



## Planning Proof of Evidence

Mark Connell

Land East of Ansty Way, Cuckfield Bypass, West Sussex, RG17 5AG

Planning Inspector Reference 6002030

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# 1. Qualifications & Experience

- 1.1 Mark Connell will say;
- 1.2 I hold a Bachelor's of Science (with Honours) in City and Regional Planning and a Diploma (Distinction) in Town Planning from Cardiff University. I am a chartered member of the Royal Town Planning Institute (RTPI).
- 1.3 I have over 20 years of experience working in the field of planning and specialise in residential-led schemes in London and the South East. I am the Joint Managing Director of Sphere25, a specialist planning consultancy established in 2019. Prior to this, I was a National Director at JLL, a global property consultancy.
- 1.4 During my career I have been involved with a variety of complex development projects ranging from Clapham Park regeneration of 2,532 homes to 850 homes in the Green Belt at Bowers Gifford. I have worked for a range of housebuilders, housing associations, land promoters and local authorities during my career.
- 1.5 I can confirm that my evidence to this inquiry is provided in accordance with the guidance of my professional institution. The opinions expressed are my true and professional opinions.

## 2. Introduction

2.1 Mid-Sussex District Council (MSDC) refused planning permission to develop land located to the East of Ansty Way, Cuckfield Bypass, Cuckfield, West Sussex on the 17 October 2025. (DM/23/2866) for:

*“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 units (C2 class), a primary school, a SEND school, health hub, 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 (“the Development”).*

2.2 The decision notice lists three reasons for refusal [CD3.3]. These are set out in section 2 of my proof. The applicants, Fairfax and the Norris Family, appealed the decision on the 13 November 2025. Ansty & Staplefield Parish Council and Cuckfield Parish Councils (The Parish Councils] have been granted Rule 6 party status for the appeal, which is being considered under the inquiry procedure.

### **Outline of The Parish Council’s Case**

2.3 My evidence will focus on matters of planning policy and address the overall planning balance. I will explain how the location and scale of development conflicts with the adopted plan, emerging plan and national guidance. Whilst I agree that the Development would deliver benefits, they do not outweigh the harm that would be caused by the Development when considered in the planning balance. There are strong reasons for refusal of the appeal, having regard to paragraph 11 of the NPPF.

2.4 As requested by the appellant, I have considered both the original scheme the subject of the planning application and the revised scheme submitted during the course of the appeal [CD15.1 to CD16.9]. I reach the same ultimate conclusion in respect of both schemes, albeit that there are nuances related to the weight attributable to education and residential care aspects between the original and revised proposals.

### **Structure of my Evidence**

2.5 My evidence is structured as follows:

- Section 1: Qualifications and & Experience
- Section 2: Introduction
- Section 3 : Context
- Section 4 : National Policy & Relevant Guidance
- Section 5 : Statement of Matters

- Section 6 : Planning Balance
- Section 7: Conclusion.

2.6 My evidence refers to and should be read alongside the proofs of:

- David Lewis, Velocity (Traffic and Transport)
- Louise Hooper, Louise Hooper Landscape Architects (Landscape)

## 3. Context

### Introduction

- 3.1 This section will explain the context pertaining to the Appeal site. It does not duplicate the descriptions provided in the Statement of Case previously submitted, but is provided as contextual information in relation to the evidence presented.

### Ansty & Cuckfield

- 3.2 The site is located between Ansty and Cuckfield in open countryside. Ansty is a small rural village that originated as a medieval agricultural settlement. The village itself is small in scale, with an estimated population of approximately 200–350 residents based on 2021 Census Output Area data (ONS)<sup>1</sup>. The name Ansty is believed to reference “*tear shaped hill*”<sup>2</sup>.
- 3.3 Cuckfield has similar roots as a medieval settlement and is referenced in the Domesday book. It is understood the name is derived from “*a clearing in the wood*”<sup>3</sup>. Larger than Ansty, Cuckfield has an estimated population of 3,767 residents<sup>4</sup>.
- 3.4 Both Ansty and Cuckfield are located adjacent to the boundary of the High Weald National Landscape. Both settlements have a wealth of listed buildings but a distinct separate identity. Cuckfield is a coherent, historic village centre; Ansty is a dispersed rural settlement shaped primarily by its landscape.

### The Site

- 3.5 The application site measures approximately 98.75 hectares in area. It is situated directly adjacent to the eastern edge of Ansty. The site itself includes farmland (including Grade 1, 2 and 3a Best & Most Versatile land), mature woodland and two areas of ancient woodland. The A272 separates the site from the High Weald National Landscape. Not within the red line boundary, but centrally located amongst the proposed masterplan is “The Place” (Grade II). There are also a number of other listed buildings just beyond the site boundary, as documented in the applicant’s Environmental Statement<sup>5</sup> [CD1.41]. Whilst the application boundary is not within the National Landscape itself, the site is highly sensitive in the context of both natural and built heritage assets. The land forms part of the setting of a National Landscape, and the setting of a number of listed buildings. It is common ground that any development of the site will result in harms to a number of these assets [CD7.4].

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<sup>1</sup> The wider parish of Ansty and Staplefield had a population of approximately 1,800 at the 2021 Census (ONS)

<sup>2</sup> See Para 2.2 of CD5.7 Ansty, Staplefield & Brook Street Neighbourhood Plan (2017)

<sup>3</sup> See Section 1.1. of CD5.6 Cuckfield Neighbourhood Plan (2014)

<sup>4</sup> 2021 Census.

<sup>5</sup> See Built Heritage Appendix to ES.

- 3.6 Neither Ansty nor Cuckfield has a train station. A very limited bus service (N° 89) currently provides the only public transport near the site. The site performs poorly on the Department for Transport's Connectivity Tool metric. This is covered in detail in Mr Lewis' proof of evidence [CD10.3].

### **Planning History**

- 3.7 The site itself has no relevant planning history. However, the appeal site is reliant on an application for a "parkland reserve" in the High Weald National Landscape that has a resolution in favour of the grant outline planning permission<sup>6</sup>.

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<sup>6</sup> Application reference DM/23/2887

## 4. Planning Policy Framework

### Introduction

- 4.1 The main transport policy documents are covered in Mr Lewis' Proof of Evidence. Similarly, legislation and guidance specific to landscape and the AONB management plan are considered in Mrs Hoopers evidence. My evidence will consider National Planning Policy and the Development Plan.

### National Planning Policy Framework (NPPF) 2024

- 4.2 The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied [CD6.1]. In introducing the framework, the document reminds readers that "*Planning Law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise*"<sup>7</sup>.
- 4.3 Since its inception in 2012, the NPPF has contained a "*presumption in favour of sustainable development*". Sustainable development in the planning system has three overarching objectives: economic, social and environmental<sup>8</sup>.
- 4.4 Paragraph 11, in particular part (d), establishes what has become known as the '*tilted balance*'. It states:

*"where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date*<sup>[8]</sup>. *granting planning permission unless:*

- i. The application of policies in this Framework that protect areas or assets of particular importance* <sup>[7]</sup> *provides a strong reason for refusing the application; or*
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination*<sup>[9]</sup>.

