

STATEMENT OF CASE

Land East of Ansty Way, Cuckfield Bypass, RH17 5AG

Rule 6 Party

Ansty & Staplefield Parish Council and Cuckfield Parish Council

Appeal Reference

6002030

Contents

1. Introduction
2. Site & Surroundings
3. Planning Policy
4. Main Issues and Planning Balance
5. Summary & Conclusion

1. Introduction

1.1 This is the statement of case on behalf of Ansty & Staplefield Parish Council and Cuckfield Parish Councils [**“The Parish Councils”**].

1.2 The Parish Councils have been granted Rule 6 Party status at the forthcoming planning inquiry (**“the Inquiry”**), which is due to start on 9 June 2026, and is being held following the decision by Mid Sussex District Council (**“MSDC”**) (**“the Council”**) to refuse planning permission to Fairfax Acquisitions Limited and The Norris Family (**“the Appellants”**) for the proposed development at Land East Of Ansty Way, Cuckfield Bypass, Cuckfield, West Sussex (**“the Site”**).

1.3 The description of development of the planning application is

*“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”**).*

1.4 The application reference is DM/23/2866. The application was refused on 17 October 2025. The decision notice lists three reasons for refusal. These are:

**The proposal consists of major development within the countryside, out of keeping with the rural character, which fails to protect the distinctiveness of the area by extending the settlement boundary of Ansty, resulting in the perceived coalescence with Cuckfield, eroding the rural nature of the site which is further harmed by the proposed loss of trees. The application is therefore contrary to policies DP12, DP13 and DP37 of the Mid Sussex District Plan 2014-2031, policies AS1 and AS2 of Ansty and Staplefield Neighbourhood Plan and policies CNP3 and CNP5 of Cuckfield Neighbourhood Plan. AS1 and AS2 of Ansty and Staplefield Neighbourhood Plan and policies CNP3 and CNP5 of Cuckfield Neighbourhood Plan.*

**Due to the location and scale of the development, the proposal would result in an unacceptable urbanising feature, eroding the rural nature of the site that makes a positive contribution to the setting of the HWNL. The proposal would therefore fail to avoid and minimise the adverse impact on the High Weald National Landscape to the detriment of the scenic beauty of the designated area. The proposal is therefore contrary to policy DP16 of the Mid Sussex District Plan 2014-2031, policy AS1 of the Ansty and Staplefield*

Neighbourhood Plan and policy CNP5 of the Cuckfield Neighbourhood Plan, the High Weald AONB Management Plan 2024 - 2029 and paragraph 189 of the NPPF.

**The proposal fails to provide the infrastructure, contributions, and off-site highway works to serve the development and the required affordable housing. The application therefore conflicts with policies DP20, DP21, DP31 and DP38 of the Mid Sussex District Plan 2014 - 2031, the Mid Sussex Supplementary Planning Documents 'Affordable Housing' and 'Development Infrastructure and Contributions'. The Council recognises that it is currently not able to demonstrate a five year supply of deliverable housing sites and having regard to the NPPF, and in particularly para11 it is not considered that the presumption in favour of sustainable development is engaged because having regard to the identified harm to the High Weald National Landscape para 11(d)(i) applies, and that material considerations do not indicate a decision otherwise than in accordance with the development plan.*

- 1.5 There is also a related subsidiary application (DM/23/2867), which was resolved to be approved by the committee, but is awaiting a decision subject to the completion of a s106 Agreement to secure suitable public access rights. The subsidiary application is for a change use of an adjacent site from farmland and woodland to parkland reserve. Our understanding is this 2nd application is likely dependent upon the outcome of this appeal for residential development.

