

Statutory site designations

Site of Special Scientific Interest (SSSI)

Sites of Special Scientific Interest are areas notified under the Wildlife and Countryside Act 1981, as being of special interest for nature conservation. They represent the finest sites for wildlife and natural features supporting many characteristic, rare and endangered species, habitats and natural features. Notification as a SSSI is primarily a legal mechanism organised by Natural England and selected according to specific scientific criteria. *The Guidelines for the Selection of Biological SSSIs*, published in 1989 by the Joint Nature Conservation Council, set down the selection criteria for both biological and geological SSSIs.

There are over 4,000 SSSIs in England of which just under 150 are in Sussex. Natural England is responsible for identifying and protecting these sites. This is achieved, primarily, in partnership with SSSI owners and managers.

Under the Countryside and Rights of Way Act 2000 (CROW) anyone who intentionally or recklessly destroys or damages any of the flora, fauna or geological or physiological features of an SSSI is guilty of an offence. They are liable, on summary conviction, of a fine of up to £20,000.

Special Area of Conservation (SAC)

Special Areas of Conservation are sites designated by Member States under the EC Habitats Directive. The aim is to establish a European network of important high quality conservation sites that will make a significant contribution to conserving habitats and species considered to be most in need of conservation at a European level. There are 12 SAC sites in Sussex.

Special Protection Area (SPA)

Special Protection Areas are designated under the EC Birds Directive, to conserve the habitat of certain rare or vulnerable birds and regularly occurring migratory birds. Any significant pollution or disturbance to or deterioration of these sites has to be avoided. All SPAs are also designated as SSSIs. There are six SPA sites in Sussex.

Ramsar

Ramsar sites are designated under the Convention on Wetlands of International Importance. Under the Convention, each government must select its best wetlands according to very clear criteria, which include: a wetland that regularly supports 20,000 or more waterbirds; a wetland that regularly supports 1% of the individuals in a population of one species or subspecies of waterbird. Wetlands are broadly defined to include marsh, fen, peatland and water. All designated Ramsar sites are also designated as SSSIs. There are four Ramsar sites in Sussex.

National Nature Reserve (NNR)

National Nature Reserves are statutory reserves established under the Wildlife and Countryside Act 1981. NNRs may be owned by the relevant national body (e.g. Natural England in England) or established by agreement. A few are owned and managed by non-statutory bodies, for example the Sussex Wildlife Trust. NNRs cover a selection of the most important sites for nature conservation in the UK. There are six NNRs in Sussex.

National Park

National Parks are beautiful, spectacular and often dramatic expanses of countryside. In the UK people live and work in the National Parks and the farms, villages and towns are protected along with the landscape and wildlife. They differ from Areas of Outstanding Natural Beauty (AONBs) in that each National Park has its own authority for planning control and other services.

The creation of the South Downs National Park (SDNP) was confirmed on 12th November 2009 and it came into being on 1st April 2010.

Area of Outstanding Natural Beauty (AONB)

Areas of Outstanding Natural Beauty are areas of high scenic quality that have statutory protection in order to conserve and enhance the natural beauty of their landscapes. They differ from National Parks in their more limited opportunities for extensive outdoor recreation and by the way they are managed. AONBs are designated by Natural England under the Countryside and Rights of Way Act 2000.

There are two AONBs in Sussex covering approx. 114,000 hectares: Chichester Harbour and the High Weald. Each has an associated body concerned with the area's conservation.

Marine Conservation Zone (MCZ)

Marine Conservation Zones can be established to protect nationally important marine wildlife, habitats, geology and geomorphology and can be designated anywhere in English and Welsh inshore and UK offshore waters. They are established under the Marine and Coastal Access Act (2009). MCZs will be one of six designations contributing to an ecologically coherent network of marine protected areas.

Local Nature Reserve (LNR)

Local Nature Reserves may be declared by local authorities under the National Parks and Access to the Countryside Act 1949. LNRs are declared and managed for nature conservation, and provide opportunities for research and education, or simply enjoying and having contact with nature. Some LNRs are also SSSIs. There are 36 LNRs in Sussex.

Country Park

Country Parks are statutorily declared and managed by local authorities in England and Wales under the Countryside Act 1968. They are primarily intended for recreation and leisure opportunities close to population centres and do not necessarily have any nature conservation importance. However, many are in areas of semi-natural habitat and so form a valuable network of locations at which informal recreation and the natural environment coexist. There are 11 Country Parks in Sussex, the details of which can be obtained from the local authorities.

Non-statutory site designations

Local Wildlife Site (LWS)

Overview: In Sussex, Local Wildlife Sites (LWS) were originally named Sites of Nature Conservation Importance (SNCI), but the LWS terminology has now been adopted to align with [Defra guidance](#).

Local Wildlife Sites are non-statutory designated sites recognised as being of considerable ecological value. They provide crucial additional spaces for nature alongside the statutory protected sites network. LWS are recognised by local planning authorities across Sussex and the importance of these sites is recognised in their Local Plans. Assessment and review of LWSs is an ongoing process, overseen by the Sussex Local Wildlife Sites Initiative partnership, whose Technical Panel takes site-level decisions based upon the latest available ecological information. More information about LWSs in Sussex, including local LWS selection criteria, can be found at [Sussex Local Wildlife Sites Initiative](#).

Historical context: In May 1990 a Sussex project was instigated to identify valuable wildlife sites and protect them from land management changes which may lessen their nature conservation interest, as well as to encourage sensitive management to maintain and enhance their importance. Selection of these Sites of Nature Conservation Importance (SNCI) was made, after extensive survey work, by a panel of expert ecologists, including representatives from the County Councils, English Nature (as was) and Sussex Wildlife Trust. A range of specialists with either specific species knowledge or a sound knowledge of the county's ecology were also involved. Subsequently, a patchwork of separate SNCI systems evolved across Sussex:

- In West Sussex, an 'SNCI Initiative' led by the County Council managed the system until 2015.
- In Brighton & Hove, the City Council managed its own system until 2018.
- In East Sussex each District and Borough maintained its own suite of sites, some with review programmes and additional sites designated, until 2018.

In 2011, a significant change occurred when the newly formed South Downs National Park Authority became the statutory planning authority for the South Downs National Park – an area that cuts across this patchwork of different systems.

Current status: In 2018, a renewed focus on LWS systems across Sussex led to the establishment of the current Sussex Local Wildlife Sites Initiative, which is actively reviewing sites across Sussex and updating the evidence base. The Initiative is hosted by Sussex Wildlife Trust and is managed and co-ordinated by the Sussex LWS Initiative team, who are based at Sussex Biodiversity Record Centre. It is supported by a broad partnership of organisations, working under the umbrella of the Sussex Local Nature Partnership.

Local Geological Site (LGS)

Previously known as Regionally Important Geological/Geomorphological Sites (RIGGS), Local Geological Sites have been identified by local geodiversity groups as being of importance. There are over 120 LGS in Sussex which have been assessed by the Sussex Geodiversity Partnership. The features identified as being important become a material consideration in any future development, and should be taken into account by the relevant local authority.

A selection of LGS with public access in Sussex can be viewed on the [Sussex Geodiversity Partnership's website](#).

Designated Road Verge (DRV)

Designated Road Verges (DRVs) are areas of roadside verge that have been designated for their special wildlife interest. They can hold spectacular displays of wild flowers, including rare orchids and other plant species indicative of old meadows, and can be of great importance to invertebrates and fungi. There is no statutory protection for road verges, but they can be found within both non-statutory and statutory designations.

As linear features, road verges naturally traverse a wide range of habitat types, soils and geology. The species composition of DRVs can therefore be varied. Swathes of cow parsley, cuckoo flower, primroses and orchids

can be found. Downland herbs, meadow flowers and heathers support a range of insects, as do the areas of bare ground which are used by nesting bees and wasps. Reptiles, amphibians and mammals can find shelter along these verges and use them as valuable green corridors.

As the Highway Authorities, the County Councils are responsible for the cutting and management of roadside verges, and they also have a responsibility to conserve biodiversity. Where health and safety measures allow, this is achieved by restricting cutting to certain times of the year (usually when wild flowers have set seed in late summer) and using different techniques to standard verge cutting.

The initiatives for designating and managing DRVs differ between East and West Sussex. DRVs in West Sussex are identified by short oak posts with red discs. In East Sussex they are marked by posts with yellow metal flowers.

In West Sussex, the following guidelines are used to help identify DRVs:

- 1) Site supports locally rare, notable or protected species of flora or fauna** e.g. the plant coralroot. This type of bittercress is only found in two localised areas of the UK; the Sussex Weald and the Chilterns.
- 2) Site is a good example of an uncommon, remnant or declining habitat** e.g. species of sandy grassland along Rock Road in the Parish of Washington.
- 3) Site has good overall species diversity** e.g. Mallions Lane near Cuckfield.
- 4) The assemblage of wild flowers has high aesthetic value** e.g. Franklyn Road outside Haywards Heath hospital with a wonderful display of common spotted orchids in early summer.
- 5) Site has wildlife value that is regarded as important by the local community** e.g. Barnham Road at Eastergate.

Marine Site of Nature Conservation Importance (MSNCI)

Marine Sites of Nature Conservation Importance are non-statutory sites identified on account of the special interest of their marine habitats, the fauna and flora, or for unusual geological and geomorphological features. The identification of these sites is to highlight their importance for marine wildlife and to emphasise the risks of certain operations damaging their interest. There are 23 MSNCIs off the Sussex coast.

Species designations

International legislation

Birds Directive

The European Union meets its obligations for bird species under the Bern Convention and Bonn Convention and more generally by means of Directive 2009/147/EC (Birds Directive) on the conservation of wild birds. The Directive provides a framework for the conservation and management of, and human interactions with, wild birds in Europe.

Annex 1

Birds which are in danger of extinction; vulnerable to specific changes in their habitat; considered rare because of small populations or restricted local distribution; requiring particular attention for reasons of the specific nature of habitat. Their most suitable territories are protected by the designation of Special Protection Areas (SPA).

Habitats Directive

Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora, known as the Habitats Directive, was adopted in 1992. The Directive is the means by which the European Union meets its obligations under the Bern Convention. The Directive is transposed into UK law through the The Conservation of Habitats and Species Regulations 2010 (see below).

Annex 2

Species considered to be most in need of conservation at a European level (excluding birds). Special Areas of Conservation (SACs) are strictly protected sites designated under the Habitats Directive and provide a network of important high-quality conservation sites that will make a significant contribution to conserving Annex 2 species.

Priority species - Species which are endangered, the conservation of which the European Community has a particular responsibility in view of the proportion of their natural range which falls within the territory of the Community.

Non-priority species - Species of Community interest (i.e. endangered, vulnerable, rare or endemic in the European Community) whose conservation requires the designation of special areas of conservation.

Annex 4

Animal and plant species of Community interest (i.e. endangered, vulnerable, rare or endemic in the European Community) in need of strict protection. They are protected from killing, disturbance or the destruction of them or their habitat.

National legislation

The Conservation of Habitats and Species Regulations 2010

This is a transposition of the Habitats Directive into UK legislation. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites. Under the Regulations, government departments and public bodies have a general duty, in the exercise of any of their functions, to have regard to the Habitats Directive.

Schedule 2 lists European protected species of animals

Schedule 5 lists European protected species of plants

Wildlife & Countryside Act 1981

The Wildlife and Countryside Act 1981 (WCA) remains one of the most important pieces of wildlife legislation in Great Britain. This legislation is the means by which the Convention on the Conservation of European Wildlife and Natural Habitats (the 'Bern Convention') and the European Union Directives on the Conservation of Wild Birds (79/409/EEC) and Natural Habitats and Wild Fauna and Flora (92/43/EEC) are implemented. The Act is divided into four parts; Part I is concerned with the protection of wildlife and is split into 27 Sections. Schedules of species relevant to the planning process are detailed as follows:

Schedule 1 Part 1	Birds protected by special penalties at all times.
Schedule 5 Section 9.1 (killing/injuring)	Animals which are protected from intentional killing or injuring.
Schedule 5 Section 9.1 (taking)	Animals which are protected from taking.
Schedule 5 Section 9.4a	Animals which are protected from intentional damage or destruction to any structure or place used for shelter or protection.
Schedule 5 Section 9.4b	Animals which are protected from intentional disturbance while occupying a structure or place used for shelter or protection.
Schedule 8	Plants which are protected from intentional picking, uprooting or destruction (Section 13 Part 1a); selling, offering for sale, possessing or transporting for the purpose of sale, any plant (live or dead, part or derivative) (Section 13 Part 2a); advertising (any of these) for buying or selling (Section 13 Part 2b).
Natural Environment & Rural Communities (NERC) Act Section 41 Species Also known as ‘Species of Principle Importance in England’ and the ‘England Biodiversity List’, this list was developed to meet the requirements of Section 40 of the NERC Act (2006). The list is derived from the 2007 revised list of UK BAP Priority Species. It is used to guide decision-makers, such as public bodies, in implementing their duty under Section 40 of the Act ‘to have regard’ to the conservation of biodiversity in England, when carrying out their normal functions.	
Section 41	Lists species “ <i>of principal importance for the purpose of conserving biodiversity</i> ”.

