

## **Mid Sussex District Council: Site Allocations Development Plan Document** **January 2020**

### **Statement of Common Ground**

#### **Parties to the Agreement**

The Agreement involves the following:

- Mid Sussex District Council
- Environment Agency

#### **Introduction**

This Statement of Common Ground demonstrates that ongoing and appropriate engagement and co-ordination is taking place between the parties that includes planning for the identified strategic planning issues that exist and/or likely to arise resulting from the MSDC emerging Site Allocations Development Plan Document (DPD) that has been published for 'Preferred Options' Consultation 9 October to 20 November 2019 and the updated draft of the Plan is due to be published for Regulation 19 Consultation Spring 2020. The Statement updates the previous statement agreed between the Parties 3 August 2015.

#### **Current Position**

Mid Sussex District Council adopted the District Plan (2014 – 2031) in March 2018. The District Plan identified a housing requirement for the district of 16,390 dwellings up to 2031. This meets the Objectively Assessed Need (OAN) for the district of 14,892 dwellings in full and makes provision for the agreed quantum of unmet housing need for the Northern West Sussex Housing Market Area, to be addressed within Mid Sussex, of 1,498 dwellings. The emerging Mid Sussex Sites DPD has four main aims, which are:

- To allocate sufficient housing sites to address the residual necessary to meet the identified housing requirement for the district up to 2031 in accordance with the Spatial Strategy set out in the District Plan;
- To allocate sufficient employment land to meet the residual need and in line with policy requirements set out in District Plan Policy DP1: Sustainable Economic Development;
- To allocate a site for a Science and Technology Park west of Burgess Hill in line with policy requirements set out in District Plan Policy DP1: Sustainable Economic Development, and
- To set out additional Strategic Policies necessary to deliver sustainable development.

The Site Allocations DPD policies are strategic and, once adopted, will form part of the Development Plan for the district,

The Site Allocations DPD proposes 22 housing site allocations and 8 employment site allocations to ensure that the housing and employment requirements as identified by the District Plan are met in full.

The Sites DPD has been informed by a comprehensive suite of technical evidence, including Sustainability Appraisal and Habitats Regulations Assessment.

## **Strategic Planning Issues**

The following strategic/ cross-boundary planning issues have been identified that relate to the Mid Sussex Sites DPD and the Parties:

### **1. Proposed Site Allocations**

The emerging Sites DPD proposes 22 housing allocations, 7 employment allocations and one Science and Technology Park to the west of Burgess Hill.

Detailed policy requirements have been developed for the proposed allocations that are published for consultation. These policy requirements have been developed in consultation with stakeholders, including the Environment Agency and so the wording should reflect comments already received. In particular, where the policy requirements relate to Environment Agency responsibilities, the wording has been developed through ongoing positive engagement between the Parties.

The Parties agree these allocations represent an appropriate strategy, and in particular, that the policy wording that overlaps with the Environment Agency's responsibilities and reflect ongoing engagement between the Parties. This does not preclude the Parties for continuing to work together and refining the policy wording up to submission of the Publication version of the plan.

The policy requirements for the proposed housing allocations includes the following standard requirements (Appendix C of the Sites DPD):

#### **“Flood risk and drainage**

- Provide a site specific Flood Risk Assessment (FRA)/surface water drainage strategy in areas at risk from fluvial or surface water flooding to inform the site layout and any appropriate mitigation measures that may be necessary. Areas at risk of flooding should be avoided in the first instance.
- Use Sustainable Drainage Systems (SuDS) principles and methods where possible to drain the surface water from the development. SuDS features are to be designed and managed to provide an ecological and water quality enhancement accordance with District Plan policy DP41 and the West Sussex Lead Local Flood Authority (LLFA) Policy for the Management of Surface Water.”

