

Ref: DC/26/0472 – Land at 521816 122277 Eastlands Lane, Cowfold, West Sussex

Dear Sir/Madam,

I write to object to the above application.

The proposal should be refused because it was declined as a site by the extensively consulted upon recently made Cowfold Neighbourhood Plan. It has been opportunistically submitted in the light of HDC's wider situation to bypass the communities wishes – as evidenced also by over 580 signatories of an online petition against the scheme (a figure being over 30% of the Cowfold population).

It combines two of the applicant's long promoted sites 7 units on CNP09 and 2 units (out of a longstanding promotion of c.40 units) on CNP06. Importantly this combination creates unjustified encroachment beyond the settlement boundary and would envelope the undeveloped and open countryside of the west field (the remainder of CNP06) with built form, creating a strategic stepping stone for the development of the applicants full CNP06 promotion for 40+ units – which was not accepted in the Cowfold Neighbourhood Plan. Neither site made it to shortlisting in the Cowfold Neighbourhood Plan process (4 sites, with 2 finally allocated).

Additionally there are material omissions from the application in considering the impact of the proposed SUDS which is outside of the proposed development Red Line and opposite a Heritage asset along with an under-reported impact on transport and pedestrian use – which goes against the use of Eastlands Lane as Local Green Space (LGS13) and a Quiet Lane – both of which were proposed following extensive consultation as part of the Cowfold Neighbourhood Plan. Local Green Space is protected from development through the NPPF and case law.

This proposal should be refused since it would in practice constitute an amendment to the defined settlement boundary of the made Neighbourhood Plan and causes material planning harm, now and in the future, without clear public benefit (negating the tilted balance) and in the absence of the normal procedural scrutiny that process requires. The development would not represent a logical or policy-compliant form of growth and would instead erode the carefully considered spatial strategy for the village as set out in the Cowfold Neighbourhood Plan.

1. Conflict with the plan-led strategy and the Cowfold settlement boundary

A central concern is that the site lies outside, or functionally extends beyond, the settlement boundary that has been deliberately defined through the neighbourhood planning process. This is admitted within the applicant's Planning & Design Statement (para 6.2.10): "the site adjoins but is outside of the existing settlement boundary". Furthermore, rather than adjoining an urban area, the site actually directly adjoins Eastlands wood which is ancient woodland and has been designated Local Green Space (LGS12) in the made Cowfold Neighbourhood Plan and which creates a natural boundary to the eastern urban extent of Cowfold. Whilst proximate, it is not visually or physically attached to the exiting character of the urban settlement and does not infill or round off the drawn boundary.

That boundary was not drawn arbitrarily: it reflects a considered judgment as to where development is appropriate and where the countryside should remain protected from incremental urbanisation. Permitting development here would undermine that distinction.

The Cowfold Neighbourhood Plan was prepared specifically to manage growth in a way that reflects local character, infrastructure capacity, landscape sensitivity and community priorities. It determined expansion to the north of the village – not to the south. All four shortlisted sites were to the north and west of Cowfold. Allowing this proposal would cut across that strategy by introducing development in a location that the plan does not identify for growth.

This is not a minor technical issue. The settlement boundary is a key policy tool for maintaining the compact form of the village and preventing sprawl into the surrounding countryside. Approval of this application would weaken the authority of the adopted planning framework and diminish confidence in the neighbourhood plan process.

To allow this proposal despite the background of not even being in the shortlisted sites would in effect reopen site-selection judgments that have already been made through plan preparation, but without the same comprehensive assessment, community consultation, comparative analysis of alternatives, or infrastructure testing. That would be a poor and unsound way to plan for village growth.

2. Creates stepping stone to a larger promotion

This application must also be considered in its wider spatial context. It is not simply a standalone proposal on an isolated parcel. It blends two rejected promotions (CNP06 – 38 dwellings and CNP09 – 8-10 dwellings) to create an envelope around the wider CNP06 west field promotion which is also owned by the applicant. This configuration does not create a cohesive bounded infill and creates a potential argument for future infill of the open field that is left. This is an opportunistic and clear attempt at incremental encroachment and salami slicing to bypass the community-led sustainable development principles to create a potential spatial justification for a much larger scheme. The off-site SUDS (100m away from the development) proposed here (rather than more proximate to the development) – and in the same location as promoted plans for the wider CNP06 site, along with the resistance shown in the public meeting to use this land for local BNG, gives additional circumstantial evidence of this intention.