Structure of the Statement of Case

- 1.6 This statement of case provides details of the site and its surroundings, relevant planning history, the planning framework, the main considerations for the appeal, and relevant evidential documents.
- 1.7 Comprehensive proofs of evidence will be provided at a later date in accordance with the agreed bespoke programme. As matters stand, the Parish Councils are intending to present proofs of evidence on the following topics:
- The acceptability of the appeal proposals in terms of their locational sustainability
 - The effects of the proposal on landscape character and visual amenity (including on the High Weald National Landscape)
 - The planning balance

- 1.8 In short, the Parish Councils will demonstrate that, given that the application departs from the adopted development plan, the starting point is that permission should be refused. While limited weight can be attributed to the emerging plan at this stage, the direction of travel of emerging policy does not justify the development of this greenfield site in open countryside.
- 1.9 The Parish Councils acknowledge that the scheme would deliver benefits including additional housing for the district. However, the delivery of homes on the site is likely to take considerable time. Whilst the Council is currently unable to demonstrate a 5 year housing land supply, this is a short-term issue which will be addressed through the emerging plan. The harm resulting from the proposals is significant and irreversible. These harms include the impact on the setting of the High Weald National Landscape (**'HWNL'**), as well as leading to coalescence between the villages of Ansty and Cuckfield. The proposals represent an un-sustainable pattern of development.
- 1.10 The proposed development is not in accordance with the development plan. The Parish Councils will demonstrate that the material considerations do not indicate that a decision should be made other than in accordance with the development, and accordingly the appeal should be dismissed.

2. Site and Surroundings

- 2.1 The site comprises approximately 100 hectares¹ of arable farmland, woodland and waterways located immediately east of Ansty, bordered by the A272 to the north and surrounding countryside. Two Grade II listed buildings are centrally located within the site, but excluded from the site boundary. These are “The Place²” and “Barn to North of Forsyths.³”
- 2.2 Fourteen other listed buildings are located in proximity to the site, but beyond the site boundary. This includes Grade I listed Holy Trinity Church, Grade II listed Cuckfield Park and Cuckfield Lodge, Grade II listed Mount Noddy Cottage, Grade II listed Mackerell Cottage and Grade II listed Lodge Farmhouse. The site is not within a Conservation Area, although the Cuckfield Conservation Area lies approximately 450m to the north of the site.
- 2.3 The northern part of the site is within an Archaeological Notification Area and part of the Cuckfield Medieval Park. The site features two areas of ancient woodland. The site lies outside, though immediately next to, the High Weald National Landscape. The Great Wood & Copyhold Hangar Wildlife Site (LWS) is directly adjacent to the site. The separate planning application for Parkland which the application relies upon for off-site Biodiversity Net Gain is located within the High Weald National Landscape.
- 2.4 A single access track is located east-west centrally through the site and connecting to the eastern boundary. The A272 directly abuts the northern boundary of the site and provides vehicular access.
- 2.5 The site lies predominantly located in Flood Zone 1, with elements of Flood Zone 2 limited to areas around the streams and brooks within the site.

Site History

- 2.6 There are no planning applications of direct relevance to the determination of this application.

¹ The Environmental Statement references 98.75 hectares (Para 2.1.1 of Vol 1), but the officers report states “approximately 100ha” (Para 9.1).

² List Entry Number 1025702

³ List Entry Number 1334360

3. Planning Policy

The Development Plan

3.1 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. This is set out in Section 38(6) of the Planning & Compulsory Purchase Act 2004. 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)
- Ansty Staplefield and Brook Street Neighbourhood Plan 2015-2031 (Made February 2017)

3.2 Other development plan documents, not considered relevant to the appeal, include the Site Allocations Development Plan Document (2022); Small Scale Housing Allocations Development Plan Document; Saved Policies of the Local Plan (2004); The West Sussex Waste Local Plan (2014) and The West Sussex Joint Minerals Plan (2018).

