

SA3: Site of Former KDG, Victoria Road - Index by ID Number

ID	Respondent	Organisation	BehalfOf	Respondent Category	Participate
624	Mr S Harkins	SGN		Statutory Consultee	<input type="checkbox"/>
667	Mr S Cridland	Burgess Hill Town Council		Town & Parish Council	<input type="checkbox"/>
1482	Mr R Huntley	RHPC	Hargreaves Management Ltd	Promoter	<input type="checkbox"/>

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA3

**ID:** 624

**Response Ref:** Reg19/624/3

**Respondent:** Mr S Harkins

**Organisation:** SGN

**On Behalf Of:**

**Category:** Statutory Consultee

**Appear at Examination?** x



## **Site Allocations Development Plan Document Regulation 19 Submission Draft Consultation Form**

The District Council is seeking representations on the Submission Draft Site Allocations Development Plan Document, which supports the strategic framework for development in Mid Sussex until 2031.

The Site Allocations DPD, has four main aims, which are:

- i) 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;
- ii) 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;
- iii) 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
- iv) to set out additional Strategic Policies necessary to deliver sustainable development.

All comments submitted will be considered by a Planning Inspector, appointed by the Secretary of State, at a public examination to determine whether the plan is sound.

The Site Allocations DPD is available to view at:

[www.midsussex.gov.uk/planning-building/development-plan-documents/](http://www.midsussex.gov.uk/planning-building/development-plan-documents/)

A number of documents have been prepared to provide evidence for the Site Allocations DPD and these can be viewed on the Council's website at the above address.

Paper copies will also be at the Council offices (see address below) and your local library and available to view if the buildings are able to open during the consultation period.

**Please return to Mid Sussex District Council by midnight on 28<sup>th</sup> September 2020**

### **How can I respond to this consultation?**

**Online:** A secure e-form is available online at:

[www.midsussex.gov.uk/planning-building/development-plan-documents/](http://www.midsussex.gov.uk/planning-building/development-plan-documents/)

The online form has been prepared following the guidelines and standard model form provided by the Planning Inspectorate. To enable the consultation responses to be processed efficiently, it would be helpful to submit a response using the online form, however, it is not necessary to do so. Consultation responses can also be submitted by:

**Post:** Mid Sussex District Council  
Planning Policy  
Oaklands Road  
Haywards Heath  
West Sussex  
RH16 1SS

**E-mail:** [LDFconsultation@midsussex.gov.uk](mailto:LDFconsultation@midsussex.gov.uk)

A guidance note accompanies this form and can be used to help fill this form in.

## Part A – Your Details (You only need to complete this once)

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### 1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Simon"/>
Last Name	<input type="text" value="Harkins"/>
Job Title (where relevant)	<input type="text" value="Network Support Assistant"/>
Organisation (where relevant)	<input type="text" value="SGN"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text"/>
Address Line 1	<input type="text" value="Axis House"/>
Line 2	<input type="text" value="5 Lonehead Drive"/>
Line 3	<input type="text" value="Newbridge"/>
Line 4	<input type="text" value="Edinburgh"/>
Post Code	<input type="text" value="EH28 8TG"/>
Telephone Number	<input type="text" value="+44 (0) 131 469 1804"/>
E-mail Address	<input type="text" value="simon.harkins@sgn.co.uk"/>



Information will only be used by Mid Sussex District Council and its employees in accordance with the Data Protection Act 1998. Mid Sussex District Council will not supply information to any other organisation or individual except to the extent permitted by the Data Protection Act and which is required or permitted by law in carrying out any of its proper functions.

The information gathered from this form will only be used for the purposes described and any personal details given will not be used for any other purpose.

## Part B – Your Comments

You can find an explanation of the terms used in the guidance note. Please fill this part of the form out for each representation you make.

**Name or Organisation:**

SGN

### 3a. Does your comment relate to:

Site  
Allocations  
DPD

☒

Sustainability  
Appraisal

☐

Habitats Regulations  
Assessment

☐

Community  
Involvement  
Plan

☐

Equalities  
Impact  
Assessment

☐

Draft Policies  
Maps

☐

### 3b. To which part does this representation relate?

Paragraph

Policy SA

Draft Policies Map

### 4. Do you consider the Site Allocations DPD is:

4a. In accordance with legal and procedural requirements; including the duty to cooperate.

Yes

☐

No

☐

4b. Sound

Yes

☒

No

☐

### 5. With regard to each test, do you consider the Plan to be sound or unsound:

	Sound	Unsound
(1) Positively prepared	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(2) Justified	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(3) Effective	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(4) Consistent with national policy	<input type="checkbox"/>	<input type="checkbox"/>

**6a.** If you wish to support the legal compliance or soundness of the Plan, please use this box to set out your comments. If you selected '**No**' to either part of question **4** please also complete question **6b**.

I wish to support the soundness of the plan. I have no comments to make at this stage, but would like to offer my support for the future. I have also reviewed all sites in the DPD and their impact on the SGN gas infrastructure, if you so wish I would be happy to share a high-level review of my findings.

t is

**6b.** Please give details of why you consider the Site Allocations DPD is not legally compliant or is unsound. Please be as precise as possible.

