To: Planning Inspectorate (Mid Sussex District Plan Examination)

From: Truggers & Warren Cottages Residents Association

Date: 13 October 2026

Subject: Formal Objection & Hearing Submission regarding Proposed Main Modification MM88 (Land West of Truggers, Handcross)

Request for Site Removal

We are writing to request once again that the Inspector remove Site 181 (Main Modification MM88: Land West of Truggers) from the Mid Sussex District Plan in its entirety. We aim to lay out the legal reasons why this must be done below.

1. Failure to Meet NPPF Paragraph 177 and CROW Act Section 85

The proposed allocation of Site 181 (Main Modification MM88: Land West of Truggers) fails to comply with key national policy safeguards and statutory duties:

- **NPPF (2023) Paragraphs 176 & 177:** Main Modification MM88 is acknowledged by Mid Sussex District Council in its own ENV22 assessment as major development within the High Weald National Landscape. Paragraph 177 strictly dictates that major development in designated landscapes must be refused other than in exceptional circumstances and where it can be convincingly demonstrated to be in the public interest.
- **Deferred Justification is Unsound:** The Council's own ENV22 assessment explicitly records "No" under other exceptional circumstances for MM88, concluding instead that the exceptional circumstances and public interest tests are merely *"capable of being demonstrated at planning application stage."* Fixing the principle of major development at allocation stage while deferring the decisive statutory test to a future planning application is logically flawed and unsound. Exceptional circumstances have not been demonstrated, and no exceptional need exists to justify this allocation.
- **CROW Act Section 85 Duty:** Section 85 of the Countryside and Rights of Way Act 2000 places a statutory duty on relevant authorities to *seek to further the purpose of conserving and enhancing the natural beauty* of the National Landscape. Allocating major housing on this site directly contradicts this duty by introducing permanent, irrevocable urbanising harm to a historic pastoral field system and the rural settlement edge.
- **Legal Soundness of Land Sale and Community Facilities:** We ask the Inspector to look into the legal soundness of the sale of this land. The landowner has already profited from Hoadlands Grange and delivered a play area and recreation hall. In addition to this, the Parish Hall is wonderfully located along with a social club and a bowling green; whilst these may require some improvement, they do not need to be relocated. The current allocations and locations for these facilities are central to the village, whereas the proposed new locations are not.

2. Highways, Vehicle Access, and Pedestrian Safety Deficiencies

A. Inadequate Off-Site Footpaths & Unlawful Pedestrian Connections

The proposed pedestrian connections linking the site to local amenities and the village center fall severely short of basic safety, accessibility, and legal standards:

- **Footpath to Highbury Cottages:** The existing footpath leading from the proposed site entrance toward the entrance of Highbury Cottages measures approximately 2 feet wide. This width is completely inadequate and unsafe for pushchairs, wheelchairs, or mobility scooters, forcing vulnerable pedestrians into the roadway.
- **Footpath Opposite All Saints Church:** The proposed pathway leading residents into the village and suggested amenities narrows to a mere **1 foot wide** opposite All Saints Church. It is legally and physically unviable to rely on a 1-foot-wide footway as the primary pedestrian link to integrate a new housing development with village amenities.

B. Highways Due Diligence, High Street Congestion & Capacity Failures

Due diligence has not been legally or adequately executed with respect to highway safety, junction capacity, and existing traffic pressures:

- **A23 Slip & Mini-Roundabout:** The mini-roundabout at the end of the A23 slip road and the Truggers access route require significant structural and geometric improvements to handle any increase in traffic volume. The current infrastructure cannot safely absorb additional development-generated vehicle trips.
- **Handcross High Street Congestion & Hazards:** Handcross High Street is already one of the busiest village high streets in the county due to its key role in servicing the A23. It experiences severe traffic gridlock and comes to a standstill during peak times. The exceptionally narrow street width routinely leads to mounting the pavement, resulting in broken kerbs, damaged footways, and frequent near-misses with pedestrians. Adding further vehicle movements from this site will severely exacerbate existing hazards and compromise public safety.