- 4.5 Breaking down the key aspects in turn, Footnote 8 explains that a plan policy may be considered "*out of date*" when the local planning authority (LPA) is unable to demonstrate a 5-year land supply or where Housing Delivery Test results were substantially (75%) below

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<sup>7</sup> Paragraph 2, citing Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990

<sup>8</sup> Paragraph 8.

targets for the last three years. It is common ground that MSDC cannot demonstrate a 5-year land supply ahead of adoption of the emerging local plan expected at the end of the year. It is worth noting however that the Council has performed very strongly in the Housing Delivery Test achieving 142% of the target<sup>9</sup> demonstrating that it has a strong track record of ‘getting houses built.’

- 4.6 Whilst I accept that the relevant policies are out of date, by virtue of what follows after the word ‘unless’ in Para 11 (d), I do not accept that the tilted balance applies.
- 4.7 The policy inserts two further criteria without which it would not be possible to achieve sustainable development patterns. The first is a reference to ‘*protected areas or assets of particular importance*’, which are set out in Footnote 7. This includes a National Landscape, irreplaceable habitats and designated heritage assets – all of which are relevant to the appeal site. An adverse impact on these areas and assets are capable of providing a strong reason for refusing the development proposed.
- 4.8 It is important to acknowledge that the setting is relevant to these areas and assets. In particular, paragraph 189 of the NPPF clearly applies to development within the setting of National Landscapes.
- 4.9 It should also be noted that whilst the parish councils are not providing evidence on Arboricultural matters, Ancient Woodland and veteran trees are also considered to be an ‘irreplaceable habitat’<sup>10</sup>.
- 4.10 Having established that Paragraph 11 d (i) is engaged, and does apply to the proposal, the decision maker must consider whether it provides a “*strong reason*” for refusal. The Appellants statement of case [CD15.1] accepts that the setting will be impacted<sup>11</sup>, and that there will be harm to the setting of the High Weald National Landscape<sup>12</sup>.
- 4.11 As part of the consideration of the planning application, MSDC obtained independent professional advice from landscape consultants at Place Services. They concluded that “...*the development would result in the irreversible change to part of a landscape that is important at both a National and European level for its intimate, agricultural character and beauty. It adjoins and sits within the setting of a National Landscape. The effect would be significant adverse effects on the immediate Site and its setting and to create the perception of coalescence between Ansty and Cuckfield*” [CD 3.1] It is stated in the Committee report that Planning officers agree with these conclusions<sup>13</sup>.

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<sup>9</sup> Housing Delivery Test 2024 (2023 Measurement).

<sup>10</sup> See Paragraph 193 c) of the NPPF (2024) CD6.1

<sup>11</sup> See Paragraph 1.28

<sup>12</sup> See Paragraph 2.39

<sup>13</sup> See Paragraph 12.84.

- 4.12 Objections were also raised by the High Weald Joint Advisory Committee<sup>14</sup> [CD4.7] who state that the development “*would create a large new urbanisation adjacent to and abutting the HWNL and would introduce an abrupt change of landscape character in close proximity to the HWNL, and a loss of natural landscape contiguous with the HWNL.*” They conclude that the proposal would be contrary to paragraph 189 of the National Planning Policy Framework.
- 4.13 Additional objections from the tree officer, conservation officer, urban design officer are also made against the scheme. The Executive Summary of the committee report states that officers disagree with the applicant’s conclusion that the Landscape and Visual Impacts are temporary in nature and limited to construction only. “*Officers believe that the development would result in the irreversible change to the landscape of this part of the district*”<sup>15</sup>.
- 4.14 The HWNL wraps around Ansty. The report correctly states that “*...a development of this scale will clearly have an impact on the identity of Ansty*”. The loss of identity for a settlement around which the HWNL sits is clearly injurious to its character.
- 4.15 I rely in particular on the evidence of Louise Hooper [CD 10.1] in relation to the effects on landscape character and visual amenity. In my view, for the reasons set out below, the effect of the Development on the HWNL provides a strong reason for refusal of the planning application under Paragraph 11 d i) of the National Planning Framework.
- 4.16 Having established that the proposal fails this first criteria, this provides clear basis for refusal alone. Nevertheless, it is helpful to outline why the adverse impacts of the proposal significantly outweigh the benefits in relation to Paragraph 11 d ii).
- 4.17 To avoid repetition, a full weighing up of the harms and benefits are set out in section 6 (Planning Balance) of my proof. Matters relating to the sustainability of the location are also covered in Mr Lewis’ evidence, with which I concur. The site is not a sustainable location to direct development of this scale to. This is clearly demonstrated by Ansty’s position in the Settlement hierarchy. The site is not previously developed land. And whilst the benefit of new homes is noted, this does not outweigh the fundamental harms that would arise from development of this scale in this location.

### **The Development Plan**

4.18 The Development Plan includes the following relevant documents:

- The Mid-Sussex District Plan 2014-2031 (Adopted March 2018)
- The Cuckfield Neighbourhood Plan 2011-2031 (Made May 2014)

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<sup>14</sup> See Response dated 4 August 2025.

<sup>15</sup> See Paragraph 2.28 of officers report.

- Ansty Staplefield and Brook Street Neighbourhood Plan 2015-2031 (Made February 2017)

4.19 It is common ground amongst the parties that the proposal does not accord with the development plan [CD7.1]. The proposal is situated in open countryside, which the plan seeks to protect<sup>16</sup>. It does not benefit from an allocation. The proposals also conflicts with the made policies of the neighbourhood plans of the parishes. The nature of the departure from the development plan is significant.

### The Settlement Hierarchy

4.20 The strategic objectives of the settlement hierarchy are clearly set out in Policy DP6 of the District Plan. The first objective is *“to promote well located and designed development that reflects the districts distinctive towns and villages, retains their separate identity and character and prevents coalescence”*. A second is *“to provide opportunities for people to live and work in their communities, reducing the need for commuting”*.

4.21 The identity and character of Ansty will be compromised by development. Moreover, it is evident that the site will be heavily reliant on employment opportunities beyond the local area for which public transport is very limited.

4.22 Accepting the need to find additional housing sites beyond that in the local plan, it should be noted that Ansty is a category 4 settlement<sup>17</sup>. The plan is clear that the amount of development planned for each settlement will need to have regard to the hierarchy. Doing so would place 22 different settlements ahead of Ansty in terms of suitability. Directing 1,450 homes to Ansty would conflict with Policy DP6.

