

SA21: Rogers Farm, Fox Hill - Index by ID Number

ID	Respondent	Organisation	BehalfOf	Respondent Category	Participate
624	Mr S Harkins	SGN		Statutory Consultee	<input type="checkbox"/>
639	Mr S Trice	Haywards Heath Town Council		Town & Parish Council	<input type="checkbox"/>
765	Dr I Gibson			District Councillor	<input checked="" type="checkbox"/>
1036	Mr D Johnson			Resident	<input type="checkbox"/>
1036	Mr D Johnson			Resident	<input type="checkbox"/>
1454	Mr S Brown	Woolf Bond Planning	Fairfax Acquisition Ltd - Land east of Borde Hill Lane, HH	Developer	<input checked="" type="checkbox"/>
1658	Ms H Stevenson	DMH Stallard	Sigma Homes Ltd	Promoter	<input checked="" type="checkbox"/>
2065	Mr A Black	Andrew Black consulting	Denton - Horsham Road	Promoter	<input type="checkbox"/>
2067	Mr A Black	Andrew Black consulting	Denton Homes - Butlers green	Promoter	<input type="checkbox"/>
2079	Mr A Black	Andrew Black consulting	Vanderbilt Homes - Hurstwood HH	Promoter	<input type="checkbox"/>
2080	Mr A Black	Andrew Black consulting	Vanderbilt homes - CDR	Promoter	<input type="checkbox"/>
2140	Mr C Hough	Sigma Planning Services	Rydon Homes Ltd	Promoter	<input checked="" type="checkbox"/>

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA21

ID: 624

Response Ref: Reg19/624/9

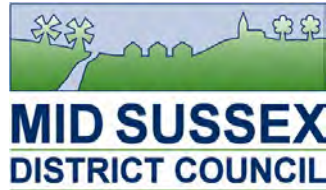
Respondent: Mr S Harkins

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/

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 28th 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/

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

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



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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]

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

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

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](#)

Working together for a better Mid Sussex

From: Harkins, Simon <Simon.Harkins@sgn.co.uk>
Sent: 25 September 2020 12:05
To: ldfconsultation <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
SGN, Axis House, 5 Lonehead Drive, Newbridge, Edinburgh, EH28 8TG
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>
Sent: 03 August 2020 16:09
To: Customer <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

Comments can be submitted:

Online: Online Form at 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

Responses must be received by **midnight on the 28th September 2020.**

If you have any queries about this consultation, please e-mail:
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

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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

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[REDACTED]

From: Harkins, Simon <Simon.Harkins@sgn.co.uk>
Sent: 15 October 2020 13:05
To: [REDACTED]
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
SGN, Axis House, 5 Lonehead Drive, Newbridge, Edinburgh, EH28 8TG
sgn.co.uk
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Classified as Internal

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

From: Harkins, Simon <Simon.Harkins@sgn.co.uk>

Sent: 14 October 2020 15:58

To: [REDACTED]

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Simon Harkins

Network Support Assistant, Long Term Strategy

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

E: simon.harkins@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)

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Kind regards,

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Working together for a better Mid Sussex

From: Harkins, Simon <Simon.Harkins@sgn.co.uk>

Sent: 25 September 2020 12:05

To: ldfconsultation <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

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

sgn.co.uk

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Classified as Internal

From: Mid Sussex District Council - Planning Policy <planningpolicy@midsussex.gov.uk>

Sent: 03 August 2020 16:09

To: Customer <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

Comments can be submitted:

Online: Online Form at 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

Responses must be received by **midnight on the 28th September 2020.**

If you have any queries about this consultation, please e-mail:
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

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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Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA21

ID: 639

Response Ref: Reg19/639/1

Respondent: Mr S Trice

Organisation: Haywards Heath Town Council

On Behalf Of:

Category: Town & Parish Council

Appear at Examination? x

Mid Sussex District Council - Draft Site Allocations Development Plan Document (SADPD) - Regulation 19 Consultation

Members in reviewing the SADPD referred specifically to site allocation SA21 Rogers Farm and as per the regulation 18 consultation in November 2019 upheld their opposition to the site being included in the SADPD.

Rogers Farm SA 21

Haywards Heath Town Council (HHTC) objects to the inclusion of this additional site, on the grounds of its poor connectivity and sustainability (in relation to its setting and distance of the Town Centre and local services) and on the basis that it conflicts with Haywards Heath Neighbourhood Plan (HHNP) as it is not within the approved built line of the Town. HHTC objects to the consideration of any development in this area of the Town curtilage, which for the absence of doubt means we must object to the inclusion of Rogers Farm.

However, matters have moved on with regards to environmental flooding issues on the adjacent site of Gamblemead, which have deemed to be mitigated, but that still does not give HHTC comfort that Rogers Farm will not exacerbate any flooding issues or cause more environmental damage. The allocation of Rogers Farm is still vastly outweighed by the negative environmental challenges it poses to the neighbourhood and community, and therefore does not provide a significant addition to our combined 5 year land supply.

HHTC would again remind you of the subsequent appeal dismissed by an Inspector for the above reasons.

Please note (Previous) COMMENTS FROM HAYWARDS HEATH TOWN COUNCIL ON A SUPPLEMENTARY ISSUE RELATING TO APPLICATION NUMBER DM/19/2764 – GAMBLEMEAD, FOX HILL

Further to our comments supporting an additional 19 units on the Gamblemead site, Councillors have received direct complaints from residents in Cape Road, detailing serious flooding issues in, or proximate to, the restricted build area. The flooding has necessitated emergency removal of surface water. These actions have been required to prevent wider contamination of the nearby water course with foul/raw sewage. Considering this ongoing problem, the Town Council now requests that any decision to approve this additional build is deferred, pending a full drainage report detailing how this ongoing problem will be rectified. Currently, residents suffer noise from site gate opening and closing every few minutes during the night and the noise and disturbance from tankers entering and leaving the site. The antisocial noise emanating from this unwanted activity is reducing residents' enjoyment of their homes, and disturbing their sleep, so may constitute a further environmental health issue.

Further to (above) HHTC previous revised/additional comments for the additional 19 units at the Gamblemead development, 19/2764 submitted 31/10/2019 – HHTC do not have sufficient confidence to support or indeed promote any further development proximate to this location.

With specific reference to page 55 SA21 of the Draft Site Allocations DPD

****The requirement to prevent water course contamination evacuation of raw sewage/contaminated water via the ongoing provision of 24/7 tanker operation during adverse weather conditions is unacceptable.**

The SA 21 extracted sections below underline the gravity of the environmental

challenge this additional site would pose unless a permanent and sustainable solution is provided BEFORE any planning application is considered.

Biodiversity and Green Infrastructure

Undertake a holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site that connect to the surrounding area.

- 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.
- Incorporate SuDs within the Green Infrastructure provision to improve biodiversity and water quality.

No mitigation provided by MSDC/WSCC- Previous HHTC comments apply requiring provision of traffic lights at the junction of Fox Hill/Hurstwood Lane, combined with a speed limit reduction to 30 MPH.

Flood Risk and Drainage

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.

- Incorporate Sustainable Drainage Systems as an integral part of the Green Infrastructure and open space proposals to improve biodiversity and water quality.

Same comments apply to the extant permissions granted for the Gamblemead sit have NOT been delivered, and therefore remain in breach. Contaminated Land. No specific land contamination identified.

HHTC still would like to re-state its concern of the impact of Burgess Hill sites SA 12 to SA 17

With the development sites SA 12 to SA 17 being proximate to Haywards Heath, it will have a significant impact on Haywards Heath.

****note; there are already 15,000 car movements a day up and down Isaacs Lane with 1,500 in the rush hour. It is anticipated another 3,000 movements based on employment moves, another 2,000 from the 4000 homes developed plus 4,000 desire travel line car movements resulting from the new road network. We have considerable ongoing concerns relating to road safety and the impact for residents using Isaacs Lane and the Bolnore Roundabouts. In addition,*

Valebridge Road to Wivelsfield Station there are no transport links between HH and BH.

Contract needed with Metrobus reference sustainable transport between BH/HH.

Driving tendencies/consequences relating SA12-17 on HH. HHTC has considerable ongoing concerns relating to through traffic moving through the town on a north/south basis, to/from BH. HHTC further notes the constraints confirmed in 3.9 of the site allocations DPD "HH is particularly effected by the A272 passing around the Town and high car dependency. Drivers detouring through the town centre further exacerbate the problem

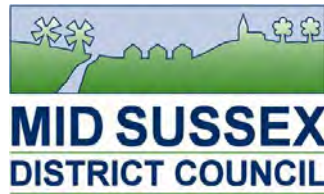
HH to BH cycle path must be delivered promised in 18/5114 Northern Arc application.

Due to increased traffic through HH, HHTC needs additional financial support to mitigate the adverse effects on the Town, by provision of section 106 contributions. We note this may not be appropriate and that direct provision of infrastructure improvements would be more practical such as improving major arterial roundabouts

Ends

Haywards Heath Town Council – 28/09/20

Site Allocations DPD: Regulation 19 Consultation Response**Policy:** SA21**ID:** 765**Response Ref:** Reg19/765/2**Respondent:** Dr I Gibson**Organisation:****On Behalf Of:****Category:** District Councillor**Appear at Examination?** ✓



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/

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 28th 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/

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

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="DR"/>
First Name	<input type="text" value="IAN"/>
Last Name	<input type="text" value="GIBSON"/>
Job Title (where relevant)	<input type="text"/>
Organisation (where relevant)	<input type="text"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text" value="SELF"/>
Address Line 1	<input type="text" value="████████"/>
Line 2	<input type="text" value="████████████████"/>
Line 3	<input type="text" value="████████████"/>
Line 4	<input type="text" value="██████████"/>
Post Code	<input type="text" value="██████"/>
Telephone Number	<input type="text" value="████████"/>
E-mail Address	<input type="text" value="████████████████████"/>



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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:

IAN GIBSON

3a. Does your comment relate to:

Site Allocations DPD	<input checked="" type="checkbox"/>	Sustainability Appraisal	<input checked="" 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	<input type="text"/>	Policy SA	<input type="text" value="21, 22, 26, 27, 33 & 32"/>	Draft Policies Map	<input type="text"/>
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4. Do you consider the Site Allocations DPD is:

4a. In accordance with legal and procedural requirements; including the duty to cooperate.	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4b. Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

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 type="checkbox"/>	<input checked="" type="checkbox"/>
(3) Effective	<input checked="" type="checkbox"/>	<input 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.

1. The Site Allocations DPD is inconsistent with the spatial strategy set out in Policies DP4 and DP6 of the Mid Sussex District Plan because it allocates sites in settlements that have already met and exceeded their minimum requirement housing 'target' without demonstrating that settlements that have not met their 'target' do not have sufficient sustainable sites to meet the Residual Housing Requirement. See appendix for detailed explanation.
2. The Site Allocations DPD is inconsistent with Policy DP16 of the Mid Sussex District Plan because it allocates a site in the North Weald AONB.

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.

1. Sites SA21, SA22, SA26, SA27 and SA33 should be deleted from the list of Additional Housing Allocations (SA11) and should not be allocated as they are all in settlements that have met and exceeded their DP6 target. Deleting these five sites will reduce the number of new dwelling sites provided by the Site Selection DPD by 129. The number of new dwelling sites that would then be provided (1,635) is still 355 (28%) more than the Residual Housing Requirement (1,280). Therefore, deleting the five sites does not increase the risk that the District Plan minimum Requirement (16,390) will not be achieved.
2. Site SA32 should be deleted from the list of Additional Housing Allocations (SA11) and should not be allocated as it lies within the AONB and is contrary to DP16. Deleting this site will further reduce the number of new dwelling sites provided by the Site Selection DPD by 16. The number of new dwelling sites that would still be provided (1,619) is still 339 (26%) more than the Residual Housing Requirement (1,280). Therefore, deleting the site does not increase the risk that the District Plan minimum Requirement (16,390) will not be achieved.

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:

To provide clarification as required.

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:

Ian Gibson

Date:

27th September 2020

Thank you for taking time to respond to this consultation

Comments on Draft Site Allocations DPD (Regulation 19) Consultation

The Mid Sussex District Plan sets out a clear spatial strategy for where new homes should be built based on the 27 towns, villages and hamlets ("settlements") in the District. The settlements are divided into four categories by size and District Plan Policy DP4 sets a target (a 'Minimum Requirement') for the number of new homes in each category. Policy DP6 then sets a target for the number of new homes that represents sustainable development for each of the 27 settlements. It is an inescapable fact that if every settlement met its DP6 target, then the District would meet its overall target of 16,390 new homes.

The number of new homes that each settlement will deliver over the plan period has been calculated by adding the number of new homes already built since 2014, the number for which planning permission has been granted and the number on sites allocated in Neighbourhood Plans. In April 2020 this arithmetic showed that 14 of the 27 settlements had met their DP6 'target'; as indicated by a "0" against the settlement in Table 3. of the Sustainability Appraisal Non-Technical Summary. In fact collectively these 14 settlements had exceeded their 'target' by over 670 new homes. The methodology used by Mid Sussex in to the DPD does not credit these excess homes against the DP4 targets for each settlement category. For example, if excess new homes were credited, the category 2 settlements have together delivered the full category 2 target despite the shortfall in Cuckfield.

It would be reasonable to assume that the settlements which have already met and exceeded their DP6 target would be spared any further site allocations if the DPD Residual Housing Requirement can be achieved without this. However, the methodology adopted by Mid Sussex did not test whether the DPD Residual Housing Requirement could be met from sites in settlements that had not met their DP6 target by April 2020. Instead five of the 'over-performing' settlements have been allocated sites totaling 129 new homes:

- Ansty - 12 new homes (Policy SA33)
- Ashurstwood - 12 new homes (Policy SA26)
- Crawley Down- 50 new homes (Policy SA22)
- Handcross- 30 new homes (SA27)
- Haywards Heath- 25 new homes (Policy SA21)

The Site Allocation DPD is therefore unsound because it is inconsistent with policies DP4 and DP6 of the District Plan.