**7.** Please set out what change(s) you consider necessary to make the Site Allocations DPD legally compliant or sound, having regard to the reason you have identified at question 5 above where this relates to soundness.

You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

8. If your representation is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination? (tick below as appropriate)

☐

**No**, I do not wish to participate at the oral examination

☐

**Yes**, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

**10. Please notify me when:**

(i) The Plan has been submitted for Examination

☒

(ii) The publication of the recommendations from the Examination

☒

(iii) The Site Allocations DPD is adopted

☒

Signature:

*S.Harkins*

Date:

25/09/2020

**Thank you for taking time to respond to this consultation**



[REDACTED]

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**From:** Harkins, Simon <Simon.Harkins@sgn.co.uk>  
**Sent:** 14 October 2020 15:58  
**To:** [REDACTED]  
**Subject:** RE: Mid Sussex DC Planning Policy - Site Allocations DPD Consultation (Regulation 19)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Afternoon [REDACTED]

Please find my feedback below. If you have any questions, then please let me know and I would be happy to help.

#### NETWORK OVERVIEW

From reviewing the impact that the Mid Sussex potential developments have on the gas infrastructure, I have identified that there are two areas of concern. The first is Burgess Hill, it is an area which is close to capacity and from the accumulative impact of all developments in and surrounding the town, it is likely that reinforcement will be required in the future to ensure security of supply to our customers.

The main trigger of the reinforcement is the 3,500 dwelling site *North and North West Burgess Hill*. From reviewing the trajectory of the site and analysing it on our Network Analysis Model, we expect that reinforcement will be required for 2025/26. Please note that this is just an estimate at this time of writing, it may have to go ahead before then or could be delayed due to development construction issues down to the Covid-19 pandemic. It is also worth noting that if it is delayed and UK governments stance to stop all new domestic connections post 2025 is upheld, then no reinforcement may be required.

The other area of concern is south east of Haywards Heath. This is a single fed leg that enters the Lewes district. The weakest point is at the tail of the system, however the reinforcement itself would be required upstream of the tail in the Mid Sussex district. An accumulative impact of small developments in Lewes and the site *Rogers Farm, Fox Hill*, are the trigger's for the reinforcement. It is expected that the reinforcement is likely to go ahead some time in our next price control period (April 2021 – March 2026)

#### Other Considerations

If any unexpected large demand sites, such as peaking power plants, were to connect to the system, then further analysis will be required.

Reinforcement of the existing Low Pressure (LP) network may be necessary to support development in Mid Sussex. This is dependent on the site demand and the final point of connection to SGN's network, which is usually only known to ourselves when a connections request is made.

SGN are unable to book capacity and the above assessment does not guarantee the availability of future capacity which is offered on a 'first come, first served basis'.

#### STATUTORY OBLIGATIONS

Where required, SGN will look to manage the provision of any off site infrastructure improvements, in line with the overall development growth and / or timescales provided. The full extent of these works will be dependent on the nature and location of the requested load(s), potentially requiring LP reinforcement in addition to that required for the IPMP networks, and will only become clear once a developer's request has been received. Reinforcement

solutions are likely to involve the provision of a new pipeline in parallel to SGN's existing mains system, but may also include the installation of above ground apparatus involving land purchase.

As this is a high level assessment and response, the information provided is indicative only and should be used as a guide to assist you on your assessment. While information obtained through consultation and / or engagement on Local Development Plans is important to our analysis, it only acts to identify potential development areas. Our principle statutory obligations relevant to the development of our gas network arise from the Gas Act 1986 (as amended), an extract of which is given below:-

Section 9 (1) and (2) which provides that:

#### 9. General powers and duties

(1) It shall be the duty of a gas transporter as respects each authorised area of his:-

(a) to develop and maintain an efficient and economical pipe-line system for the conveyance of gas; and

(b) subject to paragraph (a) above, to comply, so far as it is economical to do so, with any reasonable request for him -

(i.) to connect to that system, and convey gas by means of that system to, any premises; or

(ii.) to connect to that system a pipe-line system operated by an authorised transporter.

(1A) It shall also be the duty of a gas transporter to facilitate competition in the supply of gas.

(2) It shall also be the duty of a gas transporter to avoid any undue preference or undue discrimination -

(a) in the connection of premises or a pipe-line system operated by an authorised transporter to any pipe-line system operated by him; and in the terms of which he undertakes the conveyance of gas by means of such a system.

SGN would not, therefore, develop firm extension or reinforcement proposals until we are in receipt of confirmed developer requests.

As SGN is the owner and operator of significant gas infrastructure within the Mid Sussex area and due to the nature of our licence holder obligations;

- Should alterations to existing assets be required to allow development to proceed, such alterations will require to be funded by a developer.
- Should major alterations or diversions to such infrastructure be required to allow development to proceed, this could have a significant time constraint on development and, as such, any diversion requirements should be established early in the detailed planning process.

SGN would therefore request that, where the Council are in discussions with developers via the Local Plan, early notification requirements are highlighted.