Other species designations

IUCN Red List of Threatened Species

The IUCN Red List categories are intended to be an easily and widely understood system for classifying species at high risk of global extinction. The list is divided into nine categories, of which the following are used in this report:

Extinct	A taxon is Extinct when there is no reasonable doubt that the last individual has died. A taxon is presumed Extinct when exhaustive surveys in known and/or expected habitat, at appropriate times (diurnal, seasonal, annual), throughout its historic range have failed to record an individual. Surveys should be over a time frame appropriate to the taxon’s life cycle and life form.
Extinct in the wild	A taxon is Extinct in the Wild when it is known only to survive in cultivation, in captivity or as a naturalized population (or populations) well outside the past range. A taxon is presumed Extinct in the Wild when exhaustive surveys in known and/or expected habitat, at appropriate times (diurnal, seasonal, annual), throughout its historic range have failed to record an individual. Surveys should be over a time frame appropriate to the taxon’s life cycle and life form.
Critically endangered	A taxon is Critically Endangered when the best available evidence indicates that it meets any of the criteria A to E for Critically Endangered, and it is therefore considered to be facing an extremely high risk of extinction in the wild.
Endangered	A taxon is Endangered when the best available evidence indicates that it meets any of the criteria A to E for Endangered, and it is therefore considered to be facing a very high risk of extinction in the wild.
Vulnerable	A taxon is Vulnerable when the best available evidence indicates that it meets any of

	the criteria A to E for Vulnerable, and it is therefore considered to be facing a high risk of extinction in the wild.
Near threatened	A taxon is Near Threatened when it has been evaluated against the criteria but does not qualify for Critically Endangered, Endangered or Vulnerable now, but is close to qualifying for or is likely to qualify for a threatened category in the near future.
Least concern	A taxon is Least Concern when it has been evaluated against the criteria and does not qualify for Critically Endangered, Endangered, Vulnerable or Near Threatened. Widespread and abundant taxa are included in this category.
Data deficient	A taxon is Data Deficient when there is inadequate information to make a direct, or indirect, assessment of its risk of extinction based on its distribution and/or population status. A taxon in this category may be well studied, and its biology well known, but appropriate data on abundance and/or distribution are lacking. Data Deficient is therefore not a category of threat. Listing of taxa in this category indicates that more information is required and acknowledges the possibility that future research will show that threatened classification is appropriate. It is important to make positive use of whatever data are available. In many cases great care should be exercised in choosing between DD and a threatened status. If the range of a taxon is suspected to be relatively circumscribed, and a considerable period of time has elapsed since the last record of the taxon, threatened status may well be justified.
Nationally rare/scarce species	
Nationally rare	Occurring in 15 or fewer hectads in Great Britain. Excludes rare species qualifying under the main IUCN criteria.
Nationally rare marine	Occurring in eight or fewer 10km x 10km grid squares containing sea (or water of marine saline influence) within the three mile territorial limit.
Nationally scarce	Occurring in 16-100 hectads in Great Britain. Excludes rare species qualifying under the main IUCN criteria. This category replaces Notable, Notable A and Notable B.
Nationally scarce marine	Occurring in nine to 55 10km x 10km grid squares containing sea (or water of marine saline influence) within the three mile territorial limit.
Nationally Notable A	Taxa which do not fall within Red Data Book categories but which are none-the-less uncommon in Great Britain and thought to occur in 30 or fewer 10km squares of the National Grid or, for less-well recorded groups, within seven or fewer vice-counties. Superseded by Nationally Scarce, and therefore no longer in use.
Nationally Notable B	Taxa which do not fall within Red Data Book categories but which are none-the-less uncommon in Great Britain and thought to occur in between 31 and 100 10km squares of the National Grid or, for less-well recorded groups, between eight and twenty vice-counties. Superseded by Nationally Scarce, and therefore no longer in use.
Nationally Notable	Species which are estimated to occur within the range of 16 to 100 10km squares. (subdivision into Notable A and Notable B is not always possible because there may be insufficient information available). Superseded by Nationally Scarce, and therefore no longer in use.
Birds of Conservation Concern 4: Red list	Birds that are Globally Threatened according to IUCN criteria; those whose population or range has declined rapidly in recent years; and those that have declined historically and not shown a substantial recent recovery
Birds of Conservation Concern 4: Amber list	Birds with an unfavourable conservation status in Europe; those whose population or range has declined moderately in recent years; those whose population has declined

	historically but made a substantial recent recovery; rare breeders; and those with internationally important or localised populations.
UK Biodiversity Action Plan Priority Species	The UK List of Priority Species contains 1150 species that have been listed as priorities for conservation action under the UK Biodiversity Action Plan (UK BAP).
Local inventories	
Sussex Rare Species Inventory	The Sussex Rare Species Inventory contains over 3,400 species. These species are selected according to strict criteria of rarity associated with their occurrence in Sussex. It includes species which fall into the above categories of rarity as well as county rarities.
Sussex Notable Bird List	The Sussex Notable Bird List consists of species that are particularly scarce or vulnerable to development. See next page for full details.

Sussex Notable Bird List

The Sussex Notable Bird List consists of species that are particularly scarce or vulnerable to development. It includes species which are either on the Birds of Conservation Concern Red and Amber lists, NERC Section 41 or Schedule 1 species known to have bred in Sussex, have been recorded in summer and may breed in the future or have vulnerable overwintering populations in Sussex. The separate Excel report will show records of these species based on selection criteria decided on by the Sussex Ornithological Society (SOS).

These records are not available to the general public due to the sensitivity of the data. The SOS has kindly shared these records with us, with the view that better planning decisions can be made with their availability.

Below is the list of species and the date ranges/criteria for their inclusion:

Species	Record type treated as notable in Sussex
Dark-bellied Brent Goose	All records
Mute Swan	Confirmed or probable breeding or late May - early July records
Bewick's Swan	All records
Whooper Swan	All records
White-fronted Goose	All records
European Greater White-fronted Goose	All records
Greenland Greater White-fronted Goose	All records
Common Shelduck	Confirmed or probable breeding or late May - early July records
Wigeon	Confirmed or probable breeding or late May - early July records
Gadwall	Confirmed or probable breeding or late May - early July records
Teal	Confirmed or probable breeding or late May - early July records
Mallard	Confirmed or probable breeding or late May - early July records
Pintail	Confirmed or probable breeding or late May - early July records
Garganey	Confirmed or probable breeding or late May - early July records
Shoveler	Confirmed or probable breeding or late May - early July records
Pochard	Confirmed or probable breeding or late May - early July records
Tufted Duck	Confirmed or probable breeding or late May - early July records
Scaup	All records
Common Scoter	All records
Little Egret	Confirmed or probable breeding records + roost
Purple Heron	All records
Bittern	All records
Little Bittern	All records
Spoonbill	All records
Black Grouse	All records
Grey Partridge	Confirmed or probable breeding or March - August records
Quail	Confirmed or probable breeding or March - August records
Red-throated Diver	All records
Black-throated Diver	All records
Great Northern Diver	All records
Little Grebe	Confirmed or probable breeding or late May - early August records
Slavonian Grebe	All records
Fulmar	Confirmed or probable breeding records
Balearic Shearwater	All records
Leach's Petrel	All records
Honey-buzzard	Information provided in summary only
Red Kite	Confirmed or probable breeding or March - August records + roost
White-tailed Eagle	All records
Marsh Harrier	Information provided in summary only
Hen Harrier	Roost
Pallid Harrier	All records
Montagu's Harrier	Information provided in summary only
Goshawk	Information provided in summary only
Golden Eagle	All records

Osprey	Mid-May to July records
Kestrel	Confirmed or probable breeding or May - July records
Merlin	All records
Hobby	Confirmed or probable breeding or April - August records
Gyr Falcon	All records
Peregrine	Information provided in summary only
Spotted Crake	Information provided in summary only
Corncrake	All records
Oystercatcher	Confirmed or probable breeding or late May - early July records
Little Ringed Plover	Confirmed or probable breeding or April - July records
Ringed Plover	Confirmed or probable breeding or late May - early July records
Dotterel	All records
Lapwing	Confirmed or probable breeding or April - June records
Black-winged Stilt	April to August records
Avocet	Confirmed or probable breeding or March - July records
Stone-curlew	Information provided in summary only
Common Sandpiper	Confirmed or probable breeding or late May - early July records
Snipe	Confirmed or probable breeding or April - July records
Curlew	Confirmed or probable breeding or April - July records
Woodcock	Confirmed or probable breeding or March - August records
Ruff	All records
Black-tailed Godwit	All records
Redshank	Confirmed or probable breeding or April - July records
Wood Sandpiper	All records
Red-necked Phalarope	All records
Little Gull	All records
Little Tern	Confirmed or probable breeding records
Mediterranean Gull	Confirmed or probable breeding records
Common Gull	Confirmed or probable breeding records
Lesser Black-backed Gull	Confirmed or probable breeding records
Yellow-legged Gull	Confirmed or probable breeding or April - June records
Herring Gull	Confirmed or probable breeding records
Great Black-backed Gull	Confirmed or probable breeding records
Black-headed Gull	Confirmed or probable breeding records
Kittiwake	Confirmed or probable breeding records
Black Tern	All records
Sandwich Tern	Confirmed or probable breeding records
Common Tern	Confirmed or probable breeding records
Roseate Tern	All records
Stock Dove	Confirmed or probable breeding or May - July records
Turtle Dove	Confirmed or probable breeding or May - July records
Cuckoo	Confirmed or probable breeding or May - July records
Barn Owl	All records
Snowy Owl	All records
Tawny Owl	Confirmed or probable breeding or May - July records
Long-eared Owl	Confirmed or probable breeding or March - July records + roost
Short-eared Owl	Confirmed or probable breeding or May - July records
Nightjar	Confirmed or probable breeding or May - July records
Swift	Confirmed or probable breeding records
Kingfisher	Confirmed or probable breeding or March - August records
Bee-eater	Confirmed or probable breeding or May - July records
Hoopoe	Confirmed or probable breeding or May - July records
Wryneck	Confirmed or probable breeding or May - July records
Green Woodpecker	Confirmed or probable breeding records
Lesser Spotted Woodpecker	All records
Aquatic Warbler	All records
Marsh Warbler	Information provided in summary only
Cetti's Warbler	Confirmed or probable breeding or March - August records

Grasshopper Warbler	Confirmed or probable breeding or May - July records
Savi's Warbler	Information provided in summary only
Wood Warbler	Confirmed or probable breeding or April - August records
Willow Warbler	Confirmed or probable breeding records
Woodlark	Confirmed or probable breeding or February - August records
Skylark	Confirmed or probable breeding or April - July records
Sand Martin	Confirmed or probable breeding records
Swallow	Confirmed or probable breeding records
House Martin	Confirmed or probable breeding records
Tree Pipit	Confirmed or probable breeding or May - July records
Meadow Pipit	Confirmed or probable breeding or May - July records
Yellow Wagtail	Confirmed or probable breeding or May - June records
Blue-headed Wagtail	Confirmed or probable breeding or May - June records
Grey Wagtail	Confirmed or probable breeding or May - June records
Dunnock	Confirmed or probable breeding records
Nightingale	Confirmed or probable breeding records
Bluethroat	All records
Black Redstart	May – July records
Redstart	Confirmed or probable breeding or April - July records
Whinchat	Confirmed or probable breeding or May - July records
Wheatear	Confirmed or probable breeding or May - July records
Ring Ouzel	All records
Song Thrush	Confirmed or probable breeding records
Mistle Thrush	Confirmed or probable breeding records
Spotted Flycatcher	Confirmed or probable breeding records
Pied Flycatcher	Confirmed or probable breeding or May - July records
Whitethroat	Confirmed or probable breeding records
Dartford Warbler	Confirmed or probable breeding or March - August records
Bearded Tit	Confirmed or probable breeding or March - August records
Firecrest	Confirmed or probable breeding or May - August records
Willow Tit	All records
Marsh Tit	Confirmed or probable breeding or April - July records
Red-backed Shrike	Information provided in summary only
Chough	All records
Starling	Confirmed or probable breeding records
House Sparrow	Confirmed or probable breeding records
Tree Sparrow	All records
Lesser Redpoll	Confirmed or probable breeding or May - July records
Linnet	Confirmed or probable breeding records
Twite	All records
Serin	All records
Common Crossbill	Confirmed or probable breeding or February - June records
Bullfinch	Confirmed or probable breeding records
Hawfinch	All records
Yellowhammer	Confirmed or probable breeding records
Cirl Bunting	All records
Reed Bunting	Confirmed or probable breeding records
Corn Bunting	All records

Sussex Invasive Non-Native Species (INNS)

The Sussex invasive non-native species (INNS) report is produced in order to help minimise the threat posed by invasive species in Sussex. An invasive non-native species is defined as a species whose introduction and/or spread threatens biological diversity. The INNS table includes records of non-native species listed in Schedule 9 of the Wildlife & Countryside Act 1981 (WCA) and 26 other species not in this Schedule but which pose a particular risk in Sussex. These additional species are:

Scientific name	Common name
<i>Pseudorasbora parva</i>	Topmouth Gudgeon
<i>Leucaspis delineates</i>	Sunbleak
<i>Amsinckia micrantha</i>	Common Fiddleneck
<i>Centranthus ruber</i>	Red Valerian
<i>Gaultheria shallon</i>	Shallon
<i>Hyacinthoides hispanica</i>	Spanish Bluebell
<i>Nymphoides peltata</i>	Fringed Water-lily
<i>Petasites fragrans</i>	Winter Heliotrope
<i>Prunus laurocerasus</i>	Cherry Laurel
<i>Hyacinthoides non-scripta</i> x <i>hispanica</i> = <i>H. x massartiana</i>	Hybrid Bluebell
<i>Lemna minuta</i>	Least Duckweed
<i>Acaena novae-zelandiae</i>	Pirri-pirri-bur
<i>Lysichiton americanus</i>	American Skunk Cabbage
<i>Cortaderia selloana</i>	Pampas Grass
<i>Quercus ilex</i>	Evergreen Oak
<i>Harmonia axyridis</i>	Harlequin Ladybird
<i>Lilioceris lili</i>	Lily Beetle
<i>Cameraria ohridella</i>	Horse-Chestnut Leaf-miner
<i>Campylopus introflexus</i>	Heath Star Moss
<i>Trachemys scripta</i>	Red-eared Terrapin
<i>Lithobates catesbeianus</i>	American Bullfrog
<i>Styela clava</i>	Leathery Sea Squirt
<i>Dreissena polymorpha</i>	Zebra Mussel
<i>Dreissena rostriformis bugensis</i>	Quagga Mussel
<i>Lymantria dispar</i>	Gypsy Moth
<i>Thaumetopoea processionea</i>	Oak Processionary Moth

What's the problem?