It is relevant that DPD identifies sufficient sites for 1,764 new homes which is 484 (38%) more than the calculated Residual Housing Requirement (1,280). Clearly a small number of additional allocations would be prudent, but the current margin is excessive. It does, however give some flexibility to remove the 5 sites (SA21, SA22, SA26, SA27 and SA33) without prejudicing the ability to deliver the Residual Housing Requirement through the remaining sites which are all in settlements that have not met their DP6 target. This would permit the DPD to be considered 'sound'.

Dr Ian Gibson

Member for Crawley Down and Turners Hill Ward.
Councillor Worth Parish Council,
Councillor Turners Hill Parish Council,

██████████
██████████
██████████
██████████
23rd September 2020

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

Regulation 19

To Whom It May Concern:
Having read the Site Allocations Development document I wish to comment as follows.

There is little to be gained from a consultation process in 2020 for a total of 1764 planned dwellings which will be inflated at a later stage by Case Officers at pre-planning meetings in order to boost housing targets. Planning applications DM/15/3448, DM/17/4190 and DM/17/2739 are all cases in point.

SA21

The inclusion of this site for development is difficult to comprehend due to the fact as DM/16/3998 it has already been refused planning permission. The following text submitted by Wivelsfield Parish Council explains some of the reasons for that decision.
“The application site is not allocated within the Haywards Heath Neighbourhood Plan, would diminish the strategic gap between Haywards Heath and Burgess Hill and encroach upon the green gap surrounding Wivelsfield. It is contrary to the stated objective of the Mid Sussex Submission Plan, (as detailed in policy DP10) which indicates, 'The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there.' The application is also at odds with policy DP11 which states, 'a strategic objective of the Plan is to promote well located and designed development that reflects the distinctive towns and villages, retains their separate identity and character and prevents coalescence'. 47 To give permission to the application in question would totally undermine the basis of policy DP11, stating as it does that: 'The individual towns and villages in the District each have their own unique characteristics. It is important that their separate identity is maintained. When travelling between settlements people should have a sense that they have left one before arriving at the next.' To allow this application would totally erode any remaining gap between the edge of the Parish of Wivelsfield and that of Haywards Heath. Policy DP11 says that 'development will be permitted if it does not result in the coalescence of settlements which harms the separate identity and amenity of settlements, and would not have an unacceptably urbanising effect on the area between settlements'. Given the distinctly contrasting nature of the small, rural Parish of Wivelsfield and the ever-growing urban town of Haywards Heath, Wivelsfield Parish Council cannot see how the application could be permitted, since it would clearly conflict with the values that the Plan purports to uphold. Residents of Wivelsfield have chosen to live in a small rural parish for a reason. They wish to maintain the small rural community feel of the Parish and prevent coalescence with neighbouring towns. It would be unacceptable for the Mid Sussex Plan to, on the one hand, claim to value the individual identities of communities and to seek to protect them, and on the other to approve this application which is entirely contrary to this. Furthermore, with plans already approved for an additional 100 homes at Gamblemead, 113 off Ridge Way (in addition to the 62 already being built) and the prospect of major development at Hurst Farm, Wivelsfield Parish Council has significant concerns about safety and capacity on the local roads, as well as the ability of general infrastructure to cope with ever-growing demand. In light of the many contra-indications to this application's approval, we would ask you to refuse it.”
The issues with drainage, the location of Cleavewater Farmhouse and sustainability regarding public transport still remain resulting in an over dependence on single occupancy car usage. In the latest edition of the adopted District Plan Policy DP12 replaces DP10 and DP13 replaces DP11 with respect to the above text which remains as valid today, apart from now being included in the plan, as did on 23.11.2016 and therefore this site (SA21) should be excluded.

SA37 Burgess Hill to Haywards Heath Multifunctional Network

3.25 “A number of route options are being investigated to the east and west of the Brighton main railway line and these include, for example, opportunities to connect strategic development to the north and north west of Burgess Hill, including a new secondary school to be developed, and with Haywards Heath that is away from the road highway.”

Sustrans have carried out a feasibility study which includes a proposed route from Burgess Hill to Haywards Heath via Theobalds Road (private and now gated) the existing Bridleway and Lunces Hill until reaching the Fox & Hounds. There are three proposed options for the remainder of the route terminating at Fox Hill roundabout. Options are for a segregated pedestrian/cycle track or shared provision pedestrian/cycle track both of which would use Fox Hill. The third option is via Hurst Farm, was not offered as part of the consultation for Regulation 18, which Sustrans state “Such a greenway would not provide the most direct route but would be pleasant and safe with the potential to link to local services as an alternative to travelling along Fox Hill.”

The existing bridleway currently caters for equestrians, walkers (with or without dogs), joggers and cyclists and any of the long overdue improvements should not discriminate against any of those categories. As a daily user of the present bridleway, due to other footpaths being closed as result of development, one can not escape the signs erected depicting the prospect of a high speed cycle route. Any upgrade of the bridleway should primarily permanently rectify the poor surface condition, arising from 40 years of neglect, and not detract from the tranquillity presently enjoyed by users and be comprised of a permeable surface acceptable to the British Horse Society. Both ESCC and WSSC, like other local authorities, should be able to provide the Technical Guidance concerning the construction for Bridleways part of which states: “For all except urban paths, a non-metalled surface (i.e. “gravel” path, not tarmac) is strongly preferred. This should be smooth, of adequate width, well compacted and firm underfoot but with a little ‘give’, well-drained and useable in all weathers.”

Both the segregated and shared cycle/pedestrian options will create potentially more dangerous situations as a result of removing grass verges on the western side of Fox Hill thereby restricting the vision of vehicle drivers, due to a reduced buffer zone, when attempting access to the highway. Health and Safety may well have an issue with southbound cyclists passing at speed close to the front door of the Fox and Hounds. There are three bus stops, between location E20 and the Fox Hill roundabout, at which school age children congregate whilst waiting for the

Warden Park bus during the peak morning period. Passengers boarding and alighting from buses will do so from the cycle path section of either a segregated or shared option, which is a recipe for disaster when every category of cyclist, as detailed in LTN 1/12, will be able to use the same cycle path. Currently it is possible for cyclists when descending Fox Hill to exceed the speed limit once abreast of the junction at Weald Rise (F5). A route through Hurst Farm, away from the road highway, for a Greenway would appear to be the better option on the grounds of health, safety and cost and would allow residents to use the existing Fox Hill footway in relative safety. There is little merit in exposing the public to higher levels of Nitrogen Dioxide (NO₂) concentrations by running either a segregated or shared cycle/pedestrian route over the entire length of Fox Hill tending to discourage rather than encourage walking which together with cycling is the main objective of the Greenways exercise. A fourth option would be to locate the cycle path element on the opposite side of Fox Hill segregated away from pedestrians. The aspirational concept of a multifunction network is a positive step forward despite the many stumbling blocks that lay ahead meaning it may not be achievable by the end of the plan.

Local Transport Note 1/12, Table 7.5 below indicates the minimum space required for an unsegregated shared use route to be 3.0 metres whereas a segregated route would require 4.5 metres. An unsegregated shared use route and a two-way cycle track both require 3.0 metres which appears to suggest that pedestrians could be placed in jeopardy if such an option results. A 5.0 metre segregated route through Hurst Farm would appear to be the safer option by eliminating all the pitfalls listed in LTN 1/12 associated with frontages, bus stops, side roads etc. Reconstruction of the carriageway in order to provide a segregated route along Fox Hill is likely to be costly and very disruptive.

Table 7.5

Minimum widths summary

Type	Minimum widths
Unsegregated shared use	3 m preferred (effective)
Pedestrian path unbounded on at least one side, e.g. segregated by white line	1.5 m (actual)
Pedestrian path bounded on both sides	2 m (actual)
One-way cycle track	2 m preferred (effective)
Two-way cycle track	3 m preferred (effective)

Additional width is needed where there are edge constraints – see Table 7.4

Table 1

SA38, Air Quality

Background

“Emissions of Nitrogen Oxides from Modern Diesel Vehicles Assessment: January 2016

Defra provides road traffic emission factors that predict how fleet-averaged vehicle emissions will change year-on-year as newer, cleaner vehicles populate the national vehicle fleet (Defra, 2015). These emission factors are routinely used in air quality modelling. Historically, modelling carried out using these emission factors has predicted large reductions in nitrogen oxides (NO_x) emissions and concentrations, but in recent years it has been found that these reductions have not been reflected in ambient measurements (Carslaw et al., 2011).

The reason for the disparity relates to the on-road performance of modern diesel vehicles. New vehicles registered in the UK have had to meet progressively tighter European type approval emissions categories, referred to as "Euro" standards. While the NO_x emissions from newer vehicles should be lower than those from equivalent older vehicles, the on-road performance of some modern diesel vehicles has often been no better than that of earlier models (Carslaw and Rhys-Tyler, 2013).

Defra has attempted to account for the historical discrepancies using a new set of emission factors, published in 2014. There remains, however, some uncertainty regarding whether these emissions reflect the on-road performance of modern vehicles. This report considers recent evidence of on-road emissions performance and analyses it in the context of Defra's vehicle emission factors.

The report only considers emissions of NO_x from diesel vehicles. There is no evidence that emissions of other pollutants are affected by the issues discussed. Furthermore, there is good evidence that the on-road performance of petrol vehicles reflect the reductions imposed by the emission standards (TfL, 2015). Finally, this document only considers emissions of total NO_x.

No consideration is given to the function of NO_x emitted as NO₂ (fNO₂) or how this may change over time.”

Road Traffic Forecasts 2018 indicate that “Car traffic is forecast to grow at between 11% and 43% by 2050, whilst LGV traffic is forecast to continue growing significantly in all scenarios (between 23% and 108%). Strong LGV traffic growth has a significant impact on total traffic growth, particularly in Extrapolated Trip Rates (scenario 6). In this scenario although car traffic is forecast to grow by just 11%, overall traffic growth still reaches 17% with LGV traffic accounting for 19% of total traffic. HGV traffic growth is forecast to be lower than 6 other vehicle types, with growth ranging from 5% to 12% by 2050. Traffic growth on the Strategic Road Network (SRN) is forecast to be strong and positive in all scenarios, ranging between growth of 29% and 59% by 2050, driven by forecast increases in the number of car trips and trip distances, as well as increasing Light Goods Vehicle (LGV) traffic. Forecast growth on principal roads and minor roads is lower than the SRN, between 10%-44% and 11%-48% respectively.”

“Air pollution ‘more dangerous than driving’

Breathing in polluted air is more dangerous than driving a car, a report has found as it accuses councils of declaring climate change emergencies while failing to tackle the issue.

An analysis by Centre for Cities blames the failure of local authorities to introduce clean air zones and other measures that could reduce the death rate from pollution, which is 25 times greater than the risk of being killed in a car crash. “Local policy aimed at limiting air pollution in recent years has at best been slow and at worst absent,” the think tank stated in its annual study of urban areas.

“The rush to declare climate emergencies by local authorities in the last year, a global issue over which they have very little direct control, strongly contrasts with action on air pollution, an issue where their actions can more clearly make a difference.”

Overall, more than one in 19 deaths in UK cities and large towns are related to long-term exposure to air pollution, according to the analysis of official health and emission data for particulate matter (PM_{2.5}) comprising soot, ash and dust from coal and wood fires as well as cars and lorries.

The worst five locations, where an estimated one in 16 deaths is linked to exposure to the deadly PM_{2.5} toxin, are London (6.4 per cent), Slough (6.4 per cent), Chatham (6.3 per cent), Luton (6.2 per cent) and Portsmouth (5.9 per cent).”

Modelling

The vagaries associated with modelling are many and the reliability of the output is not only dependent upon the model itself but also the accuracy of the input data. Classic examples of algorithms miss performing are the predicted death toll from Covid-19 and the exam results debacle and air quality models whilst not in the same league have tended to under perform due to poor data input. Models can be useful tools when attempting to predict the future but when comes to traffic forecasts there are many uncertainties which thankfully have been recognised by the DfT resulting in a substantial update of their forecasting models, with a changed in mindset, in 2018 probably due to the many reports indentifying the problems relating to the 2015 forecasts as identified under background. Air quality modelling initially attempts to predict the emissions for a baseline year using TEMPRO which then feeds into two other separate models, namely the Emission Factor Toolkit as AADT to calculate NO_x, and then into ADMS-Roads as emission factors.

Those engaged in air quality modelling, by recourse to the laqm helpdesk, will be aware of the uncertainties regarding emissions, background concentrations together with road traffic forecasts and TEMPRO factors have all tended to under predict the true situation due to various reasons and that results arising from modelling are the best minimum prediction at that moment in time. Standard methodology for air quality modelling is not a silver bullet or a one size fits all yet there are those at MSDC, with their heads in the sand, who seem to think that modelling is a panacea. Modelling may be regarded as being very good at quantifying the amount of change in pollution levels at a given point, even if absolute figures are slightly out, and it is the change in pollution levels caused by a development which is key to its impact. That said the over dependence upon output data derived from an unreliable (flawed) model fed with under predicting input data is farcical and undermines the credibility of those overseeing the process.

Since 2001 there have been ten revisions for background concentrations, nine upwards and the last in 2018 downwards, indicating that concentrations derived from background mapping may have peaked. Using the year 2020 as an example the background concentration derived from 2015 mapping the background concentration was predicted to be 8.370151. Using 2018 mapping data the background concentration for 2020 was predicted to be 9.156648 resulting in an increase of 9.396%.