#### **“Biodiversity and Green Infrastructure**

- Carry out habitat and species surveys at the earliest opportunity in order to conserve important ecological assets from negative direct and indirect effects.
- Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.
- Achieve a net gain in biodiversity (measured in accordance with Government guidance), for example, by incorporating new natural habitats into development and designing buildings with integral bat boxes and bird nesting opportunities, green/brown roofs and green walling, in appropriate circumstances in accordance with DP38: Biodiversity.
- Protect and enhance Green Infrastructure by ensuring development retains that which exists on site and supports its improvement, enhancement,

management and restoration to develop a connected network of multi-functional greenspace.

- Improve access to, and understanding of natural greenspace and nature conservation features, including recognising the importance and role of green infrastructure to the ecosystem, biodiversity, public rights of way, health and well-being, the water environment, community facilities and climate change. Green Infrastructure is to be incorporated with SuDS, where possible, to improve biodiversity and water quality.”

The Sites DPD also sets out site specific policy requirements (included in policies SA12 to SA33 relating to housing allocations and SA2 to SA9 for employment). **Appendix 1** to this statement sets out any policy requirements for the 22 housing allocations and SA9: Science and Technology Park north of the A2300 Burgess Hill, relating to Environment Agency responsibilities.

The policy wording will continue to evolve in accordance with comments and advice received from the Environment Agency, including those received during the Regulation 18 consultation, attached below at appendix 2.

## **2. Sites partially within Flood Zones 2 and 3**

In relation to sites with areas of Flood Zone (FZ) 2 and 3, the policies have been drafted to ensure these areas of the site are not built upon, the exclusion area includes climate change allowances. A small portion of sites SA9: Science and Technology Park, SA19: Land South of Crawley Down Road and SA24: Land to the north of Shepherds Walk are within FZ2 & 3. A Sequential Flood Risk Test has been undertaken in accordance with the Environment Agency advice. This has helped inform the Strategic Flood Risk Assessment (SFRA) for any sites which may need to satisfy the Exceptions Test.

### **Liaison**

The parties have engaged on an ongoing basis throughout the preparation of the Sites DPD through email correspondence and officer meetings as required. Specific engagement has also taken place at key stages during plan preparation including revision of the methodology for identifying sites for potential allocation, including for the Strategic Housing and Employment Land Availability Assessment (SHELAA) and for site selection, and during preparation of the Draft Plan at ‘Preferred Options’ (Regulation 18) stage.

### **Governance**

For Mid Sussex, the Statement of Common Ground has been signed off by the Portfolio holder for Planning.

For Environment Agency, the Statement of Common Ground has been signed off by Hannah Hyland, Planning Specialist.

This Statement will be kept up to date during the preparation of the Site DPD. Additional Statements of Common Ground may also be prepared to support the preparation of the Tandridge District Council Local Plan and Mid Sussex District Council District Plan Review.

### **Conclusion**

The Environment Agency and Mid Sussex District Council agree that they have engaged on an ongoing basis throughout preparation of the Sites DPD and on this basis that the Duty-to-Cooperate has been met.

The Environment Agency and Mid Sussex District Council agree that there are no areas of disagreement between the parties relating to the emerging Sites DPD and to continue to work together on the areas of ongoing work discussed in this Statement of Common Ground.

**Appendix 1: MSDC Site Allocations DPD (Consultation Draft October 2019) site specific policy requirements for proposed site allocations relating to Environment Agency responsibilities**

Policy	Site Name	Policy Requirements for Utilities
SA9	Land north of A2300, Burgess Hill	<p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• The northern boundary of this site is within Flood Zones 2/3 and therefore should not be developed.</li> <li>• A site-specific Flood Risk Assessment will be undertaken to inform the site layout and any appropriate mitigation measures that may be necessary.</li> <li>• Proposals must incorporate Sustainable Drainage Systems (SuDS) as an integral part of the Green Infrastructure and open space proposals to mitigate flood risk and improve biodiversity and water quality.</li> </ul>
SA12	Land South of 96 Folders Lane, Burgess Hill	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Undertake an holistic approach to Green Infrastructure and corridors, including biodiversity and landscape enhancements within the site connecting to the surrounding area.</li> <li>• Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.</li> <li>• Incorporate SuDs within the Green Infrastructure to improve biodiversity and water quality.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• Mitigation measures are required to address flood risk and existing surface water flooding in the northern part of the site adjacent to Folder Lane. These are to be informed by a site specific Flood Risk Assessment (FRA).</li> <li>• Surface Water Drainage to be designed</li> </ul>
SA13	Land East of Keymer Road and South of Folders Lane, Burgess Hill	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Undertake an holistic approach to Green Infrastructure and corridors including biodiversity and landscape enhancements within the site and surrounding area.</li> <li>• Conserve and enhance areas of wildlife value to ensure there is a net gain of biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.</li> <li>• Provision of onsite SuDS will need to contribute to green infrastructure.</li> </ul> <p><b>Flood Risk and Drainage</b></p>

