

MID SUSSEX DISTRICT LOCAL PLAN EXAMINATION IN PUBLIC

Housing Matter Sessions

**Tuesday 29th November to Friday 2nd
December 2016**

STATEMENT PREPARED BY:



On behalf of:

Taylor Wimpey UK Ltd.

Respondent ID. 15521

NOVEMBER 2016

Executive Summary

For the reasons set out in our detailed submissions, we object to the District Plan on the basis it fails the tests of soundness. The plan is not positively prepared, justified or effective and is not consistent with national policy.

For the reasons explained in our detailed representations, we are of the view that the District Plan fails the following tests of soundness:

Positively Prepared

The housing requirement to be met during the plan period has not been satisfactorily demonstrated to be based upon objectively assessed development needs and/or represent the most appropriate strategy in the circumstances including having regard to affordable housing needs and the unmet needs of neighbouring authorities.

Justified

The suggested approach to establishing a housing requirement and to delivering housing needs does not represent the most appropriate strategy when considered against the reasonable alternatives. These include the need to consider and allocate sites below 500 units in size within this District Plan.

Effective

The approach to addressing housing needs has not been demonstrated to be deliverable.

Consistent

The plan is not consistent with national policy in that it fails to provide a sufficient supply of deliverable/developable housing land, does not meet full objectively assessed market and affordable housing needs, does not enable a sufficient housing land supply to be demonstrated and does not make a sufficient contribution towards the needs of adjoining authorities. In addition, the site selection methodology is inconsistent with national policy when considered against reasonable available alternatives.

Suggested Changes

We are of the view that further changes are necessary in order make the District Plan 'sound'. This includes:

- Review and amend the Council's assessment of OAHN and the overall housing requirement accordingly; &
- Allocate a significant number of additional housing allocations in accordance with the above. This should include the allocation of land to the east of Gravelly Lane, Lindfield for circa 130 dwellings.

1. Evidence base

1.1 Do the West Sussex SHMA (2009), the Northern West Sussex SHMA (2012), the Housing and Economic Development Needs Assessment (HEDNA) (February 2015), the HEDNA Update (November 2015) and the HEDNA Addendum (June 2016) constitute an adequate evidence basis for the assessment of the District's Objectively Assessed Housing Need (OAN)?

2. Calculation of the OAN

2.1 Are the calculations that have led to the OAN starting point of 714dpa sound?

2.2 Have appropriate adjustments been made to the starting point of the OAN to reflect market signals? In particular, is the figure of 24dpa adequate to reflect affordability issues and trends?

2.3 Do the calculations adequately reflect projected jobs growth?

1. Taylor Wimpey are a member of the Mid Sussex Developers Forum (from hereon referred to as 'the forum'). Accordingly in a number of responses below, we refer to the forum's statement in responding to the Inspector's questions.
2. We concur with comments made by the forum that the Council's evidence base fails to acknowledge the District's overlap between both the North West Sussex HMA and the Coastal West Sussex HMA. We also support the forum's finding that OAHN has not been soundly identified by the Council in its evidence base and upon review of the true need there is a fundamental requirement for the Council to acknowledge an increased housing requirement and a need to allocate additional sites.

3. The Duty to Co-operate

3.1 Can it be demonstrated that active co-operation has taken place on strategic cross boundary issues, especially in respect of the assessment of wider and unmet housing need?

4. Unmet need

4.1 What factors should determine the amount of provision that should be made in Mid Sussex to accommodate the unmet needs of other authorities, notably Brighton and Hove, and Crawley?

4.2 What calculations have taken place on a cross-boundary basis to arrive at that provision?

3. We agree with the forum's comments on these matters and refer in particular to table 4.1 of the forum's statement. This sets out the differences between the identified OAHN figures in respective neighbouring Councils and adopted housing requirements. It refers to a total under delivery of 2,277 dwellings per annum in the assessed authorities. It also establishes that of the 8 authorities assessed, 6 of the authorities have plans adopted post the publication of the

NPPF (5 of which under deliver against OAHN). This evidenced under delivery in adjacent authorities confirms the importance for Mid Sussex to make a substantial contribution towards unmet objectively assessed needs in neighbouring authorities now. In addition, given the significant level of need identified in neighbouring Council authorities we suggest that the final housing requirement is clearly defined as an 'at least' figure in any adopted plan.

5. Affordable housing

5.1 Will the housing requirement be sufficient to ensure that the District's affordable housing needs are met?

4. No. We agree with the forum's comments including that there are methodological flaws in the Council's approach towards assessing affordable housing needs and that the Plan as drafted will not enable the Council to meet anywhere near its full affordable housing needs, contrary to the first bullet point of paragraph 47 of the NPPF.