Additionally, SGN are aware of the advances being made in renewable technologies, especially those related to the production of biomethane. Should any developer be proposing to include such technology within their development, then we would highlight the benefits of locating these facilities near existing gas infrastructure. Again, where the Council are in discussions with developers via the Local Plan, we would hope that these early notifications requirements are highlighted.

Please let me know if the above information is sufficient for your requirements at present. We would also welcome any future updates to your plans.

Kind regards,

**Simon Harkins**

**Network Support Assistant, Long Term Strategy**

T: +44 (0) 131 469 1804 (Internal: 31804)

E: [simon.harkins@sgn.co.uk](mailto:simon.harkins@sgn.co.uk)

SGN, Axis House, 5 Lonehead Drive, Newbridge, Edinburgh, EH28 8TG

[sgn.co.uk](http://sgn.co.uk)

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Classified as Internal

**From:** [REDACTED]  
**Sent:** 13 October 2020 11:11  
**To:** Harkins, Simon <Simon.Harkins@sgn.co.uk>  
**Cc:** ldfconsultation <ldfconsultation@midsussex.gov.uk>  
**Subject:** RE: Mid Sussex DC Planning Policy - Site Allocations DPD Consultation (Regulation 19)

**WARNING This email is not from the SGN network. Do not open unexpected files or links.**

Dear Mr Harkins,

Thank you for your response to the recent Regulation 19 consultation on the Sites DPD.

In your comment you state: *I have also reviewed all sites in the DPD and their impact on the SGN gas infrastructure, if you so wish I would be happy to share a high-level review of my findings.*

I'd be grateful if you could please clarify what high-level comments you have on the sites and their impacts on SGN gas infrastructure in order for us to determine whether any modifications are required to the plan or the evidence base.

Kind regards,

[REDACTED]  
Senior Planning Officer  
Planning Services

<http://www.midsussex.gov.uk>

**N.B. My working days are Tuesday – Thursday inclusive.**

Submit your planning application online.  
<http://www.planningportal.gov.uk>

How are we doing? We always welcome your [feedback](#)

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**From:** Harkins, Simon <[Simon.Harkins@sgn.co.uk](mailto:Simon.Harkins@sgn.co.uk)>  
**Sent:** 25 September 2020 12:05  
**To:** ldfconsultation <[ldfconsultation@midsussex.gov.uk](mailto:ldfconsultation@midsussex.gov.uk)>  
**Subject:** RE: Mid Sussex DC Planning Policy - Site Allocations DPD Consultation (Regulation 19)

Good Afternoon,

Please see attached Response Form. Unfortunately I could not use the Online Response form, as it came up with error messages when I pressed the Next button.

If you require any further information from myself then please get in touch.

Kind regards,

**Simon Harkins**  
**Network Support Assistant, Long Term Strategy**  
T: +44 (0) 131 469 1804 (Internal: 31804)  
E: [simon.harkins@sgn.co.uk](mailto:simon.harkins@sgn.co.uk)  
SGN, Axis House, 5 Lonehead Drive, Newbridge, Edinburgh, EH28 8TG  
[sgn.co.uk](http://sgn.co.uk)  
Find us on [Facebook](#) and follow us on Twitter: [@SGNgas](#)



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Classified as Internal

**From:** Mid Sussex District Council - Planning Policy <[planningpolicy@midsussex.gov.uk](mailto:planningpolicy@midsussex.gov.uk)>  
**Sent:** 03 August 2020 16:09  
**To:** Customer <[customer@sgn.co.uk](mailto:customer@sgn.co.uk)>  
**Subject:** Mid Sussex DC Planning Policy - Site Allocations DPD Consultation (Regulation 19)

[View this email in your browser](#)



sustainable development.

The Council must publish the version of the Site Allocations DPD that it intends to submit to the Planning Inspectorate for Examination. At this stage of consultation, the Council is seeking views on whether the Plan is legally compliant and meets the test of 'soundness' set out in the National Planning Policy Framework (NPPF). These are the broad areas that the Inspector will focus on in examining the Plan.

Comments will be considered by an independent planning inspector alongside the submitted Site Allocations DPD at a future Public Examination before deciding whether the Plan can be adopted by the Council.

The District Council will summarise the main issues from the consultation for the Inspector. The Inspector will also receive copies of the representations submitted.

All of the consultation documents, Community Involvement Plan, Statement of Representations Procedure, and further information can be viewed online at:  
[www.midsussex.gov.uk/SitesDPD](http://www.midsussex.gov.uk/SitesDPD)

**Comments can be submitted:**

**Online:** Online Form at [www.midsussex.gov.uk/SitesDPD](http://www.midsussex.gov.uk/SitesDPD)

**Post to:** Planning Policy, Mid Sussex District Council, Oaklands, Oaklands Road, Haywards Heath, West Sussex, RH16 1SS

**E-mail to:** [LDFconsultation@midsussex.gov.uk](mailto:LDFconsultation@midsussex.gov.uk)

Responses must be received by **midnight on the 28<sup>th</sup> September 2020.**

If you have any queries about this consultation, please e-mail:  
[planningpolicy@midsussex.gov.uk](mailto:planningpolicy@midsussex.gov.uk)

**Our address is:**  
Planning Policy  
Mid Sussex District Council  
Oaklands  
Oaklands Road  
Haywards Heath  
West Sussex  
RH16 1SS

[planningpolicy@midsussex.gov.uk](mailto:planningpolicy@midsussex.gov.uk)

You are receiving this email as you are either a Statutory Consultee, subscribe to the Planning Policy Update mailing list, or made a response to the Site Allocations DPD Regulation 18 consultation.