Model verification

The Verification Study will attempt to reduce the difference between monitored and modelled NO₂ concentrations to within less than 25%. The monitored NO₂ concentrations which are provided to consultants by MSDC can predate the modelled by up to two years earlier than the modelled NO₂ concentrations depending upon the publication date of the ASR. The monitored concentrations do not necessarily have to consist of a 100% data capture within a calendar year and are therefore not fully representative of the air quality at the monitoring site. Defra accept data capture of above 75% for air quality reports without correction. It would be astonishing if Defra were to acknowledge that an erroneous bias corrected monitored concentration of 24.7µg/m³ instead of the expected concentration for NO₂ of 28.8µg/m³, for raw data, would be acceptable as part of an Air Quality Assessment Model Verification Study which seeks to remove the under prediction for modelled concentrations. In connection with a local planning application the revised concentration of 28.8µg/m³ was derived from TG-16-February-18 v1, Box 7.9 (see Addendum) using a process known as annualisation. As a consequence of an increase in the monitored concentration of NO_x the numerical plot on the Y axis, relative to the same value of modelled NO_x on the X axis, increases the gradient (slope) of the trend line and increases the numerical value of the multiplier used to draw monitored and modelled concentrations towards closer alignment.

TEMPRO

TEMPRO (The Trip End Model Presentation Program) is used in conjunction with Regional Traffic Growth and Speed Forecasts (RTFs), both of which were updated in 2018, produces a logarithm [RTF factor x (Local TEMPRO factor / Regional TEMPRO factor x (future year factor))]. The product, from within the square brackets y’say, can then be used to multiply the baseline AADT in order to obtain future a year AADT. TEMPRO also takes into account cumulative development.

The regional area is South East of England and comprises 18 local authorities of differing geographical sizes, including West Sussex with a total of 4.586 billion vehicle miles in 2018 ranking fifth behind Hampshire (9.773), Kent (9.565), Surrey (8.714) and Oxfordshire (4.848) and between them they account for 31.7% of the region where just 6 of local authorities are above the average of 3.0505 billion (54.909/18) vehicle miles in 2018. The local TEMPRO factor is based on the Mid Sussex 011 region which includes Haywards Heath and rural area to the west. The RTF and futures year factors are derived from the Nation Trip Ends Model (NTEM) as part of the modelling programme.

The regional average would be more representative as a factor for 18 similar size regions rather than the one size fits all application which TEMPRO attempts to achieve. West Sussex traffic growth is therefore under estimated by the TEMPRO algorithm, which is based upon best guess assumptions, should be at least 1.5 times higher than the average factor (4.586/3.0505 = 1.504).

Using the road traffic forecasts explorer to obtain traffic growth for ‘all roads’ is predicted to grow nationally by between 3.2% (Scenario 6) and 10.4% (Scenario 2) for the period 2016 to 2022 (Table 4). Given that traffic growth in West Sussex has been stated to increase by nearly double the national rate then the raw traffic growth factor on the A272 (Lewes Road) in the table below will increase by more than a factor of 1.0696 closer to 1.132 from 2016 to 2022 as opposed to 1.077 in 2010 to 2016. Not all roads within the local highway network will indicate similar increases and in the case of South Road a decrease of 7.52% was recorded between 2010 and 2014 due mainly, if not entirely, to the opening of the HHRR. The B2028, a minor road, north of Lindfield indicated an increase in traffic growth between 2012 and 2018 of 1.0493.

Unfortunately there are no raw traffic counts for other ‘B’ roads (B2112 and B2272) within the grid square 533500/122500 (see Addendum) which are expected to exceed the growth rate of 1.0493 for the B2028, Lindfield High Street.

B2112	535000	123300	A272 Lewes Road		535250	123500
Count id	36887		36887		86008	
	04.06.2008		20.10.2010		05.07.2016	
hour	East	West	East	West	East	West
7	330	478	305	476	356	543
8	358	510	420	543	497	627
9	326	428	346	482	309	503
10	325	347	280	345	328	356
11	360	368	324	343	331	339
12	310	359	362	365	372	332

13	389	313	355	285	358	360
14	327	364	367	354	403	381
15	458	389	415	386	463	402
16	523	432	505	426	631	483
17	603	419	615	420	672	429
18	533	344	413	357	431	320
total	4842	4751	4707	4782	5151	5075
grand total		9593		9489		10226
West Sussex TEMPRO factor (y)			0.9892		1.0777	

Table 3

Traffic points 36887 and 86008 are 320 metres apart and are not influenced by other roads. Traffic counts are for 12 hour periods and have been used to illustrate the change between counts which is equivalent to the TEMPRO factor applicable to West Sussex.

Department of Transport document RTF18 forecasts linear increases in road traffic growth, road traffic congestion resulting in longer journey times for trips whilst road traffic emissions are forecast to fall by a minimum of 30.2% by 2050. The growth forecasts for 2022 were obtained by interpolation due to the linear nature of the projection, based on the 'all roads' and 'all vehicles' options for each scenario, shown in Table 4, to indicate the national TEMPRO factor.

Scenario	2016	2022	Change %
1	291.66	311.966	1.0696
2	291.66	321.948	1.1038
3	291.66	301.598	1.0341
4	291.66	313.842	1.0761
5	291.66	309.902	1.0625
6	291.66	301.066	1.0322
7	291.66	312.698	1.0721

Table 4

Scenario 1 - Reference: Central Fuel and GDP Assumptions, 25% Electric Vehicles by 2050, constant trip rates from 2016, Central Office for National Statistics (ONS) projections of population.

Scenario 2 - High GDP, Low Fuel: High GDP Growth (+0.5pp Growth on OBR) and Low Fuel Cost Projection (Fossil Fuel Price Assumptions 2017, BEIS).

Scenario 3 - Low GDP, High Fuel: Low GDP Growth (-0.5pp Growth on OBR) and High Fuel Cost Projection (Fossil Fuel Price Assumptions 2017, BEIS).

Scenario 4 - High Migration: High Migration population variant (ONS) and decoupling of Income to Car Ownership relationship in London.

Scenario 5 - Low Migration Scenario: Low Migration population variant (ONS).

Scenario 6 - Extrapolated Trip Rates: Extrapolation of recent trip rate trends until 2050 and extrapolation of recent decreases in young person licence holdings.

Scenario 7 - Shift to Zero Emission Vehicles: 97% of car and LGV mileage powered by zero emission technologies by 2050.

Clearly by under predicting the AADT using TEMPRO has had repercussions for the whole modelling process resulting in under predicted emissions at various receptors located away from the highway. An Air Quality Assessment relating to a local contentious planning application utilised a TEMPRO factor of 1.0548, by omitting cumulative developments at Rookery Farm (320), Gamblemead uplift of 52 totalling 372 dwellings, when attempting to calculate AADT for 2022 from a 2016 baseline. The Air Quality Assessment was stated to be flawed, which it clearly was, yet MSDC had the effrontery to state that it was not in the Case Officer's Report to the Planning Committee, page 41 which reads "The Council's EHO has considered the correspondence from the applicants and the objectors on these points. He considers that the objectors' concerns have been addressed and that there is no reason to believe that the air quality assessment is flawed." There are two separate issues, the objectors concerns and the credibility of the Air Quality Assessment which should have been addressed separately. The SEHO was of the opinion that the objector concerns had been addressed should have been sufficient, full stop. Stating that the Air Quality Assessment was not flawed was an entirely different issue, not involving the objectors, based solely upon his professional judgement. The fact that the objectors did not flag up any additional failings, which have been presented subsequently, and which should have been dealt by MSDC is immaterial. The SEHO needs to apologise for such an obvious error of judgement and for misleading the Planning Committee who voted in favour of the planning application by being influenced by his statement in the Case Officer's report.

Cumulative developments and the effects of traffic growth

The question of the influence of additional traffic growth generated from the Northern Arc was raised with MSDC who responded, via the SEHO, as follows:

"As you know, traffic data is not my area of expertise, but I would expect only traffic from *relevant* developments to be included.

The N Arc development is likely to be distant enough that development traffic would not have any significant impact upon the (NO₂) levels at Hurst Farm. In any event, I understand that this type of development is already accounted for by the use of TEMPRO growth rates for the traffic data so there may be no need to include it specifically. WSCC should be able to answer any queries you have on the use of TEMPRO in this regard.

Please be reassured that, as there are no known air quality issues in the Hurst Farm area, the relatively low volume of additional traffic from the new development (in relation to the existing volumes) is unlikely to significantly change air quality in the area. We would only be concerned if there were predictions of significant adverse effects as a result of any new development."

The Northern Arc will by 2031 be comprised of 3500 dwellings, three schools together with community buildings and other structures which collectively will influence air quality and traffic growth upon the surrounding area as follows.

The document titled, Appendix 11-1: Traffic and Transport Technical Appendix, in support of planning application DM/18/5114, contains Table 11-5 and Table 11-9 which illustrates that air quality in way of Valebridge Road and Rocky Lane between Theobalds Road and A272 has been predicted to increase as a result of the Northern Arc development generating an increase in traffic volume (AADT). During the period 2017 to 2025, based upon TEMPRO-2015, traffic growth is predicted to increase by 98 vehicles per day and during the 2025 to 2033 by 574 vehicles per day. BEV contribute 4.7% by market share as of June 2020, whilst vehicles fitted with combustion engines are the overwhelming majority (95.3%), entering or exiting the A272 and will generate a directly proportional increase of oxidised Nitrogen (NO_x) mainly in the form of Nitric

Oxide (NO) which after having reacted with Ozone (O₃) to form Nitrogen Dioxide (NO₂) concentrations from vehicles transiting in both directions along the A272 corridor. Increases in traffic growth of 77 and 166 vehicles per day during the same periods will also occur in Janes Lane which potentially will impact upon the B2112.

The B2272, Butler's Green Rd, between the junction with Isaac's Lane and Beech Hurst Care Home, will also incur increases in AADT of 384 and 846 vehicles per day during the same time frame. Data collated from the planning portal indicates that a minimum of 74% of traffic transiting the B2272 in way of Butler's Green Road will also transit South Road. Clearly the Authors of the Traffic and Transport Technical Appendix adjudged it prudent to consider the influence of traffic growth arising from the Northern Arc development and the impact upon three separates routes into and out of Haywards Heath by an additional 4% by 2025 and 12% by 2033 excluding increases attributable to the annual traffic growth, which in West Sussex is almost double the national average. The largest increase of 5% by 2033 will be felt at Butler's Green Road, possibly Oaklands also, especially at peak periods thus hopefully prompting MSDC to take a leaf out of the Department for Transport's book and reappraise their mindset regarding the effects of cumulative developments. A prudent next step would be to run the Northern Arc through TEMPRO again now that both the National Trip End Model (NTEM) and the RTF18 have been updated in order to determine to what extent traffic generated by the NA will impact upon roads into and out of Haywards Heath. Better to be proactive now instead of waiting for the chickens to come home to roost.

One reason for there being no known air quality issues in the Hurst Farm area is because the monitoring sites MSAQ2 and MSAQ28 are located where traffic volumes are lower than the section of A272 between the Highbank roundabout and Bolding Way, MSAQ2 records 71% of traffic transiting whilst MSAQ28 records 87%. MSAQ28 has not yet produced a full set of published readings for a 12 month period which implies that MSDC have no idea, other than at monitoring sites, regarding air quality within Mid Sussex. Site allocations for 1409 dwellings within Burgess Hill and Haywards Heath area during the next 5 years will also impact, together with the annual traffic growth, upon traffic movements in way of the A272 and B2112 and lead to further increases in Nitrogen Dioxide concentrations. All new development will also adversely impact upon the background concentrations as characterised in Clean Air Strategy 2019, thus "Air pollution comes from many sources. Pollutants can travel long distances and combine with each other to create different pollutants. Emissions from distant and local sources can build up into high local concentrations of pollution."

The significance of locating monitoring sites where the NO₂ concentrations are at the highest level is best illustrated in the following article.

"A picturesque village in Dorset has been named as England's most polluted hotspot, ahead of taxi rank in Sheffield.

Residents of Chiock say they are blighted by pollution caused by traffic from lorries and holidaymakers on the A35, which runs through the village.

But it was only when they moved their air quality monitoring site to the village's main hill, where drivers are forced to accelerate, that they captured the extent of the problem.

The village is now top of the list of English locations where Nitrogen Dioxide (NO₂) levels breach the annual air quality objective, according to analysis by Friends of the Earth."

The question of traffic growth was asked of the SEHO as follows:

"In Table 5.1 of the Air Quality Assessment update 2019 the 2023 baseline+committed NO₂ annual mean concentration at receptor R5 is stated to be 24.4µg/m³. From the provisional estimates, 2018-2019, which indicates that traffic increased on motorways and 'A' roads by 1.2%. The level of traffic in West Sussex on all major classes of road is almost double the national average which means that traffic growth increased by 2.24% (1.2 x 1.9) in 2019." The market share for alternative fuel vehicles is stated to be 7.3% at the end of 2019 (<https://www.statista.com/statistics/299052/alternative-fuel-types-used-in-newly-registered-cars-in-the-united-kingdom/>) where the annual growth rate was 1.33% since 2016 onwards.

TRA8901 indicates that the total motor vehicle traffic (vehicles miles) was 4.586 x 10⁹ for the year ending 2018. Similarly TRA8902 indicated that car traffic (vehicle miles) was 3.664 x 10⁹. Car traffic is therefore 80% of the total traffic on West Sussex roads which means that cars account for 5.8% (7.3 x 0.8) of the total traffic transiting R5 as of the end of 2019.