The balance of rural open field land adjoining the 2 units leaves a residual 36 units being promoted. This parcel has already been considered and rejected through the Cowfold Neighbourhood Plan process. The neighbourhood plan process necessarily involved the assessment of potential development options and the drawing of a defensible limit to growth. If development is now allowed on this application site, the resulting built form would inevitably be used to argue that the adjacent field has become the next “logical” extension. In effect, this proposal would act as the thin end of the wedge for a much larger scheme, potentially of around 36 houses fundamentally altering the scale and form of development in this rural part of Cowfold.

That would amount to a significant and unjustified extension of the village into the countryside, contrary to the intent of the neighbourhood plan and contrary to the principle that growth

should occur in the locations tested and endorsed through the plan-making process – with wider shortlisted options being given precedent.

Case law suggests that the consequences of this precedent creation and direct facilitation of a potential larger scheme should be a material consideration in the current application. It would be wrong to assess the present application in an artificially narrow way if its approval would plainly establish the basis for a much more extensive outward expansion, even though that land was not accepted through the neighbourhood planning process. The Council should give substantial weight to the need to avoid setting precisely this precedent.

3. Cowfold's Neighbourhood Plan approach was recognised by the Independent Examiner as going well beyond the minimum unit requirements

HDC has a plan that delivers its own housing need but it is the unmet Crawley need and duty to co-operate that has created the HDC gap. Water neutrality issues alongside a halving in rates of sale for housebuilders in the south east of England have created current under-delivery. It is not the availability of land with planning. Filling the Crawley need suggests additional housing to the north of Horsham – not to the south in Cowfold.

Whilst the Cowfold Housing Needs Consideration (2019) could have taken a minimum 44 homes target to meet the minimum requirements of Policy 15 of the HDPF, they took a view that they would increase the recommended need to 44-70 dwellings to prudently reflect potential growth in requirement. In the October 2025 made Cowfold Neighbourhood Plan two sites were included comprising 70 units. Cowfold has therefore already taken a prudent approach to over-delivering on housing numbers – which would give a c.10% increase in local housing stock.

The applicant selectively comments on the Independent Examiner Report (2021) in the Planning & Design Statement but omits to mention that despite the applicant's own submission to the Independent Examiner on housing numbers being considered as part of his work he concluded in para 7.53: *"I have considered these different approaches very carefully. On the balance of the evidence, I am satisfied that the approach taken in the submitted Plan is both evidence-based and robust. In particular it is underpinned by a professionally-prepared assessment of housing needs."*

He further concludes in para 7.57 : *"I am satisfied that the Parish Council has made an appropriate and balanced judgement on this matter. It has selected modest sites which can be sensitively incorporated into the fabric of the village in general, and respect its heritage assets in particular. In both cases the development of the sites would be accompanied by broader community benefits"*

In the light of the above prudent approach to taking the maximum calculated housing numbers and reinforced by the housing slowdown, it is wrong to suggest, as the applicant does, that Cowfold, which has few services and poor public transport connectivity has put forward "meagre" housing numbers with a c.10% increase in housing stock. Based on a minimum number for

compliance of 44 homes, the 70 homes allocated – a c60% increase over the minimum, already takes into account any additional requirements that may arise.

4. Erosion of Eastlands Lane as a rural community amenity and presumption against development of a Local Green Space

Eastlands Lane is an unadopted private lane and public footpath which is heavily used by residents of Cowfold, from a number of entry points, to access open countryside for walks and wellbeing. This is particularly the case at weekends and in the summer, along with early mornings and later evenings for dog walkers. It is also used to access one of Cowfold's allotments.

There is a very high strength of community connectivity to Eastlands Lane (and the adjacent Eastlands Wood) as evidenced by the over 580 signatories to the Change.org online petition against this planning application ([Petition · No! to development on Eastlands Lane - United Kingdom · Change.org](#)), which represents c.30% of Cowfold's population. It was also identified as an important amenity through the Cowfold Neighbourhood Plan (11.3.3) which allocated the Lane as Local Green Space: Eastlands Lane (LGS13) and through the intention to designate it as a Quiet Lane – recognising its local amenity use and rural setting. Quiet Lanes as defined by the West Sussex Transport Plan are those that are *“minor rural roads appropriate for shared use by walkers, cyclists, horse riders and other vehicles”*.