		<ul style="list-style-type: none"> <li>• Measures are required to address flood risk associated with the site and in particular the watercourse which runs close to the western boundary and across the access of the site. Avoid developing areas at high risk of surface water flooding to the north-west and adjacent to the existing watercourse.</li> <li>• Surface Water Drainage to be designed to minimise run off, to incorporate SuDS and to ensure that Flood Risk is not increased.</li> </ul>
SA14	Land to the south of Selby Close, Hammonds Ridge, Burgess Hill	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Ensure there is a net gain in biodiversity through biodiversity enhancements and Green Infrastructure provision within the site and surrounding area, by incorporating new natural native habitats and native street trees into the landscaping proposals and designing buildings with integral bat boxes and bird nesting opportunities.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• Design surface water drainage to minimise run off, to incorporate SuDS and to ensure that Flood Risk is not increased.</li> </ul>
SA15	Land South of Southway, Burgess Hill	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site that connect to the surrounding area.</li> <li>• Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.</li> <li>• Incorporate SuDs within the Green Infrastructure to improve biodiversity and water quality.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• Design surface water drainage to minimise run off, to incorporate SuDS and to ensure that Flood Risk is not increased.</li> </ul>
SA16	St. Wilfreds Catholic Primary School, School Close, Burgess Hill	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Ensure there is a net gain in biodiversity through biodiversity enhancements and Green Infrastructure provision within the site and surrounding area, incorporating new natural native habitats and native street trees into the landscaping proposals and designing buildings with integral bat boxes and bird nesting opportunities.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• Design surface water drainage to minimise run off, incorporate SuDS and to ensure that Flood Risk is not increased.</li> </ul>

SA17	Woodfield House, Isaacs Lane, Burgess Hill	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site that connect to the surrounding area.</li> <li>• Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.</li> <li>• Incorporate SuDs within the Green Infrastructure provision to improve biodiversity and water quality.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• Provide a site specific Flood Risk Assessment (FRA) to consider how surface water will be disposed from the site.</li> <li>• Incorporate Sustainable Drainage Systems as an integral part of the Green Infrastructure proposals to improve biodiversity and water quality.</li> </ul>
SA18	East Grinstead Police Station, College Lane, East Grinstead	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Provide a net gain for biodiversity, taking account of the wider ecological context, creating additional habitat in the construction of the building with integral bat and bird boxes and inclusion of well designed landscaped areas.</li> <li>• Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.</li> <li>• Incorporate SuDs within the Green Infrastructure to improve biodiversity and water quality.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• Surface Water Drainage to be designed to minimise run off, to incorporate SuDS and to ensure that Flood Risk is not increased.</li> </ul>
SA19	Land South of Crawley Down Road, Felbridge	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Undertake an holistic approach to Green Infrastructure and corridors, including biodiversity and landscape enhancements within the site connecting to the surrounding area.</li> <li>• Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.</li> <li>• Provision of onsite SuDS will need to contribute to green infrastructure - the flood risk buffer along the Felbridge Water needs to be used to maximise potential to increase biodiversity and habitat creation.</li> </ul>