6. The ability of the market to deliver

6.1 Can the market deliver the requirement set out in the submitted plan? What would be the implications of a higher housing requirement for market deliverability?

5. The existing Mid Sussex Local Plan was adopted in 2004 and included housing allocations for the period up to 2006. There has therefore been a ten year period, whereby an up to date District Local Plan has been absent. In such uncertain times, all applications are submitted without any certainty as to whether the principle of development will be accepted and ultimately have regularly been determined at appeal. The development industry would benefit from the certainty of a sound up to date Local Plan if required delivery rates are to be achieved.
6. The ability of the market to deliver should not influence an assessment of OAHN. However in any event the forum's statement provides evidence on the point and confirms that market capacity should not be considered a constraint to delivering a 1,000dpa plus housing requirement in MSDC.
7. As set out in our response to question no. 8 below, in order to, in particular, meet the justified and effective tests of soundness, there is a need to identify additional site allocations now, of a medium size so to supplement the strategic

site allocations already identified by the Council in the plan and secure a flexible delivery strategy over the plan period.

7. Past under-delivery

7.1 Should the housing requirement be adjusted to compensate for a degree of under-provision against the South East Plan prior to 2014?

8. We agree with evidence prepared by other members of the forum, whereby there is a need to incorporate a significant adjustment for market signals within the Council's assessed OAN. The Council's proposed uplift to account for market signals (24dpa) is wholly inadequate.

8. Site selection and housing distribution

8.1 Are the methodologies described in the Strategic Site Selection Paper and the SHLAA sound?

8.2 Is there any value in the concept of 'environmental capacity' and the 'tipping point' in the context of the whole district? Will the district's environmental constraints make the housing requirement undeliverable? What would the environmental implications be of raising the housing requirement? How far have the SHLAA and site selection methodologies taken into account the ability of development impacts to be mitigated through local landscape and infrastructure measures?

9. The Council in document EP23 refer to their decision to only allocate sites of 500 or more dwellings in the District Plan. We have significant objections to this approach for a number of reasons.
10. First, by relying upon strategic sized sites that do not benefit from planning permission, there is set to be an inevitable significant lead in time prior to delivery on sites of this size. Appendix A to the plan indicates that the Council will rely upon the strategic site allocation to the north of Burgess Hill (Policy DP9) to be delivered in full (3,500 units) over the plan period, with a final 261 units delivered in the plan's final year. Further the plan suggests that this site will deliver its first completions in 2018/19 (172 units). The site does not benefit from any existing outline permissions and clearly has significant infrastructure requirements. If for example, first completions at this site were to slip by two years (to a first completion year of 2020/21), this would result in an under delivery of 522 units over the plan period. The figures allocated to each component of supply in Policy DP5 exactly sum to the Council's suggested 13,600 dwelling housing requirement. It follows that there is no flexibility built into the plan, should any component of supply be delayed or fail to deliver. This does not form a justified delivery strategy, when considered against the

reasonable alternative of some smaller site allocations to supplement the larger site allocations identified.

11. Second, we refer to representations made by the forum and below in relation to the Council's failure to demonstrate a 5 year housing land supply even if one were to apply the submitted housing requirement figure. The appropriate way to remedy the plan's failing in this respect is to allocate some medium sized sites that can be delivered in full within the immediate 5 year period. Such an approach is consistent with NPPF paragraph 47 requiring Council's to boost significantly the supply of housing and the PPG's advice to deal with previous under supply within the immediate 5 year period.
12. Third, the Council's decision to allocate only sites of 500 or more units, has resulted in the decision to propose a major housing development in the High Weald AONB at Pease Pottage. Whether the necessary exceptional circumstances (under NPPF paragraph 116) exist to do so is a matter for the Council to justify. However, when considering the soundness of the Council's site selection methodology it is highly relevant that sites of below 500 units are identified in the Council's SHLAA (examination document, Ref: EP27(ii)) as 'developable' and not subject to any constraints. One such example is our client's site forming 'land at Gravelye Lane and Scamps Hill, Lindfield' (site reference 6 in the SHLAA (LR/03)) (SHLAA proforma attached for ease as Annex B) that is identified as developable for 135 dwellings, with no constraints mentioned and is only held back from allocation for the following reason:

'Site would require allocation through relevant DPD or Neighbourhood Plan and would therefore not be developable until year 11+'.