3. Protection of Ancient Woodland, Biodiversity, and Environmental Features

A. Ancient Woodland Buffers & Proximity

- **Treeline Distance:** The ancient woodland treeline at the edge of 11 Truggers sits at 29 metres.
- **Intrusive Boundary:** The proposed development boundary approaches within 2 metres of the back doors of Truggers Court. This severe encroachment risks direct and indirect harm, including light, noise, and root compaction, to irreplaceable ancient woodland habitats and existing residential amenities.

B. Impact on Local Wildlife, Protected Species & Rural Character

The site and its immediate surroundings form a crucial ecological corridor and active habitat that should be deeply considered before this allocation progresses:

- **Presence of Protected Species:** Within the last six months alone, local residents have directly observed Newts**,** multiple species of bats, and badgers, alongside other protected species in the Truggers area.
- **Statutory Wildlife Protections at Risk:** Developing this site threatens direct breaches of key wildlife legislation:
    - **The Conservation of Habitats and Species Regulations 2017 & Wildlife and Countryside Act 1981 (as amended):** Protect bats and Great Crested Newts (European Protected Species). Under these acts, it is a strict criminal offence to deliberately or recklessly, disturb, or damage/destroy their roosting sites, breeding sites, or resting places. All houses on Truggers have reported bat sightings with several ancient oaks in the gardens and the field being their roost.
    - **Protection of Badgers Act 1992:** Makes it illegal to damage, destroy, or obstruct access to a badger sett or disturb badgers occupying a sett. We know there are active badger sets in the ancient woodland on the far side as we see them entering/exiting this area.
    - **Environment Act 2021 & Town and Country Planning (Tree Preservation) Regulations 2012:** Development works encroaching within metres of irreplaceable ancient woodland and mature trees risk breaching legal safeguards regarding ancient woodland protection, root protection zones, and irreplaceable habitat loss. We have counted over 60 ancient trees on the perimeter of the field both on the ancient woodland side and the edges of rear gardens that fall in this regulation.

- **Active Wildlife & Peak Seasons:** With the deer rutting season currently in full swing, local residents observe **over 50 deer daily** traversing this land.
- **Avian Species:** Multiple sightings of active birds of prey have been recorded across the site over the past week alone.
- **Dark Skies & Landscape:** The development would cause irrevocable harm to local biodiversity, intrude upon dark skies, and permanently destroy the tranquil landscape character of the High Weald National Landscape.

4. Lack of Infrastructure Capacity & Unmet Community Need

The Council has failed to demonstrate that the infrastructure required to support MM88 exists or can be delivered:

- **Infrastructure Deficits:** Critical local utility and service networks, specifically water supply, electrical grid capacity, and wider physical infrastructure, are insufficient to support this development.
- **Unnecessary Amenities:** The suggested local amenities do not meet any identified local community need and fail to provide net positive public value.

5. Conclusion & Invitation to the Inspector

Site 181 (MM88) should be deleted in its entirety from the Mid Sussex District Plan. The Council has not met the threshold of NPPF Paragraph 177 or CROW Act Section 85, nor has it shown exceptional circumstances to justify the irrevocable damage to our natural environment, dark skies, landscape, and wildlife.

Furthermore, we wish for the Inspector to look back at previous surveys of this site by Mid Sussex District Council, which previously deemed that the site was uninhabitable for human development, and question what material factors have genuinely changed to reverse that finding. We ask that the Inspector reflect on the overwhelming volume of objections submitted against this allocation, demonstrating conclusively that the genuine public interest is strongly against the development of this site.

Invitation for Site Visit / Hearing Attendance

On behalf of the Truggers Residents Group, we formally invite the Inspector to visit our community, conduct an on-site inspection of the Truggers access route and pedestrian pinch-points, or stay at any of our residents' homes to observe firsthand the irreparable damage and severe disruption this proposed allocation will inflict on our neighborhood.