		<ul style="list-style-type: none"> <li>• Potential impacts of the development on Hedgecourt Lake SSSI, which is accessible via existing PRoW to the north, should be understood and adequately mitigated.</li> <li>• Provision of green space shall be made for people and wildlife to attract people away from the nearby Hedgecourt Lake SSSI.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• The Southern boundary of the site borders a watercourse and its associated flood zones. All development shall avoid the flood extent for the 1 in 100 year event + Climate Change allowances and shall include an additional buffer zone. Hydraulic modelling is likely to be required to identify the full extent of the area.</li> </ul>
SA20	Land South and West of Imberhorne Upper School, Imberhorne Lane, East Grinstead	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Undertake an holistic approach to Green Infrastructure and corridors, including biodiversity and landscape enhancements within the site connecting to the surrounding area.</li> <li>• Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.</li> <li>• Incorporate SuDs within the Green Infrastructure to improve biodiversity and water quality.</li> <li>• Provide necessary protection and mitigation including a 15m buffer between development and areas of Ancient Woodland.</li> <li>• Retained trees and hedgerows shall be incorporated into the connected Green Infrastructure of the site and surrounding corridors.</li> <li>• On sit or adjacent provision of suitably managed Suitable Alternative Natural Greenspace (SANG) to attract people away from the nearby Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC); wider area to west of main site will be subject to further detailed work in order to define full extent of SANG provision.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• A Flood Risk Assessment must be provided with the application assessing the risk of flooding for different areas of the site. The sequential approach to the location of development should be followed. Retain sufficient space to allow for the natural flood flow routes that cross the site, taking account of those which come from off site.</li> <li>• Existing watercourses running across the site need to be given a minimum 5m buffer from the top of bank and any other existing water features shall be retained and enhanced.</li> <li>• Ensure that natural spring lines or flows are not blocked along the southern part of the site adjacent to the Worth Way in order to avoid creating future flood risk.</li> </ul>



		<ul style="list-style-type: none"> <li>• Natural flood risk management techniques and infiltration SuDS shall be integrated into the layout and design of the development, informed by the masterplan process.</li> </ul>
SA21	Rogers Farm, Fox Hill Haywards Heath	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site that connect to the surrounding area.</li> <li>• Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.</li> <li>• Incorporate SuDs within the Green Infrastructure provision to improve biodiversity and water quality.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• The north western area of the site is at risk of surface water flooding due to the close proximity of watercourses and should not therefore be developed. Provide a Flood Risk Assessment (FRA) to inform the site layout and any necessary mitigation measures that may be required. Any existing surface water flow paths across the site must be maintained.</li> <li>• Incorporate Sustainable Drainage Systems as an integral part of the Green Infrastructure and open space proposals to improve biodiversity and water quality.</li> </ul>
SA22	Land North of Burleigh Lane, Crawley Down	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site connecting to the surrounding area.</li> <li>• Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• Existing surface water flow paths cross the site and there is a watercourse adjacent to the east of the site. Provide a Flood Risk Assessment (FRA) to inform the site layout and any necessary mitigation measures that may be required.</li> <li>• Design Surface Water Drainage to minimise run off to adjacent land, to incorporate SuDS and to ensure that Flood Risk is not increased.</li> </ul>