13. Upon review of the SHLAA, the suitability, availability and achievability of the site for development is not in dispute it is simply a matter of when and through what development plan process it should be allocated. It follows that sites are identified as appropriate for housing development in the SHLAA that are excluded from the District Plan's site allocation process simply due to their potential capacity being below 500 units. It follows that had these available and appropriate options been considered through the site selection process the plan's housing delivery strategy (that includes major development in the AONB) could have been materially different. In addition, sites of a medium size could

be delivered entirely within the 5 year period and benefit from shorter lead in times such that would bolster the Council's supply position significantly. For these reasons, we strongly object to the Council's decision to not allocate sites under 500 units in the District Plan. Accordingly we consider the allocation of additional sites of such sizes as imperative to introduce the necessary flexibility into the plan to enable it to meet the justified and effective tests of soundness.

14. The approach suggested above is not an unusual approach in this part of the country. The neighbouring authorities of Horsham and Lewes both adopted development plan documents earlier this year and included in them allocations for strategic sites of approximately 150 and 110 dwellings respectively. Relevant extracts are attached as Annex A. There are numerous other examples throughout the country, notably West Oxfordshire who in response to Inspector Emerson's concerns are now consulting upon main modifications to their plan that include allocations as small as 25 units.
15. In specific response to the Council's reference to a tipping point, this has not been defined as an absolute figure and the environmental capacity constraints are not clearly defined. Further and as mentioned in the forum's statement, the Council's approach has not been adequately assessed against the NPPF paragraph 14 test. The inadequacies in the Council's site selection approach discussed above result in further concerns as to how and whether the Council have assessed what the true implications of a greater level of housing development and additional allocations would actually be. For these reasons, the housing distribution strategy and the strategic selection of sites is unjustified (when considered against reasonable alternatives), ineffective (undeliverable and inflexible) and inconsistent with national policy (in terms of major development in the AONB and the requirement to demonstrate a 5 year housing land supply).

8.3 To what extent is the Sustainability Appraisal preferred option (Focus development within or adjacent to Burgess Hill, East Grinstead and Haywards Heath, but encourage both larger villages and smaller villages to take growth to support the provision of additional services and meet local needs) reflected in the distribution of strategic allocations and the overall spatial strategy of the submitted plan?

16. Policy DP5 relies upon two allocations. One at Burgess Hill and one in the AONB at Pease Pottage. We have set out above the reasons why the Council's

refusal to consider sites below 500 units for allocation in the Plan is unsound. We have also noted the availability of sites adjacent to the Haywards Heath/Lindfield urban area identified as 'developable' and awaiting a development plan document to allocate them. In short, the Council's inflexible site selection approach has failed to enable a 'no stone left unturned' approach to identifying potential site allocations. Given the failure to identify such opportunities and the Council's inflexible approach to site selection, our answer to this question is no, we do not consider the SA's preferred option has been appropriately reflected or evidence based in the submitted plan.

8.4 Can the allocation of the Pease Pottage site be reconciled with the SA and SHLAA findings? How is the site expected to relate to Crawley in terms of connectivity?

17. We do not comment on detail on this site as its proposed allocation is one for the Council and relevant promoters to defend, albeit we again refer to the availability of sites acknowledged as developable and not subject to constraints in the SHLAA (discussed above), including sites that adjoin the District's larger settlements and are not located in the AONB.

8.5 Does the Plan need an expressly stated spatial strategy for the District with target figures for each area to provide guidance for neighbourhood plans and for any future site allocations plan? What are the implications of not having such a strategy?

18. We refer to the forum's submission and agree that the Plan lacks meaningful guidance relating to Neighbourhood Plan production and also note that the anticipated contribution from Neighbourhood Plans are approximately 604 dwellings short of meeting the District Plan's requirements. This is assuming all the Neighbourhood Plan sites deliver, a point acknowledged as unconfirmed in document MSDC 1.
19. As set out in our response to question 8.3, the only constraint identified in the Council's SHLAA to allocating certain identified 'developable' sites including that controlled by our client is that they require allocation in a relevant DPD. Further due to the Council's (in our view flawed) decision to only allocate sites of 500 or above units, the site has not been considered for allocation in the submission version of the District Plan.

20. We now refer to an example that evidences the significant risk of the District Plan's approach towards relying upon Neighbourhood Plans to allocate housing sites below 500 units below.

- The Lindfield & Lindfield Rural Neighbourhood Plan was consulted upon in a pre-submission form in February 2015. The proposed submission document did not propose any housing allocations and sought to allow development proposals inside the built up area boundaries only.
- On behalf of our client, we submitted representations objecting to the pre-submission version Plan's failure to allocate any housing sites and promoting our client's site to the east of Gravelye Lane, Lindfield accordingly.
- The Plan was then submitted by the Council for examination and an examiner's report was provided to the Council in May 2015 (albeit not published until September 2015).
- Paragraph 48 of the examiner's report (examiner Graham Self) acknowledged that if Lindfield did not make any contribution towards housing needs except for windfall sites, pressure is likely to be put on other, perhaps more rural, locations in Mid Sussex to meet housing needs. The examiner then acknowledged at paragraph 58 that if all Neighbourhood Plans were to wait for a specific allocation in the site allocations plan housing needs might never be met. The examiner reported the following conclusion:

'From the information available to me I judge that Policies 1 and 2 of the plan as currently drafted are flawed in ways which I summarise as follows:

...