4.23 The emerging plan continues to classify Ansty as a Category 4 site<sup>18</sup>. Draft policy DH2 considers *‘sustainable development outside of the built-up areas’*. Unless allocated in the district plan or neighbourhood plan (which the site is not), the development would need to be small scale (fewer than 10 dwellings) and demonstrated to be sustainable, including by reference to the settlement hierarchy. The appellants scheme therefore clearly conflicts with the emerging policy too. The proposal is considerably greater than 10 dwellings. It abuts a lower order *“small village”* in the settlement hierarchy. Again, there would be 22 settlements preferable to Ansty.

4.24 I do not believe that this represents a sustainable pattern of development.

### Development in the Countryside

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<sup>16</sup> See Policy DP12

<sup>17</sup> See Policy DP6.

<sup>18</sup> See Table 1.

- 4.25 The explanatory text to Policy DP12 states that “*The primary objective of the district plan with respect to the Countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there.*” The Policy states that “*The Countryside will be protected in recognition of its intrinsic character and beauty*”.
- 4.26 The policy establishes that any development in the Countryside is to “*maintain, or where possible, enhance the quality of the rural and landscape character of the district*” and be for agriculture purposes or supported by a specific policy reference. The policy also states that Agricultural land of Grade 3a and above will be protected from non-agricultural development proposals. The site includes an element of 3a land. There is a clear conflict with this policy.
- 4.27 Subsequent policy DP15 (New Homes in the Countryside) explains that a ‘special justification’ is required for housing. The policy is tailored to specific minor residential development, referencing rural workers, isolated homes, rural affordable housing exceptions, re-use of buildings and replacement dwellings. Development of scale proposed is simply not envisaged. The proposals are clearly at conflict with Policy DP15.

#### Preventing Coalescence

- 4.28 Policy DP13 reaffirms that individual towns and villages in the district have their own unique characteristics. The policy states that “*it is important that their separate identity is maintained. When travelling between settlements people should have a sense that they have left one before arriving at the next.*” Meanwhile Policy AS2 of the ASNP neighbourhood plan entitled “Preventing Coalescence” specifically references the area between Ansty and Cuckfield.
- 4.29 A local gap is not merely “suggested” as the appellant argues in their statement of case<sup>19</sup>. The word ‘suggest’ does not appear in the neighbourhood plan. There is a clear made policy with supporting text<sup>20</sup>. “*Development proposals are expected to demonstrate that they would not result in coalescence....or result in the perception of openness being unacceptably eroded between... Ansty and Cuckfield.*”
- 4.30 The appellants Statement of Case [CD 15.1] disputes the notion of coalescence applying to their proposals. The SoC re-affirms the advice provided in their original LVIA that the proposed development “*does not lead to any actual or perceived coalescence*”<sup>21</sup>. As outlined in the committee report - that position was not accepted by officers. The Urban Design response and Place Services Landscape response identifies particular issues in respect of coalescence [CD4.21] and [CD4.33].

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<sup>19</sup> Paragraph 2.27

<sup>20</sup> Paragraph 4.10 “*The third gap that is important to preserve is that between Ansty and Cuckfield. The Sustainability Appraisal demonstrated that development on the edge of Ansty which would serve to narrow this gap would have a significant detrimental impact on views of the ancient woodland and Cuckfield to the east.*”

<sup>21</sup> Paragraph 2.25.

- 4.31 (It should be noted that despite the absolutist position of the appellants quotation above, paragraph 1.23 of the Statement of Case states the “*There will be no tangible coalescence between Ansty and Cuckfield, with the perceived coalescence being very limited*”, - indicating that the Appellant accepts that there will, at the very least, be some perceived coalescence.)
- 4.32 The proposal is in conflict with DP13 of the District Plan and ASN2 of the Ansty, Staplefield & Brook Street Neighbourhood Plan.

#### The High Weald Area of Outstanding Natural Beauty

- 4.33 AONBs were renamed “National Landscapes” in 2023 to better reflect their national importance. However, this does not alter the application of AONB policies in the development plan. Policy DP16 of the adopted district plan makes explicit reference to the importance of its setting. Indeed, development on land that that contributes to the setting is to only be permitted where it does not detract from the visual qualities and essential characteristics. Particular reference is made to adverse effects on “*views into and out of*” the HWNL by virtue of location or design. As stated earlier in my proof there are a range of experts, including the Joint Advisory Committee, that conclude that the proposals will harm the visual qualities of the HWNL. The applicants statement of case [CD15.1] accepts that there will be some impact on the setting of the HWNL<sup>22</sup>. There is a clear conflict with Policy DP16 of the District Plan.

#### **The Emerging Plan**

- 4.34 The emerging plan is currently at Examination in Public Stage. The weight that can be attached to its draft policies are therefore limited. However, there is continuity between the existing policies and those proposed in the replacement plan. There are specific policies on the protection and enhancement of the countryside (DPC1), Preventing Coalescence (DPC2), New Homes in the Countryside (DPC3) and the High Weald National Landscape (DPC4). The Emerging Plan introduces three Significant Sites (over 1,000 homes), four Sustainable Communities, and nineteen site allocations of predominantly residential sites. The Council have an excellent track record of housing delivery.
- 4.35 It is clear that the scale of development proposed would conflict with the emerging plan. The conflict would be substantial. It would go to the heart of the spatial strategy and distribution of development that has been carefully considered through the local plan process.
- 4.36 The proposal is premature to the emerging local plan. The circumstances outlined in Paragraph 50 of the National Planning Policy Framework are met. It states:
- a) “*the development is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the local plan-making process by predetermining*

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<sup>22</sup> Paragraph 1.28.

*decisions about the scale, location or phasing of new development that are central to an emerging plan; and*

b) *“The emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.”*

4.37 The development is of a strategic scale. As the Council makes note in their letter of the 20<sup>th</sup> May<sup>23</sup> *“If the site had been identified as an allocation, it would have been one of the largest in the new Plan”*. Indeed, it would be the third largest. Greater than the urban extension to the west of Burgess Hill at 1,350 homes<sup>24</sup>; which - as a Town - is a Category 1 Settlement.

4.38 The Council’s letter also makes note of criticisms that the draft local plan was *“unduly reliant on a small number of large sites”*. The long list appraisal was intended to supplement the strategic allocations, with *“a larger number of smaller sites which can be developed in the early years of the plan”*. I share the Council’s view that the appellants’ suggested delivery is unrealistic.

#### **National Planning Policy Framework Consultation Draft**

4.39 A revised version of the National Planning Policy Framework was published for consultation on 16 December 2025 [CD6.2]. The consultation is understood to have elicited a significant number of representations, and a final version is timetabled for the Summer following assessment. The Consultation Draft is therefore of very limited weight. Amongst the changes to the NPPF, the draft states the [DFT] Connectivity Tool should be used to assess the connectivity of particular locations proposed for development<sup>25</sup>. When applied to the site, a score of between 26 and 39 out of 100 is calculated<sup>26</sup>. Further detail is provided in Mr Lewis proof of evidence[CD10.3], where he considers this to demonstrate *“poor connectivity by walking, cycling, and public transport”<sup>27</sup>*.