R5	Measured	Background	Emissions	Change ↓
2018	35.7	10.306933	25.393067	
2019	35.9	9.958167	25.961872	1.0224
2020	32.5	9.556437	22.950295	0.8840
2021	29.5	9.198918	20.288060	0.8840
2022	26.8	8.850430	17.934645	0.8840
2023	24.4	8.539590	15.854227	0.8840

Table 2

"From the above table (2) it is apparent that a decrease in emissions of 11.6%, is required annually from 2019 to 2023 in order to achieve an annual mean concentration of 24.4µg/m³ in 2023. The market share of petrol cars increased by 3.6% as opposed to alternative fuel vehicles which increased by 1.33% from 2018 to 2019. Is it likely that the market share of alternative fuel vehicles will increase dramatically in four years, or have Phlorum got it wrong again?"

The response was:

"In answer to your question, the Government has based its emission factors, which is the authoritative basis on which vehicle emissions in future years are calculated, assuming a gradual decline in the more polluting vehicles and an increase in EV and other alternative fuel vehicles. Using these factors is the standard methodology for air quality modelling."

That question remains unanswered and it is apparent that annual decreases in emissions of 11.6%, which has since increased due to the background concentration now being 8.116717µg/m³ instead of 8.539590µg/m³ due to revised mapping data, could not be achieved against a back drop of increasing petrol cars sales of 3.6% in contrast to alternative fuel vehicles sales of 1.33%.

The above demonstrates that consultants, through no fault of their own, have carried out modelling in accordance with industry best practice that has tended to under predict emission concentrations, representing the very best case scenario, used in air quality assessments in support of planning applications for some considerable time. Pointing the finger of blame at the Government, who have attempted to correct the anomalies

associated with emission factors, does not absolve MSDC from their responsibilities of ensuring that documents submitted in support of planning application are adequately scrutinised.

Emissions

Air Quality Consultants has updated a previous study that examined trends across the UK covering the period 2005 to 2016. The new report presents trends for 112 sites over the period 2005 to 2018 and for 183 sites over the more recent period 2010 to 2018. The findings were recently reported by Prof. Duncan Laxen to the Institute of Air Quality Management's Routes to Clean Air Conference in London.

Overall downward trends have been identified across all sites, of -3.1% per year for NO₂ and -3.0% per year for NO_x, for the period 2010 to 2018. The downward trends are steeper at rural sites, at -3.4% per year for NO₂ and -4.1% per year for NO_x, than at road and urban sites, at -3.1 and -3.0% per year for NO₂ and NO_x respectively. These downward trends are greater than those previously identified for the period 2005 to 2016.

"Air Quality Consultants previously found no significant trend over the period 2005 to 2016 for sites across central and northern England and north Wales, in contrast to the rest of the UK. This area of the UK has now caught up, with slightly steeper downward trends than the rest of the UK over the period 2010 to 2018.

The downward trends in NO_x concentrations (2005 to 2018) are smaller than those for estimated UK NO_x emissions (2005 to 2017), which suggests that emission reductions presented in the National Atmospheric Emission Inventory (NAEI) are overly optimistic. The report recommends that the validity of the NO_x emissions estimates used in the NAEI, especially those for road vehicles, is reviewed in light of these observations.

Defra publishes projections of roadside and background concentrations. Recent projections of NO₂ concentrations, from a base year of 2017, now match the overall trends in measured roadside and rural NO₂ concentrations for the years 2017 and 2018.

The pattern of trends over time, which for NO₂ is of little change between 2005 to 2010 and then a steeper downward trend from 2010 to 2018, is consistent with evidence of an increasing ratio of NO₂:NO_x in vehicle emissions in the period to 2010 and then a decline from 2010.

There is now evidence of the NO₂: NO_x ratio increasing for Euro 6 light duty vehicles, which is likely to limit the current decline in NO₂ concentrations to be less than that of NO_x.

While the observed reductions in NO_x and NO₂ concentrations are encouraging, additional measures and actions will be required in order for the reducing trend to continue into the future. The report concludes that it is important to regularly monitor trends in ambient concentrations."



Step 1	How far from the KERB was your measurement made (in metres)?	21.0
Step 2	How far from the KERB is your receptor (in metres)?	1
Step 3	What is the local annual mean background NO₂ concentration (in µg/m³)?	9.643307
Step 4	What is your measured annual mean NO₂ concentration (in µg/m³)?	20.5
Result	The predicted annual mean NO₂ concentration (in µg/m³) at your receptor	37.7

Receptor R1 in 2016.

The above image, which MSDC should be familiar with, relates to planning application DM/17/2739 Environmental Statement Vol.1, Chapter 9, Air Quality Assessment 2016. Table 9.10 which indicated that the annual mean NO₂ concentration at R1 was 20.5µg/m³, 2016 baseline.

Receptor R1 is located on Lunces Hill at a distance of 21 metres from the kerbside at grid reference 533756/121897. The concentration at one metre back from the kerbside equates to 37.7µg/m³ which did not exceed to the objective 2016.

At receptor R5 in 2016 the result equates to 63.4µg/m³. R5 measured at 19.0 metres from the kerbside and was predicted to be 31.5µg/m³ at the receptor. In 2018 the result equates to 55.8µg/m³, when R5 measured 9.0 metres from the kerbside and was predicted to be 35.7µg/m³ at the receptor. Background concentrations are derived from 2015 mapping for 2016 baseline and from 2017 mapping for 2018 baseline. Receptor distance of 1 metre from the kerb was selected purely on the basis that MSDC use the same distance in their ASR's but under predicts the true concentration that pedestrians are exposed to due them being nearer to the kerbside and for vehicle occupants who are a further metre from receptor R5 and at the source which in 2016 equated to at least 63.4µg/m³.

Step 1	How far from the KERB was your measurement made (in metres)?	19.0
Step 2	How far from the KERB is your receptor (in metres)?	1
Step 3	What is the local annual mean background NO₂ concentration (in µg/m³)?	9.643307
Step 4	What is your measured annual mean NO₂ concentration (in µg/m³)?	31.5

Receptor R5 in 2016.

The Bureau Veritas calculator results should be treated with caution when the receptor is more than 10 metres from the kerbside as was the case in 2016 for all 11 receptors. The 2019 reading for R5 of 56.6µg/m³ can therefore be regarded as being more reliable when using the BV calculator which is used in DMRB has been found to over predict NO₂ concentrations. A report prepared by Prof Duncan Laxen and Dr Ben Marner found that "Of the three models, ADMS-Roads appears to describe the rate at which NO₂ concentrations reduce with increasing distance from the road better than either the DMRB screening model or Caline-4. The DMRB, in particular, appears to significantly under-predict the rate at which measured concentrations reduce close to the road. The Caline-4 model comes slightly closer to predicting the measured rate of concentration reduction near to roads, although still underpredicting the decline with distance. However it seems to under-predict the rate at which concentrations reduce at distances greater than 20m. The predictions made using ADMS-Roads provide a better representation, although this model shows a smaller initial decline out to 5m then a larger decline from 5 to 20m than the trend derived from the measurements. The study suggests that within the range of these measurements, and at these specific types of sites (i.e. motorways or busy dual-carriageways in open settings), it might be possible to use measurements made at one distance from the road to predict the concentration at any other distance from the road. Equation 4 shows the empirically-derived function that might be used."

$$\text{Equation 4: } C_z = ((C_y - C_b) / (-0.5476 \times \ln(D_y) + 2.7171)) \times (-0.5476 \times \ln(D_z) + 2.7171) + C_b$$

Where: C_y is the total measured concentration (µg/m³) at distance D_y ;
 D_y is the distance from the kerb at which concentrations were measured;
 C_z is the total predicted concentration (µg/m³) at distance D_z
 D_z is the distance from the kerb (m) at which concentrations are to be predicted;
 C_b is the background concentration (µg/m³); and
 $\ln(D)$ is the natural log of the number D

Using the above equation resulted in R1 to be 35.9µg/m³ in 2016 and 27.0µg/m³ in 2018. R5 was found to be 45.0µg/m³ in 2016 and 48.1µg/m³ in 2018. R5 has exceeded its objective of 40.0µg/m³ at the kerbside since 2016. For 2020 other Local Authorities that have posted their ASR's have generally experienced a reduction in Nitrogen Dioxide concentrations at monitoring sites. Chichester has three sites that are unchanged while Horsham and Brighton & Hove each have increases at three of their sites.

A decrease in Nitrogen Dioxide levels is a welcome step forwards in the quest to achieve better air quality but unfortunately CO₂ levels, which can be harmful to humans in confined spaces, are heading in the opposite direction. The DfT RFT18 indicates that CO₂ will increase, for many years to come, due in part to the following.

While lab tests suggest that PHEVs emit on average 44g of Carbon Dioxide per kilometre new analysis by an NGO suggests that in the real world cars actually emit 117g per kilometre on average. That compares to 164g and 167g of CO₂ respectively for petrol and diesel cars. All the 10 top-selling plug-in hybrids in the UK automatically switch on the car's engine as soon as the external temperature drops to below 14°C in order to keep the car passengers warm. That can not be good for the environment especially during winter months when NO₂ concentrations will be higher due to atmospheric conditions.

Sustainability Queuing delays

Under, Site Selection Reasonable Alternatives for Assessment, Technical Summary, 11-Transport states: "There are no 'severe' highway impacts expected from any of the three options. Policy requirements could ensure access or highways mitigation is provided to ensure no severe impacts arise." The same document as in Cumulative developments and the effects of traffic growth submitted in support of the Northern Arc development predicts changes in driver delays of 500 seconds by 2025 at the A273/Sussex Way roundabout and 562 seconds at A272/London Road T junction (leading to A23/A272 NB Slip) thus exposing the occupants of crawling or stationary idling vehicles, to 8 minutes and twenty seconds and 9 minutes and twenty two seconds respectively, to excessive concentrations of pollution. How long do the delays have to be before being considered severe? What prospects to behold! MSDC have not yet resolved the problem at Stonepound Cross Roads and there is a real possibility of them sleep walking towards major problems with regard chronic traffic congestion due a lack of highway infrastructure improvements at various locations within Haywards Heath together with an exceedance of the air quality objective at various roundabouts due to complacency.

From the foregoing it is apparent that Defra recognise that modelling has under predicted NO₂ concentrations due a variety of different reasons. The DfT have also acknowledged that traffic growth forecasts have been under predicted, as detailed in Road Traffic Forecasts 2018, resulting in trying to predict traffic growth in future years challenging. The traffic count carried out in 2020 at the request of WSCC when compared with that of 2016 will provide a definitive indication of the annual traffic growth rate, for a four year period relevant to the local highway network, for AADT input data into the emission factor toolkit. Air Quality Assessments, carried out prior to the substantial updates of the RFT's, will therefore be flawed.

Without significant improvements to highway infrastructure the likelihood of gridlocked roads during peak periods together with the associated increase in pollution that results alludes to Haywards Heath not being a thriving settlement and will as a place to avoid. Local residents submitted photographic evidence of heavy traffic congestion on the A272 (HHRR) section which was ignored by the Case Officer. The District Plan seeks the opposite in paragraph 2.9 and notwithstanding that the Site Allocations DPD Sustainability Appraisal 11 – Transport, which reads "None of the site options on their own are likely to contribute to negative impacts on the highways network. In-combination modelling of the package of preferred option sites will be tested as part of the evidence supporting the Site Allocations DPD. Access arrangements for the Science and Technology Park, and further testing of highways capacity will be required and further work has been identified to test this prior to submission." there should a full appraisal of future trends in traffic growth, emissions of NO₂, CO₂, PM_{2.5} and PM₁₀ resulting from cumulative development currently under construction and from future allocations, in the form of a thorough risk assessment, which should be at the forefront of decision making when selecting and allocating sites for future development. The highway capacity should be tested based upon traffic counts where ever possible since previous modelling has been proved to be inadequate due mainly to input data under estimating when compared with reality as demonstrated earlier under TEMPRO. It is worth bearing in mind that traffic data presented by Phlorum suggests there was an average annual increase of 6.45% in AADT between May 2016 baseline and December 2018 baseline (say 2.5 years for best case scenario) for the local highways converging at the Fox Hill, Birch Hotel, and Sussex roundabouts (see Addendum).

A second issue regarding sustainability are future energy supplies which are forecast to be insufficient to meet demand when the wind is not blowing and the sun is not shining. One major energy supplier is seeking permission from Ofgem to be able turn off via smart meters appliances remotely in order to ration electricity such as heat pumps and electric vehicle chargers. If they fail to get that permission and demand exceeds supply then everyone, regardless of whether they have a smart meter or not, will be subjected at some point, to power disruption especially during winter. It would be highly irresponsible for any local authority to pursue a building programme without reassurance that power supplies will be adequate at least up until 2031.

Unless the issues relating to air quality and traffic growth forecasts are addressed and corrected MSDC are in danger of sabotaging their own District Plan strategies and policies, specifically with regard DP21 and DP29, due in part from their lackadaisical approach to ensuring that supporting documentation in connection with planning applications are both credible and fit for purpose. There is now a compelling argument for a full risk assessment to be undertaken, covering the next plan site allocation period, in view of the substantial updates to Road Traffic Forecasts 2018 and NTEM 2018, in order to ensure that the aged highway infrastructure can sustain the volume of traffic forecast for annual increases together with the additional increase generated from cumulative development including employment and science and technology parks. For developments based upon TEMPRO-2015 modelling traffic growth rates will now have increased due to the Trip End Model being updated in 2018. Local authorities are obliged to improve air quality and ensure that the objective will not be exceeded. Despite having been assured by the Chief Executive that MSDC take air quality very seriously I still remain sceptical due to the poor oversight and due diligence of a Planning Department which is perceived to be focused on the Council's policy of meeting housing targets. By all means plan for the future responsibly and transparently by ensuring that all other relevant District Plan policies are complied with and that the outcome is not detrimental to the existing community.