3.3 Those policies in the Mid-Sussex District Plan which are of particular relevance to the appeal are:

Mid Sussex District Plan	
Policy Reference	Title
DP6	Settlement Hierarchy
DP12	Protection and Enhancement of Countryside
DP13	Preventing Coalescence
DP15	New Homes in the Countryside
DP16	High Weald Area of Outstanding Natural Beauty
DP17	Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)
DP20	Securing Infrastructure
DP21	Transport
DP22	Rights of Way and other Recreational Routes
DP26	Character & Design
DP29	Noise, Air and Light Pollution
DP31	Affordable Housing

DP34	Listed Buildings and Other Heritage Assets
DP37	Trees, Woodland and Hedgerows
DP38	Biodiversity

3.4 Ansty, Staplefield and Brook Street Neighbourhood Plan policies of particular relevance are:

Ansty, Staplefield and Brook Street Neighbourhood Plan	
Policy Reference	Title
AS1	New Housing Development
AS2	Preventing Coalescence
AS3	High Weald Area of Outstanding Natural Beauty
AS4	Housing Mix
AS8	Improvement of Community Facilities
AS14	Walking and Cycling Routes

3.5 Cuckfield Neighbourhood Plan policies of particular relevance are:

Cuckfield Neighbourhood Plan	
Policy Reference	Title
CNP1	Design of New Development and Conservation
CNP4	Protect and Enhance Biodiversity
CNP 5	Protect and Enhance the Countryside
CNP 16	Transport Impact of Development
CNP 21	Securing Infrastructure

Other relevant policy documents

High Weald AONB Management Plan 2024-2029

3.6 The High Weald AONB Management Plan is a statutory plan adopted by 15 local authorities setting out specific policies for the management of the area and providing an agreed public policy vision for the High Weald. The document includes a series of objectives, actions and planning principles relevant to the Appeal.

Other local Planning Documents

3.7 Other local planning documents considered relevant to the Appeal include the Mid Sussex Position Statement 1: Delivering Sustainable Development; and Development Infrastructure

and Contributions SPD (2018). Reference may also be made to the Mid-Sussex Design Guide (2020).

National Planning Policy

3.8 The National Planning Policy Framework (NPPF) was published in December 2024. Consultation on a revised NPPF closed on the 10 March 2026, with a final version expected in the Summer and could be in force prior to the determination of the appeal. As appropriate, reference will be made to the NPPF and associated Planning Practice Guidance (PPG).

Emerging Local Plan (2021-2040)

3.9 The site is not allocated in the emerging plan. At the time of this statement of case, the Inspector has issued a post-hearing letter to Mid Sussex Council (26 March 2026) setting out interim conclusions and further action points based on matters covered in the Examination in Public (EiP).

3.10 The Inspector has asked Mid Sussex to explore additional housing sites to meet some of the unmet needs of neighbouring boroughs. The Inspector has stated that the spatial strategy set out in the draft plan is sound. The Inspector states it should be used to guide the selection of additional sites for inclusion. The Inspector's interim findings also note that the Council has a good record of delivery.

3.11 The Council is currently undertaking a review of the assessment of sites. At this stage the outcome of the review is unknown, but may become material to the appeal case.

3.12 The Parish Councils reserve the right to reference any other relevant policy or guidance at the national, local, and supplementary planning guidance levels.

4. Main Issues

4.1 The Parish Councils will present evidence in relation to the following issues:

- The Unsustainable Location of the Proposed Development
- The Landscape and Visual Impact from the Proposals
- The Planning Balance

The Unsustainable Location of the Proposed Development

4.2 The Proposed Development is outside the defined settlement boundaries for Ansty and Cuckfield. The site is not allocated for development. It therefore does not accord with the development plan, representing a departure from the relevant District and Neighbourhood Plans.

4.3 The Parish Councils will demonstrate that the proposals are in conflict with the 'Settlement Hierarchy' (DP6) and 'The Protection and Enhancement of the Countryside' (DP12) amongst other District Plan Policies. There are also clear conflicts with both Neighbourhood Plans. This includes Policy AS1 of the Ansty Staplefield and Brook Street Neighbourhood Plan, and Policy CNP5 of the Cuckfield Neighbourhood Plan.

4.4 The Parish Councils will provide evidence that the proposals are situated in an unsustainable location. The evidence will demonstrate that the facilities, amenities and local settlements would be largely inaccessible for the majority of residents in the proposed development, given the distances involved and lack of supporting infrastructure.