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<sup>23</sup> See letter by Steve Ashdown, Head of Development Management, Re: Land East of Ansty, Cuckfield Bypass, Cuckfield Appeal Ref: 6002030, 20<sup>th</sup> May 2026

<sup>24</sup> Draft Allocation DPSC1: Land to the West of Burgess Hill/North of Hurstpierpoint.

<sup>25</sup> Draft Policy TR3

<sup>26</sup> See Paragraph 3.14 of Mr Lewis Proof of Evidence.

<sup>27</sup> Paragraph 3.14 of Mr Lewis Proof of Evidence

## 5. Main Issues

### Introduction

5.1 As part of a Case Management Conference on 17 April 2026, Four main issues were identified in relation to the appeal. These are :

- a) whether the proposal would be in a suitable location, with particular regard to national and local planning policy and access to services and facilities;
- b) the effect of the proposal on the character and appearance of the area, with particular regard to coalescence, trees, and the High Weald National Landscape;
- c) whether the proposal would make appropriate provision for infrastructure; and
- d) the overall planning balance, including the emerging development plan.

5.2 Matter a) is addressed by Mr Lewis’s evidence. Matter b) is addressed by Mrs Hooper’s evidence. My evidence focuses on the specific planning issues raised by matter d). However, in doing so it will be necessary to reference issues arising from each.

### **Matter a) – whether the proposal would be in a suitable location, with particular regard to national and local planning policy and access to services and facilities;**

5.3 In assessing suitable locations for major development – particularly that of a strategic scale such as the appeal proposal – the starting point is the site’s location in relation to any adopted settlement hierarchy. These are policies DP6 and DP4 of the MSDC local plan [CD5.1].

5.4 In distributing housing numbers, new development should be delivered in accordance with the settlement hierarchy. There are five categories of settlement in the district. Category 1 settlements are the main towns of Burgess Hill, East Grinstead and Haywards Heath. Consistent with National Policy, the majority of development (10,653 homes) are directed towards these settlements.

5.5 Category 2 settlements are larger villages which act as “Local Service Centres”, providing key services in the rural area of Mid-Sussex. Category 2 settlements are considered to have a good range of services, including employment opportunities and access to public transport<sup>28</sup>. 3,005 homes are directed to these settlements.

5.6 Category 3 settlements are medium sized villages with a more limited range of services<sup>29</sup>. 2,200 homes are directed to these settlements.

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<sup>28</sup> The Category 2 settlements are Copthorne, Crawley Down, Cuckfield, Hassocks and Keymer, Hurstpierpoint and Lindfield.

<sup>29</sup> Albourne, Ardingly, Ashurst Wood, Balcombe, Bolney, Handcross, Horsted Keynes, Pease Pottage, Sayers Common, Scaynes Hill, Sharpthorne, Turners Hill and West Hoathly

- 5.7 Category 4 sites are small villages with limited services often serving only the settlement itself. Ansty is considered to be such a settlement<sup>30</sup>. 82 homes are to be delivered across these Category 4 settlements. Category 5 settlements are hamlets. No additional housing is directed to Category 5 settlements.
- 5.8 Ansty is low down the list of suitable locations to meet district wide housing need. That is not to say Ansty should not accommodate additional housing. Indeed, the Neighbourhood plan and District Plan positively allocates sites for development. However, the allocations are commensurate with the scale and setting of the village.
- 5.9 The applicants assess the proposed population of the development to be between 3,625 and 3,668 residents<sup>31</sup>. Ansty Village is estimated to have a population of 250-300 residents.
- 5.10 The scale of development being proposed dwarves that of the existing village. The proposal does not stand on its own merits as a new settlement (new infrastructure) nor as a sustainable extension to Ansty (out of scale). When approaching where to distribute strategic scale housing sites across the district, the selection of Ansty Farm would represent a change of direction from established policies. The site is not subject to a draft allocation, nor does it feature as an acceptable site in the Council's recent long list assessment<sup>32</sup>.
- 5.11 The appeal site is poorly served by public transport. Ansty does not have a train station. The nearest being in Haywards Heath, some 4.5km away<sup>33</sup>. Meanwhile, a solitary bus service (N<sup>o</sup> 89) on the A272 is of very limited frequency. As demonstrated in Mr Lewis proof of evidence [CD10.3], pedestrian and cycle routes to connect the site to key local destinations are limited and constrained. The site performs poorly on the DfT connectivity score.
- 5.12 Taking into account all of these factors, the site is not a sustainable location for the development proposed.

**Matter b) the effect of the proposal on the character and appearance of the area, with particular regard to coalescence, trees, and the High Weald National Landscape**

- 5.13 All parties agree that the proposals are harmful to the character and landscape of the area. There is a substantial body of evidence from design officers, conservation officers, landscape officers and consultees on this issue.
- 5.14 Issues relating to coalescence are disputed by the appellant. However, it is clear that the development will span the distance between Ansty roundabout in the village through to the Roundabout at A272 and B2036 – bringing the built area of Ansty a kilometre closer to

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<sup>30</sup> Other Category 3 settlements include , Staplefield, Slaugham, Twineham and Warninglid

<sup>31</sup> See ES Statement [CD1.34] Paras 6.3.40 and 6.3.41

<sup>32</sup> SSP7: Post Hearings Site Allocation Review – Initial Conclusions (May 2026).

<sup>33</sup> See D.Lewis Proof of Evidence 3.3.3 [CD10.3]

Cuckfield. The proposals cross the Parish council boundaries. The scheme falls within two neighbourhood plan areas.

- 5.15 In lay terms, the Cuckfield Cricket Club would be closer to the new built boundary of Ansty than Cuckfield if development went ahead. There would be a perception of coalescence.
- 5.16 In respect of trees, the site contains approximately 7.3ha of Ancient Woodland. Much of the remaining woodland is identified as deciduous woodland that is in the Priority Habitat Inventory<sup>34</sup>. I rely upon the qualified experts as to the impacts, but note the sensitivity of such a site to intensified human activity resulting from development.
- 5.17 The proposal is not within the HWNL. However, it abuts the HWNL and is within its immediate setting. A related application for a park reserve, which the site relies on for Biodiversity Net Gain, is within the HWNL. There will be interactions between the proposed site and the HWNL across the A272. A new site access roundabout is needed on the boundary of the HWNL. There will also be clear intervisibility between the site and the HWNL, and an abrupt change of landscape character<sup>35</sup>. Mrs Hooper's evidence provides expert insight into these landscape harms.