SA23	Land at Hanlye lane to the east of Ardingly Road, Cuckfield	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site that connect to the surrounding area.</li> <li>• Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.</li> <li>• Incorporate SuDs within the Green Infrastructure to improve biodiversity and water quality.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• The site is situated next to the village pond. The culverted pipe taking the outflow of the pond to the watercourse along the western boundary of the site to the southern field is in poor condition. Consider drainage works to improve the situation such as creating an open watercourse to avoid future blockage and capacity issues.</li> <li>• Design surface water drainage to minimise run off, to incorporate SuDS and to ensure that Flood Risk is not increased.</li> <li>• Incorporate Sustainable Drainage Systems in the southern part of the site as an integral part of the Green Infrastructure proposals to improve biodiversity and water quality.</li> </ul>
SA24	Land to the north of Shepherds Walk, Hassocks	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Undertake an holistic approach to Green Infrastructure and corridors, including biodiversity and landscape enhancements and protection of the flood plain area adjacent to Herrings Stream which runs along the western boundary of the site as a Green Infrastructure corridor.</li> <li>• Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.</li> <li>• Incorporate SuDs within the Green Infrastructure - provide a wildlife buffer and appropriate enhancements to Herrings Stream to improve biodiversity and habitat creation.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• The Herring Stream runs along the western boundary of the site and is a designated Main River and has flood zones associated with it. The layout should be informed by a Flood Risk Assessment which shall identify the flood extent, within which development shall be avoided and shall include additional buffer zones for the 1 in 100 year event + Climate Change allowances.</li> <li>• Access to the site is across the flood plain and shall be appropriately designed to ensure that flood risk is not increased and any necessary flood plain compensation is provided.</li> <li>• Herrings Stream will be safeguarded as part of any redevelopment and the proposal shall include the long term protection and maintenance of the watercourse and landscape around it.</li> </ul>

		<ul style="list-style-type: none"> <li>• Surface Water Drainage shall be designed to incorporate SuDS and minimise run off from the site to ensure that Flood Risk is not increased.</li> </ul>
SA25	Land West of Selsfield Road, Ardingly	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Undertake an holistic approach to Green Infrastructure and corridors, including biodiversity and landscape enhancements within the site connecting to the surrounding area.</li> <li>• Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.</li> <li>• Incorporate SuDs within the Green Infrastructure to improve biodiversity and water quality.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• This site is situated on a Cuckfield Stone Member – Sandstone so there is potential for the use of infiltration SuDS. There do not appear to be any other options for the disposal of surface water from the site so ground investigations and permeability tests should be carried out and be submitted as part of the required flood risk assessment.</li> </ul>
SA26	Land South of Hammerwood Road, Ashurst Wood	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Impact on the nearby Herries Pasture a Local Wildlife Site (LWS) and on site wildlife habitat shall be fully considered and appropriate mitigation measures specified.</li> <li>• Undertake an holistic approach to Green Infrastructure and corridors, including biodiversity and landscape enhancements within the site connecting to the surrounding area.</li> <li>• Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• Ensure Surface Water Drainage for the sit minimises run-off, provides sustainable drainage systems and flood risk is not increased elsewhere.</li> <li>• Incorporate SuDs as an integral part of the Green Infrastructure proposals to improve biodiversity and water quality.</li> </ul>
SA27	Land at St. Martin Close, Handcross	<p><b>Biodiversity and Green Infrastructure</b></p>

		<ul style="list-style-type: none"> <li>• Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site connecting to the surrounding area.</li> <li>• Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.</li> <li>• Incorporate SuDs within the Green Infrastructure to improve biodiversity and water quality.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• Design surface water drainage to minimise run off, to incorporate SuDS and to ensure that Flood Risk is not increased.</li> </ul>
SA28	Land South of The Old Police House, Birchgrove Road, Horsted Keynes	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site that connect to the surrounding area.</li> <li>• Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• The site lies within a Groundwater Source Protection Zone 1. Development proposals will need to demonstrate that there is no significant harm caused to groundwater resources.</li> <li>• Manage surface water to minimise flood risk and flows to watercourses and incorporate SuDS in the southern part of the site as an integral part Green Infrastructure provision to improve biodiversity and water quality. The design and layout of the SuDS will need to be informed by ground investigation and permeability testing, and take into account the location of the site within a Groundwater Source Protection Zone.</li> </ul>
SA29	Land South of St. Stephens Church, Hamsland, Horsted Keynes	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site connecting to the surrounding area.</li> <li>• Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.</li> <li>• Incorporate SuDs within the Green Infrastructure to improve biodiversity and water quality.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• Design Surface Water Drainage to minimise run off, to incorporate SuDS and to ensure that Flood Risk is not increased.</li> </ul>