4.5 The Parish Councils will demonstrate that given the distances involved and remoteness of the development site, the site should not be considered accessible by foot and will encourage additional travel by private car to the wider area, which would not be necessary for homes located in more sustainable locations. Reference will be made to the site's connectivity using established metrics and models.

4.6 Evidence will also be provided to demonstrate that the proposals (including the various mitigation measures proposed) do not overcome the inherently unsustainable location of the

appeal site. The Parish Councils will refer, among other matters, to the limitations and long term viability of the proposed bus route, and the constraints on pedestrian and cycle connections which the site would need to rely upon. Reference will be made to the technical notes produced by Velocity dated December 2023 (TN003), December 2024 (TN004) and August 2025 (TN006).

The Landscape and Visual Impact of the Proposals

- 4.7 The impacts of the proposals on landscape character and visual amenity are multi-faceted and include, in particular, issues of coalescence between Ansty and Cuckfield, as well as the impact on the High Weald National Landscape (HWNL) through development within its setting.
- 4.8 The Parish Councils will demonstrate that the Appellant's analysis has underestimated the likely effects of the proposed development on landscape and visual amenity (including the effects on the HWNL).
- 4.9 The Parish Councils will provide evidence in relation to the detrimental effect of the proposals on landscape character and visual amenity, having regard to the local landscape character as described in relevant documents, including the Mid Sussex Landscape Capacity Study (2014), the Cuckfield Neighbourhood Plan and the site Landscape Sensitivity Assessment (2022). These demonstrate that the local landscape character has moderate to high landscape value, substantial to high sensitivity and a low capacity for change. The Parish Councils will further draw upon evidence from the information in the LHLA response of January and December 2024. The Parish Councils will demonstrate that the proposals are contrary to DP12 of the District Plan, AS1 of the Ansty, Staplefield & Brook Street Neighbourhood Plan and CNP5 of the Cuckfield Neighbourhood Plan.
- 4.10 The Parish Councils will demonstrate how the proposed development will adversely impact on the historic settlement pattern of Ansty and Cuckfield which is likely to result in a perception of coalescence between the two villages, contrary to DP13 of the District Plan and AS2 of the Ansty Staplefield and Brook Street Neighbourhood Plan.

4.11 The Parish Councils will also demonstrate that the proposed development will impact adversely on the HWNL through development within its setting, having particular regard to the 3 new proposed vehicular access points & 2 new pedestrian/cycle crossings, as well as the proposed pedestrian and cycle strategies which will require lighting, widening and resurfacing of existing PRowS. The Parish Councils will demonstrate that the proposals are in conflict with section 85 of the Countryside and Rights of Way Act 2000 (as amended), the NPPF (Paragraph 189), Policy DP16 of the District Plan as well as the HWMP and Neighbourhood plans will be detailed as part of the evidence.

Other matters

4.12 The Parish Councils note that the proposals were considered by the LPA at the application stage (having regard to the views of the LPA's Conservation Officer) to cause harm to the significance of a number of designated heritage assets. In order to limit the issues at the inquiry, the Parish Councils will not present their own evidence in relation to the effects of the proposals on heritage assets but will instead rely on the LPA's position at the time that the application was determined (based on the views of the LPA's Conservation Officer) to demonstrate that the appeal proposals would cause harm to the significance of a number of designated heritage assets such that the appeal proposals would be conflict with DP34 and DP35 of the MSDP. The harm identified would be 'less than substantial'. The Parish Councils also note that the appeal proposals would result in tree losses and the loss of some best and most versatile agricultural land. These adverse impacts will need to be weighed in the planning balance.

The Planning Balance

4.13 The starting point for this appeal is that, by reason of the conflicts with DP6, DP12, DP13 of the Mid Sussex District Plan, Policies AS1, AS2 of the Ansty, Staplefield and Brook Street Neighbourhood Plan and CNP3 and CNP5 of the Cuckfield Neighbourhood Plan, the proposals are contrary to the development plan.

4.14 The appeal proposals would be contrary to the Council's spatial strategy, be unsustainably located and would result in harm to landscape character and visual amenity, the coalescence

of settlements and harm to the HWNL through development within its setting. There would be tree losses and the loss of some BMV Agricultural Land.