With no natural predators and a benign climate, INNS can out-compete our native plant and animal species. For example, some invasive plant species can change light levels, decrease dissolved oxygen in water, change soil chemistry and its structure, and increase surface run-off and soil erosion. On a more subtle level, INNS can affect ecosystem processes such as nutrient cycling, pollination and regeneration of soils. Invasive fauna can compete with native species, displace them, consume them, act as parasites or transmit diseases, reduce growth and survival rates, cause the decline or extinction of local populations or even entire species.

Legislation

Section 14 of the Wildlife and Countryside Act 1981 (WCA) is the principal legislation dealing with non-native species. Schedule 9 lists plant and animal species to which Section 14 applies.

Section 14 makes it illegal to release or allow to escape into the wild any animal which is not ordinarily resident in Great Britain and is not a regular visitor to Great Britain in a wild state, or is listed in Schedule 9 to the Act. It is also illegal to plant or otherwise cause to grow in the wild any plant listed in Schedule 9 to the Act.

What to do if there is an INNS on your site

If you have any of the species listed in this report on your site, firstly investigate the recommended control for the particular species. You can search by species name on the [GB non-native species secretariat website](#) for further advice.

If there is an invasive non-native species at your site that is not in this report please email us at info@sxbrc.org.uk or call 01273 497570 so that we can update our database.

Solent Waders and Brent Goose Strategy Sites

2022 Update

The Solent Waders and Brent Goose Strategy (SWBGS) is a conservation partnership project, which aims to conserve the internationally important Brent Goose and wading bird populations within and around the Special Protection Areas and Ramsar wetlands of the Solent coast.

Further information on the Strategy and description of the different sites can be found [on their website](#).

Please contact SxBRC if you require more information on the SWBGS sites in your search area. We will provide a spreadsheet that details all of the SWBGS sites in Sussex, their scores and records of the species included in the survey.

Sussex Biodiversity Record Centre

Woods Mill
Henfield
West Sussex
BN5 9SD

Tel: 01273 497562

Email: info@sxbrc.org.uk
Website: www.sxbrc.org.uk

The Sussex Biodiversity Record Centre is managed by the Sussex Wildlife Trust as a partnership project.
A list of our current funding partners can be found on our [website](#)

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Registered Office: Woods Mill, Henfield, West Sussex BN5 9SD



Sussex
Wildlife Trust

[REDACTED]
90 Lewes Road
Haywards Heath
West Sussex
RH17 7SX

25 March 2025

Re: Outline application for Land at Colwell Farm Lewes Road under reference DM/25/0445

Dear Ms Fisher,

I write in connection with the above planning application. My family live in one of the properties close to the site.

A request was submitted to the Sussex Biodiversity Centre (SxBRC) regarding the proposed site DM/25/0445 (Land at North Colwell Farm). Apologies for the delay in providing this information – the SxBRC can take up to 3 weeks to provide data.

The request to SxBRC included the site and a 1km buffer around the site.

Key findings of the SxBRC results:

Habitat

Ancient Woodland is adjacent along much of the eastern and southern boundaries: proposals should have a buffer of at least 15m along boundaries to avoid damage and disturbance to the woodland. An ecologist has advised me that light should be included in consideration of impacts, as well as people disposing of plants from their garden, domestic pets, pollution run off.

Amphibians

There are seven records of Great Crested Newt (GCN) from three sites, all are to the south of the A272/Lewes Road. The most recent are from Greenhill Gardens Estate to the west. Other older records are from Slugwash Lane. With records of GCN to both sides of the site, it is even more important to make a thorough assessment of GCN presence/likely absence and present the results transparently.

Bats

Five species: Alcaethoe Bat (an uncommon species/possibly overlooked as it is another *Myotis* and difficult to separate without capture and handling), Whiskered Bat, Serotine, Common Pipistrelle, Brown Long-eared Bat.

Birds

104 species of birds recorded. Some of the Birds of Conservation Concern recorded within the area (site plus 1km buffer) for which suitable habitat is present at or adjacent to the site include: Goshawk, Snipe (non-breeding), Woodcock (non-breeding), Stock Dove, Turtle Dove, Kestrel, Yellowhammer, Linnet, Bullfinch, Nightingale, Spotted Flycatcher, Marsh Tit, Whitethroat, Song Thrush, Mistle Thrush.

The inadequacy of the Millers Homes' bird survey methodology and lack of transparency in reporting the results (as highlighted in my initial Ecological Impact Assessment analysis) means these species are less likely to have been picked up.

Hazel Dormouse

Fifteen records, mostly to the north of the A272, but we know they are present on the site (from the Millers Homes EclA). There are some large blocks of woodland linked to the site so it is feasible there is a resilient population within this area, which could be impacted by a development here.

Reptiles

Common Lizard, Grass Snake and Slow-worm, nine, twelve and three records respectively. This contradicts Millers Homes' statement based on their incorrect survey methodology (as highlighted in my EclA) that there is a "low" population.

I have provided further detail and evidence to support the above points in the attached reports. The PDF document provides an overview of what was found. The spreadsheet provides further details of where each species was found.

Yours faithfully

A solid black rectangular box used to redact a signature.



26 March 2025

Re: Outline application for Land at Colwell Farm Lewes Road under reference DM/25/0445

Dear Ms Fisher,

I write in connection with the above planning application.

I note the consultation response from Place Services.

Place Services has not considered information on:

- The minimum 10% recommended Biodiversity Net Gain has not been obtained and the site will result in biodiversity loss. Millers Homes needs to explain how they will meet 10% BNG and change their proposal accordingly
- BNG assessment has missing data. Millers Homes needs to submit a full list of plant species and criteria met/unmet to allow an external evaluation of their assessment
- Millers Homes incorrectly classified the line of trees and may have incorrectly classified the grassland. A new BNG assessment needs to be submitted.
- The unique ecological value of site and its location relative to South Downs National Park and High Weald Area of Natural Beauty has not been considered by Millers Homes.
- Bat surveying by Millers Homes was unsystematic and does not meet Bat Conservation Trust guidelines and therefore need to be repeated
- Inconsistencies between EcIA and Millers Homes Lighting Strategy – developer needs to submit a unified lighting strategy so Place Services can assess the impact of its lighting strategy on bats and other wildlife
- Millers Homes has not included information on additional light sources, impacts on bat foraging and commuting habitats, direct mortality and injury to bats by construction, collision with road and predation by cats. This information needs to be provided by Millers Homes to allow a full assessment of its mitigation.
- Reptile surveying was insufficient to determine population size. The developer needs to carry out a full reptile survey meeting best practice guidelines.
- Guidelines state that on-site reptile mitigation should be a priority – Millers Homes should provide information on why this has not been considered
- Millers Homes has not followed its own mitigation strategies when removing Hedges and Bramble scrub adjacent to Dormouse locations. Information on this breach of should be explained by Millers Homes

- Millers Homes has omitted information on Badger territorial boundaries and the impact that the proposed development will have on the Badgers' territory
- Millers Homes' mitigations do not follow Natural England guidance on Badgers
- Bird surveying was insufficient to provide an accurate survey of bird population. Millers Homes needs to carry out a full bird survey meeting best practice guidelines.

Please can I request that you re-consult with Place Homes to ensure that all information about the site is taken into account.

I am aware that failure to assess all information provided may lead to a decision that is incomplete and this matter could be challenged by Judicial Review.

Thank you for your time in considering this submission.

Yours faithfully



Evaluation of Millers Homes' Framework Travel Plan (FTP) and Transport Assessment (TA)

Land North of Colwell Farm (DM/25/0445)

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1.Summary of findings

Proposed Pedestrian Crossings are dangerous

- Crossing by site entrance breaches Department for Transport advice - crossing should not be located at a junction
- Crossings proposed where 40% of vehicles drive 10mph over limit with maximum speeds of 53mph recorded
- Numerous pedestrian fatalities recorded on A272
- Unrestricted crossing means pedestrians more at risk - children and elderly particularly vulnerable
- Road has high proportion of HGVs, which have longer stopping distances than cars
- Poor street lighting on A272 will make crossing even more hazardous at night

Speeding Data significantly lower than West Sussex County Council Data

- Millers Homes states 85th percentile speeds of 42.5mph in 40mph zone
- West Sussex County Council (WSCC) monitored speeds by Birch Close and found
 - Top speeds of 53mph
 - 40% of vehicles drove 10mph over the speed limit
 - A speeding offender was recorded every minute
- Persistent speeding issues on the A272 - WSCC reported 742 vehicles speeding in one year (from a limited number of monitoring sessions)
- Police reluctant to reduce speed limit as unenforceable without speed cameras
- Vehicle Activated Sign installed by site entrance recently (indicator of persistent speeding issues)
- High speeds impacts pedestrian safety and safety of vehicles accessing proposed site

Incomplete Traffic Accident Data

- Traffic accident hotspot is under 1km from site (junction between A272 and Bedales Hill) – there have been 12 crashes reported to police in 5 years
- 5 fatal crashes on the A272 within 2.5km radius of the site (over last 25 years)
- Number of crashes involving HGVs - 4 crashes involving HGVs in last 5 years within 2.5km radius of the site
- Site access point likely to become new accident hotspot due to an estimated 1500 trips using junction

Incorrect Pedestrian Distances

- Millers Homes has understated pedestrian distances
- None of the local amenities are located within 800m of the site (as recommended by Active Travel England)
- Pedestrian distances even longer if using an accessible path that has street lights

Usage of Inaccessible, Unlit Footpaths

- Suggested footpath is narrow and dark throughout, is unpaved and uneven in sections
- Suggested footpath is unsuitable for the elderly, disabled, pushchair and wheelchair users, and cannot be used at night time (before 8am and after 4pm in winter)
- If paved, lit footpaths are used, pedestrian distances to local shops and GP double (distances to school and Northlands bus stop increase by over 50%)

Incorrect Pavement and Street Lighting Information

- Pavement adjacent to proposed crossing has pinch points of 0.75m (1.7m claim by developer inaccurate)
- Lewes Road has minimal street lighting - not sufficient for pedestrians or pedestrian crossing

Incorrect Bus Data

- All 3 local bus stops are further than recommended 500m walk (recommended by Chartered Institution of Highways & Transportation)
- Northlands Avenue is a 1.6km walk from the site (if using paved, lit paths)
- Bedales Hill bus stop is not suitable for pedestrians - there is no footpath for the final 550m (only an overgrown verge directly adjacent to 50mph road)
- Princess Royal Hospital bus stop is a 1.4km walk and requires using unrestricted crossings 4 times over busy roads and junctions
- Millers Homes repeatedly overstates the frequency and time window of local bus services (buses run less frequently and fewer morning and night services than claimed)
- Millers Homes mistakenly lists school buses as public buses

2. Proposed Pedestrian Crossings are dangerous

Millers Homes' submitted a proposal for a pedestrian crossing at Birch Close (see "Proposed Uncontrolled Crossing Across Lewes Road ITB19597-GA-011 rev A" submitted by developer) where the speed limit is 30mph.

They also propose a pedestrian crossing directly opposite the access road to the development where the speed limit is 40mph (Figure 5.1 in the FTP), and adjacent to where cars will be turning in and out of the proposed site access road onto the A272/Lewes Road.

The developer has only filed documentation for the proposed pedestrian crossing at Birch Close, and has not included separate documentation for the proposed pedestrian crossing outside the site access road – this is an error in omission and is misleading for the public and respondents.

Pedestrians wishing to walk to the services in the Walnut Park area (shops, primary school and GP) will need to cross the A272 at the pedestrian crossing outside the development (across the 40mph road).

Pedestrians wishing to walk to Princess Royal bus stop will need to use both crossings – first to cross to the northern side of the A272 (across the 40mph road) and then back to the southern side of the A272 (across the 30mph road).