		<ul style="list-style-type: none"> <li>• Provide SuDs in the southern part of the site as an integral part of the Green Infrastructure proposals to improve biodiversity and water quality.</li> </ul>
SA30	Land to the north of Lyndon, Reeds Lane, Sayers Common	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site connecting to the surrounding area.</li> <li>• Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.</li> <li>• Incorporate SuDs within the Green Infrastructure to improve biodiversity and water quality.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• The site is adjacent to watercourses that also take surface water run-off from other parts of Sayers Common. This flood risk will reduce the developable areas and affect how surface water is disposed from the site. Provide a site specific Flood Risk Assessment (FRA) to identify areas which are susceptible to surface water flooding to inform the site layout and any necessary mitigation measures.</li> <li>• Consider the method of disposal of surface water from this site taking into account that the watercourses are in an area of high surface water flood risk.</li> <li>• Incorporate SuDS as an integral part of the Green Infrastructure proposals to improve biodiversity and water quality.</li> </ul>
SA31	Land to the rear of Firlands, Church Road, Scaynes Hill	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Undertake an holistic approach to Green Infrastructure and corridors, including biodiversity and landscape enhancements within the site connecting to the surrounding area.</li> <li>• Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.</li> <li>• Undertake an assessment of any impacts on Scaynes Hill Common Local Wildlife Site (LWS) and Costells, Henfield and Nashgill Woods SNCI shall be made and appropriately mitigated against. Unavoidable damage to biodiversity must be off-set through ecological enhancement and mitigation measures to ensure there is a net gain in biodiversity.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• Infiltration SuDs shall be incorporated for surface water disposal informed by permeability testing.</li> </ul>

SA32	Withypitts Farm, Selfield Road, Turners Hill	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Undertake an holistic approach to Green Infrastructure and corridors, including biodiversity and landscape enhancements within the site connecting to the surrounding area.</li> <li>• Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• Surface Water Drainage to be designed to minimise run off, to incorporate infiltration SuDS for surface water disposal and to ensure that Flood Risk is not increased.</li> </ul>
SA33	Ansty Cross Garage, Cuckfield, Ansty	<p><b>Biodiversity and Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Provide net gains for biodiversity, taking account of the wider ecological context, creating additional habitat in the construction of the building with integral bat and bird boxes and inclusion of well designed landscaped areas.</li> </ul> <p><b>Flood Risk and Drainage</b></p> <ul style="list-style-type: none"> <li>• Surface Water Drainage to be designed to significantly reduce any runoff and to ensure Flood Risk is not increased. Any contamination needs to be remediated prior to installation of infiltration SuDS.</li> </ul>

**Appendix 2: Advice received from the Environment Agency during the Regulation 18 Consultation of the Sits DPD.**

Mid Sussex District Council  
Oaklands Road  
Haywards Heath  
West Sussex  
RH16 1SS

**Our ref:** SX/2006/000041/OT-  
04/SB1-L01

**Your ref:**

**Date:** 20 November 2019

Dear Sir/Madam

**Mid Sussex District Council Site Allocations Development Plan Document  
Regulation 18 Consultation Draft**

Thank you for consulting us on the above document. We have reviewed the sites that you have included in your draft Plan and wish to make the following comments.

Where sites include areas of Flood Zone 2 and 3 our comments are based on the principle that the Sequential Test has been applied in accordance with the National Planning Policy Framework.

**Employment Site Allocations**

As a general point the employment site allocations do not provide such comprehensive site specific requirements as detailed for the housing site allocations. We would recommend where specific issues need to be addressed on individual sites these should be identified up front.

***Policy SA2 – Burnside Centre, Victoria Road, Burgess Hill***

The Pook Bourne Stream, a main river, is located along the southern part of the site. Any redevelopment of the site will need to ensure that flood risk, including an allowance for climate change, is fully considered through a Flood Risk Assessment. No built development should be incorporated within 8 metres of the main river. Opportunities for providing enhancements to the river corridor could also be incorporated and any use of the site should ensure suitable pollution prevention measures are incorporated into their design.