4.15 There would be less than substantial harm to the significance of designated assets. Having regard to the benefits of the proposals, it is accepted that, in isolation, the public benefits would outweigh the less than substantial heritage harm. However, when considered alongside the cumulative impacts, the overall planning balance weighs against the proposal, as set out below (see paragraphs 4.23–4.24).

4.16 The Parish Councils acknowledge that the appeal proposals would deliver benefits. The most significant of which is the provision of 1,450 homes, including 435 affordable dwellings. A 90 bed care home would also be a benefit. However, owing to the strategic scale of the proposals, these housing benefits will not be realised instantly.

4.17 The site is considered to be an unsustainable location. Whilst a bus service is proposed, concerns are raised about the precise commitments being made and its long-term viability, particularly beyond any initial developer-funder period, meaning that this is considered insufficient to remedy this fundamental constraint. Furthermore, evidence will be provided that the implied modal shift is unlikely to be achieved. In that regard the weight that can be attributable to the benefit of a bus service is limited.

4.18 The provision of a 2FE Primary School necessitated by the development is a benefit. The provision of a SEND School could also be a benefit. However, there are unresolved objections to the location of the schools on the site, which officers of the LPA do not deem appropriate. Indeed, WSCC have identified a conflict between the necessary wildlife corridor and buffer zone for the HWNL, that reduces the usable area for educational purposes. The case officer's report stated "*Officers are not proposing to approve the parameter plans submitted*⁴". In such circumstances the benefits are in doubt.

4.19 Details regarding the local centre are scant. It is accepted that as an outline application it may not be feasible to commit to particular tenants until subsequent reserved matters stage, and even then flexibility may still be required to secure lettings. In the absence of sight of the

⁴ See Officers Report 12.101

exact provisions in a draft s106 agreement the Parish Councils do not ascribe any weight to the suggested benefit of a ‘potential’ GP surgery⁵.

4.20 The Parish Councils accept that the LPA cannot demonstrate a 5YHLS and that the policies which are most important for determining the application are out of date. However, the Parish Councils will demonstrate that the harm that would be caused to the HWNL through development within its setting constitutes a ‘strong’ reason for refusal such that the tilted balance is not engaged.

4.21 The Parish Councils will refer to the fact that the Council has a strong track record of housing delivery that has been lauded by appeal inspectors and the current Inspector into the draft local plan. The Council performs strongly in the most recent Housing Delivery Test (HDT) recording a 142% performance against the relevant targets at the time. Sudden changes to the Standard Method coincided with a contentious delay to the local plan process in 2025, creating an immediate shortfall against a 5 year housing land requirement and the age of the local plan exceeding 5 years. However, a new District plan is likely to be in place before the end of 2026, far ahead of any potential delivery of homes on the appeal site.

4.22 The Parish Councils will demonstrate that the scheme benefits do not outweigh the irreversible harms of the development. Even if the tilted balance is found to apply, the Parish Councils will demonstrate that the adverse impacts of the development would significantly and demonstrably outweigh the benefits.

4.23 The Parish Councils will demonstrate that the appeal should be dismissed.

Documents

4.24 It is proposed that a core set of documents will be agreed between the three parties in advance of the inquiry in June 2026. However, in order to provide an indication of the documentation that will be relied upon by the Parish Councils, reference will be made in particular to the following documentation, although it should be noted that we reserve the

⁵ See Officers report 13.11,

right to refer to any additional reference material during the course of the appeal proceedings (if required).

4.25 Documents in addition to application documents and those identified by MSDC and the appellant include:

- Mid Sussex Landscape Capacity Study (2014)
- Cuckfield Landscape Character Assessment (2012)
- Site Landscape Sensitivity Assessment (2022)
- Velocity Objection Note TN003, (December 2023)
- Velocity Objection Note TN004 (December 2024)
- Velocity Objection Note TN005 (August 2025)
- West Sussex County Council Consultation Response (9 July 2025)