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Scotia Gas Networks Limited (company registration number 04958135) and all of its subsidiaries, except for Scotland Gas Networks plc are registered in England and Wales and have their registered office address at St Lawrence House, Station Approach, Horley, Surrey RH6 9HJ.

Scotland Gas Networks plc (company registration number SC264065) is registered in Scotland and has its registered office address at Axis House, 5 Lonehead Drive, Newbridge, Edinburgh EH28 8TG

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software viruses, but we advise you to carry out your own virus checks before accessing this email and any attachments. Except where required by law, we shall not be responsible for any damage, loss or liability of any kind suffered in connection with this email and any attachments, or which may result from reliance on the contents of this email and any attachments.

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**Scotland Gas Networks plc (company registration number SC264065) is registered in Scotland and has its registered office address at Axis House, 5 Lonehead Drive, Newbridge, Edinburgh EH28 8TG**



[REDACTED]

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**From:** Harkins, Simon <Simon.Harkins@sgn.co.uk>  
**Sent:** 15 October 2020 13:05  
**To:** Kate Brocklebank  
**Subject:** RE: Mid Sussex DC Planning Policy - Site Allocations DPD Consultation (Regulation 19)

Hello [REDACTED]

The potential capacity issue in Haywards Heath is only from housing. Burgess Hill however, the cause is the accumulative impact from all developments, including the employment allocations *Burnside Centre* and *Site of Former KDG*. Regarding the Science and Technology Park, north west of Burgess Hill it is likely (but not impossible) that if this does connect to the gas network it will connect to a separate system, where it will have no impact to the potential capacity issue at Burgess Hill.

Hope this helps, please feel free to send me any other questions.

Kind regards,

**Simon Harkins**  
Network Support Assistant, Long Term Strategy  
T: +44 (0) 131 469 1804 (Internal: 31804)  
E: [simon.harkins@sgn.co.uk](mailto:simon.harkins@sgn.co.uk)  
SGN, Axis House, 5 Lonehead Drive, Newbridge, Edinburgh, EH28 8TG  
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Classified as Internal

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**From:** [REDACTED]  
**Sent:** 15 October 2020 12:44  
**To:** Harkins, Simon <Simon.Harkins@sgn.co.uk>  
**Subject:** RE: Mid Sussex DC Planning Policy - Site Allocations DPD Consultation (Regulation 19)

**WARNING** This email is not from the SGN network. Do not open unexpected files or links.

Dear Simon,

I note you highlight potential capacity issues at Burgess Hill and Haywards Heath – could you please confirm if this relates to all the proposed employment allocations as well as the housing in each of the locations or just the latter?

Kind regards,

[REDACTED]

Senior Planning Officer  
Planning Services

<http://www.midsussex.gov.uk>

**N.B. My working days are Tuesday – Thursday inclusive.**

-----  
Submit your planning application online.  
<http://www.planningportal.gov.uk>  
-----

How are we doing? We always welcome your [feedback](#)

Working together for a better Mid Sussex  
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**From:** Harkins, Simon <[Simon.Harkins@sgn.co.uk](mailto:Simon.Harkins@sgn.co.uk)>

**Sent:** 14 October 2020 15:58

**To:** [REDACTED]

**Subject:** RE: Mid Sussex DC Planning Policy - Site Allocations DPD Consultation (Regulation 19)

Good Afternoon [REDACTED]

Please find my feedback below. If you have any questions, then please let me know and I would be happy to help.

#### NETWORK OVERVIEW

From reviewing the impact that the Mid Sussex potential developments have on the gas infrastructure, I have identified that there are two areas of concern. The first is Burgess Hill, it is an area which is close to capacity and from the accumulative impact of all developments in and surrounding the town, it is likely that reinforcement will be required in the future to ensure security of supply to our customers.

The main trigger of the reinforcement is the 3,500 dwelling site *North and North West Burgess Hill*. From reviewing the trajectory of the site and analysing it on our Network Analysis Model, we expect that reinforcement will be required for 2025/26. Please note that this is just an estimate at this time of writing, it may have to go ahead before then or could be delayed due to development construction issues down to the Covid-19 pandemic. It is also worth noting that if it is delayed and UK governments stance to stop all new domestic connections post 2025 is upheld, then no reinforcement may be required.