David Johnson

Addendum

Change in traffic growth between 2016 and 2018

Location	2018	2016	Change %	Annual %
Fox Hill (S)	14047	12131	15.79	6.32
Hurstwood Lane (S)	2727	2471	10.36	4.14
Fox Hill (N)	11842	10111	17.12	6.85
Fox Hill (N-j)	12415	10649	16.58	6.63
Rocky Lane	16716	13696	22.05	8.82
Wivesfield Road	16648	13789	20.73	8.29
A272	10086	8512	18.49	7.40
Hurstwood Lane N	2761	2502	10.35	4.14
B2272	16559	14310	15.72	6.29
Lewes Road	13472	11808	14.09	5.64
Average %			16.13	6.45

Annualisation for MSAQ28

Site	Am	Pm	Ratio Am/Pm
MSAQ5	32.575	30.911	1.053828560
MSAQ9	9.817	9.089	1.080075697
MSAQ26	25.725	24.200	1.063016529
MSAQ27	24.782	24.322	1.018896317
Average Ra			1.053954276

Annualisation procedure, example

Background Site	Annual mean 2015 (Am)	Period Mean 2015 (Pm)	Ratio (Am/Pm)
A	28.6	29.7	0.963
B	22.0	22.8	0.965
C	26.9	28.9	0.931
D	23.7	25.9	0.915
Average (Ra)			0.944

It has only been possible to carry out a monitoring survey at site for six months between July and December 2015. The measured mean concentration M for this period is $30.2 \mu\text{g}/\text{m}^3$. How can this be used to estimate the annual mean for this location? Identify two to four nearby, long-term, continuous monitoring sites, ideally those forming part of the national network. The data capture for each of these sites should ideally be at least 85%. These sites should be background (Urban Background, Suburban or Rural) sites to avoid any very local effects that may occur at Urban Centre, Roadside or Kerbside sites, and should, wherever possible lie within a radius of about 50 miles. If no background sites are available, and the site to be annualised is itself a Urban Centre, Roadside or Kerbside site, then it is permissible to annualise using roadside or kerbside sites rather than background sites, though this should be clearly stated in the annual report. Obtain the annual means, Am, for the calendar year for these sites. Work out the period means, Pm, for the period of interest, in this case July to December 2015. Calculate the ratio, R, of the annual mean to the period mean (Am/Pm) for each of the sites. Calculate the average of these ratios, Ra. This is then the annualisation factor. Multiply the measured period mean concentration M by this annualisation factor Ra to give the estimate of the annual mean for 2015. For this example the best estimate of the annual mean for site S in 2015 will be $M \times Ra = 30.2 \times 0.944 = 28.5 \mu\text{g}/\text{m}^3$.

Site Allocations DPD: Regulation 19 Consultation Response**Policy:** SA21**ID:** 1036**Response Ref:** Reg19/1036/6**Respondent:** Mr D Johnson**Organisation:****On Behalf Of:****Category:** Resident**Appear at Examination?** x

From: eforms
Sent: 27 September 2020 10:45
To: ldfconsultation
Subject: Site Allocations DPD Consultation Response (Ref: DPDCon-1601199872)
Attachments: Unsupported File Types Alert.txt
Categories: SiteDPD

Name	David Johnson
Address	
Email	
Which document are you commenting on?	Site Allocations DPD
Sites DPD Policy Number (e.g. SA1 - SA21 SA38)	
Do you consider the Site Allocations DPD is in accordance with legal and procedural requirements; including the duty to cooperate	Yes
(1) Positively prepared	Sound
(2) Justified	Sound
(3) Effective	Unsound
(4) Consistent with national policy	Sound
Please outline why you either support or object (on legal or soundness grounds) to the Site Allocations DPD	SA21 has previously been refused planning permission.
Please set out what change(s) you consider necessary to make the Site Allocations DPD	Exclude SA21

legally compliant or sound, having regard to the reason you have identified at question 5 above where this relates to soundness.

If you wish to provide further documentation to support your response, you can upload it here

https://forms.midsussex.gov.uk/upload_dld.php?fileid=db64ab49e7a3cc9d3b008d7b757fb305

If your representation is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination

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

Please notify me when-The Plan has been submitted for Examination yes

Please notify me when-The publication of the recommendations from the Examination yes

Please notify me when-The Site Allocations DPD is adopted yes

Date 27/09/2020

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA21

ID: 1454

Response Ref: Reg19/1454/3

Respondent: Mr S Brown

Organisation: Woolf Bond Planning

On Behalf Of: Fairfax Acquisition Ltd - Land east of Borde Hill
Lane, HH

Category: Developer

Appear at Examination? ✓



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/

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 28th 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/

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

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	Mr
First Name	S
Last Name	Brown
Job Title (where relevant)	Principal
Organisation (where relevant)	Woolf Bond Planning (Agent)
Respondent Ref. No. (if known)	
On behalf of (where relevant)	Fairfax Acquisition Ltd
Address Line 1	c/o Agent
Line 2	The Mitfords
Line 3	Basingstoke Road
Line 4	Three Mile Cross, Reading
Post Code	RG7 1AT
Telephone Number	01189 884923
E-mail Address	s.brown@woolfbond.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:

Fairfax Acquisition Ltd

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

10

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 checked="" 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

See attached representations.

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.

See attached representations.

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.

See attached representations.

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:

In order to discuss the soundness of the SADPD having regard to the most up to date information available

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:

Woolf Bond Planning

Date:

10th September 2020

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Fairfax Acquisition Ltd

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Site
Allocations
DPD

☒

Sustainability
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Habitats Regulations
Assessment

☐

Community
Involvement
Plan

☐

Equalities
Impact
Assessment

☐

Draft Policies
Maps

☐

3b. To which part does this representation relate?

Paragraph

Policy SA

11

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:

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(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"/>

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Allocations
DPD

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Sustainability
Appraisal

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Community
Involvement
Plan

☐

Equalities
Impact
Assessment

☐

Draft Policies
Maps

☐

3b. To which part does this representation relate?

Paragraph

Policy SA

21

Draft Policies Map

4. Do you consider the Site Allocations DPD is:

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Yes ☒

No ☐

4b. Sound

Yes ☐

No ☒

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

(1) Positively prepared

Sound

☐

Unsound

☒

(2) Justified

☐☒

(3) Effective

☐☒

(4) Consistent with national policy

☐☒

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See attached representations.

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See attached representations.

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Signature:

Woolf Bond Planning

Date:

10th September 2020

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.

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Site
Allocations
DPD

☒

Sustainability
Appraisal

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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
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(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

See attached representations.

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.

See attached representations.

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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 Proposals Map for Haywards Heath should be amended to include the allocation of land east of Borde Hill Lane as a housing allocation. See attached representations.

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)

☐

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☒

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:

In order to discuss the soundness of the SADPD having regard to the most up to date information available

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:

Woolf Bond Planning

Date:

10th September 2020

Thank you for taking time to respond to this consultation



Woolf Bond Planning

Chartered Town Planning Consultants

WBP Ref: SB/8160

BY EMAIL

Email: s.brown@woolfbond.co.uk

10th September 2020

Site Allocations DPD Consultation
Planning Policy Team
Mid Sussex District Council
Oaklands
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Dear Sirs,

MID SUSSEX DISTRICT COUNCIL – SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT – REGULATION 19 SUBMISSION DRAFT CONSULTATION

THE OMISSION OF LAND AS A HOUSING ALLOCATION TO THE EAST OF BORDE HILL LANE, HAYWARDS HEATH

REPRESENTATIONS ON BEHALF OF FAIRFAX ACQUISITION LTD

INTRODUCTION

Background

We refer to the above Regulation 19 consultation and respond on behalf of our client, Fairfax Acquisition Ltd, setting out our comments upon certain of the draft policies and proposals contained therein, including the **omission of land under their control to the east of Borde Hill Lane, Haywards Heath, as a housing allocation for circa 130 dwellings.**

The Site comprises an available, suitable and deliverable opportunity to accommodate housing needs (both market and affordable), in a sustainable location, within walking distance from the town centre, with no landscape and/or technical constraints to bringing the land forward for development in the early stages of the plan period, and/or in helping to demonstrate a five year supply of deliverable housing land.

The site extends to approximately 9ha and the illustrative masterplan accompanying our representations suggests how a scheme for circa 130 dwellings could be accommodated on the site at net density of approximately 30dph.

The Site has inherent sustainability merits which make it suitable for residential development, and in our view represents a logical development opportunity in providing much needed new homes in a location that is contiguous and well related to existing built form on the western edge of Haywards Heath, within walking and cycling distance from the town centre.

For the reasons set out in our submissions there are a number of shortcomings with the draft Site Allocations Development Plan Document (“SADPD”) that result in the need for amendments if it is to satisfy the tests of soundness at paragraph 35 of the NPPF.

Our representations focus on specific parts of the SADPD as follows;

- **SA10: Housing**
- **SA11: Additional Housing Allocations**
- **SA21: Land at Rogers Farm, Fox Hill, Haywards Heath**
- **Omission of land to the east of Borde Hill, Haywards Heath as a housing allocation**

Our detailed representations are set out below and include submissions in response to the content of certain of the evidence base documents, including the Sustainability Appraisal.

SUPPORTING PLANS AND PARTICULARS

The following plans and documents are submitted in support of our representations:

- Site Location Plan No. 2043/PA.01
- Opportunities and Constraints Plan No. 2043/PA.02A
- Indicative Masterplan No.2043/PA.03B
- Highways and Access Sustainability Technical Note (Aug 2020) (i-Transport)
- Landscape and Visual Appraisal (Aug 2020) (Fabrik)
- Ecological Technical Note (Aug 2020) (The Ecology Co-op)
- Flood Risk and Drainage Technical Note (Sept 2020) (Temple)

The content of the supporting plans and particulars is set out below where relevant to the particular issue/discipline being addressed.

Overarching Position

Fairfax Acquisition Ltd has a strong belief in the principle of the plan-led system and in setting out our representations upon the aforementioned policies, we hope to be able to work with the Council (including through the preparation of proposed modifications) in order to ensure the SADPD satisfies the tests of soundness at paragraph 35 of the NPPF.

Fairfax Acquisition Ltd and Woolf Bond Planning have considerable experience in dealing with the promotion of sites through the planning system. In this context, a principal constraint to the timely delivery of housing is the way in which policies for the allocation of sites have been formulated; which strategy is predicated upon unrealistic assumptions about delivery at certain of the strategic site allocations identified in the adopted District Plan.

Local Plans must be capable of delivering from the point at which they are adopted. This means scrutinising the policy wording to ensure the Plans are sound and that the allocations contained therein are capable of being delivered. This is particularly the case in relation to the need for Councils to collate a robust evidence base to justify the imposition of certain

policies and/or their wording so as not to over burden and/or stifle sustainable and appropriate development.

We are keen to ensure that the SADPD is robust and it is in this context that we set out our representations, with the omission site affording a sustainable option as a housing allocation in seeking to ensure a sound Plan pursuant to the requirements at paragraph 35 of the NPPF.

THE NPPF AND THE TESTS OF SOUNDNESS

The NPPF sets out the principal components to be included in local plans. Paragraph 35 requires that in order to be “sound” a Development Plan Document (‘DPD’) should be positively prepared, justified, effective and consistent with national policy.

In order to be justified the DPD must be founded upon a robust and credible evidence base and represent the most appropriate strategy when considered against the reasonable alternatives.

Effective means the document must be deliverable, flexible and be able to be monitored. The positive preparation test requires plans to objectively assess development and infrastructure needs, both within the authority area and from neighbouring authorities. In respect of housing, the need must be informed by a local housing needs assessment, conducted using the standard method (para. 60).

Paragraph 69 of the NPPF sets out the requirement for Local Planning Authorities to establish a housing requirement figure for their whole area, broken down into neighbourhood areas.

In identifying land for homes, paragraph 67 of the NPPF requires LPA’s to identify a sufficient supply and mix of sites.

For the reasons set out below, we are of the view that the SADPD cannot be said to be justified when the strategy for site selection is considered in relation to the reasonable alternatives; including the omission of land to the east of Borde Hill Lane, Haywards Heath as a housing allocation.

We expand upon our submissions in the detailed considerations that are set out below.

POLICY SA10: HOUSING & POLICY SA11: ADDITIONAL HOUSING ALLOCATIONS

Representations

The Housing Requirement and Plan Period

As set out at paragraph 2.17 of the SADPD, the District Plan 2014-2031 (adopted March 2018) sets out the housing requirement to be met in the District during the plan period, with Policy DP4 setting out a requirement for a minimum of 16,390 dwellings.

Policy DP4 also commits the Council to adopting the SADPD in 2020, with a requirement for circa 2,439 dwellings to be allocated through the SADPD and Neighborhood Plan process.

This figure represents the residual requirement to be met following allowances in Policy DP4 for commitments, strategic allocations and a windfall allowance.

Policy DP4 includes a table which sets out the spatial distribution of the overarching housing requirement. The majority of the planned housing growth is to be met at the three largest and most sustainable settlements¹ (Burgess Hill, East Grinstead and Haywards Heath).

The supporting text to Policy DP4 states as follows:

“The District Council will prepare a Site Allocations Development Plan Document (DPD). This will allocate non-strategic and strategic sites of any size over 5 dwellings (with no upper limit), in order to meet the remaining housing requirement over the rest of the Plan period as reflected in the ‘stepped trajectory’ of 876dpa until 2023/24 and 1,090dpa thereafter, and with the aim of maintaining a 5 year land supply to meet this requirement. Town and parish councils may also bring forward revisions to their Neighbourhood Plans.” [Our emphasis underlined]

Whilst there is a minimum residual housing figure specific for each category of settlement to be met from 2017 onwards, including through preparation of the SADPD, a principal aspect is the need to ensure deliverable sites are identified in order to help demonstrate a five year supply of deliverable housing land. In addition, and for the reasons set out in the NPPF, the approach to site selection needs to ensure the sites provide for sustainable development. This includes, inter alia, allocating sites for housing that can provide opportunities for travel by sustainable modes.