This development would significantly increase traffic usage on Eastlands Lane which would negatively impact that community amenity, notwithstanding creating additional safety risk. The road has already been impacted by the increasing use by speeding delivery drivers and additional housing would further exacerbate this. The need to create passing areas for pedestrians and potentially urbanising the street scene with additional signage would also take away much of the rural character of the lane.

Any widening of the road could damage the roots of the historic oak trees (under TPO) along the lane and the visual impact would be detrimental to walkers on the lane – especially those houses that are proposed for the west field, which will not be screened from the main walking throughfare of Eastlands Lane per the CGI's and in practice.

The potential urbanising of the Lane and doubling of traffic movements by the applicant's forecast additional 92 per day runs against the intended approach to maintaining the community amenity of the peaceful rural setting of the Lane and active footpath as set out in the Cowfold Neighbourhood Plan.

Importantly, where environmental designations, such as LGS13 are made the NPPF Footnote 7 states development should be prima facie rejected. The *Monkhill v SSHCLG* case alongside the clear community intent of Quiet Lane status would suggest that significant road development required to facilitate a doubling of traffic movements and the wider proximate urbanisation caused by the development on Eastlands Lane (which itself is a Local Green Space) would run counter to NPPF and should be refused.

5. Drainage issues and negative interplay with Heritage Asset

By way of context, the existing water drainage in Eastlands Lane is poor to non-existent. Lack of maintenance of the unadopted road, which is owned by the applicant, has resulted in surface water running down the hill from the proposed development area and flooding of the road, significant pot-holing and significant flooding of a local public footpath which is to the bottom of the hill in the extent of the Grade 2 listed residence on Eastlands Lane. The issue of existing poor drainage has not been identified by the drainage reports and the suggestion of mitigation to only maintain the existing drainage (which is very poor) is wholly inadequate.

The SUDS location is being proposed directly opposite the “Eastlands Farm” grade 2 listed property. It is not 120m away – more like 10m. This could materially damage the listed setting and has not been considered as part of the Heritage Statement nor the visual impact assessment. If, as with many SUDS, it has visible warning signs and safety equipment, it would further visibly harm the listed setting and the suggestion in the Heritage Statement that the “immediate setting would be unchanged” is untrue. It has also not been considered as part of the visual impact report.

The Heritage report is not cohesive with the actual development plan and furthermore essential infrastructure included as an integral part of the development and under the same ownership must be included within the Red Line of the development.

The impact on the heritage asset from the 1400’s should be considered appropriately and the existing application does not do that.

6. Impact of understated traffic movements on pedestrian use and impact on A281 blind spot

The Transport assessment focuses only on the connectivity to the public highway on the A281. In that regard it omits to reflect that in early evenings and weekends there are almost always cars parked in front of the Hare and Hounds Pub which is directly next to the exit of Eastlands Lane. Cars parked within 2 meters of the junction fully interrupt the visual splay rightwards when exiting the lane. Given, as the traffic survey reports, cars are travelling at moderate speed on the A281 this creates a material accident risk through complete lack of visibility. This point has already been flagged separately to Sussex Highways and in the absence of yellow lines, the additional doubling of traffic movements envisaged by the proposed development would create even higher accident risk.

The assessment also does not capture the extent of the pedestrian use of the lane – understating the pedestrian and car interaction that additional development would create. Firstly, it was conducted mid-week in November and from 7am-6.45pm rather than early mornings and evenings and indeed on the weekend when pedestrian and car traffic is higher (even more so in the summer). The positioning of cameras at the junction of the A281 also ignores pedestrian access to the lane from the other regularly used entry points.

For the above reasons the traffic assessment is insufficient and does not adequately assess the pedestrian/traffic interactions and understates the impact.

7. BNG offsite, when there is opportunity to use the remaining West Field for BNG gain

The open countryside that the applicant is planning to build on in the west field (the 2 units and wider CNP06 promotion) abuts ancient woodland which has been designated as Local Green Space (LGS12).