• Insufficient provision is made for future housing development, contrary to national policy. In particular, a need is identified for affordable housing for which the plan does not offer any effective response.

...

• The fact that local landowners did not promote possible development sites while the plan was being prepared appears to have been regarded as a major reason for not allocating any land for housing development, despite the planning authority having assessed several sites as being available and potentially suitable for such development subject to allocation in a neighbourhood plan' (Paragraph 65).

- At paragraphs 67 & 68 of this report, the examiner recommended that at least one site should be allocated for housing development in the NP and the most suitable candidate was the SHLAA Site 6 (our client's site):

'Drawing all those threads together, I consider that at least one site should be allocated for housing development in the Neighbourhood Plan, as a contribution to meeting the needs of the area. The most suitable candidate, assuming the built-up area is amended as described above, appears to be the land labelled as Site 6 in the Strategic Housing Land Availability Assessment. However, the allocation of this site - which would be the practical effect of including it in the built-up area and so subject to Policies 1 and 2 - may create a requirement for environmental assessment. I have taken account of this point in drawing overall conclusions and framing my recommendations'.
(Our underlining)

- The examiner then concluded in paragraphs 99 and 1010, that subject to his recommendations being followed the Neighbourhood Plan could proceed to referendum.
- Subsequent to the receipt of the examiner's report, a supplementary note from the examiner to MSDC was provided in May 2015 to clarify some points contained in his report. Paragraph 3 of this note confirmed the examiner's conclusion that our client's site should be included within the Plan's built-up area boundary.
- Paragraph 6 of the examiner's report then recommended that if SHLAA site 6 could not be included in the built up area boundary then he recommended that the Plan should not be submitted for referendum.
- Subsequent to the publication of the examiner's report and supplementary note in September 2015, the District Council consulted on a proposal to follow all the examiner's recommendations with the exception of amending the Built Up Area Boundary to include SHLAA site 6. The District Council's intention to follow this approach was confirmed at a Cabinet meeting held in November 2015. A successful referendum was then held and we understand the Plan was formally made in March 2016.
- We understand the Lindfield Neighbourhood Plan has been legally challenged and this process is ongoing.

21. The fact that our client's site was specifically endorsed by the examiner as in need of inclusion within the Neighbourhood Plan built up area boundary in order for it to meet the basic conditions is considered a strong material consideration in favour of allocating our client's site. If the examination reaches its later site specific stages, we will be providing comprehensive representations regarding the appropriateness of our client's site for housing development and background to the Lindfield Neighbourhood Plan examination. We note that background in the form of the Lindfield & Lindfield Rural Neighbourhood Plan examiner's report is included as document RD12 of the examination library and the examiner's supplementary note (dated May 2015) is appended as annex C to this statement.
22. In specific response to the question, the above provides a highly relevant example of how a reliance upon Neighbourhood Plans to allocate sites under 500 units represents a high risk and flawed plan making strategy. In this case even when an examiner specifically requested that a site be identified for housing in the Neighbourhood Plan in order to meet the basic conditions, this request was ignored and the plan made in any event. This evidence further supports the points made in response to earlier questions that there is a pressing need to allocate sites of below 500 units in size in this District Plan.

9. Trajectories

9.1 What are the housing delivery trajectories overall and a reasonable estimate from the neighbourhood plans?

9.2 What are the reasons for the proposed timing of the site allocations plan?

23. As set out in our response to other questions, the Council cannot demonstrate a 5 year housing land supply even when applying their proposed housing requirement. Further there is an over reliance upon strategic sites and no flexibility in the proposed housing delivery strategy. In addition, there are sites identified by the Council as developable and appropriate for housing development in the SHLAA (under 500 units) that are simply awaiting allocation as and when an appropriate development plan document is produced.
24. It is therefore essential to allocate additional sites of under 500 units in this District Plan now, to enable the Council to demonstrate a 5 year housing land supply upon adoption. As mentioned in our response to question 8, an

approach to delay such decisions to a site allocations plan is contrary to the NPPF and PPG and runs with it the risk that the document will not be produced by the Council in a timely manner (it should be remembered the existing Local Plan has been out of date for 10 years). Developable sites are identified in the Council's SHLAA and should be allocated now accordingly.