**Matter c) – whether the proposal would make appropriate provision for infrastructure;**

- 5.18 The proposals include a range of infrastructure components and off-site contributions. It is recognised that the site is capable of delivering a package of benefits from such infrastructure provision but these are largely requirements to serve the development itself.
- 5.19 As noted in matter a) above, having regard to the settlement hierarchy, and the DfT connectivity score of the site, the proposal is not in a sustainable location. The question is therefore whether the location can be made sustainable through infrastructure, and offer a genuine choice of transport modes.
- 5.20 Whilst noting the statement of common ground between the appellants and West Sussex County Council<sup>36</sup> [CD7.2] - there are concerns about the transport infrastructure proposed.
- 5.21 Particular concern is drawn to the absence of evening or weekend service for potential bus services that is agreed in the statement of common ground<sup>37</sup>. This a serious shortfall limiting its effectiveness in encouraging sustainable travel behaviours. That the service may only endure for two years after final occupation of the development, further adds to my view that the proposal does not make appropriate provision for public transport infrastructure.

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<sup>34</sup> Paragraph 8.80 of appellants Planning Statement [CD1.19]

<sup>35</sup> As stated by the High Weald Joint Advisory Committee [CD4.7]

<sup>36</sup> Milestone Transport Planning

<sup>37</sup> See Paragraph 4.34

- 5.22 The appellant has taken different positions regarding the bus service. It is stated in paragraph 2.49 of [CD2.37] that: *“The interest will be to match the level of service to the patronage being generated by the development, to ensure that the cost of any extensions or new services can be off-set, without requiring any form of ‘in perpetuity’ obligation which would not meet the planning obligations tests.”*
- 5.23 The subsequent assumptions then go on to state that the *“Number of annual public transport trips is a product of the typical weekday number of public transport trips generated by the development, multiplied by 260 working days. As such the commercial sustainability calculations do not include a weekend service and should be considered robust in this regard”*
- 5.24 However, the position in the Proof of Evidence [CD8.4B] states *“It is fully expected that the Bus Strategy package will also deliver the same frequency of service on a Saturday as well as a minimum hourly service to both destinations [Haywards Heath & Burgess Hill] during evening hours and on Sundays<sup>38</sup>”*
- 5.25 The draft s106 received to date<sup>39</sup> is notably scant in detail in relation to bus services.

**Matter d) the overall planning balance, including the emerging development plan.**

- 5.26 This is covered in the following section (section 6) of my proof of evidence

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<sup>38</sup> Paragraph 4.67

<sup>39</sup> Pinsent Masons draft s106 dated 5 May 2026, and provided to PINS via email on 15 May.

## 6. The Planning Balance

### Introduction

- 6.1 This section provides my view on the benefits and harms of the proposal. After weighing up these elements of the scheme I reach a conclusion on whether the appeal should be dismissed or allowed.

### Relative Weight

- 6.2 For the purpose of my evidence I use the following scale:

#### Relative Weight

- Great Weight
- Substantial Weight
- Significant Weight
- Moderate Weight
- Limited Weight
- Very Limited Weight
- Negligible Weight
- No Weight

### Benefits of the Proposal

#### Housing

- 6.3 The proposal is capable of providing up to 1,450 homes. Of this, the appellant is committed to providing 30% of homes as affordable dwellings. The appellant has also committed to a housing mix that follows housing need requirements when reserved matters are subsequently submitted. Presently, MSDC cannot demonstrate a 5-year land supply. There is a demonstrable need for additional housing. Housing on the site is capable of providing a social and economic benefit.
- 6.4 The applicant has stated that the scheme will be constructed in three phases,<sup>40</sup> each commencing two years after another has commenced. According to the ES, the proposed development is anticipated to be built out over a 7 year programme<sup>41</sup>. This equates to an average build out rate of over 200 homes a year which I consider to be ambitious. A

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<sup>40</sup> Table 5.4.4 of Environmental Statement Volume 2 Chapter 5 : The proposed development and construction overview. [CD1.33]

<sup>41</sup> Paragraph 5.4.2

subsequent response by the appellant’s transport consultants [CD2.37] takes a different view. They state a *“Buildout rate of 150 dwellings per year starting in 2026, for a construction period of 10 Years<sup>42</sup>”*.

- 6.5 The Councils own analysis of Build out Rates<sup>43</sup>, references 50 dwellings per hectare for sites over 400 homes<sup>44</sup>. National analysis by Lichfields<sup>45</sup> has a mean build out rate of 90 dwellings per annum for sites between 1,000 and 1,499 homes.
- 6.6 It is stated that a contractor is yet to be brought on board<sup>46</sup>. The scheme is submitted in outline. There will be an understandable, but notable period before the new homes can be delivered. The outline nature of the scheme will mean that further consultation, detailed design and technical work will need to be carried out to inform a reserved matters application. This in turn will need to be determined before any works on site can begin. The impact of allowing this appeal on the delivery of housing will not be realised for some years. In the meantime, the emerging local plan is likely to be adopted before the end of 2026, at which point the Council will have a 5-year land supply. The carefully considered sites and allocations within them can then come forward in accordance with the plan. The Council has a proven track record of delivery.
- 6.7 Taking all these factors into account, whilst I give **substantial positive weight** to the benefits of new housing, this benefit is diluted by the delivery times involved, and the prematurity of the site’s development ahead of the soon to be adopted emerging local plan. Indeed, prematurely releasing land for up to 1,450 homes undermines the carefully considered allocated sites in the local plan.

#### Residential Care Home

- 6.8 The original scheme proposed 90 Bed Residential care units (Class C2). The associated documentation references a care home<sup>47</sup>. This was to be located centrally in the development. Use class C2 is distinct from C3 as it includes a level of care beyond sheltered or retirement housing which typically falls under class C3. This provides additional health and economic benefits.

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<sup>42</sup> Paragraph 2.5.1 Ardent Technical Transport #9 Report Ref 2207280-R23A January 2025 [CD 2.37]

<sup>43</sup> See Housing Supply and Trajectory Topic Paper July 2024. Para 4.32 and Table 5: Average Annual Completions by site size.

<sup>44</sup> See Table 5 Average Annual Completions by site size, Housing Supply and Trajectory Topic Paper, July 2024, MSDC

<sup>45</sup> See Table 4.2 “Start to finish” Third Edition, March 2024

<sup>46</sup> Paragraph 5.4.1

<sup>47</sup> See Design & Access Statement [CD1.23], Concept masterplan [CD1.9], Planning Statement Para 8.73, [CD1.19] and Environmental Statement [CD1.28] and [CD1.34] amongst others.