The woodland is home to much wildlife including owls and other birds of prey. The west field is regularly home to deer and adders have been spotted in the immediate vicinity (protected under S9 Wildlife and Countryside Act 1981).

The proposed development as stated is BNG negative and it is being suggested that offsite BNG would be implemented. This is despite having the ability to implement BNG positive actions in the wider west field – which is actually in the redline of the development area through the SUDS essential infrastructure associated with the housing.

Onsite BNG should be used where possible in order to keep the benefits in the local community and to mitigate the direct impact of the development - particularly the case here given the wildlife use of the field and woodland. This west field, which is in the development area through the essential infrastructure to enable the development should therefore be used for BNG, rather than offsite credits.

8. Erosion of village form and encroachment into the countryside

The proposal would urbanise what is presently part of the rural edge of Cowfold and would blur the existing distinction between the built-up area and the open land beyond. The current boundary of the urban area of Cowfold is woodland. That edge is important because it contributes to the village's character as a settlement contained within a clear landscape setting rather than one that gradually sprawls outward through piecemeal additions.

Development of this type tends to have impacts beyond the red-line boundary. Domestic paraphernalia, lighting, parking, cars, fencing, hard surfacing and garden activity all intensify the sense of suburbanisation and permanently alter the character of what is currently open land. Even if the scheme is presented as modest in scale, its true effect is to push the perceived settlement edge outward and establish a new baseline for future encroachment.

This form of development is particularly harmful where the village edge has already been carefully defined through the neighbourhood plan. The consequence would be not merely local visual harm, but strategic harm to the integrity of the planned edge of the settlement. The applicant suggests in para 6.2.19 that the development is "contained by defensible boundaries"

and hence should be accepted, whereas it is not bounded and is an extension on open countryside.

9. Insufficient justification for departing from adopted policy

Nothing in the application justifies overriding the existing development plan position. If the argument is simply that the site is near the village or could physically accommodate housing, that is not enough. Many edge-of-settlement sites could be described that way. The question is whether this is the right place for development in policy terms, and whether permitting it would support or undermine the agreed strategy for Cowfold. In this case, it would plainly undermine it.

The plan-led system depends on decisions being made consistently and predictably. If land outside the defined boundary, with clear implications for further expansion onto adjoining rejected land, is nevertheless permitted, then the settlement boundary ceases to perform its intended role.

Conclusion

For the reasons set out above this application should be refused. It is fundamentally inconsistent with the plan-led strategy for Cowfold, would extend development beyond the settlement boundary established through the neighbourhood planning process, and would undermine the integrity of that process by permitting development on land that was neither shortlisted nor allocated through the made neighbourhood plan. Approval in these circumstances would erode confidence in the adopted framework for managing growth and would amount, in substance, to revisiting site-selection decisions outside the proper plan-making process.

The proposal must also be assessed in its wider spatial context. By combining elements of two previously promoted sites and creating built form around the adjoining west field, it would plainly facilitate pressure for a further and much larger extension of development into the countryside on land that was previously rejected through the neighbourhood plan process. That is a material consideration to which substantial weight should be given. The Council should not treat this as a self-contained scheme divorced from its evident role in establishing a new edge to the village and a platform for incremental expansion beyond it.

In addition to this strategic conflict, the scheme gives rise to clear site-specific harms. It would urbanise the rural edge of Cowfold, diminish the character and community amenity value of Eastlands Lane (running against NPPF and case law given its Local Green Space designation), and is accompanied by unresolved concerns in relation to drainage, the effect of the proposed SUDS on the setting of the nearby listed building, lack of local BNG when available in the development boundary area, and a transport assessment that understates pedestrian activity and highway risk. Taken together these matters reinforce the conclusion that the proposal is not a logical or policy-compliant form of growth, but an opportunistic and unjustified encroachment into the countryside.

Nor has any convincing justification been advanced for departing from the development plan. The proposal does not accord with the agreed spatial strategy for Cowfold and the public benefits do not outweigh, both the immediate harm and the longer-term planning harm that has been identified. The proposal should therefore be refused.

Best wishes

██████████ Clerks, Eastlands Lane, Cowfold, RH13 8AY (Neighbour)