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#### Other Considerations

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## STATUTORY OBLIGATIONS

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As this is a high level assessment and response, the information provided is indicative only and should be use as a guide to assist you on your assessment. While information obtained through consultation and / or engagement on Local Development Plans is important to our analysis, it only acts to identify potential development areas. Our principle statutory obligations relevant to the development of our gas network arise from the Gas Act 1986 (as amended), an extract of which is given below:-

Section 9 (1) and (2) which provides that:

### 9. General powers and duties

(1) It shall be the duty of a gas transporter as respects each authorised area of his:-

(a) to develop and maintain an efficient and economical pipe-line system for the conveyance of gas; and  
(b) subject to paragraph (a) above, to comply, so far as it is economical to do so, with any reasonable request for him -

(i.) to connect to that system, and convey gas by means of that system to, any premises; or  
(ii.) to connect to that system a pipe-line system operated by an authorised transporter.

(1A) It shall also be the duty of a gas transporter to facilitate competition in the supply of gas.

(2) It shall also be the duty of a gas transporter to avoid any undue preference or undue discrimination -

(a) in the connection of premises or a pipe-line system operated by an authorised transporter to any pipe-line system operated by him; and in the terms of which he undertakes the conveyance of gas by means of such a system.

SGN would not, therefore, develop firm extension or reinforcement proposals until we are in receipt of confirmed developer requests.

As SGN is the owner and operator of significant gas infrastructure within the Mid Sussex area and due to the nature of our licence holder obligations;

- Should alterations to existing assets be required to allow development to proceed, such alterations will require to be funded by a developer.
- Should major alterations or diversions to such infrastructure be required to allow development to proceed, this could have a significant time constraint on development and, as such, any diversion requirements should be established early in the detailed planning process.

SGN would therefore request that, where the Council are in discussions with developers via the Local Plan, early notification requirements are highlighted.

Additionally, SGN are aware of the advances being made in renewable technologies, especially those related to the production of biomethane. Should any developer be proposing to include such technology within their development, then we would highlight the benefits of locating these facilities near existing gas infrastructure. Again, where the Council are in discussions with developers via the Local Plan, we would hope that these early notifications requirements are highlighted.

Please let me know if the above information is sufficient for your requirements at present. We would also welcome any future updates to your plans.

Kind regards,

Simon Harkins

Network Support Assistant, Long Term Strategy

T: +44 (0) 131 469 1804 (Internal: 31804)

E: [simon.harkins@sgn.co.uk](mailto:simon.harkins@sgn.co.uk)

SGN, Axis House, 5 Lonehead Drive, Newbridge, Edinburgh, EH28 8TG

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Classified as Internal

From: [REDACTED]

Sent: 13 October 2020 11:11

To: Harkins, Simon <[Simon.Harkins@sgn.co.uk](mailto:Simon.Harkins@sgn.co.uk)>

Cc: ldfconsultation <[ldfconsultation@midsussex.gov.uk](mailto:ldfconsultation@midsussex.gov.uk)>

Subject: RE: Mid Sussex DC Planning Policy - Site Allocations DPD Consultation (Regulation 19)

**WARNING** This email is not from the SGN network. Do not open unexpected files or links.

Dear Mr Harkins,

Thank you for your response to the recent Regulation 19 consultation on the Sites DPD.

In your comment you state: *I have also reviewed all sites in the DPD and their impact on the SGN gas infrastructure, if you so wish I would be happy to share a high-level review of my findings.*

I'd be grateful if you could please clarify what high-level comments you have on the sites and their impacts on SGN gas infrastructure in order for us to determine whether any modifications are required to the plan or the evidence base.

Kind regards,

[REDACTED]  
Senior Planning Officer  
Planning Services

<http://www.midsussex.gov.uk>

**N.B. My working days are Tuesday – Thursday inclusive.**

Submit your planning application online.  
<http://www.planningportal.gov.uk>

How are we doing? We always welcome your [feedback](#)

Working together for a better Mid Sussex

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**From:** Harkins, Simon <[Simon.Harkins@sgn.co.uk](mailto:Simon.Harkins@sgn.co.uk)>

**Sent:** 25 September 2020 12:05

**To:** ldfconsultation <[ldfconsultation@midsussex.gov.uk](mailto:ldfconsultation@midsussex.gov.uk)>

**Subject:** RE: Mid Sussex DC Planning Policy - Site Allocations DPD Consultation (Regulation 19)

Good Afternoon,

Please see attached Response Form. Unfortunately I could not use the Online Response form, as it came up with error messages when I pressed the Next button.

If you require any further information from myself then please get in touch.

Kind regards,

**Simon Harkins**

**Network Support Assistant, Long Term Strategy**

T: +44 (0) 131 469 1804 (Internal: 31804)

E: [simon.harkins@sgn.co.uk](mailto:simon.harkins@sgn.co.uk)

SGN, Axis House, 5 Lonehead Drive, Newbridge, Edinburgh, EH28 8TG

[sgn.co.uk](http://sgn.co.uk)

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[Find out how](#) to protect your home from carbon monoxide

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Classified as Internal

**From:** Mid Sussex District Council - Planning Policy <[planningpolicy@midsussex.gov.uk](mailto:planningpolicy@midsussex.gov.uk)>

**Sent:** 03 August 2020 16:09

**To:** Customer <[customer@sgn.co.uk](mailto:customer@sgn.co.uk)>

**Subject:** Mid Sussex DC Planning Policy - Site Allocations DPD Consultation (Regulation 19)

[View this email in your browser](#)



sustainable development.