6.9 During the course of the inquiry, alternative plans were submitted<sup>48</sup>. These alternate plans were ostensibly designed to resolve objections from the Education Authority about the location of the proposed new school. To achieve this, the 90-bed residential care home units were omitted from the concept plan. The applicant stated instead that:

*“A specific location of 90 x C2 residential care units is no longer included within the land use parameter plan. Rather, these units will be distributed across the remainder of the development parcels, with a specific location(s) to be agreed at the reserved matters stage”<sup>49</sup>.*

6.10 Because the provision of care is the defining characteristic of a C2 use, the presence of on-site medical or specialist staff to support residents by reason of age, disability or illness is typically an inherent feature of such development.

6.11 Care Schemes are normally managed facilities. Indeed, the ES attributes 35 jobs to the Care Home<sup>50</sup>. Dispersing the facilities presents a number of operational issues, but also resident issues. No evidence has been provided by the appellant on how the dispersed C2 units will be operated in practice. Those that suffer from Dementia, or accessibility issues in particular benefit from a standalone facility. One of the locational benefits of the care home was its location next to the “health hub”. Clearly, with the C2 use being disbursed any co-location benefits would not be realised.

6.12 Taking all these factors into account, I give substantial positive weight to the benefits of new C2 Care Home to the original submitted plans. **This is reduced to moderate positive weight in the alternate plans.**

### Education

6.13 The scheme proposes a new 2.5 form entry primary school. It is stated that the school has the capacity to cater for approximately 525 students. The proposals also include a SEND school with capacity for 132 students. Paragraph 100 (a) of The NPPF gives *“great weight to the need to create, expand or alter early years, schools and post-16 facilities through the preparation of plans and decisions on applications”*.

6.14 The County Council’s Education department recommended refusal of the application. They objected to the creation of a wildlife corridor between the SEND school site and the adjacent landscape. These concerns were principally about the inclusion of a buffer zone constituting a constraint on the use of the site as required weldmesh fencing security that would conflict with the wildlife corridor and the noise conditions the school would be exposed to. Concern was also raised regarding the western access.

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<sup>48</sup> See CD16.1 to CD16.11, letter and accompanying plans 24<sup>th</sup> April 2026.

<sup>49</sup> Paragraph 2.1

<sup>50</sup> Table 6.21 of the Environmental Statement.

- 6.15 As stated above, the applicant has sought to overcome these concerns with alternate plans. Whilst this is to the detriment of the care home, it will help realise the benefits of the Education facility which would be uncertain without such a change.
- 6.16 New education provision is required to sustain the development and make it acceptable in planning terms. It is not a standalone school application to provide new capacity where there is an existing shortfall, the benefit of which would attract significant weight. However, it is suggested that the new primary schools may have a small level of capacity above the expected pupils generated by the development<sup>51</sup>. It is stated in the appellants ES<sup>52</sup> that the overall SEND operating capacity in the local area of the proposed development is expected to fall from 103% to 98%-99% as a result of the development. This is a benefit. That element which goes beyond the site's requirements does attract comparably greater weight.
- 6.17 Weighing against this, is the "significant adverse affects" to secondary education. There is only one secondary school - Warden Park Secondary Academy - that is accessible to the site<sup>53</sup>, (for which Mr Lewis evidence describes the limitations of the pedestrian routes to and from the site). It is estimated that the development would lead to an additional 256 new residents aged between 11 and 15 years old. Here, a financial contribution is required to mitigate the impact of the proposals. Financial contributions are also required for post 16 education.
- 6.18 Taking all these factors into account, I give moderate positive weight to the benefits of new education facilities in the original submitted plans given the County's objection and uncertainty over its suitability. **However, this is increased to significant positive weight in the alternate plans.**

#### Local Centre & Health Hub

- 6.19 The precise details of the local centre are unknown, which is to be expected for an outline application. However, a number of potential uses and activities are referenced, which the applicant uses for the purposes of assessing socio-economic impacts. These include a convenience store, community space, a health hub and commercial workspace<sup>54</sup>.
- 6.20 The local centre is intended to serve the development. Details of the "health hub" are scant at this stage. The "potential GP surgery" referenced in the committee report is far from guaranteed. The appellants recognise that:

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<sup>51</sup> See Paragraph 8.116 of the appellants planning statement.

<sup>52</sup> Paragraph 6.7.43 of the ES Volume 2 Part 6: Socio Economics [CD1.34]

<sup>53</sup> As recognised in Paragraph 6.345 of the ES Volume 2 Part 6: Socio Economics. [CD1.34]

<sup>54</sup> Paragraph 6.10.19

*“As the amount of space allocated for primary healthcare within the health hub is not currently known, it is not considered a fair assessment to quantify the impact of the additional residents against the future baseline position of patient to fully qualified GP ratios<sup>55</sup>.”*

- 6.21 The appellants statement of case promises that *“the health space will be designed to best meet the needs of the community and will at a minimum mitigate the increased demand in healthcare from new residents at the proposed development”*. I have no reason to doubt this and attribute no harm to local healthcare capacity, but similarly I cannot ascribe any additional benefit beyond the minimum mitigation. There is also some uncertainty over the necessary size of the health care space<sup>56</sup>.
- 6.22 The appellants ES states the permanent effect of healthcare provision is negligible<sup>57</sup>. I give the Local Centre and Health Hub **neutral weight** in the planning balance.

#### Public Open Space & Recreation

- 6.23 It is stated in the Statement of Case that the proposal will provide 28 hectares of publicly accessible open space. This is also stated in the ES summary. However, later in the document, the ES states that the figure is 17.59ha<sup>58</sup>. The discrepancy between the numbers appears to be the 10.54ha of natural and semi-natural green space that is accessible, but not stated as public.
- 6.24 Notwithstanding this uncertainty, the ES states that the minimum targets are exceeded for Artificial turf pitches, equipped play areas, parks and gardens, teenage areas and tennis courts. The minimum targets are not met for allotments, Bowling Greens and Grass Pitches. There are no relevant targets for amenity green space, Natural and semi green space.
- 6.25 The proposals include formal sports provision. This includes hockey pitches and tennis/netball courts. Whilst the school pitches are included in the assessment, it is stated that these will be subject to a Community Use Agreement ensuring wider use. **Taken together I attribute moderate weight to the open space and recreation aspects of the scheme.**

#### Bus Service

- 6.26 As I have noted , and is explored in detail in Mr Lewis’ evidence, the connectivity of the site is poor. Ansty is a Category 4 settlement, and is not a logical location for strategic development of this scale. The provision of up to 1,450 homes with an estimated population of 3,668

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<sup>55</sup> 6.7.30 of the applicants Environmental Statement.

<sup>56</sup> In their letter of the 24 June 2024, Savills state that Given the project scale and need, it was recommended to provide 520sqm of [health care] space in the outline application. The ES has the indicative space at 410 sqm.