10. Five year housing land supply

10.1 Given the advice in the PPG, what reason does the Council have for favouring the Liverpool methodology?

10.2 What is a realistic estimate for the contribution from deliverable sites in the next 5 years?

10.3 What is the level of under-provision from the start date of 2014?

10.4 With regard to the 'buffer', what is the District's record of housing provision over the economic cycle?

10.5 Having regard to the above, what is the 5 year housing supply using the Sedgefield methodology?

10.6 Will the plan's strategic allocations and policies, together with allocations from neighbourhood plans and any future site allocations plan, ensure that sufficient sites are available for a 5 year supply of deliverable land to be maintained into the future? What adjustments might be made to the plan to ensure a reliable supply?

25. We agree with the forum's statements in relation to the points made whereby a 20% buffer is necessary in this District and the Sedgefield methodology should be applied. Even upon the Council's own assessment of the position (which relies upon application of the Residual methodology and an unsound housing requirement), the housing land supply surplus is 22 units. This represents a very marginal position and one that could within a short timeframe (for example, the period between the Inspector reporting and the Council actually adopting the plan) become one of supply shortfall, rendering relevant housing policies out of date immediately upon adoption of the plan. If a housing land supply surplus position is to be maintained throughout the plan period, it is necessary to identify and allocate a number of additional smaller housing sites that can deliver in the immediate 5 year period.
26. The Council argue a Residual methodology should be applied due to a number of local circumstances, with reference made to the reliance upon strategic sites. The decision to make allocations in the plan on sites of 500 units or above only forms a plan making decision. For reasons discussed in detail in response to questions 8, the Council could (and should) have considered the benefits of allocating sites below this threshold. A reliance upon larger sites over 500 units in size (with greater on site infrastructure costs), means potential delivery within

the 5 year period is reduced. Our suggested approach towards site allocations below 500 units would offer the opportunity to allocate the necessary number of sites to meet the Sedgfield methodology, which is quite clearly the only approach advocated in national practice guidance.

27. Without prejudice to other points made relating to the housing requirement figure, as drafted the plan fails to demonstrate a five year housing land supply and is therefore inconsistent with the second bullet point of paragraph 47 in the NPPF. The plan as drafted is therefore inconsistent with national policy¹.

Summary

28. In summary, we consider there is a need to substantially increase the plan's overall housing requirement. Further we consider the Council's approach towards identifying housing allocations to be flawed and incorrectly solely reliant upon sites of over 500 units. The approach is also inflexible and overly reliant upon delivery from Neighbourhood Plans. Finally even as submitted, a 5 year housing land supply cannot be demonstrated. The solution is an increased housing requirement and additional site allocations, including the allocation of medium sized sites. One such site opportunity (recognised as developable in the Council's SHLAA, Ref. No. 6) forms our clients land to the east of Gravellye Lane, Lindfield. Further details relating to the site itself are set out in original representations and will be covered in further detail in later submissions to this examination as necessary.

