

Appeal Reference: 6002030

Land East of Ansty, Cuckfield Bypass, Cuckfield, West Sussex, RH17 5AG

Inspector's Note on Amended Plans

1. The Inspector had sight of the representations made to the amended plans consultation on the afternoon of Friday 29 May 2026. The amended plans consultation concluded on Tuesday 26 May 2026.
2. The Inspector notes that no response was made to the amended plans consultation by West Sussex County Council in its role as the Local Education Authority. This is disappointing as the Inspector understands that the rationale for creating and consulting on amended plans during the appeal process was on the basis of the Local Education Authority's concerns. The Inspector has therefore included the named Schools Planning Officer (North) in the circulation of this note. The Inspector requires at the very least that the Local Education Authority confirms in writing prior to the Inquiry opening what the Local Education Authority's view is on the amended plans. Questions for the Local Education Authority are included below.
3. The Inspector sets out below her understanding of the situation with determined plans (Scheme A) and amended plans (Scheme B) in relation to conditions and planning obligations pertaining to the two schools and the C2 care provision, if planning permission were to be granted. Any references to conditions schedules and the draft legal agreement are to the latest versions provided as per the date of this note.
4. For Scheme A, the land for the primary and SEND schools is shown as 8 on the Concept Masterplan - D3012-FAB-00-XX-DR-Y-009 Rev 14 as referred to in draft condition 3. Meanwhile, the C2 care provision is shown as 7 on the same Concept Masterplan Rev 14. Both 7 and 8 would be close to the Local Centre marked 6 and the Mobility Hub marked 21. The schools and C2 care provision are also shown on the majority of the parameter plans for Scheme A.
5. The draft legal agreement could refer to the aforementioned Concept Masterplan Rev 14 and parameter plans in the definitions of Primary School Land and SEND School Land where Plan X is currently referred to. Schedule 4 on Care Provision refers to submitting the Care Scheme for approval to the District Council prior to the commencement of development of the Reserved Matters Area containing any Care Dwellings, which would be clearly defined via the Concept Masterplan Rev 14 and the parameter plans as they show the C2 care provision.

6. For Scheme B, the land for the primary and SEND schools is shown as 7 twice on the Concept Masterplan - D3012-FAB-00-XX-DR-Y-009 Rev 17 as referred to in draft condition 3. The schools are also shown on the majority of the parameter plans for Scheme B. However, the C2 care provision is not shown at all on the same Concept Masterplan Rev 17 or on the parameter plans. It is therefore not possible to know how dispersed the C2 care provision would be, how close it would be to the Local Centre and Mobility Hub (now marked as 6 and 20 on the Concept Masterplan Rev 17), and whether it would be sufficiently attractive to a care provider in its dispersed form to be achievable.
7. The draft legal agreement could refer to the aforementioned Concept Masterplan Rev 17 and the parameter plans in the definitions of Primary School Land and SEND School Land where Plan X is currently referred to. Schedule 4 on Care Provision refers to submitting the Care Scheme for approval to the District Council prior to the commencement of development of the Reserved Matters Area containing any Care Dwellings. However, given the dispersal and the fact that no C2 care provision is now shown on the plans for Scheme B, it is more uncertain as to where the C2 care provision would be.
8. Without prejudice to her decision-making on the proposal, the Inspector has the following questions, to which she would appreciate responses by **12 noon on Wednesday 3 June 2026**:

For the County Council as Local Education Authority:

- a) Do the amended plans within Scheme B meet the Local Education Authority's expectations in terms of external noise levels?
- b) Does the Local Education Authority now support the proposal as set out in Scheme B?
- c) If the Inspector determined the appeal on the basis of the determined plans (Scheme A) would the County Council be willing to complete the legal agreement with reference to the Concept Masterplan Rev 14?

For the three main parties:

- d) If the Inspector determined Scheme A, would it be possible to provide adequate noise attenuation to effectively mitigate the County Council's concerns about external noise impacts on school land, without adversely affecting the effective operation of the schools?
- e) If the Inspector determined Scheme B and imposed condition 3 with the Scheme B plans, which were then included in the definitions of Primary School Land and SEND School Land in the legal agreement, what certainty would the Inspector have that Schedule 4 on Care Provision within the legal agreement would be adequate to ensure that C2 care provision would come forward on site in a suitable form?
- f) Recognising that the appeal process should not be used to evolve a scheme and there are no provisions within the Rules for amendments to be submitted, would it be appropriate to require the submission of revised

parameter plans by condition (as suggested by the District Council at paragraph 12.59 of its Committee Report)? If so, do any of the proposed conditions need to be altered to reflect this?

9. The Inspector requires that a suitable representative of the Local Education Authority attends the round table discussions on conditions and planning obligations programmed for the morning of Friday 12 June 2026. The Inspector suggests that County Council officers contact District Council officers to check if the programme remains on track during the first week of the inquiry.
10. As matters stand at present, the Inspector is of the view that she will run the inquiry on the basis of both determined and amended plans (Schemes A and B) and witnesses will need to refer to Schemes A and B where relevant, including in relation to any scope for differences in weight to be afforded to different elements for Schemes A and B.

Joanna Gilbert

Inspector

Saturday 30 May 2026