<sup>57</sup> Paragraph 6.7.31

<sup>58</sup> Paragraph 6.7.51

inhabitants on the site necessitates a comprehensive package of public transport measures to address the unsustainable location. Development should encourage sustainable travel behaviours rather than car dependency. Presently Ansty is served by a single bus route (No 89). The service is limited. Other services across the day, which are not hourly, either operate as a school service, during School holidays-only, or on Mondays, Wednesdays and Fridays only<sup>59</sup>. The WSCC consultation response makes note that ‘*the site is not well served by existing bus services*’ [CD4.61].

- 6.27 In the Statement of Common Ground [CD7.2] the appellants state: “*It is agreed with WSCC that the Appellant will secure a direct contract with a WSCC approved bus operator for a minimum period of 2 (two) years post the final residential occupation on the Appeal Site to deliver a half-hourly service between the Appeal Site and Haywards Heath and an hourly service between the Appeal Site and Burgess Hill **during weekday daytime hours**.*” [Sphere25 emphasis].
- 6.28 Ardent, the appellants previous transport consultants, have stated that “*the intention is to establish bus service options which are viable upon the completed build-out of the development. The interest will be to match the level of service to the patronage being generated by the development, to ensure that the cost of any extensions or new services can be off-set, without requiring any form of ‘in perpetuity’ obligation which would not meet the planning obligations tests.*”<sup>60</sup> They also state that the commercial sustainability calculations do not include a weekend service<sup>61</sup>.
- 6.29 The same report states “*A bus report providing details of the proposed bus route and timetables was shared confidentially with WSCC.*” This is believed to be “*Technical Transport Note #13 (Bus Strategy), ACE Ref. 2207280-R33, dated April 2025 (CD2.31).* This document was not made available via the MSDC planning portal during the determination of the planning application, and only through the appeal. The document only references “*weekday **peak** periods*”<sup>62</sup> [Sphere25 emphasis]. Potentially diluting the service offer further.
- 6.30 It is accepted that the WSCC Highways raise no objections. It is accepted that current bus service frequency will increase and therefore are a benefit, albeit a temporary one, of the proposals. However, the time limited commitment of 2 years, and the absence of evening or weekend bus services are clear short comings for a public transport service intended to serve a development of this scale. As Mr Lewis has explained, the service is not financially viable and is unlikely to continue beyond the committed period. **I therefore attribute very limited weight to the bus service.**

#### Other benefits

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<sup>59</sup> See Paragraph 2.5.4 of Velocity Technical Note TN004 Dec 2024 {CD4.29}

<sup>60</sup> See Paragraph 2.44

<sup>61</sup> See 2<sup>nd</sup> Bullet of paragraph 2.51 of Ardent Technical Transport Note #9 dated January 2025 [CD2.37]

<sup>62</sup> See Paragraph 2.3

- 6.31 The appellants Statement of Case lists out a number of economic benefits of the proposals<sup>63</sup>. I attach **moderate weight to the construction jobs**, particularly if a proportion can be secured via a local labour commitment. I attach **very limited weight to the remainder of the economic benefits listed**. These include claims that the proposed development will support 1,015 net additional jobs across the UK and additional tax revenues of £3.6m to £4.6m, together with increased Council tax receipts.
- 6.32 The main social benefits listed (housing, bus service, education, open space, care home and health) are considered above. The creation of a “restorative environment” and “high quality design” run counter to the objections of design and landscape officers. As an outline application with identified harms, **I do not ascribe beneficial weight** to these items. Abstract claims of “potential cost savings to the NHS” are not given weight.
- 6.33 The Environmental benefits listed by the appellant regarding open space are covered above. I attach moderate weight to Biodiversity Net Gain, as whilst the appeal site delivers very little and the Environmental Statement identifies a moderate adverse (significant) effect at a local level , it is accepted that the off-site provision is adjacent to the proposal and collectively could deliver up to 20% if linked via an appropriate obligation.
- 6.34 Measures relating to development reducing CO<sub>2</sub> emissions by more than 50% than required in Part L Regulations is given **limited weight**. Meeting Building regulations in respect of Electric Vehicle charging or sanitation is a regulatory requirement, so is considered **neutral** in the planning balance.

### **Adverse Impacts**

#### Unsustainable Pattern of Development

- 6.35 The site is not an appropriate location to develop a housing project of this scale. Speculative proposals of this nature in open countryside represent a departure from the development plan. Not only is the proposal located in open countryside, but it is also far bigger than the host village of Ansty, a category 4 settlement that derives its character from its intimate scale and surrounding rural landscape. The differential in scale is enormous. Rather than responding to the grain and capacity of its host settlement, the scheme would dominate it, creating a form of development that appears imposed rather than assimilated.
- 6.36 Whilst the scale of the proposals are overwhelming for Ansty, the approach to connectivity is underwhelming. A train station is not within a walkable distance and therefore the appellant relies upon limited improvements to a bus service that would neither operate at evenings nor

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<sup>63</sup> Paragraph 4.22 [CD15.1]

weekends to make the case for sustainable development. The service is unlikely to be viable beyond the short-term commitment.

- 6.37 There is clear conflict with the adopted district plan and its spatial strategy by directing such substantial growth to a lower tier settlement not identified for strategic expansion. Doing so undermines the plan-led system. Given the advanced nature of the emerging plan it will also prejudice emerging local plan strategies. For these reasons I give **significant harm to the unsustainable pattern of development**.

#### Impact on the High Weald National Landscape

- 6.38 The appellants accept that the proposals will harm the setting of the High Weald National Landscape. National Landscapes are areas of particular importance in the National Planning Policy Framework. Conserving their scenic beauty is given “great weight”<sup>64</sup>. The appellant seeks to diminish this weight by virtue of the development being situated next to rather than within the HWNL. However, the setting contributes to this scenic beauty. Indeed, the same NPPF paragraph ascribing great weight to National Landscapes also references that “development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.” (Paragraph 189)
- 6.39 Impact has not been avoided. The scale of development proposed does not minimise adverse impacts. The proposal is not sensitively located. It introduces an abrupt change to the landscape. The setting in question is not a distant relation to the HWNL. It is an urbanising of the southern boundary of the HWNL. For these reasons I ascribe **great weight to the harm being generated by the proposals to the HWNL**. The harm also provides a strong reason for refusal.

#### Other landscape harms

- 6.40 In addition to the landscape harm to the HWNL, there are further harms to the wider landscape. There will be a notable change in character to the area. The proposals neither ‘*maintain or enhance the rural and landscape character*’ of the district as required by Policy DP12 and AS1 and AS2 of the ASNP. The evidence of Mrs Hooper and that of The Local Planning Authority addresses landscape and character matters in detail. The assertion made by the appellants that the adverse Landscape and Visual Impacts will be temporary in nature (as they are limited to construction only) is simply incorrect. I attach **significant weight to landscape harms** that will endure as a result of the proposals.

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<sup>64</sup> Paragraph 189.