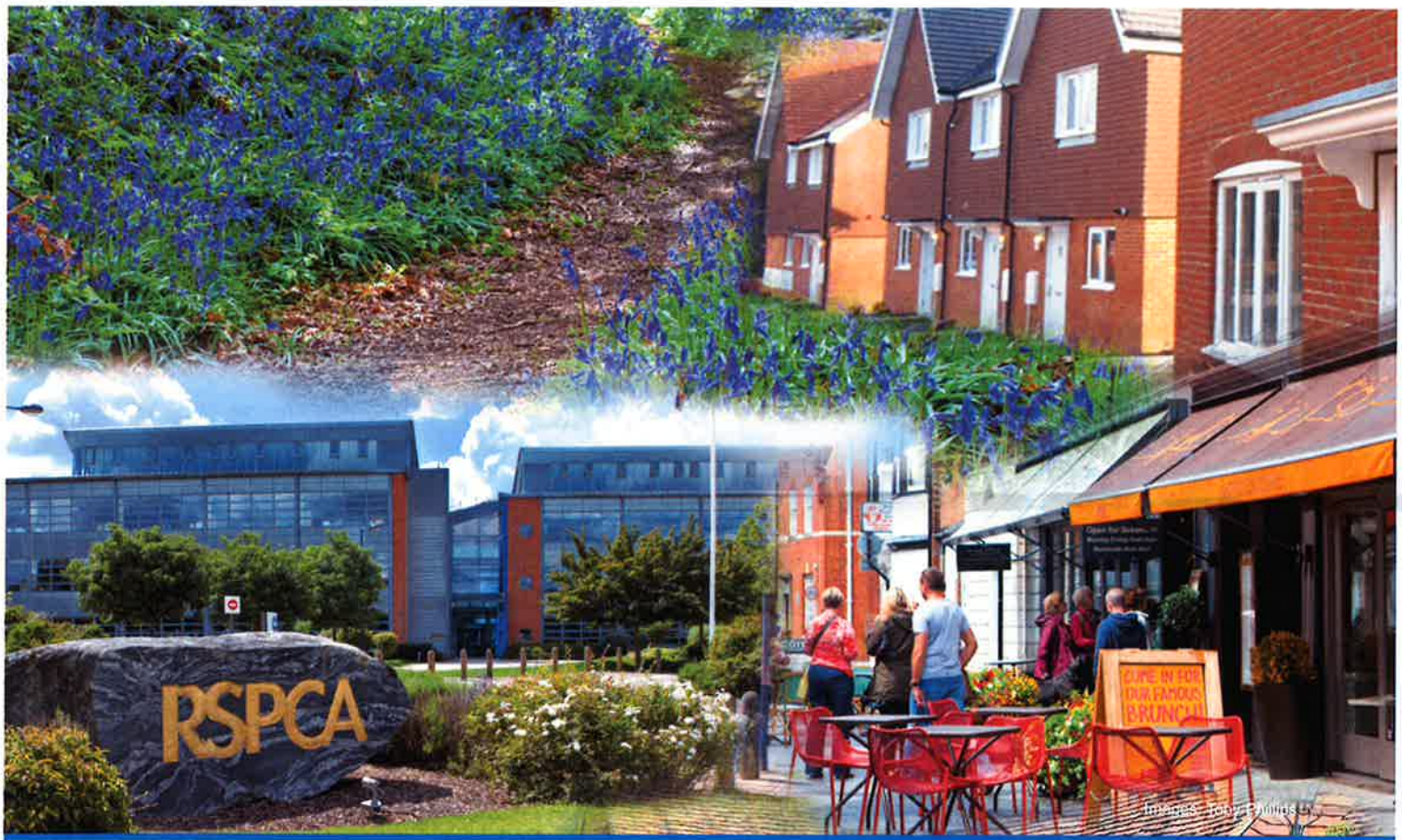
¹ We reserve the right to comment upon detailed HLS matters further at a future date.



**Horsham
District
Council**

Horsham District Planning Framework

(excluding South Downs National Park)



November 2015

Policy SD11**Strategic Policy: Land South of Billingshurst**

Two parcels of land located to the south of Billingshurst are allocated for housing development and associated infrastructure to accommodate around 150 dwellings. This land comprises the area west of Marringdean Road to the south of Blackthorn Avenue and land to the west of the recently approved A2 Dominion site.

Development of this area will be required to deliver the necessary infrastructure, facilities and services to meet the needs of the community. The development will be designed at an appropriate density and layout which relates to the existing settlement and provides convenient links to existing facilities and services. The development shall be programmed in order to enable its completion by 2031.

Housing Need

1. The development shall provide around 150 homes with a mix of dwelling sizes, types and tenures to reflect local need.

Landscape & Heritage

2. The design shall ensure that there is a landscape buffer to the south of the village providing a clear transition into the open countryside and a strong defensible boundary to the settlement edge; and
3. The design and layout will preserve and recognise existing sensitive heritage assets and their settings, including the listed Great Gillmans Farmhouse, as well as conserving and enhancing the biodiversity and positive landscape qualities of the site.

Transport and Access

4. The development will have a legible layout which facilitates and supports all modes of sustainable transport, providing clear linkages to local services and facilities;
5. Access should be in a safe and convenient location ensuring good visibility in all directions and taking account of the capacity requirements of Marringdean Road; and
6. The internal road layout should be designed to allow the circulation of bus routes should this be required.



Lewes District Local Plan

Part 1
Joint Core Strategy 2010-2030

May 2016



for the area. However, in accommodating additional housing, it is important to ensure that the character of the village and valued areas of countryside are not compromised. Such areas of countryside include the National Park, which closely envelopes the village to the west and south east.