***Policy SA9 – Science and Technology Park***

We are pleased to see inclusion of flood risk and drainage in the site specific requirements and that the area to the north of the site in Flood Zone 2 and 3 will be undeveloped. We would recommend that a suitable buffer to allow for climate change is included. We also support the approach to ensure that green infrastructure

Environment Agency  
Portfield Depot Oving Road, Chichester, West Sussex, PO20 2AG.  
Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

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and biodiversity requirements will be integrated with proposals for managing surface water. Opportunities for reducing flood risk and increasing resilience to the impacts of climate change should be considered through a Flood Risk Assessment.

### **Housing Site Allocations**

We support the inclusion of site specific requirements in relation to biodiversity and green infrastructure for each site allocation with the requirement for biodiversity net gain. We are also pleased to see reference to the hierarchy of avoid, mitigate, compensate for any biodiversity loss. These are in line with the NPPF paragraphs 174 and 175.

We also note that for a number of sites there are specific requirements for addressing surface water flood risk. We support this detail, however, for clarity where a site specific Flood Risk Assessment is required on this basis the Environment Agency would not provide comment. We would look to West Sussex County Council as Lead Local Flood Authority alongside your own drainage engineer to assess the content.

The following sets out comments on sites where there are issues within our remit to be considered.

#### ***Policy SA19 – Land South of Crawley Down, East Grinstead***

The southern part of the site is located within Flood Zones 2 and 3 associated with Felbridge Water. We are pleased to see that no built development will be located in the flood zones through the application of the sequential approach and that consideration of appropriate climate change allowances will be made through requirements for future modelling as part of a Flood Risk Assessment for the site.

#### ***Policy SA20 – Land South and West of Imberhorne Upper School, East Grinstead***

We support the requirements in relation to flood risk management and in particular the reference to natural flood risk management techniques being integrated into the layout and design of the development.

Whilst the site specific requirements recognise the potential for contaminated land there is no reference to the historic landfill site located on the site. This is to the south east of the site located around Imberhorne Farm. Full consideration of this will be required and may impact on site layout.

#### ***Policy SA24 – Land North of Shepherds Walk, Hassocks***

We are pleased to see detailed site specific requirements in relation to flood risk associated with this site. We support that no housing development will be located within the flood zones, in line with the sequential approach, however note that the access will cross the Herring Stream. This site has been subject to a recent planning application, reference DM/18/2342, whereby we were satisfied with the proposals with the inclusion of appropriate planning conditions to manage flood risk.

#### ***Policy SA26 – Land South of Hammerwood Road, Ashurst Wood***

We are pleased to see requirements to ensure potential contamination on the site are fully considered. This is important as the site is located on a secondary aquifer.

#### ***Policy SA28 – Land South of the Old Policy House, Horsted Keynes***

As drafted the policy states that the site is located in Source Protection Zone 1. This is inaccurate as the site and should be amended to read Source Protection Zone 3.



Source Protection Zone 3 is identified as the area around a water supply source within which all the groundwater ends up at the abstraction point. Source Protection Zone 1 is a more sensitive designation and is a zone around a water supply source where a pollutant could reach that source within a 50 day travel time.

Despite this clarification we support the requirement for the development to ensure that groundwater resources are protected.

***Policy SA33 – Ansty Cross Garage, Ansty***

Due to the current sites use as a commercial petrol filling station full consideration of potential contamination needs to be made prior to redevelopment. The site is located on a secondary aquifer and any investigation and subsequent remediation should consider fully the risk to groundwater. As drafted the site specific requirements could be strengthened to demonstrate this.



I trust that the above comments are helpful in further developing the Site Allocations Development Plan Document. If there is any further clarification that you would like in relation to any of these please do not hesitate to contact me.

Yours faithfully

**Hannah Hyland**  
**Planning Specialist**

Direct dial 0203 0257088

Direct e-mail [hannah.hyland@environment-agency.gov.uk](mailto:hannah.hyland@environment-agency.gov.uk)

Signed	Signed
	
Hannah Hyland, Planning Specialist, Environment Agency	Andrew Mac Naughton, Cabinet Member for Planning and Economic Development
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