Proposed Allocations

As set out at paragraph 2.24 of the SADPD, the District Plan allocates four strategic site allocations which make provision for circa 5,080 dwellings during the plan period to 2031; including some 3,400 dwellings to the north and north-west of Burgess Hill.

However, and as set out at paragraph 2.27 of the SADPD, the Council has reduced its expectations of housing delivery at the Burgess Hill strategic allocation from 3,500 to 3,287 dwellings within the plan period. Subject to future delays, there could be a significant under delivery of housing. Accordingly, and as set out in Policy SA10, it seems sensible for the SADPD to plan for a greater number of dwellings, as a contingency, in the event the strategic sites and other commitments fail to deliver at the point envisaged. This will help to ensure a flexible and responsive approach to housing supply/delivery.

Based upon the completions realised since 2014 (the start date of the Plan), the number of identified commitments and the windfall allowance relied upon by the Council, Policy SA11 of the SADPD allocates new sites for circa 1,764 dwellings. It is suggest this will result in a surplus of 484 dwellings as follows:

A. Minimum Requirement 2014 to 2031	16,390
B. Completions 2014 to 2020	4,917
C. Commitments	9,689
D. Windfall Allowance	504
E. Residual Requirement (A-(B+C+D))	1,280

¹ Category 1 settlements as defined in Policy DP6

The SADPD seeks to allocate 22 sites for approximately 1,764 dwellings, which results in a 'surplus' of 484 dwellings (1,764-1,280) against the 16,390 minimum requirement to be met during the plan period.

Whilst it is acknowledged that the Council is committed to undertaking a review of the District Plan, it is imperative that the SADPD process ensures the delivery of sufficient dwellings in helping to meet the minimum 16,390 requirement specific in the District Plan.

The 'surplus' of 484 dwellings leaves little if any room for error in the Council's delivery assumptions on commitments, including the strategic sites.

Accordingly, **we are of the view that the SADPD should allocate additional sites, where demonstrated to be both deliverable and sustainable.** This is the case with our client's land to the east of Borde Hill Lane, Haywards Heath, the merits of which we elaborate upon below.

The allocation of additional sites, in seeking to plan for in excess of the 1,764 dwellings in the Reg. 19 SADPD was positively assessed under Option C of the Sustainability Appraisal, with the impacts (positive and negative) broadly commensurate with those assessed against the 1,764 figure.

Distribution of the Proposed Housing Allocations in Policies SA10 and SA11

Policies SA10 and SA11 sets out how the allocation of land for circa 1,764 dwellings is to be allocated to the settlements within Mid Sussex.

As set out above, Burgess Hill, East Grinstead and Haywards Heath are identified in Policy DP4 of the District Plan² as the three most sustainable settlements within Mid Sussex. However, and despite the District Plan already providing for strategic growth at Burgess Hill (in the form of a 3,500 dwelling strategic allocation), the SADPD proposes a further 612 dwellings at the settlement (35% of the 1,764 total in the SADPD), with 772 proposed at East Grinstead (44%) and only 25 dwellings (1.5%) at Haywards Heath.

This strategy demonstrably fails the tests of soundness at paragraph 35 of the NPPF as it cannot be said to be justified in the context of the sustainability merits afforded by Haywards Heath.

As an overarching comment in relation to the tests of soundness, including based upon the findings of the Sustainability Appraisal to the SADPD, additional housing allocations should be identified at Haywards Heath (i) in place of certain of the sites allocated at Burgess Hill and/or East Grinstead; or (ii) in addition to the 1,764 figure in order to ensure a flexible and responsive supply of housing land.

Land to the east of Borde Hill Lane, Haywards Heath should be allocated for approximately 130 dwellings together with associated open space.

Moreover, sites proposed to be allocated at the lower order category 2, 3 and 4 settlements should not be allocated ahead of more sustainable options at Haywards Heath (a category 1 settlement).

² Supported by the conclusions of the Site Selection Paper (July 2020) and the Sustainability Appraisal to the SADPD (July 2020)

POLICY SA21: ROGERS FARM, FOX HILL, HAYWARDS HEATH

Representations

This site is not as sustainably located as the opportunity afforded by our client's site on land to the east of Borde Hill Lane, Haywards Heath.

Policy SA21 should be deleted in favour of our client's land; or, if additional sites are proposed, our client's site could be allocated as an additional allocation at Haywards Heath, with Rogers Farm being retained.

The latter option would in part address the imbalance in the distribution of dwelling numbers advocated by the Council in Policies SA10 and SA11.

OMISSION SITE

SUITABILITY OF LAND TO THE EAST OF BORDE HILL LANE, HAYWARDS HEATH AS A HOUSING ALLOCATION FOR APPROXIMATELY 130 DWELLINGS

Representations

General

We object to the omission of land to the east of Borde Hill Lane, Haywards Heath as a housing allocation for circa 130 dwellings.

The site extends to approximately 9ha and comprises an area of pastoral field(s) to the east of Borde Hill and north of Balcombe Road.

The surrounding area is characterised by residential development, including the scheme for 210 dwellings under construction by Redrow at Penlands Farm to the west (LPA Ref: DM/16/1803). Following the grant of planning permission for development at Penlands Farm, there has been a clear acceptance of the principle of developing land to the west of Basingstoke Road.

On the basis of the above, and the technical work submitted in respect of highway/sustainability, landscaping (and heritage), ecology and flooding and drainage matters, we consider the site affords an inherently sustainable and deliverable location to accommodate housing in helping to meet identified needs during the plan period.

Although close to the High Weald AONB and Borde Hill Registered Park and Garden (thus sharing a similar relationship in this regard to the approved development at Penlands Farm), the Site is not subject to any statutory or non-statutory designations for landscape quality or nature conservation interests; whilst all heritage assets in the vicinity of the site have been assessed as part of the technical work undertaken to assess the suitability of the site for housing; and which findings have informed the design approach adopted in the evolution of the illustrative masterplan.

The Illustrative Masterplan proposes circa 130 dwellings on a net developable area of approximately 5ha – with approximately 4ha proposed as landscaped open space.

Highways and Sustainability

The accompanying Technical Note prepared by i-Transport explains the locational advantages of the Site as well as the means of access, which matters are summarised below:

- The site is well located with respect to public transport services. In addition to bus services, the site is circa 1,500m from Haywards Heath railway station. Being situated on the Brighton Main Line, the station offers excellent services to a range of destinations including Central London, Gatwick Airport and the South Coast with circa one train every six minutes routing towards Central London/Gatwick Airport at peak times.
- The site location, the accessibility to local facilities within walking and cycling distance, and the accessibility to public transport would result in a development which would provide genuine opportunities to promote sustainable transport.
- Access to Land at Borde Hill Lane would be via the introduction of a fourth arm to a roundabout which will provide access to the Penland development opposite. The access arrangements, which are shown on Drawing ITL14572-GA-001, would provide safe and suitable means of access for all and enable the accessibility benefits of the site location to be realised.
- The CIHT Planning for Walking guidance document (April 2015) acknowledges that circa 80% of journeys up to 1mile (1,600m) are made wholly on foot. Furthermore, the average distance of pedestrian journeys is 0.85mi (1,360m) (Ref: Planning for Walking, Section 2).
- The results of the National Travel Survey 2019, published August 2020, corroborates these findings and identify that walking is the most frequent mode used for short trips – 80% of trips under one mile (c. 1,600m) and almost one-third (31%) of trips between one and two miles (c. 3,200m) were on foot (Ref: NTS Table 0308).
- A summary of local facilities and services, the distance of these from the site, and approximate walking and cycling journey times, is provided in Table 2.1, and shown diagrammatically on Figure 1. This demonstrates that a significant range of services and facilities are within walking distance from the site, including Sainsbury's, Waitrose, education and leisure facilities as well as the train station.
- Key routes for pedestrian and cycle trips will be via Balcombe Road and Penland Road. Balcombe Road provides a footway of circa 2m throughout on at least one side of the carriageway to/from Haywards Heath station. Penland Road provides footways on both sides of the carriageway. Both routes are street lit with dropped kerbs/tactile paving located at junctions between the site and Haywards Heath station/town centre.
- Together, these provide a comprehensive pedestrian network to support pedestrian connectivity to the south of the site and the wider area. It is noted that footways to the south are being upgraded and extended as part of the Redrow scheme to facilitate journeys of foot to/from Haywards Heath Town Centre.
- The site is located circa 350m from a southbound bus stop on Penland Road (near junction with The Spinney). Traveline SouthEast identifies route 31a/31c operates a loop service every two hours between Uckfield and Haywards Heath, before returning to Uckfield. Additional bus services as well as rail services are available at Haywards

Heath station/Perrymount Road bus stops, 1.5km from the site. From this location, buses 3, 30, 31/31a/31c, 33/33A, 39, 62, 89, 166, 270 and 272 are accessible.

For the reasons set out above, the site affords a sustainable location in helping to meet identified housing needs.

Landscape Considerations

Landscape consultants Fabrik have undertaken a detailed appraisal of the capacity of the site to accommodate housing development in the context of the landscape characteristics of the site and surrounding area; which analysis has included an assessment of the impact of development upon the setting of the High Weald AONB and the Borde Hill Registered Park and Garden.

As set out above, development of the Site for housing would have a similar relationship to these designations as with the 210 dwellings approved by the Council at Penlands Farm to the west.

The findings of the Landscape and Visual Appraisal (“LVA”) informed the evolution of the Illustrative Masterplan, which layout responds to the advice received.

The findings of the LVA may be summarised as follows:

- An initial landscape and visual appraisal of the Site reveals that the Site is well related to the residential northern edge of Haywards Heath.
- The Site is enclosed to the north, west and east by undulating topography, woodland and trees. Furthermore, the Site boundaries are defined predominantly by vegetation that follow the alignment of the road network associated with Borde Hill Lane (to the northwest and west) and Balcombe Road to the south. This combination of features provide a mature landscape with a clearly defined northern edge to the north of Haywards Heath.
- The Site is apparent from Borde Hill Lane, in between existing dwellings, but is not readily discernible from public vantage points within the High Weald AONB and Registered Park and Garden at Borde Hill, nor is it discernible in the wider landscape due to intervening topography and vegetation. Therefore, development of the Site would not significantly alter the setting of the AONB or Registered Park and Garden.
- The Illustrative Masterplan has been informed by the advice set out within the appraisal, with the location and layout of development parameters generated by the visual and landscape character assessment.
- Overall, in landscape and visual terms, there are no significant overriding landscape constraints to the delivery of this Site for development.

Informed by the forgoing, the Site can be allocated for housing development in so far as there are no overriding landscape constraints to development of the site in the manner proposed, including on the basis that the layout can provide for a string landscape boundary to the wider landscape beyond.

Ecology

The Illustrative Masterplan has also been informed by a series of ecological appraisals, with the supporting Technical Note confirming the

The survey work undertaken to date identifies that the Site comprises largely of poor semi-improved grassland, with species-rich hedgerows, a woodland shaw and a stream that forms the north boundary.

Key features within the Site are proposed to be retained, including the retention of important hedgerows as well as an appropriate buffer to the stream along the northern boundary.

Further species surveys are being undertaken, but initial survey results confirm impacts can be mitigated through the retention and retention of on-site habitats.

Flood/Drainage

The Technical Note prepared by Temple sets out the acceptability of the proposed development of the site for 130 dwellings in flood/drainage terms, confirming that all of the proposed built form is to be located within flood zone 1.

The Design Approach

As set out above, the Illustrative Masterplan shown on Plan No. 2043/PA.03B has been informed by a range of technical studies, a number of which are summarised above and are submitted in support of our representations. These studies helped informed the Opportunities and Constraints Plan (No. 2043/PA.02A from which the Masterplan evolved.

The site is bounded by mature woodland on its north-western side and has a variety of tree and hedgerow screens elsewhere - including a mature hedge that is interspersed with trees running across the site - dividing up the area of land.

The Illustrative Masterplan follows an initial Parameters Plan that was prepared by Fabrik Landscape Architects - in particular the disposition of the developable areas which have been generated by their analysis of the views of the Site that are experienced by the receptors - most of which are close by, as the topography and vegetation ensure that the site is not readily discernible or apparent.

This is further reinforced by the setting back of the developed area - away from Borde Hill Lane, and some way down the existing slope.

The initial thoughts on the disposition of the proposed dwellings within the Site carefully follows, and is underpinned, by the principles of perimeter block typology - whereby the access roads enclose the majority of the developable areas and provide buffering to the existing landscape features and nearby units - providing a clear and legible scheme.

The majority of the proposed dwellings would face outwards towards the access roads - with the odd courtyard that allows for visual policing of car parking spaces etc.

The set-back from Borde Hill Lane allows for the access off the slightly elevated roundabout to be accommodated across the change in ground level. The access would initially terminate

in a 'T'- junction opposite a landscaped gateway area - before becoming the part of the perimeter road pattern mentioned above.

The access to the eastern most developable area is located in an existing gap in the hedgerow - so that the ecological continuity of this edge of field margin is maintained and not interrupted.

To the north-west is an area of development proposed that fronts on to Borde Hill Lane in a pattern that reflects the building alignment of nearby units.

Behind these frontage units is a 'mirrored' group of proposed houses that will ensure that the access to this area has frontage development and the nearby areas of open space are visually policed.

The bulk of the developable area is in the central section of the land being offered for inclusion in the Local Plan process. This part of the available land is bounded by the access on the western side, an existing stream on the eastern side and hedgerow or woodland areas to the north and south.

Each of the parcels of development are created by the retention of existing features - which contribute to the whole.