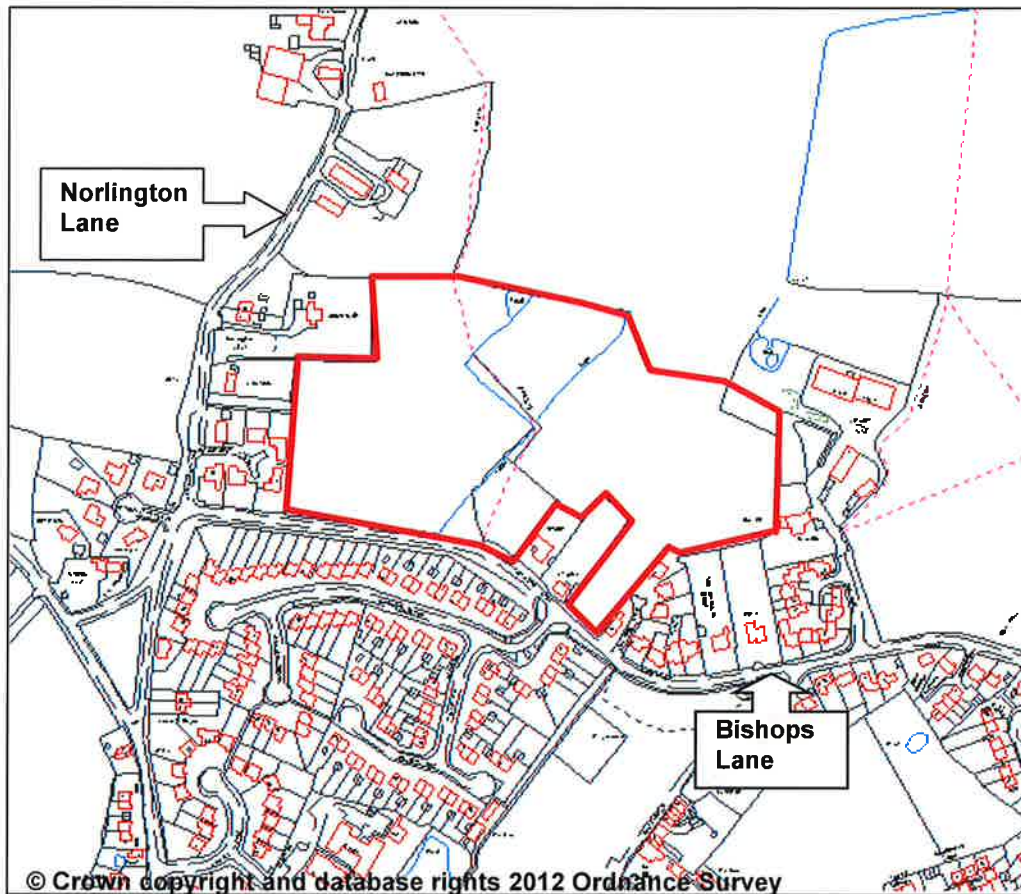
- 6.91 Through the evidence collected for the Core Strategy, a case can be made for the delivery of a strategic housing allocation at Ringmer during the early part of the plan period. The identification of such an allocation will help maintain a sufficient supply of deliverable housing sites during this period and up until the point further allocations are made in subsequent plans.

Land north of Bishops Lane, Ringmer

Spatial Policy 6 – Land north of Bishops Lane, Ringmer

Land amounting to 4.4 hectares is allocated for residential development of approximately 110 dwellings. Development will be permitted subject to compliance with the Core Delivery Policies of this plan and the following criteria:

- i) The primary and secondary access points will be off Bishops Lane, to enable ease of access into the village centre and aid in the integration of the development into the existing village.**
- ii) The development facilitates the removal of the culverted sections of watercourse that are within the site, as far as feasibly possible, thereby assisting in the improvement of ecological corridors.**
- iii) The development will wherever possible allow for the retention and enhancement of important existing hedgerows. Mitigation will be required in the event that the removal of a hedgerow, or parts, is needed to facilitate development;**
- iv) An appropriate surface water drainage strategy is agreed by the appropriate body and implemented accordingly.**
- v) The development incorporates and/or makes a contribution towards the provision of equipped play space and sports pitches.**
- vi) Development is subject to a geophysical survey and trial trench evaluation due to the high archaeological potential in the area.**
- vii) Development respects the amenity of the existing dwellings adjoining the site.**
- viii) Contributions towards off-site infrastructure improvements arising from and related to the development. This will include off-site highway improvements being made to the Earwig Corner junction as well as in the immediate vicinity of the site, particularly along Bishops Lane and its junction with the B2192; and**
- ix) The development will provide a connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water.**



Justification

- 6.92 The site subject to the above policy lies on the northern edge of the village of Ringmer. Despite this edge of village location the site is within close proximity to the majority of local services and facilities, many of which are within the village centre that is within 600 metres to the south.
- 6.93 At present the site is in agricultural use and is primarily used for grazing purposes. The site lies within an area with some archaeological (from Medieval pottery production) and ecological interest, although the site itself is not subject to any formal biodiversity designations such as SSSI's, SNCI's and Ancient Woodland. With regards to these interests a Phase 1 Habitat Survey and an Archaeological Desk Based Assessment have already been undertaken. This survey and assessment demonstrate that these ecological and archaeological interests will not preclude development of this site, although further survey work will be required and any mitigation measures appropriately implemented. In addition, preliminary hedgerow surveys have been undertaken on the existing boundary and internal hedgerows. The surveys concluded the existence of potentially 'important' hedgerows. It is not considered that this would preclude development of this site, including access on to Bishops Lane, but should form part of the detailed planning consideration at the planning application stage.