Their proposal for an unrestricted pedestrian crossing adjacent to the proposed access road is in direct conflict with Department for Transport advice. The Department for Transport's The Design of Pedestrian Crossings¹ guidance states:

"2.1.1.1 Crossings should be located away from conflict points at uncontrolled junctions. This will give drivers an adequate opportunity to appreciate the existence of a crossing and to brake safely."

In addition, at this proposed crossing the speed limit of cars is 40mph – but 40% of cars have been monitored speeding, with top speeds of 53mph recorded (see Section 3). Also cars are permitted to overtake in this section of road (dashed centre line). Both these factors make this an extremely hazardous location to cross the A272.

There have been 5 pedestrian fatalities on the A272 in the last 25 years, according to data from CrashMap², which uses published data from the Department for Transport (DfT), and local news services.

On 31/8/2024, a pedestrian was killed on the A272 near the village of Cowfold³. As this is too recent to have been included in DfT records, information is only available from local news sources.

On 29/7/2018, a pedestrian was killed by a car while walking along the A272 carriageway near Bolney where the speed limit is 40mph.

On 16/11/2005, a pedestrian was killed while walking along the A272 near Ansty; on 9/7/04 a pedestrian was killed crossing the A272 near Midhurst; on 10/7/1999 a pedestrian was killed crossing the A272 carriageway near Midhurst.

In addition to pedestrian fatalities, three years ago on 19/12/2022 a pedestrian was seriously hurt crossing the A272 junction with the B2272 (Birch Hotel roundabout). This is

¹ The Design of Pedestrian Crossings
Department for Transport (April 1995)
https://assets.publishing.service.gov.uk/media/5a7d5cc0e5274a3356f2bc27/ltn-2-95_pedestrian-crossings.pdf

² www.crashmap.co.uk

This website uses data from the Department for Transport (currently 1999 – 2023)

All accidents that happened on the public highway, involved at least one vehicle, resulted in an injury to at least one person and were reported to the police are included.

³ Pedestrian killed near village of Cowfold

The Argus (31/8/2024)

<https://www.theargus.co.uk/news/24554499.pedestrian-killed-a272-cowfold-crash-mercedes/>

approximately 800m from the site entrance, and this roundabout crossing will need to be navigated by pedestrians walking to the Princess Royal bus stop.

It is noted that the A272/B2272 crossing where the accident occurred is an unrestricted crossing by a roundabout at the boundary of Haywards Heath with a speed limit of 30mph – 10mph lower than it is at the proposed site pedestrian crossing (which is considered a rural road by drivers), and 22mph less than the top speeds recorded at the site (see Section 3).

According to the Department for Transport's 'Reported road casualties in Great Britain: pedestrian factsheet'⁴, *"the most common contributory factor allocated to pedestrians in fatal or serious collisions (FSC) with another vehicle was 'Pedestrian failed to look properly'. The most common factor allocated to the vehicles involved was 'Driver or rider failed to look properly'"*

With an unrestricted road crossing, the onus is on the pedestrian to "look properly", while drivers will not be expecting people to cross the road as there is no obvious road crossing (only a dropped kerb).

The third most common contributory factor allocated to pedestrian fatalities was *"Pedestrian failed to judge vehicle's path or speed"*. This is likely to be an issue on the A272, as the higher overall speed of cars will make it harder to judge.

According to The Highways Code, children and older pedestrians are "particularly vulnerable" as they find it hard to judge the speed of cars. It states⁵: *"children and older pedestrians who may not be able to judge your speed and could step into the road in front of you. At 40 mph (64 km/h) your vehicle will probably kill any pedestrians it hits. At 20 mph (32 km/h) there is only a 1 in 20 chance of the pedestrian being killed."*

Research published by national road safety organisation Road Safety GB⁶ has found that primary school aged children cannot judge the speed of vehicles travelling faster than 20mph.

Road Safety GB states: *"Primary school children cannot accurately judge the speed of vehicles travelling faster than 20mph, according to a study carried out by researchers at Royal Holloway, University of London."*

"These findings provide strong evidence that children may make risky crossing judgements when vehicles are travelling at 30 or 40mph. In addition they are more likely to step in front of the faster vehicles, which therefore increases the risk fatality."

There is a lot of data on the impact of higher car speeds on pedestrian fatalities.

According to Roadwise (York and North Yorkshire Road Safety Partnership)⁷: *"If you hit a pedestrian they have a much greater chance of surviving if your speed is lower."*

⁴ Reported road casualties in Great Britain: pedestrian factsheet, 2023

(Department for Transport, 26 September 2024)

<https://www.gov.uk/government/statistics/reported-road-casualties-great-britain-pedestrian-factsheet-2023/reported-road-casualties-in-great-britain-pedestrian-factsheet-2023>

⁵ The Highway Code - Pedestrians (205-210)

<https://www.highwaycodeuk.co.uk/pedestrians.html>

⁶ Study claims children cannot judge speeds above 20mph

Road Safety GB (30 November 2010)

<https://roadsafetygb.org.uk/news/study-claims-children-cannot-judge-speeds-above-20mph-1334/>

⁷ The chance of a pedestrian surviving

If you hit a pedestrian:

*at 40 mph there is a 90 percent chance they will be killed.
at 35 mph there is a 50 percent chance they will be killed.
at 30 mph there is a 20 percent chance they will be killed.
at 20 mph there is a 2.5 percent chance they will be killed.”*

Given that cars have been monitored driving at 53mph and approximately 40% of vehicles were driving 10mph over the speed limit (see Section 3), it would be extremely dangerous to allow an unrestricted pedestrian crossing – just one collision would almost certainly result in a fatality.

Not only do car stopping distances and pedestrian fatalities go up dramatically with the speed of a vehicle, there is also an additional hazard in poor weather, at night (reduced visibility) and for different vehicle types. A substantial proportion of the vehicles using the A272 are heavy goods vehicles (HGVs) as it is a major arterial route between West and East Sussex. HGVs have been involved in a number of accidents on the A272 within a 2.5km radius of the site (see Section 4).

Table 1: Information on stopping distances (from The Highway Code⁸)

Speed	Stopping distance for a car	Stopping distance for a car in rain	Stopping distance for a car in ice/snow	Stopping distance for an HGV
20mph	12m	24m	120m	18m
30mph	23m	46m	230m	45m
40mph	36m	72m	360m	54m
50mph	53m	106m	530m	79.5m

With the proposed crossings in a 30mph and 40mph zone, and evidence that cars reach speeds of 53 mph in this section of road (See Section 3), it is highly unlikely that pedestrians will be able to safely cross the A272 with an unrestricted road crossing.

The safety of the unrestricted crossing will also be reduced at night time due to the limited street lighting on the A272 (see Section 7).

3. Speeding Data significantly lower than West Sussex County Council Data

Millers Homes carried out a traffic survey during an unspecified week during December 2023. They state the average weekday speeds as 35.9 – 38.5mph, with 85th percentile speeds of 40.1 – 42.5mph. Millers Homes did not provide data on the top 15th percentile speeds, which are likely to have been significantly higher.

<https://www.roadwise.co.uk/using-the-road/speeding/the-chance-of-a-pedestrian-surviving/>
⁸ The Highway Code - Typical stopping distances; Rule 227 (wet weather); Rule 230 (ice weather)
<https://www.gov.uk/guidance/the-highway-code>
<https://assets.publishing.service.gov.uk/media/559afb11ed915d1595000017/the-highway-code-typical-stopping-distances.pdf>

It is noted that the visibility splay of the proposed A272 crossing was based on an 85th percentile speed of 42.5mph.

These speeds are far lower than West Sussex County Council (WSCC) data, which found top speeds of 53mph in the 30mph section near Birch Close, and found that 40% of vehicles were driving at 10mph over the speed limit. An offender was recorded every minute!

Speeds may be even higher 200m down the road by the site entrance, where another crossing is proposed.

An email from Stephen Hillier, County Councillor for Haywards Heath East, to a Lewes Road/A272 resident on 5/11/2021 (see Appendix A for the full email), states:

"In relation to speeds, I can confirm that when we have done sessions in the 30mph section near Birch Close, the maximum speed we have recorded in the 30mph has been 53mp (!) and this would likely to have been higher but drivers tend to slow because we were in sight! A final bit of data is that on the occasions when we have been able to count the total number of vehicles passing, 8-12% of them have been 5mph or more above the speed limit and over 40% have been travelling at over 40mph!. We tend to find we record at least one offender per minute."

In an earlier email sent by County Councillor Stephen Hillier on 3/11/2021 (see Appendix B), he discusses the persistent issues of speeding down the A272 with 742 vehicles reported for speeding in the last year (this is data from a limited number of monitoring sessions). He also says that a change in the speed limit from 40mph to 30mph would likely have no impact (without a speed camera or other enforcement measure). His email states:

"As you may be aware there is a long history associated with this section of road and speeding. A number of years ago the speed limit was reduced to 30mph, in the face of the police objecting because they felt it was unenforceable, to reflect the wishes of local residents."

"Since then you may be aware that I have set up a Speedwatch campaign and have been out with three similarly concerned residents on a number of locations and, to-date, we have reported 742 vehicles for speeding in the last year."

The persistent issues with cars speeding on this section of the A272, has resulted in West Sussex County Council recently installing a Vehicle-Activated Sign (VAS) approximately 150m before the site entrance (see Figure 1 below).

Figure 1: Vehicle-Activated Sign installed on A272



Issues with speeding on the A272 have also been raised by local residents in the local press⁹.

The persistent speeding of vehicles on the A272, which were underestimated by Millers Homes, raises serious questions about not just pedestrian safety, but the safety of drivers accessing the proposed site via the access road (where the speed limit is 40mph).

4. Incomplete Traffic Accident Data

Millers Homes reports only three accidents have occurred in the last 5 years between “*The Ridings to Oldfield Drive*” (Section 4.5.2 of TA).

The area surveyed is only a short section of the A272. According to data from CrashMap¹⁰ (which uses published data from the Department for Transport), less than 1km from the site entrance - at the junction between the A272 and Bedales Hill - is a traffic accident hotspot. At this junction, there have been 12 crashes where someone has been injured, in the last 5 years, 3 of these involved serious injuries. One of these crashes (on 6/6/2022) involved an HGV and a motorcycle, resulting in a serious injury to the motorcycle rider.

The Department for Transport (DfT) only logs accidents that have been reported to the police and resulted in an injury to at least one person, therefore the actual number of accidents is much higher. I travel through this junction regularly for the school run and to visit local shops and see traffic accidents regularly.

⁹ Call for speed cameras on Lewes Road in Haywards Heath: concern about speeding cars putting residents at risk

Sussex Express (8/11/2021)

<https://www.sussexexpress.co.uk/news/politics/call-for-speed-cameras-on-dangerous-road-in-haywards-heath-3449725>

¹⁰ www.crashmap.co.uk

This website uses data from the Department for Transport (currently 1999 – 2023)

All accidents that happened on the public highway, involved at least one vehicle, resulted in an injury to at least one person and were reported to the police are included.

According to DfT data, in the last 25 years within a 2.5km radius of the site, there have been 5 fatal crashes on the A272, including:

- 1 fatal crash near The Ridings - approx 500m from proposed site (2012) - 1 fatality
- 1 fatal crash near Scaynes Hill (2009) - 1 fatality, 1 serious injury
- 1 fatal crash on Rocky Lane bypass (2006) - 1 fatality, 1 serious injury
- 1 fatal crash near Scaynes Hill (2005) - 3 fatalities, 2 serious injuries
- 1 fatal crash near Slugwash Lane – approx. 700m from proposed site (2002) – 1 fatality

Due to the high proportion of HGVs using the A272, there have been a number of crashes involving HGVs. Within a 2.5km radius of the site, there have been 4 crashes on the A272 involving HGVs in the last 5 years and 23 crashes involving HGVs in last 25 years.

The number of crashes is likely to increase with an additional 80 homes, and an estimated 111 additional cars¹¹ as well as numerous delivery drivers, making potentially thousands of journeys in and out of the site onto the 40mph section of the A272.

As the site is not pedestrian/public transport friendly (see Sections 2, 5, 6, 7 & 8) – the daily number of car journeys is likely to be high. I live on the A272 and make approximately 12 trips in and out of my house daily – school run, shops, the gym and work. If the residents of the development made a similar number of journeys, along with at least one delivery a day, the estimated number of trips is around 1500 daily.

With this high usage of the site access junction, which will have poor visibility compared to the Bedales Hill junction, it is highly likely the site access point will become a new accident hot spot.

5. Incorrect Pedestrian Distances

Millers Homes quotes incorrect pedestrian walking distances at various points within the FTP and TA.

In the FTP and TA, i-Transport claims: *“The core local amenities and services are presented in Figure 3.1/6.1 (along with walking catchment isochrones)...”*

“Primary school – the main primary school is Northlands Wood Primary Academy to the north west, circa 840m from the centre of the site...”

“Supermarket or local grocery shop (selling fresh food) – Tesco Express at Walnut Park is the closest at circa 790m from the centre of the site...”

“Doctor’s surgery – Northlands Wood Practice, at Walnut Park, with a Pharmacy (Kamsons) adjacent, these are circa 800m from the centre of the site.”

“The nearest bus stops to the site are located on Northlands Avenue (via Footpath 29CU) circa 1km walk distance from the centre of the site.”