With regard to the embryonic proposals shown it is envisaged that the proposed site could comfortably accommodate circa 130 new homes without having an adverse impact on the neighbouring properties or the character of the wider area.

The developable area of land indicated totals approximately 4.62ha, which could generate a density of circa 30dph. This is commensurate with the Penlands Farm development that is opposite the site entrance, and it strikes a good balance between making good use of the land available whilst respecting the edge of settlement location.

The density will be influenced by the topography which, due to its incline, leads to smaller modules of built form, with detached, semi-detached or linked-detached properties being used, as they aid the stepping down the slope more readily than longer terraces would. The insertion of garages or parking areas between the dwellings aids this as they provide physical breaks that can accommodate the changes in level.

The proposed perimeter block form of development gives cohesion and legibility to a layout. In this instance the typology proposed is appropriate for the reasons stated and will allow the creation of a well-mannered development that respects the settlement edge location, whilst retaining a larger part of the site as landscape open space.

SUMMARY AND SUGGESTED CHANGES

Our client's site to the east of Borde Hill Lane, Haywards Heath, offers a deliverable opportunity for a housing scheme, in a sustainable location, within walking distance from services and facilities in Haywards Heath, which should be allocated for residential development for approximately 130 dwellings.

The allocation of the site for housing will make a valuable contribution to meeting the residual housing requirement.

For the reasons set out above, the SADPD fails the tests of soundness at paragraph 35 of the NPPF for the following reasons:

- **Unjustified** – The proposed housing distribution strategy fails to provide for sufficient housing growth at Haywards Heath, commensurate with its status as a Category 1 settlement within the settlement hierarchy. As such, the approach to the distribution and allocation of sites cannot be said to be the most appropriate taking into account the reasonable alternatives. The SADPD should allocate land our client's site to the east of Borde Hill Lane, Haywards Heath for circa 130 dwellings.
- **Ineffective** – The SADPD fails to introduce sufficient flexibility into the developable supply of housing land over the plan period. This includes a potential failure to allocate a sufficient level and variety of sites.
- **Inconsistent with the National Policy** – The SADPD fails to identify sufficient housing sites in the most sustainable locations.

We welcome the opportunity to continue dialogue with the Council in relation to the merits of the Site to the east of Borde Hill Lane, Haywards Heath as a housing allocation.

Please do not hesitate to contact the writer should you wish to discuss any matter(s) arising.

Yours faithfully,

Woolf Bond Planning LLP

Steven Brown BSc Hons DipTP MRTPI

Enc.

1658

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA21

ID: 1658

Response Ref: Reg19/1658/1

Respondent: Ms H Stevenson

Organisation: DMH Stallard

On Behalf Of: Sigma Homes Ltd

Category: Promoter

Appear at Examination? ✓



Planning Policy
Mid Sussex District Council
Oaklands House
Oaklands Road
Haywards Heath
RH16 1SS

Date 23 September 2020
Your ref SA21
Our ref 0704/260091-29

Dear Sirs

**Mid Sussex Site Allocations DPD - Regulation 19 Consultation
Land at Rogers Farm, Haywards Heath - Policy SA21
On behalf of Sigma Homes Ltd**

DMH Stallard LLP act on behalf of Sigma Homes Ltd in relation to the promotion of land at Rogers Farm, Fox Hill, Haywards Heath, as allocated at Policy SA21 of the Site Allocations DPD ("SA DPD"). Please find herewith our Regulation 19 consultation response.

Sigma Homes Ltd support the inclusion of land at Rogers Farm within the SA DPD. It is based on sound evidence base, submitted to the Council through the Call for Sites process, and through the submission of documents to be included in the 'Site Library'. The Council have taken thorough steps to ensure that the SA DPD is based on robust evidence, undertaking a number of rounds of SHLEAA site assessment 'sifting' as well as consulting on the methodology at Developer Liaison Groups and more publicly. Furthermore, the Council have worked with site proponents throughout the process to ensure that sufficient evidence is submitted to demonstrate suitability and deliverability.

The Site – Land at Rogers Farm – Policy SA21

The land at Rogers Farm, is allocated for 25 dwellings, which is a sound estimate of the site capacity based upon constraints and opportunities and a detailed evidence base. A site layout is enclosed showing how this could be delivered, whilst also delivering a range of dwelling types, sizes and tenures, including a policy compliant provision of affordable housing (currently 30%).

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Sigma Homes has provided a suite of technical evidence to the Council which demonstrates that the site is suitable for housing and deliverable in the short term. The following are included within this representation:

- Site layout plan
- Vision Statement
- Ecology Survey
- Landscape and Visual Impact Appraisal
- Heritage Statement
- Transport Technical Note

The above technical studies demonstrate the commitment to this site by Sigma Homes. They also collectively confirm that there are no technical barriers to delivery. The evidence base has been previously submitted to the Council who has sought to consult with statutory consultees throughout the process, independently and via the Regulation 18 consultation as corroboration for this position.

Sigma Homes Ltd welcome the inclusion of small sites within the SA DPD, as a suite of sites capable of meeting the residual housing requirement of 1,280, as set out in the District Plan and Policy SA10 of the SA DPD. This is a sound approach, acknowledging the importance of allocating a range of site sizes and types which are able to offer a range of benefits, including speed of delivery. The NPPF, at paragraph 68, acknowledges the important contribution that small and medium sized sites can make towards meeting the house requirement of an area, noting that they are often built-out quickly. This is further acknowledged in Policy SA21 citing indicative phasing of 1-5 years, making an important contribution towards the Council's rolling 5 year housing land supply, particularly relevant given the uplift in the annual requirement to 1,090dpa from 2024/2025.

The District Plan, within the supporting text for policy DP6, sets out the residual housing need by settlement, it notes that Haywards Heath has a residual housing target of 127 dwellings. It is acknowledged that the residual housing figure has been adjusted to account for commitments since the District Plan, however Policy SA10 states that Category 1 settlements (Burgess Hill, Haywards Heath and East Grinstead) have an updated residual requirement of 706 dwellings. The allocation of land at Rogers Farm, contributes towards meeting that residual housing need, and on the edge of a Category 1 settlement. This is a sound approach to the distribution of housing, having assessed a suitable, available and deliverable pallet of sites.

Strategic Housing and Economic Land Availability Assessment

As noted above, Sigma Homes support the Council's thorough approach to the SHELAA process, commencing with consultation on the methodology to be used throughout the process. We also broadly support the Council's assessment of the land at Rogers Farm (Site #783) through the SHELAA as a sound approach to the site selection process. We welcome the Council's acknowledgement that the site is not constrained by flood risk, Ancient Woodland, SSSI/SNCI/LNR's, a Conservation Area or Archaeology.

However, whilst we note the Council's 'amber' assessment of the impacts on heritage assets, we would dispute the level of harm given that our specialist advisor has concluded this is at the lower end of 'Less Than Substantial Harm'. The rationale and assessment for this are set out in detail within the Heritage Impact Appraisal (July 2020) prepared by the Heritage Collective and should be referred to again before progressing further. As such, we request that the Council review this submitted evidence and revise the wording within the SHELAA site assessment in order to ensure that it forms part of a sound evidence base.

The SHELAA site assessment also notes that the site is more than a 20 minute walk from schools, however, it fails to consider the sustainability credentials that will be delivered as part of the Hurst Farm development, to the south of Haywards Heath also on Fox Hill. Hurst Farm is allocated in the Haywards Heath Neighbourhood Plan for c350 dwellings and benefits from an outline planning application for 375 dwellings, a 2 form entry primary school with Early Years provision, Country Park, car parking and Green Way (DM/17/2739). Once built, the scheme at Hurst Farm will deliver a new primary school in close proximity to the land at Rogers Farm, this will significantly enhance the sustainability of the site. This should be recognised in the site assessment within the SHELAA as it is important for local plans to make appropriate reference to neighbourhood plan proposals as referred to in the NPPG (Paragraph 006 Reference ID: 61-006-20190723). This will enable greater conformity to exist between the two policy documents.

Sustainability Appraisal

The site is assessed in the Council's Sustainability Appraisal, concluding that it is a 'Site that Performs Well', these are a suite of sites which are considered appropriate for site allocation. The Council have undertaken an appraisal of the remaining 51 sites (sifted from the SHELAA process), the Council have then sought to assess the individual performance of sites as well as their performance when compared with other sites in the same settlement.

'Sites that Perform Well' are considered to comply the District Plan, which sets out the Strategic Policies for development. Haywards Heath is a Tier 1 settlement and the land at Rogers Farm is the only site in Haywards Heath that is considered a 'Site that Performs Well'. Policy SA10 identified a minimum residual figures for Tier 1 settlements of 706 dwellings. We therefore wholly support the Council in identifying the allocation of land at Rogers Farm, contributing towards meeting this residual housing need.

The land at Rogers Farm performs well in the Council's Sustainability Appraisal recognising the potential benefits of the proposals. It only performs negatively in relation to access to education, land use, countryside, and heritage. However, as stated above, it fails to acknowledge the sustainability credentials that will be delivered through the Hurst Farm development, namely access to a new primary school. It also appears that that the Council, through the SHELAA process, have over estimated the potential harm on heritage assets.

The site is in proximity to three listed buildings, Cleavewater (Grade II) is opposite the proposed access to the site, Olde Cottage (Grade II) and Rogers Farmhouse (Grade II) are to the south of the site. The Heritage Impact Assessment submitted to the Council during the production of the SA DPD, concludes that there will be a low level of Less than Substantial Harm to Cleavewater, acknowledging that the site is separated from it by a road, and there will be no harm to Olde Cottage and Rogers Farmhouse as there is a strong treed buffer separating the site from the Listed Buildings. We would submit that the Sustainability Appraisal (and the SHELAA) should be amended to reflect the assessment of harm to the Listed Buildings, which we consider to be an overestimate of the levels of harm.

It is noted that all greenfield sites are acknowledged to have an impact on land use and countryside, but it is welcomed that the Council acknowledge the change in character already occurring in this broad location (within the SHELAA).

Delivery

The site is being promoted by Sigma Homes Ltd, a regional housebuilder who are committed to bringing the site forward at the earliest opportunity, reflecting the site allocation. Given that the site is a small site of only 25 dwellings, the Council can be confident that it would be completed within the first 5 year period. Sigma Homes do not envisage impediment to the delivery of the site.

Summary

Overall, Sigma Homes supports the SA DPD and evidence base as a sound approach to the selection of sites to meet the residual housing need remaining from the District Plan. The Council have undertaken a thorough assessment of sites, through various stages of the SHELAA as well as in the Sustainability Assessment. Furthermore, they have engaged with site proponents throughout the process. Sigma Homes also welcomes the Council's 'Site Library' on their website as part of the Regulation 19 consultation, as this provides detailed site assessment evidence for members of the public and statutory consultees to review as part of their submissions, it also demonstrates an open and transparent approach.

Notwithstanding our support for the process and documentation, we would urge the Council to review the Heritage Impact Appraisal (July 2020) submitted to the Council as part of the Site Library process, and contained herewith, and re-consider their assessment of heritage impacts as in the SHELAA. We note the Council's categorisation of 'amber', but request that the text is revised in the interests of consistency of the evidence base.

Sigma Homes and the Council have evidence that the site is suitable, available and deliverable and could be delivered within the first 5 year period, and as such, the site allocation is supported as a sound approach to meeting the residual housing requirement set out in the District Plan.

Sigma Homes reserve the right to participate in the Examination Hearings on submission of the SA DPD to the Secretary of State, and look forward to receiving updates shortly.

For further information, please contact Katie Lamb, Planning Director, on 01293 605192 or at katie.lamb@dmhstallard.com.

Yours faithfully



DMH Stallard LLP



Sketch Site Layout
Proposed Residential Development, Land at Rogers Farm, Lunce's Hill, Haywards Heath

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Client Details

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Project Title

Proposed Residential Development,
Land at Rogers Farm, Lunce's Hill, Haywards Heath

Drawing Title

Sketch Site Layout

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Land at Rogers Farm

LUNCE'S HILL, HAYWARDS HEATH
VISION DOCUMENT
JULY 2020



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Vision

The vision for the land at Rogers Farm is to create a development of high-quality housing consisting of 25 dwellings. The site has been allocated for development within the Mid Sussex Site Allocations DPD (SA21). Located to the south of Haywards Heath, the site has access to community facilities and amenities. Set within a beautiful landscape, the proposals will aim to maintain and enhance the natural environment.