### Coalescence

- 6.41 The proposed development will be situated in a local gap between Ansty and Cuckfield. It is accepted that the proposal does not physically merge both built settlements together. However, the scale of development subsumes the village of Ansty and brings it 1km closer to Cuckfield. The limited remaining intervening space could become attributable to either settlement as a result. This creates the perception of coalescence. And such a perception is recognised as a harm under policies DP13 of the District Plan and AS2 of the Ansty Staplefield and Brook St Neighbourhood plan.
- 6.42 Noting the historic and distinct characters of Cuckfield and Ansty, **I attach significant weight** to the harm created.

### Loss of Agricultural Land

- 6.43 Development of the site would involve the loss of Grade 1, Grade 2 and Grade 3a agricultural land considered to represent Best and Most Versatile (BMV) farmland. The scheme is therefore contrary to policy DP12 of the district plan. Expressed in percentage terms this amounts to approximately 18% of the total farmland on the site<sup>65</sup>. In absolute terms this is 13.2 hectares of land. This is a notable area, but the distribution of the BMV farmland is not all located in the same area on the site. For this reason, **I attach limited harm to the loss of agricultural land.**

### Impact on Trees

- 6.44 The site contains approximately 7.3 ha of Ancient Woodland and 16.3 ha of Priority Woodland and is well connected to similar habitat within the surrounding area<sup>66</sup>. In addition to their ecological benefits, the trees on site represent an important element of the rural character of the area. 116 trees will need to be removed as part of the development. Development may also place future pressure on retained trees. It is recognised that the proposals have the ability to introduce new specimens on the site, but note that landscape is a reserved matter. Conflict has been identified with policy DP37 of the MSDP. I therefore attach **moderate weight to the harm from the loss of trees** on site as a result of the proposals.

### Impact on Heritage Assets

- 6.45 There is a wealth of heritage assets in the vicinity of the proposals. This includes a number of listed buildings between the settlements of Ansty and Cuckfield as well as within them. There are two Grade II Listed buildings ‘encircled<sup>67</sup>’ by the development boundary, together with

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<sup>65</sup> Table 10.4 of Environmental Statement

<sup>66</sup> Paragraph 11.5.3 of Environmental Statement.

<sup>67</sup> Paragraph 12.129 of the Officers Committee Report.

eleven designated heritage assets adjacent to the site. A further two non-designated heritage assets have also been identified.

- 6.46 A variety of harms arise from these proposals. However, all are considered to represent “*less than substantial harm*”. Whilst experts may disagree on the scale of harm within this concept, in isolation I believe that the heritage harms alone are not a strong reason for refusal. Rather, they represent harms to be weighed up in overall balancing exercise. **I therefore attach significant weight to the harm to heritage assets.**

#### Prematurity to the Emerging Plan

- 6.47 The local plan is at an advanced stage, and was submitted for Examination on 8 July 2024. The most recent examination hearings took place between February and March 2026. The intention is for the emerging plan to be adopted by the end of the year.
- 6.48 Although the duty to cooperate has now been abolished for plan-making, the Council has been asked to re-appraise possible housing sites to assist with the unmet housing needs of neighbouring authorities. The Council has done so using a site-selection methodology that the local plan inspector has found to be sound. This has resulted in a “long list” of suitable sites for further analysis. The long list comprises of 4,063 homes. The appellants’ site was rejected. It is stated:

*“On balance it is not considered that the benefits of the site [Land at Ansty Farm] comprising the provision of homes, services and facilities, and a longer term contribution to the housing supply would outweigh the unacceptable harm this scale of development would have on the High Weald National Landscape and the perception of coalescence between Ansty and Cuckfield<sup>68</sup>”*

*“The overall conclusion for the site remains that the site is not suitable for allocation<sup>69</sup>”*

- 6.49 Noting the advanced position of the emerging plan and the extensive public consultation and technical assessment that has informed it, development of the appeal site would be premature to the local plan process.
- 6.50 The site is of a strategic scale and - having regard to when housing could realistically be delivered on the site; the immediacy of the new local plan being adopted; and, how the spatial distribution of housing would be undermined - development of this scale would pre-determine matters which should properly be considered as part of the emerging Plan. The Council has a positive track record of delivery, and there is no reason to doubt that this will continue. The local plan process is the correct vehicle for assessing the strategic distribution

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<sup>68</sup> Paragraph 55

<sup>69</sup> Paragraph 56

of housing across the district. The approval of the application would be contrary to plan-led approach. **This gives rise to a substantial adverse impact.**

### **Other Harms**

- 6.51 Concern has been raised regarding the design code and proposals for buildings of 4 storeys would be out of character for the area. As an outline application with all matters (apart from access reserved) I do not ascribe any weight to the appearance of individual design elements of the proposal.

## 7. Conclusion

### The Adopted Development Plan

- 7.1 The proposals conflict with the adopted development plan. They do not accord with numerous policies, but crucially they do not accord with the development plan when read as a whole. This position is accepted by the appellant.

### National Planning Policy Framework

- 7.2 National Policy sets out a presumption in favour of sustainable development. The appellant takes the position that a “tilted balance” in favour of the application exists because of the Council’s lack of a 5-year land supply. No issue is taken over the Council’s strong housing delivery record.
- 7.3 In my judgement the tilted balance is not engaged. This view is reached as the proposals will harm the setting of the High Weald National Landscape, and the level of harm provides a strong reason for refusal.

### The Planning Balance

- 7.4 I have undertaken a balancing exercise weighing up the benefits of the scheme with its harms. I come to the following balance.

Benefits	Weight
<b>C3 Housing</b>	Substantial
<b>C2 Care Home</b>	Moderate <sup>70</sup>
<b>Education</b>	Significant <sup>71</sup>
<b>Local Centre &amp; Health</b>	Neutral
<b>Open Space &amp; Recreation</b>	Moderate
<b>Bus Service</b>	Limited
<b>Construction Jobs</b>	Moderate
<b>Biodiversity Net Gain</b>	Moderate

**Table 1:** Planning Benefits & Weight

<sup>70</sup> Based on Alternate Plans

<sup>71</sup> Based on Alternate Plans

Harms	Weight
<b>Unsustainable Pattern of Development</b>	Significant
<b>Impact on Setting of HWNL</b>	Great
<b>Other Landscape Harm</b>	Significant
<b>Perceived Coalescence</b>	Significant
<b>Loss of Best &amp; Most Versatile Farmland</b>	Limited
<b>Tree Loss</b>	Moderate
<b>Heritage</b>	Significant
<b>Prematurity to the Local Plan</b>	Substantial

**Table 2:** Planning Harms & Weight

7.5 In my view, even if the tilted balance is engaged, the adverse impacts of the proposal significantly and demonstrably outweigh the benefits of the proposal.

7.6 It is on this basis that I consider that the appeal should be dismissed.

Mark Connell

Sphere25 LLP

22 May 2026