The Council must publish the version of the Site Allocations DPD that it intends to submit to the Planning Inspectorate for Examination. At this stage of consultation, the Council is seeking views on whether the Plan is legally compliant and meets the test of 'soundness' set out in the National Planning Policy Framework (NPPF). These are the broad areas that the Inspector will focus on in examining the Plan.

Comments will be considered by an independent planning inspector alongside the submitted Site Allocations DPD at a future Public Examination before deciding whether the Plan can be adopted by the Council.

The District Council will summarise the main issues from the consultation for the Inspector. The Inspector will also receive copies of the representations submitted.

All of the consultation documents, Community Involvement Plan, Statement of Representations Procedure, and further information can be viewed online at:  
[www.midsussex.gov.uk/SitesDPD](http://www.midsussex.gov.uk/SitesDPD)

**Comments can be submitted:**

**Online:** Online Form at [www.midsussex.gov.uk/SitesDPD](http://www.midsussex.gov.uk/SitesDPD)

**Post to:** Planning Policy, Mid Sussex District Council, Oaklands, Oaklands Road, Haywards Heath, West Sussex, RH16 1SS

**E-mail to:** [LDFconsultation@midsussex.gov.uk](mailto:LDFconsultation@midsussex.gov.uk)

Responses must be received by **midnight on the 28<sup>th</sup> September 2020.**

If you have any queries about this consultation, please e-mail:  
[planningpolicy@midsussex.gov.uk](mailto:planningpolicy@midsussex.gov.uk)



**Our address is:**  
Planning Policy  
Mid Sussex District Council  
Oaklands  
Oaklands Road  
Haywards Heath  
West Sussex  
RH16 1SS

[planningpolicy@midsussex.gov.uk](mailto:planningpolicy@midsussex.gov.uk)

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## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA3

**ID:** 667

**Response Ref:** Reg19/667/5

**Respondent:** Mr S Cridland

**Organisation:** Burgess Hill Town Council

**On Behalf Of:**

**Category:** Town & Parish Council

**Appear at Examination?** x

**From:** Emily Bryant [REDACTED]  
**Sent:** 16 September 2020 09:34  
**To:** ldfconsultation  
**Cc:** Steve BHTC; Cllr Janice Henwood  
**Subject:** Site Allocations DPD Response BHTC Planning Committee  
**Attachments:** Site Allocations DPD response.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** SiteDPD

Good morning,

Please find attached the response from the Burgess Hill Town Council Planning Committee on the Site Allocations DPD Consultation.

Kind regards,

**Emily Bryant**  
**Projects and Administration Officer**  
**Direct Line : 01444 238206**



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**Burgess Hill Town Council**, 96 Church Walk, Burgess Hill, West Sussex, RH15 9AS

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## **RESPONSE 16 SEPTEMBER 2020 – BHTC PLANNING COMMITTEE**

The Committee reiterated their previous response on the consultation, which listed all of the policies that specific sites contravene, with the addition of the specific comments on SA12, 13, and 15 made at the meeting on 1 September 2020.

There is a failure to take proper account of the planning context set out in the District Plan as Burgess Hill already meets its minimum requirements in the District Plan.

### **SA12:**

This contravenes Neighbourhood Plan Core Objective 5 and Policy H3

### **SA13:**

This site houses an historic field system and its development would have a negative impact on biodiversity contravening District Plan Policy DP37. The Sussex Biodiversity Record Centre has stated that this site contains important species of flora and fauna which are internationally protected. The site would cause coalescence with the villages south of Burgess Hill (Keymer and Hassocks) which contravenes District Plan Policy DP13. Inclusion of SA12 and SA13 takes no realistic account of severe traffic issues which have been identified in three previous proposals.

### **SA15:**

There is an ancient woodland as part of this site, and its development would contravene District Plan Policy DP37. The application contravenes Neighbourhood Plan Core Objective 5 and Policies G1 and G3.

## **PREVIOUS RESPONSE SUBMITTED NOVEMBER 2019**

### **SA2:**

The Committee noted that there was an inaccuracy in the description – there was no mention that Burgess Hill Shed were based at the centre. As this was a valuable community resource, they should also be found alternative accommodation, as well as a replacement facility for the adults with learning difficulties. There should be a comprehensive study of what is required in the town before Burnside is removed.

### **SA3:**

It was noted that this site already had planning permission for industrial use. The Committee requested it was used for housing as in the Neighbourhood Plan. It was noted that there was a traffic issue around the bend of Victoria road, and the Committee requested a link road.

### **SA12 and 13:**

The sites contravened District Plan policies DP7, DP12, DP13, DP18, DP20, DP21, DP26, DP37, DP38, and Neighbourhood Plan core objective 5, and policy H3.

There were a significant number of problems with this site which make it unsustainable.

There should not be any significant development until the impact of the existing major developments has been fully absorbed and understood. When looking at future housing sites it should be done in a more strategic manner, rather than looking at individual sites in isolation.

This site allocation would contradict the Town Council's Environmental Charter, and any significant loss of trees would impact the aim to be carbon neutral by 2050. It was noted that we were now in a climate emergency.