¹¹ On average, there are 1.39 cars per household in West Sussex
https://www.westsussex.gov.uk/media/tabhq1di/census_briefing_2021_travel.pdf#:~:text=The%202021%20Census%20for%20West%20Sussex%20recorded,1.34%20in%202011%2C%20following%20an%20increase%20from

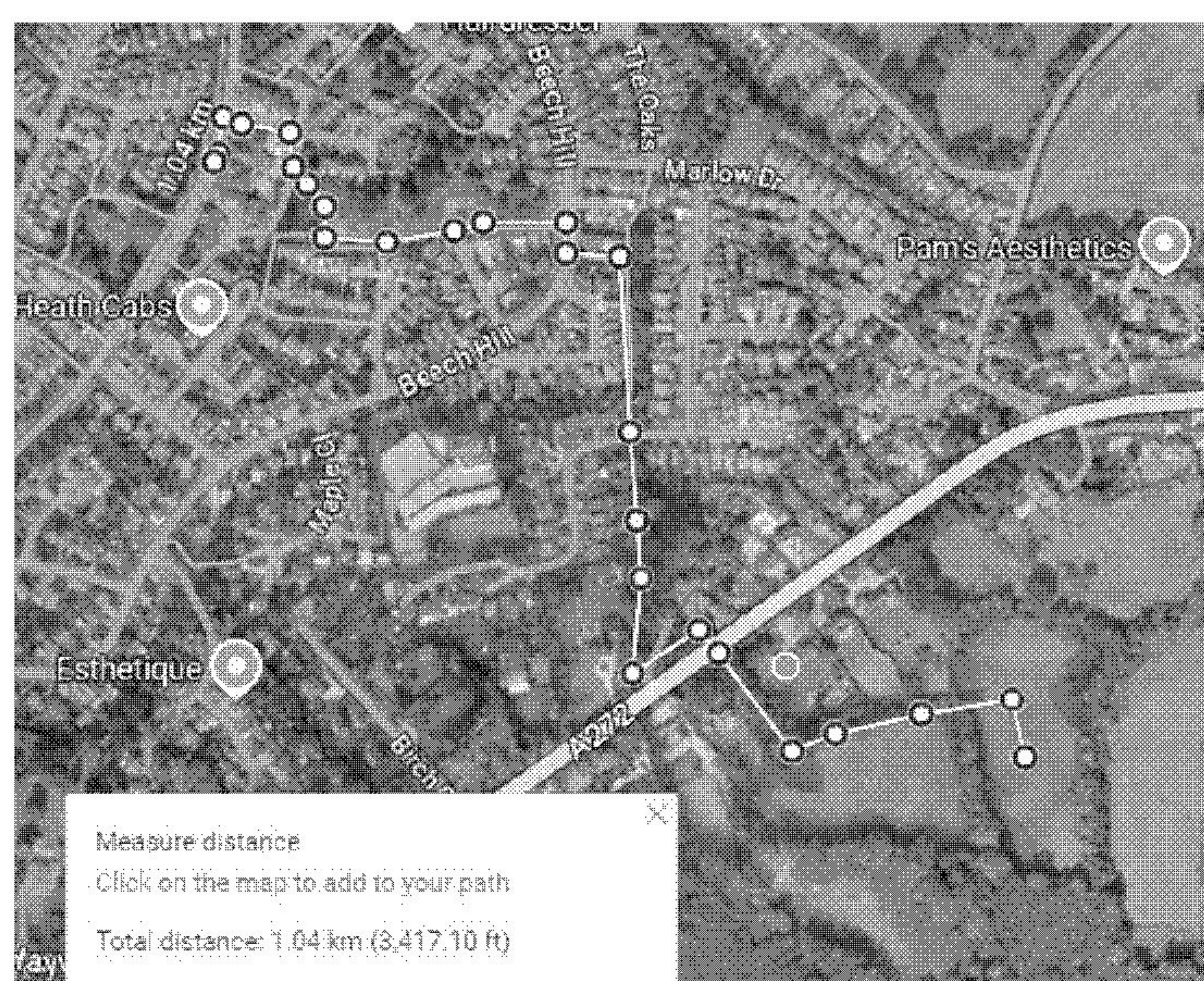
(Section 3.1.2 & 3.3.1 of FTP; Section 6.1.2 of TA)

The developer claims *“The main target of the TP in line with WSCC guidance is to achieve a reduction 10% in vehicular trips during a 12-hour weekday period (7am – 7pm).”* (FTP Section 4.2.1)

All these distances are incorrect. When measured on Google Maps, using the shortest walking route, the actual distances are up to 200m greater than claimed by the developer.

Figure 2 shows the 1040m walking distance from the centre of the proposed site, along 2NCU footpath to Northlands Primary School (the developer incorrectly claimed this was 840m).

Figure 2: Shortest pedestrian route to Northlands Wood GP surgery (via 2NCU)



According to Active Travel England's Standing Advice Note: Active Travel & Sustainable Development¹² (June 2014):

“A mix of local amenities should be located within an 800m walking and wheeling distance (using well-designed routes) of all residential properties or staff entrances for workplace facilities.”

None of the local amenities are within this recommended distance, therefore it is highly unlikely the developer will achieve the proposed reduction of 10% vehicular trips.

The pedestrian distances to each of the sites is even longer, if using an accessible path. As detailed in Section 6, the closest path to the local services is unsuitable for many pedestrians and cannot be used at night as there is no street lighting.

¹² Active Travel England Standing Advice Note: Active travel and sustainable development (June 2014)
<https://assets.publishing.service.gov.uk/media/667ace3fc7f64e234208ffb5/ate-travel-sustainable-development.pdf>

6.Usage of Inaccessible, Unlit Footpaths

Millers Homes proposes the use of 29CU public right of way (PROW) to access the local school, shops, doctor surgery and bus stops at various points within the FTP and TA.

“Many of the local facilities are located within the Walnut Park area within a reasonable walking distance of the site, accessible via existing footways on the northern side of Lewes Road and Public Right of Way 29CU.” (Section 3.1.3 of FTP)

“The nearest bus stops to the site are located on Northlands Avenue (via Footpath 29CU) circa 1km walk distance from the centre of the site.” (Section 3.3.1 of FTP & Section 6.3.1 of TA)

The developer claims *“The main target of the TP in line with WSCC guidance is to achieve a reduction 10% in vehicular trips during a 12-hour weekday period (7am – 7pm).”* (FTP Section 4.2.1)

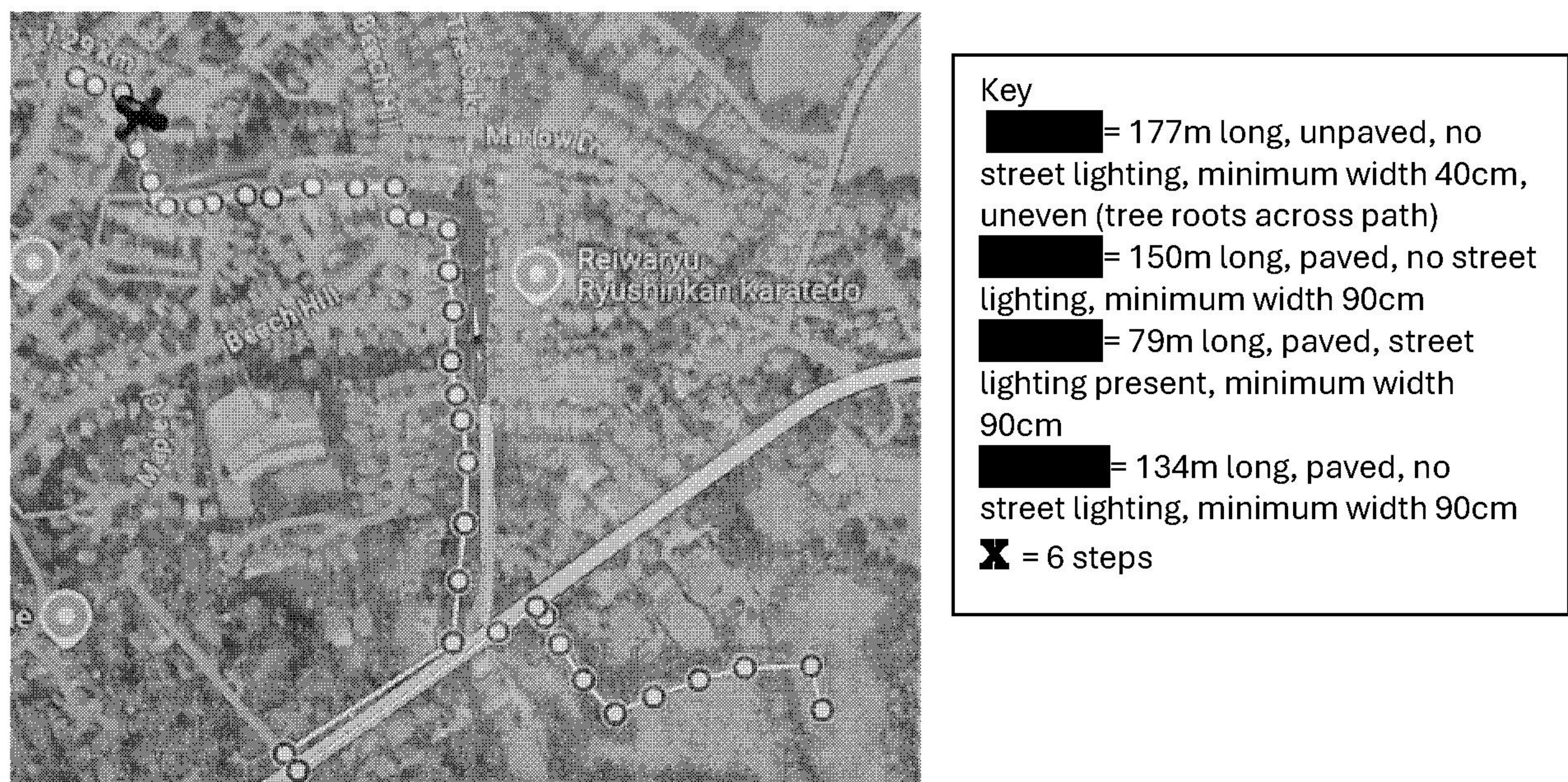
29CU is unsuitable for some pedestrians and is unsafe for all pedestrians after dark. Key features of 29CU:

- No street lighting for the majority of 29CU
- First 177m of 29CU is unpaved and impassable in wet weather
- Pinch points of 40cm
- 6 steps to access shops
- Elevation gain of 72m (when walking from Walnut Park to Lewes Road)

Therefore 29CU is unsuitable for the elderly, disabled, pushchair and wheelchair users, and cannot be used at night time (before 8am and after 4pm in winter).

For the full features of 29CU footpath see Figure 3, an illustrated map of 29CU footpath demonstrating the features of this path.

Figure 3 – Illustrated map of 29CU footpath to Walnut Park



The 29CU section between Lewes Road and Orchid Park (indicated as yellow in the map) is completely dark at night (see Figure 4) and has various uneven sections (see Figure 5), so is hazardous to navigate even in daylight.

Figure 4: Entrance to 29CU footpath off Lewes Road at night



Figure 5: Uneven sections of 29CU footpath



As detailed in the Active Travel England's Standing Advice Note: Active Travel & Sustainable Development¹ footpaths should have a minimum width of 2m, be step free, have a smooth, even surface and have streetlighting. The document states:

"2.6 Footpaths/ways to local amenities should conform to the National Design Guide standards of being safe, direct, convenient and accessible for people of all abilities, which includes but is not limited to routes that:

- *have a minimum width of 2m, with limited pinch points no less than 1.5m;*
- *are step-free;*
- *have a smooth, even surface;*
- *have seating at regular intervals;*
- *are uncluttered;*
- *have good natural surveillance and clear lines of sight;*
- *have street lighting;*
- *have wayfinding; and*

- *have crossing points suitable for the speed and traffic flow of the road(s).*”

The only lit, paved route to the Walnut Park development is significantly longer, which results in walking distances that are nearly double those quoted by Millers Homes. See Table 2 and Figure 6 below.

Table 2 – Distance to local services along paved lit footpath (compared with Millers Homes’ distance)

Route	Millers Homes’ stated distance (m)	Distance along paved, lit footpath (m)	Difference between Millers Homes’ distance and paved footpath (m) (Percentage increase on Millers Homes stated distance)
Centre of site to Northlands Primary	840	1260	420 (150%)
Centre of site to Tesco Express	790	1530	740 (194%)
Centre of site to Doctors surgery	800	1550	750 (194%)
Centre of site to Northlands Avenue bus stop	1000	1630	630 (163%)

Figure 6: Pedestrian route to Northlands Primary School via paved, lit paths



The 1.2km – 1.6km pedestrian distance from local amenities means it is highly unlikely the developer will achieve the proposed 10% reduction of vehicular trips.

7. Incorrect Pavement and Street Lighting Information

Millers Homes quotes incorrect pavement widths and street lighting information at various points within the FTP and TA.

“Lewes Road includes a footway...along the southern side of the carriageway. The footways are approximately 1.7 metres wide with street lighting present.” (Section 3.2.2 of FTP)

“Within the vicinity of the site, Lewes Road, includes a footway on the northern side of the carriageway between the junctions with Birch Close and Snowdrop Lane. Either side of these junctions, the footway terminates on the northern side but continues along the southern side of the carriageway. The footways are approximately 1.7 metres wide with street lighting present.” (Section 4.4.2 of TA)

This is incorrect – the width of pavement directly opposite the proposed site entrance is 1.15m (see Figure 7). 10 metres down the road the pavement narrows and is approximately 75cm (see Figure 8).

