern should also be afforded to the highway access arrangements. The delivery of a suitable vehicular access infrastructure and visibility splays are likely to require extensive alterations to the existing character of Ockley Lane/ Ockley Hill. The lane is presently defined by mature trees, ancient woodland (Ockley Wood), and dense hedgerows which create a strongly rural approach to Hassocks and contribute significantly to local landscape character. This raises a fundamental question as to whether the access arrangements illustrated on the concept masterplan can be reconciled with criterion (5) of MM71, which requires the retention and enhancement of the existing trees, bank and hedgerow fronting Ockley Lane and Ockley Hill. At present, the Council has not adequately demonstrated how a suitable vehicular access can be delivered consistently with this express policy requirement.

3.7 In order to accommodate a new priority junction and visibility splays substantial sections of this vegetation are likely to be removed or heavily engineered. Such works would urbanise the lane, eroding one of the defining landscape features of the area and resulting in the loss of established vegetation that currently provides visual containment, ecological value and a clear distinction between the settlement edge and the countryside beyond.

3.8 The resulting highway infrastructure would introduce a far more suburban character into what is currently an attractive rural corridor, further reinforcing the urbanising influence of the proposed allocation and exacerbating its impact on landscape character, biodiversity and the separation between Hassocks and Burgess Hill. There remains significant concern that new access; visibility splays and street lighting, all of which are necessary for a safe access, will likely impact on the adjacent ancient woodland (fig. 3). Even on the most optimistic assessment, the access works would require the removal of trees that form part of the immediate setting and visual continuity of the ancient woodland; on a less favourable assessment, trees within the ancient woodland itself could be lost due to the visibility splay requirements of a new access (less than 50m away).

3.9 In the absence of robust access plans and arboricultural evidence demonstrating how these impacts would be avoided or mitigated, the allocation cannot reasonably be regarded as justified or effective, particularly when MM71 criterion (8) states "*Provide an appropriate buffer to the adjacent ancient woodland (Ockley Wood) and ensure enhancements to the ancient woodland"*, this access will require the loss of tress and a reduction in the existing buffer. The ancient woodland does not appear to have been identified on any of the master plan documents.



Figure 3. Proximity of Ockley Wood (ancient woodland) to the proposed new access.

Conclusion

4.1 For the reasons set out above, OLIF submits that the proposed allocation under MM71 has not been demonstrated to satisfy the tests of soundness, particularly in relation to whether it is justified and effective. Significant concerns remain regarding the deliverability and safety of the proposed access arrangements, the feasibility of the active travel infrastructure upon which the allocation relies, and the harmful effects on the Local Gap, landscape character, countryside setting and the separate identities of Hassocks and Burgess Hill. The evidence does not adequately explain how the concerns previously identified by the Council have been overcome, nor does it demonstrate that the proposed access arrangements can be reconciled with the express environmental requirements of the allocation. Accordingly, OLIF respectfully invites the Inspector to recommend the deletion of MM71 from the Plan.

4.2 Moreover, the deletion of MM71 would not, of itself, prejudice the Plan's ability to meet its housing requirement. The Council's latest housing trajectory (H10) identifies a surplus of 878 dwellings over the Plan period, such that the deletion of this allocation would still leave a surplus of 628 dwellings.

Whilst this would reduce the headroom available, it would not undermine the ability of the Plan to meet its identified housing requirement in full.

4.3 However, should the Inspector conclude that MM71 ought to be retained within the Plan, OLIF submits that substantial strengthening of the policy framework and supporting evidence would be necessary to ensure the allocation is capable of being delivered without unacceptable harm. In that regard, we respectfully refer the Inspector to Section 6: "Alternative Position: Requirements if MM71 is Retained" of our Main Modifications Consultation Representation, which sets out a series of specific policy amendments, safeguards, infrastructure requirements and evidential tests that should be incorporated before the allocation could reasonably be regarded as sound. Those measures provide the minimum framework necessary to address the significant concerns identified by residents and throughout this Hearing Statement.

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October 2026

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