**SA14:**

Comments: No objections.

**SA15:**

The Committee noted that this site was supposed to be part of the 'Green lung', and had a significant number of trees. This Site Allocation would contradict the Town Council's Environmental Charter, and any significant loss of trees would impact the aim to be carbon neutral by 2050. It was noted that we were now in a climate emergency. The Committee wished that it be highlighted that the area was a habitat for nightingales, a species on the red list and in danger of extinction.

Site Allocation SA15 contravened District Plan policies DP7, DP21, DP22, DP26, DP37, DP38, Neighbourhood Plan core objective 5, and Neighbourhood Plan policies G1 and G3.

There should not be any significant development until the impact of the existing major developments has been fully absorbed and understood. When looking at future housing sites it should be done in a more strategic manner, rather than looking at individual sites in isolation.

**SA16:**

The Committee questioned the deliverability of this scheme within the current time frame, as it involved numerous aspects of the development coming together.

The Committee wished to further understand the impact on primary education in this area of the town. What was the plan to re-provision places from residents in the South side of the town?

There should not be any significant development until the impact of the existing major developments has been fully absorbed and understood. When looking at future housing sites it should be done in a more strategic manner, rather than looking at individual sites in isolation.

There should be a holistic approach to the impact from all of the developments and how they impacted on the traffic flow within the town.

**SA17:**

Comments: No objections.

**Site Allocations DPD: Regulation 19 Consultation Response****Policy:** SA3**ID:** 1482**Response Ref:** Reg19/1482/1**Respondent:** Mr R Huntley**Organisation:** RHPC**On Behalf Of:** Hargreaves Management Ltd**Category:** Promoter**Appear at Examination?** x





## **Site Allocations Development Plan Document Regulation 19 Submission Draft Consultation Form**

The District Council is seeking representations on the Submission Draft Site Allocations Development Plan Document, which supports the strategic framework for development in Mid Sussex until 2031.

The Site Allocations DPD, has four main aims, which are:

- i) 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;
- ii) 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;
- iii) 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
- iv) to set out additional Strategic Policies necessary to deliver sustainable development.

All comments submitted will be considered by a Planning Inspector, appointed by the Secretary of State, at a public examination to determine whether the plan is sound.

The Site Allocations DPD is available to view at:

[www.midsussex.gov.uk/planning-building/development-plan-documents/](http://www.midsussex.gov.uk/planning-building/development-plan-documents/)

A number of documents have been prepared to provide evidence for the Site Allocations DPD and these can be viewed on the Council's website at the above address.

Paper copies will also be at the Council offices (see address below) and your local library and available to view if the buildings are able to open during the consultation period.

**Please return to Mid Sussex District Council by midnight on 28<sup>th</sup> September 2020**

### **How can I respond to this consultation?**

**Online:** A secure e-form is available online at:

[www.midsussex.gov.uk/planning-building/development-plan-documents/](http://www.midsussex.gov.uk/planning-building/development-plan-documents/)

The online form has been prepared following the guidelines and standard model form provided by the Planning Inspectorate. To enable the consultation responses to be processed efficiently, it would be helpful to submit a response using the online form, however, it is not necessary to do so. Consultation responses can also be submitted by:

**Post:** Mid Sussex District Council  
Planning Policy  
Oaklands Road  
Haywards Heath  
West Sussex  
RH16 1SS

**E-mail:** [LDFconsultation@midsussex.gov.uk](mailto:LDFconsultation@midsussex.gov.uk)

A guidance note accompanies this form and can be used to help fill this form in.

## Part A – Your Details (You only need to complete this once)

---

### 1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="ROB"/>
Last Name	<input type="text" value="HUNTLEY"/>
Job Title (where relevant)	<input type="text"/>
Organisation (where relevant)	<input type="text" value="RHPC"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text" value="HARGREAVES MANAGEMENT LTD"/>
Address Line 1	<input type="text" value="REDACTED"/>
Line 2	<input type="text" value="REDACTED"/>
Line 3	<input type="text" value="REDACTED"/>
Line 4	<input type="text"/>
Post Code	<input type="text" value="REDACTED"/>
Telephone Number	<input type="text" value="REDACTED"/>
E-mail Address	<input type="text" value="REDACTED"/>



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## Part B – Your Comments

You can find an explanation of the terms used in the guidance note. Please fill this part of the form out for each representation you make.

**Name or Organisation:**

### 3a. Does your comment relate to:

Site Allocations DPD	<input checked="" type="checkbox"/>	Sustainability Appraisal	<input type="checkbox"/>	Habitats Regulations Assessment	<input type="checkbox"/>
Community Involvement Plan	<input type="checkbox"/>	Equalities Impact Assessment	<input type="checkbox"/>	Draft Policies Maps	<input type="checkbox"/>

### 3b. To which part does this representation relate?

Paragraph  Policy SA  Draft Policies Map

### 4. Do you consider the Site Allocations DPD is:

4a. In accordance with legal and procedural requirements; including the duty to cooperate. Yes ☐ No ☐

4b. Sound Yes ☐ No ☒

### 5. With regard to each test, do you consider the Plan to be sound or unsound:

	Sound	Unsound
(1) Positively prepared	<input type="checkbox"/>	<input type="checkbox"/>
(2) Justified	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(3) Effective	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(4) Consistent with national policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**6a.** If you wish to support the legal compliance or soundness of the Plan, please use this box to set out your comments. If you selected '**No**' to either part of question **4** please also complete question **6b**.