| | | | | | |
|---------------------------------------|--|--|-----------|-------------|--|
| Site Reference: | 6 (LR/03) | Parish | LR | Ward | |
| Site location | Land at Gravelye Lane and Scamps Hill, Lindfield | | | | |
| Site use(s): | U0131 - Unused Land | U011 - Agriculture | | | |
| Gross site area | 6.6 hectares | | | | |
| Site Suitable: | ✓ | The site has medium high landscape suitability for development (LUC Assessment). Although located within the countryside area between Lindfield and Scaynes Hill, development here should not reduce the current narrowest point of the 'gap' and should not contribute to the coalescence of the settlements. The site has good access to key services and facilities. It is unconstrained in terms of environmental designations. The site is well contained from the wider landscape. | | | |
| Site Available: | ✓ | Controller of site has expressed intention to make the site available. Planning application has been submitted for the site. | | | |
| Site Achievable: | ✓ | If considering this site by itself it is considered the site would be developed in a single phase. Market price and demand for houses in these attractive edge of village locations has remained and so this site is considered viable. | | | |
| Constraints / Action required: | Site would require allocation through relevant DPD or Neighbourhood Plan and would therefore not be developable until year 11+. It would be important to maintain the strong boundaries and the internal hedgerow and to keep development away from site edges to minimise visibility and maximise ecological benefits. There would be green infrastructure benefits if good connectivity to the stream valley to the south-east could be maintained/enhanced. | | | | |
| Net developable area (ha): 3.9 | | Proposed site density (dph): 1 Lower- 30 | | | |
| Deliverable (1-5 years) | ✗ | 0 | Dwellings | | |
| Developable (6-10 years) | ✗ | 0 | Dwellings | | |
| Developable (11 years +) | ✓ | 135 | Dwellings | | |
| Not Currently developable | ✗ | | | | |
| Overall Conclusion | There are no environmental designations on this greenfield site. It is well contained from the surrounding landscape due to established tree belts on the majority of boundaries. Development here should not contribute to the coalescence of the settlements. Access to key services and retail is good and Lindfield High Street is within walking distance of the site. | | | | |

Lindfield and Lindfield Rural Neighbourhood Plan - Supplementary Note to Examiner's Report

1. Following submission of my report on the examination of this plan I have been asked by Mid Sussex District Council to clarify some points. I have therefore written this Note as a supplement to my report.
2. The request for clarification arises because my recommendations 1-3 are subject to recommendation 4, that "a 're-screening' should be carried out to assess the possible need for a strategic environmental assessment resulting from the amendments recommended above". At paragraph 99 I also recommend that "subject to the above amendments, and provided that their implementation does not conflict with any environmental assessment which may be required following a screening exercise, the plan as amended be taken forward to a referendum covering the area of the two parishes". The council are concerned that it is not clear what I meant by "conflict", or what my recommendation would be if there were any such conflict.
3. I judged that the plan was flawed in the ways described in my report. A key factor is that the plan did not recognise the change to the "built-up area boundary" resulting from the housing development south-east of Gravelly Lane permitted in 2013. I considered that the plan should be amended in this respect, and in making this judgment I took into account the written comment made to me on behalf of the planning authority that it would be logical and sensible for the built-up area boundary to be so amended. In combination with other evidence about housing need and site suitability, this led to my recommendation that land next to the junction of Gravelly Lane and Scamps Hill (labelled Site 6 in a Strategic Housing Land Availability Assessment document) should be included within the built-up area boundary (and so become subject to Policies 1 and 2).
4. The difficulty which then arises is that the submission version of the plan was not subject to a strategic environmental assessment (SEA) because no sites were specifically allocated for development, and the effect of my recommended modification, if accepted, would be to allocate a site for development. It was therefore necessary for me to add provisos to allow for the possibility that an environmental assessment might be needed and that its outcome might prevent development on the site in question. Having reached my judgment on the key issues, the only other alternative would have been to recommend that the plan as it stood should not proceed to a referendum.
5. The "conflict" in paragraph 99 of my report referred to those possible circumstances. Given the findings of the SHLAA that Site 6 was suitable for development, it seemed unlikely that screening and environmental assessment procedures would reach a different conclusion, but I considered it necessary to allow for the uncertainty. By "conflict" I meant the situation which might conceivably arise if a screening and SEA were to result in the development of Site 6 being prevented.
6. I clarify what my recommendation would be if there were any such conflict, as follows. If Site 6 were not to be included within a modified built-up area boundary or if the development of this site were to be prevented as a result of SEA procedures, I recommend that the proposal should be refused and that the Neighbourhood Plan should not be submitted to a referendum.

Graham Self
18 May 2015.