Figure 7 – Lewes Road pavement opposite proposed site entrance (tape measure is set on 1m)



Figure 8 – Lewes Road pavement 10m down from proposed site entrance (tape measure is set on 1m)



Although there is street lighting present on the Lewes Road, it is not sufficiently lit for pedestrians. The Lewes Road is poorly lit at night (see Figure 9 below) due to the wide spacing of lampposts.

I am a resident of Lewes Road and always use a torch when I walk in the evening, but this isn't ideal if walking with children or a dog by a 50mph road.

Figure 9: The Lewes Road at night – photo taken facing proposed site entrance



8.Incorrect Bus Data

Millers Homes includes various information on local bus stops and routes in its TA.

“The nearest bus stops to the site are located on Northlands Avenue (via Footpath 29CU) circa 1km walk distance from the centre of the site.” (6.3.1 in TA)

“Further bus stops with additional services are located on Bedales Hill (B2111), the B2272 Lewes Road and on Franklynn Road, circa 1.3km to the east and 1.4km to the west of the site access respectively.” (6.3.2 in TA)

The developer provides information on local bus services – times and frequencies - in Table 6.1.

The developer claims *“The main target of the TP in line with WSCC guidance is to achieve a reduction 10% in vehicular trips during a 12-hour weekday period (7am – 7pm).”* (FTP Section 4.2.1)

Northlands Avenue is actually a 1.6km walk from the site (if using paved, lit paths – see Section 6), this is an extra 600m to the distance stated by Millers Homes.

The Bedales Hill bus stop is not suitable for pedestrians - there is no footpath for the final 550m, so the only option is to walk on a sloped, overgrown verge and cross the A272 at the busy junction with Bedales Hill, which is an accident hotspot (see Section 4).

The majority of the bus routes in the area run from Princess Royal Hospital bus stop. This is a 1.42km walk from the development and requires using unrestricted crossings 4 times over the A272 and the busy junction with B2272.

- Crossing 1 – unrestricted crossing proposed by developer outside access road
- Crossing 2 - unrestricted crossing proposed by developer by Birch Close
- Crossing 3 – unrestricted crossing by “Birch Hotel” roundabout (A272/B2272 junction) with pedestrian refuge island (site of a serious pedestrian crash, see Section 2)
- Crossing 4 – unrestricted crossing by “Shell Garage” roundabout (B2272/Frankton Avenue junction) with pedestrian refuge island

All three bus stops are far beyond the distance people are willing to walk for a bus. According to Chartered Institution of Highways & Transportation’s Buses in Urban Development (2018)¹³, the maximum distance people are willing to walk for a bus is 500m.

Inaccuracies in bus timetables

There are numerous inaccuracies in the bus timetable listed by Millers Homes. They have repeatedly overstated the frequency and time window of the bus services. Buses run less frequently and with fewer morning and night services than claimed.

¹³ Buses in Urban Development

Chartered Institution of Highways & Transportation (January 2018)

https://www.ciht.org.uk/media/4459/buses_ua_tp_full_version_v5.pdf

The Millers Homes data in Table 6.1 was compared with publicly available data on Bus Times, a website that collates bus information from different providers, and the Compass Travel website, one of the main bus operators in the area¹⁴.

Only the 270 and 271 (from Princess Royal) run a Sunday service, with 4 services in each direction on a Sunday.

The distance to the bus stops, combined with the infrequency of the buses and the lack of morning and evening services, mean it is highly unlikely that the development will support the suggested 10% reduction in car usage. Instead they are likely to be 100% car dependent.

School buses – 33A, 149 and STP1/STP2

There are various buses listed in Table 3.1 of the Travel Plan that are only for school children. It is misleading that Millers Homes has included these in the Travel Plan

Bus 33A – is a once a day service between Haywards Heath and Warden Park Secondary School

Bus 149 – is a once a day service between Haywards Heath and Chailey School

STP1/ STP2 - is a once a day service between Haywards Heath and St Pauls Catholic College

Bus services from Northlands Avenue (weekday information):

Incorrect information for route 31 and 31A in Table 3.1 – incorrect first and last bus times; service is less frequent than claimed.

31 - To Uckfield

first bus from Northlands Avenue is at 9:59

service operates every 2 - 5 hours

31 - To Cuckfield

first bus from Northlands Avenue is at 6:11

service operates every 1 - 3 hours

31A To Uckfield

first bus from Northlands Avenue is at 8:59. Last bus is at 17:09

Service operates every 2-3 hours

31A to Cuckfield

First bus from Northlands Avenue is at 9:13. Last bus is at 13:13.

Service operates 3 times a day only (9:13, 11:13, 13:13)

Bus services from Princess Royal (weekday information):

Information correct on table 3.1 for route 3, 33, 39, 166

Incorrect information for route 30, 89, 270, 271 and 272. See below:

¹⁴ See <https://bustimes.org> and <https://compass-travel.co.uk/bus-timetables/>

30 - operates hourly in each direction from Princess Royal Hospital between 9:00 and 15:00. Apart from that it operates one service at 6:27 and two services between 16:25 and 17:40.

62 - 3 services on Tuesday and Thursday, 2 services on Monday, Wednesday & Friday. Also a school bus to Warden Park Secondary School

89 - 15:20 bus does not exist (other times are correct)
Buses going other direction (from Horsham to Princess Royal) less frequent - 11:46, 14:01, 17:25

270 - first bus from Princess Royal is at 7:10 (to East Grinstead) or 7:06 (to Brighton).

271 - first bus from Princess Royal is at 6:46. Bus service is actually every 1-3 hours

272 - first bus to Crawley Bus Station is at 10:00 (first bus to County Hospital is at 6:31). Bus service is actually every 1-3 hours (There is a more than 2 hour gap between five of the services - across both directions)

Appendix A – Email 1 from County Councillor Stephen Hillier to local resident regarding speeding

[REDACTED]

Good evening [REDACTED]

You are very welcome and I am sorry again that it took so long. Alas I get a ridiculous volume of emails and don't have the benefit of a number of staff that our MPs do!

In relation to your further queries, I provided a little data to the Middy and thought I'd reproduce it here for your benefit:

In relation to the speed camera matter, it is my understanding that national guidelines mean that these can only be installed in proven accident blackspots. In relation to your rapid maths, I'm afraid that the people we "catch" on Speedwatch don't get any fine etc and therefore there is no income pot. They get a letter from the police and if they are recognised as repeat offenders then on occasion they may get some "personal attention" from an unmarked car. Our work on Speedwatch, whilst very useful to the police and helps pick up things like uninsured vehicles, carries no criminal punishment.

In relation to speeds, I can confirm that when we have done sessions in the 30mph section near Birch Close, the maximum speed we have recorded in the 30mph has been 53mp (I) and this would likely to have been higher but drivers tend to slow because we were in sight! A final bit of data is that on the occasions when we have been able to count the total number of vehicles passing, 8-12% of them have been 5mph or more above the speed limit and over 40% have been travelling at over 40mph! We tend to find we record at least one offender per minute.

Finally, thank you for your pragmatic comment around the lack of value in reducing the 40mph to a 30mph.

I wish you well for the weekend and perhaps may bump into you some day (btw – we are doing a Speedwatch session near Sussex Gardens on Monday 2.30 – 4pm if you'd like to come up and meet us)

Kind

Regards

Stephen R Hillier

County Councillor for Bentswood & Franklands Wards (Haywards Heath East)

Appendix B – Email 2 from County Councillor Stephen Hillier to local resident regarding speeding

[REDACTED]

Dear [REDACTED]

I am truly sorry that you have had to chase me three times now, which is of course unacceptable.

As you may be aware there is a long history associated with this section of road and Speeding. A number of years ago the speed limit was reduced to 30mph, in the face of the police objecting because they felt it was unenforceable, to reflect the wishes of local residents.

Since then you may be aware that I have set up a Speedwatch campaign and have been out with three similarly concerned residents on a number of locations and, to-date, we have reported 742 vehicles for speeding in the last year. If you would like to get involved then may I suggest that you register for our group (Haywards Heath Lawes Rd A272 CSW) at www.communityspeedwatch.org.

The police and WSCC Highways are, therefore, fully aware of the situation but there is limited action they can take, particularly as thankfully there is little data about casualties on this section of road. Nonetheless, only a couple of weeks ago I was successful in getting our police contact to recommend the location for consideration in their "Speed Management Programme" where they liaise with the various agencies involved to see if they can come up with an action plan to improve matters.

I have also had several discussions with our local WSCC Highways Manager but, again due to the lack of accident data, he is unable to prioritise diverting the considerable amount of funding that would be necessary to try and implement an engineering solution. The fact that this is a significant "A road" and route to traverse the County also limits what can be done. The installation of speed humps, as you alluded to in your missive, is a non-starter for this kind of road I'm afraid. Similarly, the restrictive rules around the installation of speed cameras also mean they are a non-starter at this time. What we are looking at, though, is trying to find funding to install one or more VAS (vehicle-activated signs) that will notify drivers when they are in excess of speeds but they have historically cost in the region of £13k-15k each but I believe this has reduced a little.

Evaluation of Millers Homes' Framework Travel Plan (FTP) and Transport Assessment (TA)

Land North of Colwell Farm (DM/25/0445)

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1.Summary of findings

Proposed Pedestrian Crossings are dangerous

- Crossing by site entrance breaches Department for Transport advice - crossing should not be located at a junction
- Crossings proposed where 40% of vehicles drive 10mph over limit with maximum speeds of 53mph recorded
- Numerous pedestrian fatalities recorded on A272
- Unrestricted crossing means pedestrians more at risk - children and elderly particularly vulnerable
- Road has high proportion of HGVs, which have longer stopping distances than cars
- Poor street lighting on A272 will make crossing even more hazardous at night

Speeding Data significantly lower than West Sussex County Council Data

- Millers Homes states 85th percentile speeds of 42.5mph in 40mph zone
- West Sussex County Council (WSCC) monitored speeds by Birch Close and found
 - Top speeds of 53mph
 - 40% of vehicles drove 10mph over the speed limit
 - A speeding offender was recorded every minute
- Persistent speeding issues on the A272 - WSCC reported 742 vehicles speeding in one year (from a limited number of monitoring sessions)
- Police reluctant to reduce speed limit as unenforceable without speed cameras
- Vehicle Activated Sign installed by site entrance recently (indicator of persistent speeding issues)
- High speeds impacts pedestrian safety and safety of vehicles accessing proposed site

Incomplete Traffic Accident Data

- Traffic accident hotspot is under 1km from site (junction between A272 and Bedales Hill) – there have been 12 crashes reported to police in 5 years
- 5 fatal crashes on the A272 within 2.5km radius of the site (over last 25 years)
- Number of crashes involving HGVs - 4 crashes involving HGVs in last 5 years within 2.5km radius of the site
- Site access point likely to become new accident hotspot due to an estimated 1500 trips using junction

Incorrect Pedestrian Distances

- Millers Homes has understated pedestrian distances
- None of the local amenities are located within 800m of the site (as recommended by Active Travel England)
- Pedestrian distances even longer if using an accessible path that has street lights

Usage of Inaccessible, Unlit Footpaths

- Suggested footpath is narrow and dark throughout, is unpaved and uneven in sections
- Suggested footpath is unsuitable for the elderly, disabled, pushchair and wheelchair users, and cannot be used at night time (before 8am and after 4pm in winter)
- If paved, lit footpaths are used, pedestrian distances to local shops and GP double (distances to school and Northlands bus stop increase by over 50%)

Incorrect Pavement and Street Lighting Information

- Pavement adjacent to proposed crossing has pinch points of 0.75m (1.7m claim by developer inaccurate)
- Lewes Road has minimal street lighting - not sufficient for pedestrians or pedestrian crossing

Incorrect Bus Data

- All 3 local bus stops are further than recommended 500m walk (recommended by Chartered Institution of Highways & Transportation)
- Northlands Avenue is a 1.6km walk from the site (if using paved, lit paths)
- Bedales Hill bus stop is not suitable for pedestrians - there is no footpath for the final 550m (only an overgrown verge directly adjacent to 50mph road)
- Princess Royal Hospital bus stop is a 1.4km walk and requires using unrestricted crossings 4 times over busy roads and junctions
- Millers Homes repeatedly overstates the frequency and time window of local bus services (buses run less frequently and fewer morning and night services than claimed)
- Millers Homes mistakenly lists school buses as public buses

2. Proposed Pedestrian Crossings are dangerous

Millers Homes' submitted a proposal for a pedestrian crossing at Birch Close (see "Proposed Uncontrolled Crossing Across Lewes Road ITB19597-GA-011 rev A" submitted by developer) where the speed limit is 30mph.

They also propose a pedestrian crossing directly opposite the access road to the development where the speed limit is 40mph (Figure 5.1 in the FTP), and adjacent to where cars will be turning in and out of the proposed site access road onto the A272/Lewes Road.

The developer has only filed documentation for the proposed pedestrian crossing at Birch Close, and has not included separate documentation for the proposed pedestrian crossing outside the site access road – this is an error in omission and is misleading for the public and respondents.