**6b.** Please give details of why you consider the Site Allocations DPD is not legally compliant or is unsound. Please be as precise as possible.

Paragraph 2.9 of the proposed Site Allocations Plan Document makes clear the need to allocate additional sites to meet the requirement established in Policy DP1 of the Adopted District Plan. However, the former KDG site at Victoria Road Burgess Hill, identified as SA3 in Table 2.1 of policy SA1 is not an “**additional**” site in this context.

It forms part of a larger area of land in respect of which planning permissions have been granted for employment development, which permit occupation for purposes within Classes B1, and/or B2, and/or B8 of the Use Classes Order then in force (or any combination).

Planning permission for the development of the land, by the construction of commercial buildings to be used for purposes within B1, or B2 or B8 of the Use Classes Order, has been previously granted by the Council under references BH/01/00801/FUL, DM/15/4512, DM/16/5436 and DM/19/0188. Development was commenced within the relevant time period specified in condition 1 of the first permission, by the construction of Unit 1, which has been occupied since its construction by Alexander Rose. All these permissions remain extant and the developer intends to complete development of the remainder of the site in response to market requirements. Those requirements are strongly focussed on flexible business accommodation, including use for B8 Storage and Distribution purposes.

Site Allocation SA3 does not acknowledge or reflect the extant planning permissions in force in respect of the site. Restricting the use of development within the site only to purposes within Use Classes B1 or B2, while excluding Storage and Distribution purposes within Class B8 as authorised by the extant permissions is unjustified, ineffective and inconsistent with national policy.

The exclusion of B8 use is not justified. In granting the series of extant permissions, so as explicitly to encompass B8 use, the appropriateness of use for such purposes has been specifically considered and endorsed. Nothing has changed since the granting of the planning permissions which would justify limiting the nature of employment development at the site by excluding B8 use from among those that would be acceptable at the site. The wording of SA3 should therefore be altered accordingly.

The exclusion of B8 from among the uses that may be accommodated at the site would be ineffective. The extant planning permissions are capable of being implemented, all of which encompass and authorise B8 use of the permitted accommodation. It would be inappropriate for the wording of Site Allocation SA3 to be retained as currently proposed, in view of the fact that completion of the developments permitted by the extant permissions would diverge from that wording. To adopt a Development Plan Document with wording that could not ensure that development accorded with its provisions would be ineffective. The wording of SA3 should therefore be altered accordingly.

Paragraph 16b) of the NPPF requires that plans must be deliverable. For the reasons explained above, bearing in mind the extant planning permissions, the exclusion of B8 use of any employment accommodation to be constructed at the SA3 site would not be deliverable.

Taking account of local business needs, on which NPPF paragraph 80 requires significant weight to be placed, requires that policies governing the former KDG site should enable development to take place so as to create the conditions in which businesses can invest, expand and adapt. NPPF paragraph 81d) provides that, in order to build a strong and competitive economy, policies need to be flexible so as to enable a rapid response to changes in economic circumstances. The proposed SA3 wording would tend to frustrate, rather than encourage, sustainable economic growth. This would conflict with the provisions of NPPF paragraph 81a). Imposing greater limitations on the nature of employment development to be accommodated at the SA3 site than is explicitly permitted by the extant permissions (which the wording as proposed would do), runs directly counter to these important national policy objectives.

### **6b Continued**

It is inappropriate for the text of the SA3 allocation to require that a mix of B1 and B2 uses must be included. Such a stipulation would directly frustrate the policy requirement (NPPF para 81d)) for flexibility to enable rapid responses to changes in economic circumstances.

Nor is it appropriate for the policy wording to purport to require that specific justification is to be provided for a particular quantum of distinct uses.

Furthermore, consistent with the changes to the Use Classes Order brought into force from 1 September 2020, the reference to B1 should be replaced by E.

7. Please set out what change(s) you consider necessary to make the Site Allocations DPD legally compliant or sound, having regard to the reason you have identified at question 5 above where this relates to soundness.

You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The text included under the SA3 "Allocation" and "Site Specific Requirements" headings should be deleted and replaced with the following:

**Allocation:**

Employment land within use classes B2 (General Industrial), B8 (Storage and Distribution) and E (Commercial, Business and Service) are appropriate for this site, and proposals for these uses will be supported.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

8. If your representation is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination? (tick below as appropriate)

No

**No**, I do not wish to participate at the oral examination

**Yes**, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

**10. Please notify me when:**

(i) The Plan has been submitted for Examination

**X**

(ii) The publication of the recommendations from the Examination

**X**

(iii) The Site Allocations DPD is adopted

**X**

Signature:

A rectangular box containing a solid black rectangle, indicating that the signature has been redacted.

Date:

17 September 2020

**Thank you for taking time to respond to this consultation**