Pedestrians wishing to walk to the services in the Walnut Park area (shops, primary school and GP) will need to cross the A272 at the pedestrian crossing outside the development (across the 40mph road).

Pedestrians wishing to walk to Princess Royal bus stop will need to use both crossings – first to cross to the northern side of the A272 (across the 40mph road) and then back to the southern side of the A272 (across the 30mph road).

Their proposal for an unrestricted pedestrian crossing adjacent to the proposed access road is in direct conflict with Department for Transport advice. The Department for Transport's The Design of Pedestrian Crossings¹ guidance states:

"2.1.1.1 Crossings should be located away from conflict points at uncontrolled junctions. This will give drivers an adequate opportunity to appreciate the existence of a crossing and to brake safely."

In addition, at this proposed crossing the speed limit of cars is 40mph – but 40% of cars have been monitored speeding, with top speeds of 53mph recorded (see Section 3). Also cars are permitted to overtake in this section of road (dashed centre line). Both these factors make this an extremely hazardous location to cross the A272.

There have been 5 pedestrian fatalities on the A272 in the last 25 years, according to data from CrashMap², which uses published data from the Department for Transport (DfT), and local news services.

On 31/8/2024, a pedestrian was killed on the A272 near the village of Cowfold³. As this is too recent to have been included in DfT records, information is only available from local news sources.

On 29/7/2018, a pedestrian was killed by a car while walking along the A272 carriageway near Bolney where the speed limit is 40mph.

On 16/11/2005, a pedestrian was killed while walking along the A272 near Ansty; on 9/7/04 a pedestrian was killed crossing the A272 near Midhurst; on 10/7/1999 a pedestrian was killed crossing the A272 carriageway near Midhurst.

In addition to pedestrian fatalities, three years ago on 19/12/2022 a pedestrian was seriously hurt crossing the A272 junction with the B2272 (Birch Hotel roundabout). This is

¹ The Design of Pedestrian Crossings
Department for Transport (April 1995)
https://assets.publishing.service.gov.uk/media/5a7d5cc0e5274a3356f2bc27/ltn-2-95_pedestrian-crossings.pdf

² www.crashmap.co.uk

This website uses data from the Department for Transport (currently 1999 – 2023)

All accidents that happened on the public highway, involved at least one vehicle, resulted in an injury to at least one person and were reported to the police are included.

³ Pedestrian killed near village of Cowfold

The Argus (31/8/2024)

<https://www.theargus.co.uk/news/24554499.pedestrian-killed-a272-cowfold-crash-mercedes/>

approximately 800m from the site entrance, and this roundabout crossing will need to be navigated by pedestrians walking to the Princess Royal bus stop.

It is noted that the A272/B2272 crossing where the accident occurred is an unrestricted crossing by a roundabout at the boundary of Haywards Heath with a speed limit of 30mph – 10mph lower than it is at the proposed site pedestrian crossing (which is considered a rural road by drivers), and 22mph less than the top speeds recorded at the site (see Section 3).

According to the Department for Transport's 'Reported road casualties in Great Britain: pedestrian factsheet'⁴, *"the most common contributory factor allocated to pedestrians in fatal or serious collisions (FSC) with another vehicle was 'Pedestrian failed to look properly'. The most common factor allocated to the vehicles involved was 'Driver or rider failed to look properly'"*

With an unrestricted road crossing, the onus is on the pedestrian to "look properly", while drivers will not be expecting people to cross the road as there is no obvious road crossing (only a dropped kerb).

The third most common contributory factor allocated to pedestrian fatalities was *"Pedestrian failed to judge vehicle's path or speed"*. This is likely to be an issue on the A272, as the higher overall speed of cars will make it harder to judge.

According to The Highways Code, children and older pedestrians are "particularly vulnerable" as they find it hard to judge the speed of cars. It states⁵: *"children and older pedestrians who may not be able to judge your speed and could step into the road in front of you. At 40 mph (64 km/h) your vehicle will probably kill any pedestrians it hits. At 20 mph (32 km/h) there is only a 1 in 20 chance of the pedestrian being killed."*

Research published by national road safety organisation Road Safety GB⁶ has found that primary school aged children cannot judge the speed of vehicles travelling faster than 20mph.

Road Safety GB states: *"Primary school children cannot accurately judge the speed of vehicles travelling faster than 20mph, according to a study carried out by researchers at Royal Holloway, University of London."*

"These findings provide strong evidence that children may make risky crossing judgements when vehicles are travelling at 30 or 40mph. In addition they are more likely to step in front of the faster vehicles, which therefore increases the risk fatality."

There is a lot of data on the impact of higher car speeds on pedestrian fatalities.

According to Roadwise (York and North Yorkshire Road Safety Partnership)⁷: *"If you hit a pedestrian they have a much greater chance of surviving if your speed is lower."*

⁴ Reported road casualties in Great Britain: pedestrian factsheet, 2023

(Department for Transport, 26 September 2024)

<https://www.gov.uk/government/statistics/reported-road-casualties-great-britain-pedestrian-factsheet-2023/reported-road-casualties-in-great-britain-pedestrian-factsheet-2023>

⁵ The Highway Code - Pedestrians (205-210)

<https://www.highwaycodeuk.co.uk/pedestrians.html>

⁶ Study claims children cannot judge speeds above 20mph

Road Safety GB (30 November 2010)

<https://roadsafetygb.org.uk/news/study-claims-children-cannot-judge-speeds-above-20mph-1334/>

⁷ The chance of a pedestrian surviving

If you hit a pedestrian:

*at 40 mph there is a 90 percent chance they will be killed.
at 35 mph there is a 50 percent chance they will be killed.
at 30 mph there is a 20 percent chance they will be killed.
at 20 mph there is a 2.5 percent chance they will be killed.”*

Given that cars have been monitored driving at 53mph and approximately 40% of vehicles were driving 10mph over the speed limit (see Section 3), it would be extremely dangerous to allow an unrestricted pedestrian crossing – just one collision would almost certainly result in a fatality.

Not only do car stopping distances and pedestrian fatalities go up dramatically with the speed of a vehicle, there is also an additional hazard in poor weather, at night (reduced visibility) and for different vehicle types. A substantial proportion of the vehicles using the A272 are heavy goods vehicles (HGVs) as it is a major arterial route between West and East Sussex. HGVs have been involved in a number of accidents on the A272 within a 2.5km radius of the site (see Section 4).

Table 1: Information on stopping distances (from The Highway Code⁸)

Speed	Stopping distance for a car	Stopping distance for a car in rain	Stopping distance for a car in ice/snow	Stopping distance for an HGV
20mph	12m	24m	120m	18m
30mph	23m	46m	230m	45m
40mph	36m	72m	360m	54m
50mph	53m	106m	530m	79.5m

With the proposed crossings in a 30mph and 40mph zone, and evidence that cars reach speeds of 53 mph in this section of road (See Section 3), it is highly unlikely that pedestrians will be able to safely cross the A272 with an unrestricted road crossing.

The safety of the unrestricted crossing will also be reduced at night time due to the limited street lighting on the A272 (see Section 7).

3. Speeding Data significantly lower than West Sussex County Council Data

Millers Homes carried out a traffic survey during an unspecified week during December 2023. They state the average weekday speeds as 35.9 – 38.5mph, with 85th percentile speeds of 40.1 – 42.5mph. Millers Homes did not provide data on the top 15th percentile speeds, which are likely to have been significantly higher.

<https://www.roadwise.co.uk/using-the-road/speeding/the-chance-of-a-pedestrian-surviving/>
⁸ The Highway Code - Typical stopping distances; Rule 227 (wet weather); Rule 230 (ice weather)
<https://www.gov.uk/guidance/the-highway-code>
<https://assets.publishing.service.gov.uk/media/559afb11ed915d1595000017/the-highway-code-typical-stopping-distances.pdf>

It is noted that the visibility splay of the proposed A272 crossing was based on an 85th percentile speed of 42.5mph.

These speeds are far lower than West Sussex County Council (WSCC) data, which found top speeds of 53mph in the 30mph section near Birch Close, and found that 40% of vehicles were driving at 10mph over the speed limit. An offender was recorded every minute!

Speeds may be even higher 200m down the road by the site entrance, where another crossing is proposed.

An email from Stephen Hillier, County Councillor for Haywards Heath East, to a Lewes Road/A272 resident on 5/11/2021 (see Appendix A for the full email), states:

“In relation to speeds, I can confirm that when we have done sessions in the 30mph section near Birch Close, the maximum speed we have recorded in the 30mph has been 53mp (!) and this would likely to have been higher but drivers tend to slow because we were in sight! A final bit of data is that on the occasions when we have been able to count the total number of vehicles passing, 8-12% of them have been 5mph or more above the speed limit and over 40% have been travelling at over 40mph!. We tend to find we record at least one offender per minute.”

In an earlier email sent by County Councillor Stephen Hillier on 3/11/2021 (see Appendix B), he discusses the persistent issues of speeding down the A272 with 742 vehicles reported for speeding in the last year (this is data from a limited number of monitoring sessions). He also says that a change in the speed limit from 40mph to 30mph would likely have no impact (without a speed camera or other enforcement measure). His email states:

“As you may be aware there is a long history associated with this section of road and speeding. A number of years ago the speed limit was reduced to 30mph, in the face of the police objecting because they felt it was unenforceable, to reflect the wishes of local residents.”

“Since then you may be aware that I have set up a Speedwatch campaign and have been out with three similarly concerned residents on a number of locations and, to-date, we have reported 742 vehicles for speeding in the last year.”

The persistent issues with cars speeding on this section of the A272, has resulted in West Sussex County Council recently installing a Vehicle-Activated Sign (VAS) approximately 150m before the site entrance (see Figure 1 below).

Figure 1: Vehicle-Activated Sign installed on A272



Issues with speeding on the A272 have also been raised by local residents in the local press⁹.

The persistent speeding of vehicles on the A272, which were underestimated by Millers Homes, raises serious questions about not just pedestrian safety, but the safety of drivers accessing the proposed site via the access road (where the speed limit is 40mph).

4. Incomplete Traffic Accident Data

Millers Homes reports only three accidents have occurred in the last 5 years between “*The Ridings to Oldfield Drive*” (Section 4.5.2 of TA).

The area surveyed is only a short section of the A272. According to data from CrashMap¹⁰ (which uses published data from the Department for Transport), less than 1km from the site entrance - at the junction between the A272 and Bedales Hill - is a traffic accident hotspot. At this junction, there have been 12 crashes where someone has been injured, in the last 5 years, 3 of these involved serious injuries. One of these crashes (on 6/6/2022) involved an HGV and a motorcycle, resulting in a serious injury to the motorcycle rider.

The Department for Transport (DfT) only logs accidents that have been reported to the police and resulted in an injury to at least one person, therefore the actual number of accidents is much higher. I travel through this junction regularly for the school run and to visit local shops and see traffic accidents regularly.

⁹ Call for speed cameras on Lewes Road in Haywards Heath: concern about speeding cars putting residents at risk

Sussex Express (8/11/2021)

<https://www.sussexexpress.co.uk/news/politics/call-for-speed-cameras-on-dangerous-road-in-haywards-heath-3449725>

¹⁰ www.crashmap.co.uk

This website uses data from the Department for Transport (currently 1999 – 2023)

All accidents that happened on the public highway, involved at least one vehicle, resulted in an injury to at least one person and were reported to the police are included.

According to DfT data, in the last 25 years within a 2.5km radius of the site, there have been 5 fatal crashes on the A272, including:

- 1 fatal crash near The Ridings - approx 500m from proposed site (2012) - 1 fatality
- 1 fatal crash near Scaynes Hill (2009) - 1 fatality, 1 serious injury
- 1 fatal crash on Rocky Lane bypass (2006) - 1 fatality, 1 serious injury
- 1 fatal crash near Scaynes Hill (2005) - 3 fatalities, 2 serious injuries
- 1 fatal crash near Slugwash Lane – approx. 700m from proposed site (2002) – 1 fatality

Due to the high proportion of HGVs using the A272, there have been a number of crashes involving HGVs. Within a 2.5km radius of the site, there have been 4 crashes on the A272 involving HGVs in the last 5 years and 23 crashes involving HGVs in last 25 years.

The number of crashes is likely to increase with an additional 80 homes, and an estimated 111 additional cars¹¹ as well as numerous delivery drivers, making potentially thousands of journeys in and out of the site onto the 40mph section of the A272.

As the site is not pedestrian/public transport friendly (see Sections 2, 5, 6, 7 & 8) – the daily number of car journeys is likely to be high. I live on the A272 and make approximately 12 trips in and out of my house daily – school run, shops, the gym and work. If the residents of the development made a similar number of journeys, along with at least one delivery a day, the estimated number of trips is around 1500 daily.

With this high usage of the site access junction, which will have poor visibility compared to the Bedales Hill junction, it is highly likely the site access point will become a new accident hot spot.

5. Incorrect Pedestrian Distances

Millers Homes quotes incorrect pedestrian walking distances at various points within the FTP and TA.

In the FTP and TA, i-Transport claims: *“The core local amenities and services are presented in Figure 3.1/6.1 (along with walking catchment isochrones) ...”*

“Primary school – the main primary school is Northlands Wood Primary Academy to the north west, circa 840m from the centre of the site ...”

“Supermarket or local grocery shop (selling fresh food) – Tesco Express at Walnut Park is the closest at circa 790m from the centre of the site ...”

“Doctor’s surgery – Northlands Wood Practice, at Walnut Park, with a Pharmacy (Kamsons) adjacent, these are circa 800m from the centre of the site.”

“The nearest bus stops to the site are located on Northlands Avenue (via Footpath 29CU) circa 1km walk distance from the centre of the site.”

¹¹ On average, there are 1.39 cars per household in West Sussex

https://www.westsussex.gov.uk/media/tabhq1di/census_briefing_2021_travel.pdf#:~:text=The%202021%20Census%20for%20West%20Sussex%20recorded,1.34%20in%202011%2C%20following%20an%20increase%20from

(Section 3.1.2 & 3.3.1 of FTP; Section 6.1.2 of TA)

The developer claims *“The main target of the TP in line with WSCC guidance is to achieve a reduction 10% in vehicular trips during a 12-hour weekday period (7am – 7pm).”* (FTP Section 4.2.1)

All these distances are incorrect. When measured on Google Maps, using the shortest walking route, the actual distances are up to 200m greater than claimed by the developer.

Figure 2 shows the 1040m walking distance from the centre of the proposed site, along 2NCU footpath to Northlands Primary School (the developer incorrectly claimed this was 840m).

Figure 2: Shortest pedestrian route to Northlands Wood GP surgery (via 2NCU)



According to Active Travel England's Standing Advice Note: Active Travel & Sustainable Development¹² (June 2014):

“A mix of local amenities should be located within an 800m walking and wheeling distance (using well-designed routes) of all residential properties or staff entrances for workplace facilities.”

None of the local amenities are within this recommended distance, therefore it is highly unlikely the developer will achieve the proposed reduction of 10% vehicular trips.

The pedestrian distances to each of the sites is even longer, if using an accessible path. As detailed in Section 6, the closest path to the local services is unsuitable for many pedestrians and cannot be used at night as there is no street lighting.

¹² Active Travel England Standing Advice Note: Active travel and sustainable development (June 2014)
<https://assets.publishing.service.gov.uk/media/667ace3fc7f64e234208ffb5/ate-travel-sustainable-development.pdf>

6. Usage of Inaccessible, Unlit Footpaths

Millers Homes proposes the use of 29CU public right of way (PROW) to access the local school, shops, doctor surgery and bus stops at various points within the FTP and TA.

“Many of the local facilities are located within the Walnut Park area within a reasonable walking distance of the site, accessible via existing footways on the northern side of Lewes Road and Public Right of Way 29CU.” (Section 3.1.3 of FTP)

“The nearest bus stops to the site are located on Northlands Avenue (via Footpath 29CU) circa 1km walk distance from the centre of the site.” (Section 3.3.1 of FTP & Section 6.3.1 of TA)

The developer claims *“The main target of the TP in line with WSCC guidance is to achieve a reduction 10% in vehicular trips during a 12-hour weekday period (7am – 7pm).”* (FTP Section 4.2.1)

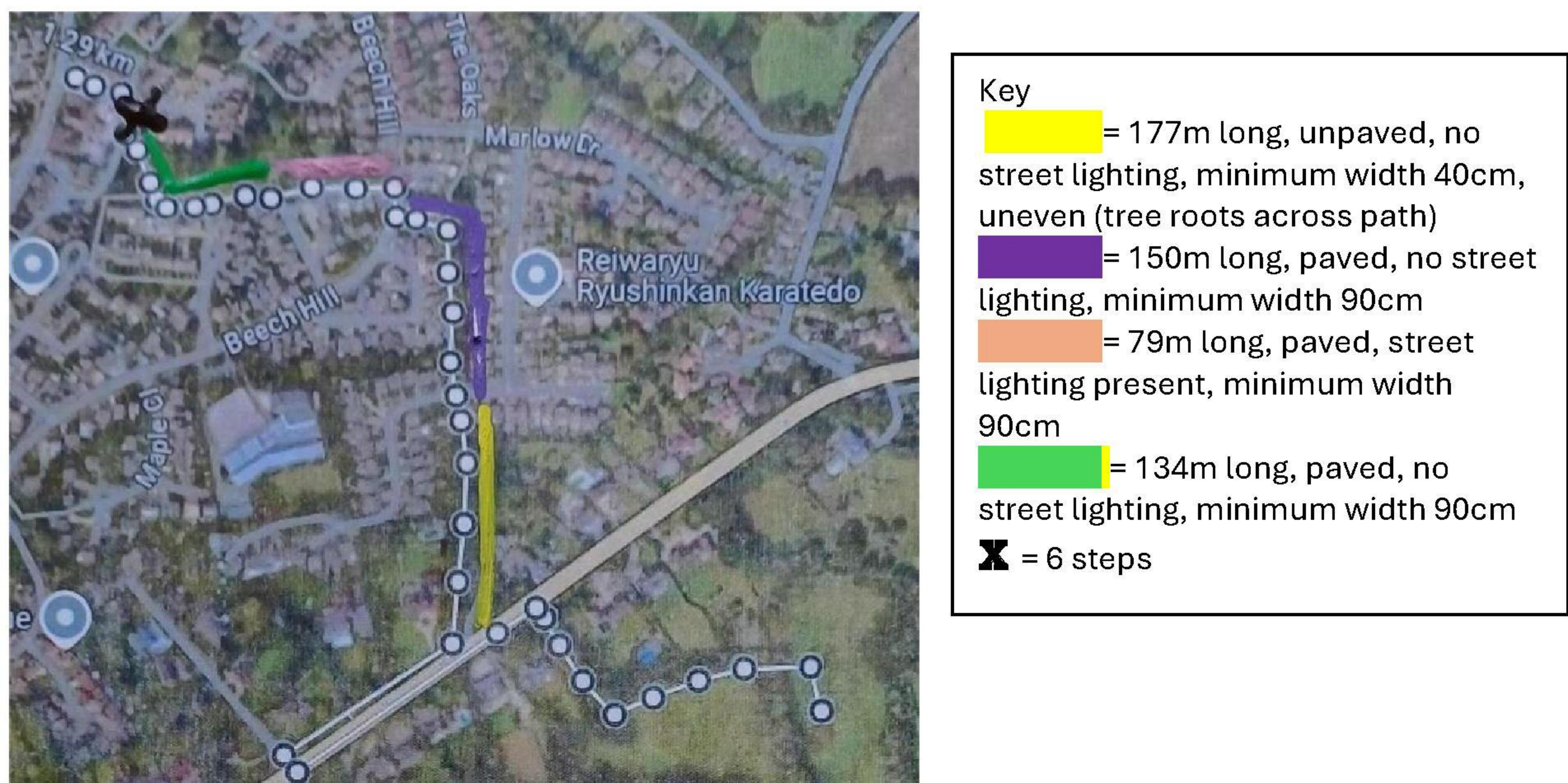
29CU is unsuitable for some pedestrians and is unsafe for all pedestrians after dark. Key features of 29CU:

- No street lighting for the majority of 29CU
- First 177m of 29CU is unpaved and impassable in wet weather
- Pinch points of 40cm
- 6 steps to access shops
- Elevation gain of 72m (when walking from Walnut Park to Lewes Road)

Therefore 29CU is unsuitable for the elderly, disabled, pushchair and wheelchair users, and cannot be used at night time (before 8am and after 4pm in winter).

For the full features of 29CU footpath see Figure 3, an illustrated map of 29CU footpath demonstrating the features of this path.

Figure 3 – Illustrated map of 29CU footpath to Walnut Park



The 29CU section between Lewes Road and Orchid Park (indicated as yellow in the map) is completely dark at night (see Figure 4) and has various uneven sections (see Figure 5), so is hazardous to navigate even in daylight.

Figure 4: Entrance to 29CU footpath off Lewes Road at night



Figure 5: Uneven sections of 29CU footpath



As detailed in the Active Travel England's Standing Advice Note: Active Travel & Sustainable Development¹ footpaths should have a minimum width of 2m, be step free, have a smooth, even surface and have streetlighting. The document states:

"2.6 Footpaths/ways to local amenities should conform to the National Design Guide standards of being safe, direct, convenient and accessible for people of all abilities, which includes but is not limited to routes that:

- *have a minimum width of 2m, with limited pinch points no less than 1.5m;*
- *are step-free;*
- *have a smooth, even surface;*
- *have seating at regular intervals;*
- *are uncluttered;*
- *have good natural surveillance and clear lines of sight;*
- *have street lighting;*
- *have wayfinding; and*

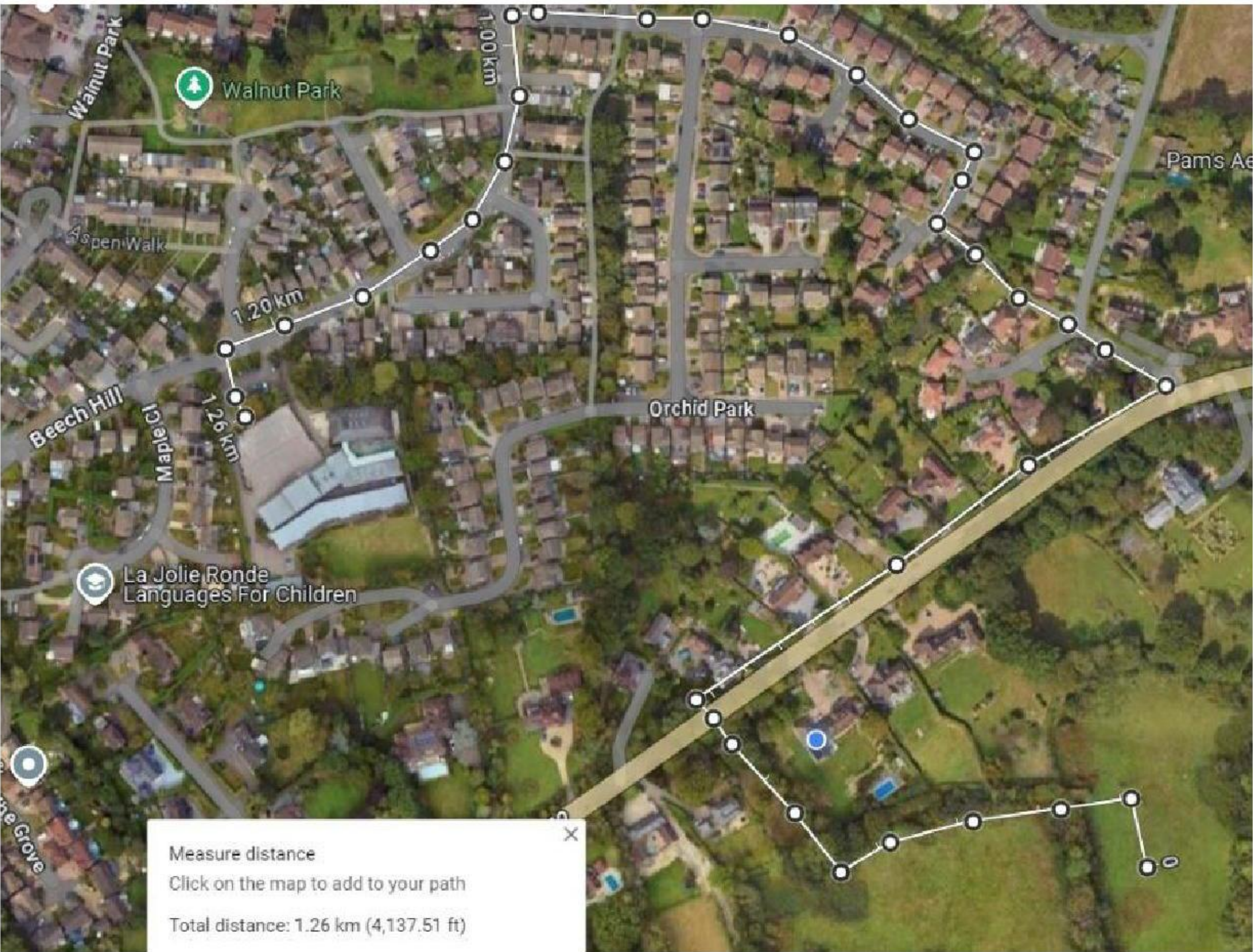
- *have crossing points suitable for the speed and traffic flow of the road(s).*”

The only lit, paved route to the Walnut Park development is significantly longer, which results in walking distances that are nearly double those quoted by Millers Homes. See Table 2 and Figure 6 below.

Table 2 – Distance to local services along paved lit footpath (compared with Millers Homes’ distance)

Route	Millers Homes’ stated distance (m)	Distance along paved, lit footpath (m)	Difference between Millers Homes’ distance and paved footpath (m) (Percentage increase on Millers Homes stated distance)
Centre of site to Northlands Primary	840	1260	420 (150%)
Centre of site to Tesco Express	790	1530	740 (194%)
Centre of site to Doctors surgery	800	1550	750 (194%)
Centre of site to Northlands Avenue bus stop	1000	1630	630 (163%)

Figure 6: Pedestrian route to Northlands Primary School via paved, lit paths



The 1.2km – 1.6km pedestrian distance from local amenities means it is highly unlikely the developer will achieve the proposed 10% reduction of vehicular trips.