The Site

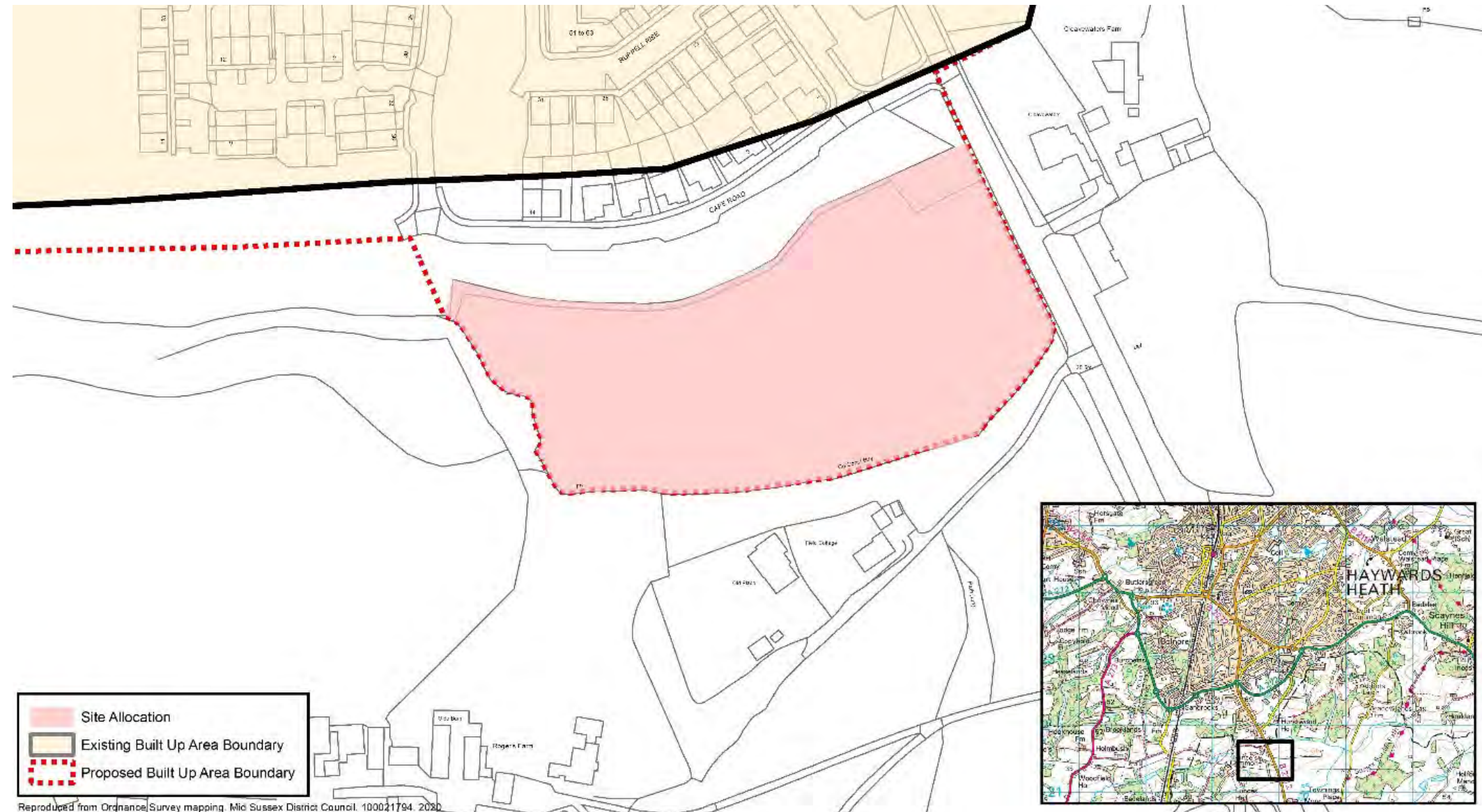


Not to scale

The site sits just outside of the main town within Haywards Heath. Haywards Heath is under 50 minutes to London and Brighton is 15 minutes by train and 30 minutes by car. The site is set within a sustainable location, to the south of the town, and is well connected to local amenities, including pubs/restaurants, shops, green open parks and public footpaths. There is easy access to main roads and the train station is just over 2 miles away.

The whole of the site is bound by mature hedgerows and trees, which provides natural screening for the new development. While Lunce's Hill runs along the eastern boundary and provides the entrance into the site. To the north of the site is a new residential development consisting of 1 and 2 bedroom apartments and 2, 3, 4, and 5 bedroom houses (DM/15/3488). To the south is the Grade 2 Listed Rogers Farmhouse and Old Cottage properties, while rural landscaping sits to the south west and south of the site, and is peppered with residential and farmstead buildings.

Site Allocation



Land at Rogers Farm, Haywards Heath is allocated in the emerging Mid Sussex Site Allocations DPD, at Policy SA21, for c25 dwellings.

The District Plan 2018

The Mid Sussex District Plan 2018 sets out the strategic policies for development, including the amount, location and distribution of housing. Policy DP5 of the District Plan sets a minimum housing requirement of 16,390 dwellings over the Plan period of 2014-2031.

The District Plan makes 4 strategic housing allocations (in Burgess Hill, Pease Pottage and Hassocks) but acknowledges that a further 2,439 dwellings will need to be allocated through future Site Allocations DPDs or Neighbourhood Plans in order to meet the housing requirement and maintain a rolling 5 year supply of housing.

Mid Sussex Site Allocations DPD

The Mid Sussex Site Allocations DPD (SADPD) is the 'daughter document' to the District Plan. Its purpose is to identify sufficient land to meet the residual housing requirement. The SA DPD identifies a residual housing requirement of 1,507 dwellings

(April 2019) to be met through the site allocation process, in accordance with the settlement hierarchy.

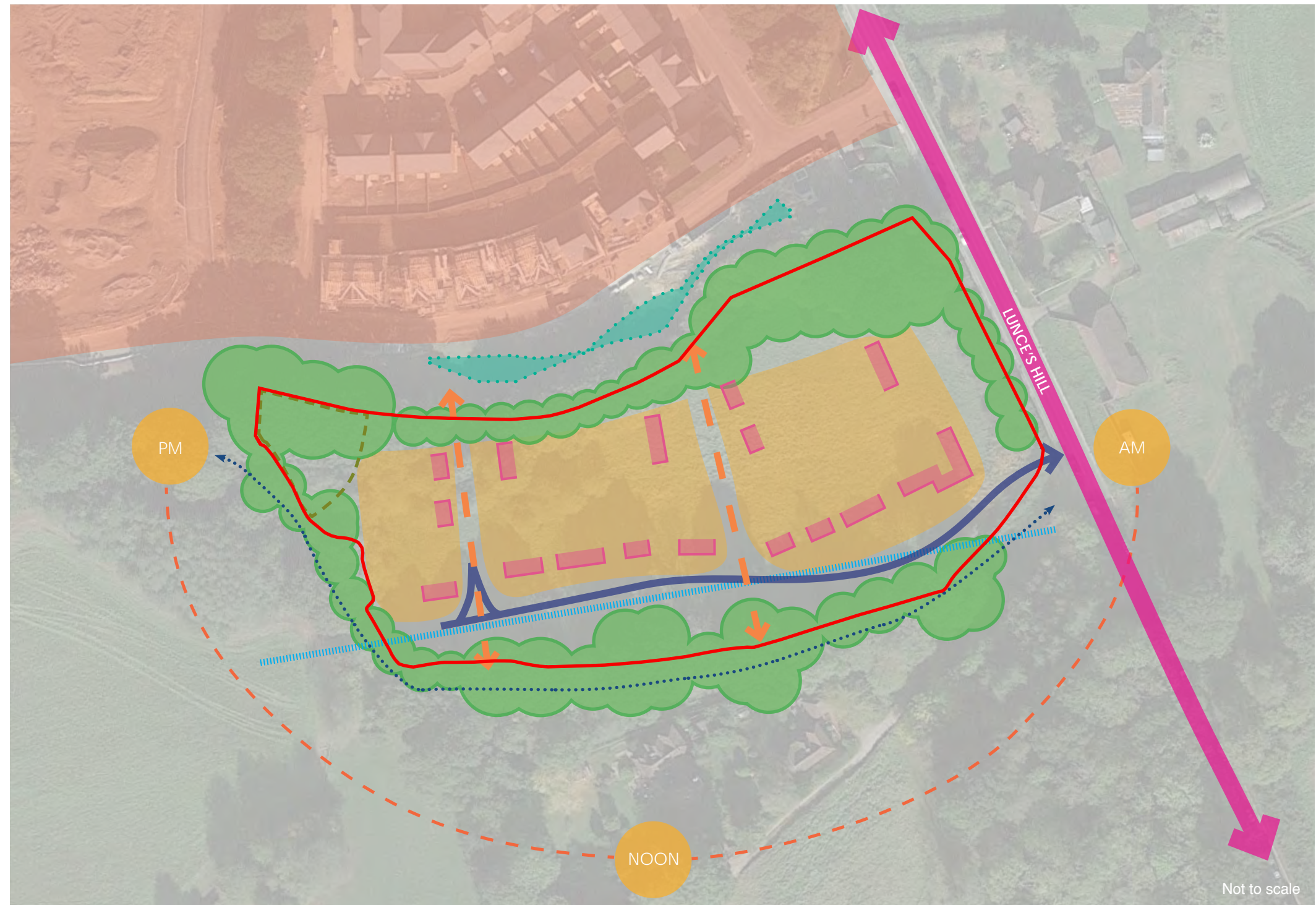
Policy SA21 allocates land at Rogers Farm, Haywards Heath, for c25 dwellings, subject to a range of site specific criteria, which will need to be addressed at planning application stage.

Haywards Heath Neighbourhood Plan

The Haywards Heath Neighbourhood Plan (HHNP) was adopted in 2016 prior to the adoption of the District Plan. Therefore the residual housing requirement is over and above the provision made within the HHNP. However, a future planning application will be required to give consideration to the requirements of the HHNP.

Next Steps

Sigma Homes will continue to support the Council's site allocation process through to adoption. At the appropriate time, a planning application will be made in accordance with Policy SA21.





Our Approach



Not to scale

- » Indicative capacity of 25 dwellings, which complies with The Mid Sussex Site Allocations DPD.
- » Access from Lunce's Hill, with consideration to the sensitive boundary fronting the road and the location of the listed buildings to the south.
- » Strong active frontage when entering the site.
- » Trees to the northern boundary will be enhanced to create a buffer between the proposed and the recent development. This will create visual and physical separation and containment.
- » Large existing trees around the site boundary create a wide buffer to the countryside to the south and south west.
- » The retention of the existing buffer maintains habitats and natural biodiversity within the site, while also considering the sensitive setting of the site.
- » The layout presents possible connections to the existing footpaths.
- » The built proposals are within an appropriate distance away from the line of the existing water main.



The development includes a mix of semi-detached and detached properties, with an apartment block to the entrance. A mix of 1 and 2 bedroom apartments and 2, 3 and 4 bedroomed houses are proposed. The pattern of development is traditional and designed to complement the existing pattern of housing development to the north of the site.

Schedule of Accommodation

Unit	Type	Bedroom	SQM
Unit 1	Apartment	2	71
Unit 2	Apartment	2	71
Unit 3	Apartment	2	71
Unit 4	Apartment	2	71
Unit 5	Apartment	1	51
Unit 6	Apartment	1	51
Unit 7	House	3	95
Unit 8	House	3	95
Unit 9	House	2	80
Unit 10	House	2	80
Unit 11	House	3	102
Unit 12	House	3	95
Unit 13	House	3	100
Unit 14	House	3	100
Unit 15	House	3	102
Unit 16	House	3	102
Unit 17	House	4	140
Unit 18	House	3	100
Unit 19	House	3	100
Unit 20	House	3	100
Unit 21	House	3	95
Unit 22	House	4	140
Unit 23	House	3	100
Unit 24	House	3	100
Unit 25	House	4	140
			2352m² (25316 ft²)

Landscaping

The landscape proposals seek to provide a high quality landscape setting, within which the new residential development of up to 25 residential properties will be integrated, through the use of high-quality material finishes and planting that reflects the locality and will sensitively enhance and complement the existing suburban edge character of the site.

The emerging layout has been informed by a thorough analysis of the landscape and visual opportunities and constraints of the site, with particular focus on the retention and enhancement of the key treescape that is established along the site's boundary locations. This will provide a mature landscape setting from Day One and maintain the historic field patterns and wooded character that is a feature of the localised landscape setting.

Informed by the arboricultural assessment and survey information, extensive development offsets underpin the landscape-led design approach, ensuring that the sensitive boundary vegetation structure is not harmed. This approach will provide positive ecological benefits through the strengthening of the site's important wildlife corridors, and maintain positive links with the surrounding key landscape features and elements to assist with physically integrating the proposed development within the receiving landscape.

Protecting the site's southern and western boundary vegetation will ensure that the more sensitive rural landscape setting to the south and south west is not harmed, whilst maintaining a positive treed setting to the Grade 2 Listed Rogers Farmhouse and Old Cottage properties. These important boundary areas will be carefully managed through the implementation of a long term, site-wide maintenance strategy that will seek to protect and enhance the important treescape along these boundaries, whilst appropriately managing the declining ash population and enhancing species diversity through supplementary re-planting in order to maintain a positive setting for the PRoW links that access this setting.

The site's northern boundary, which sits adjacent to the emerging residential scheme (DM/15/3488), will be reinforced through the planting of new mixed species native hedgerow, hedgerow trees and substantial native shrub planting, to ensure that a

robust natural buffer is established between the two developments. This will provide a high-quality natural green back drop to the developments and will physically break up the perceived massing and scale of built form within the settlement edge as it extends southwards along Foxhill Road.

A high-quality, vegetated frontage onto Lunce's Hill will be maintained, to ensure that the setting of the Grade 2 Listed Cleavewater property is not harmed. The proposed access point has been carefully located within the site's south eastern corner to minimise the impact of the associated visibility splays, and the harm to the existing roadside hedgerow. Any hedgerow removal that is required, will be mitigated through the installation of new native hedgerow and hedgerow tree planting that will be specified to provide an immediate robust vegetation structure and maintain the rural / suburban edge character within the context of the adjacent street scene setting.

Internally, the proposals have allowed for the incorporation of a varied palette of feature trees, shrubs and formal hedgerows, which will provide the main landscape structure within the site and establish high-quality landscaped streetscenes. This will be supplemented with further shrub and herbaceous planting to provide a diverse planting structure and an important sense of seasonality within the scheme.

Whilst it is acknowledged that the development would result in the loss of an undeveloped greenfield site, it is considered that the landscape – led design approach to the proposed development, ensures that a sensitive transition between the settlement edge and wider rural setting to the south can be successfully established. The amenity of the important listed properties that are located within the immediate and localised setting to the south, south west and east, have been carefully considered through the maintenance of the positive landscape buffers and an outward looking approach to the proposed development. The scale, density and orientation of the proposed built form is considered to reflect the localised suburban grain and would not appear to be out of character within the context of the surrounding residential development that forms the backdrop to the site.





The site comprises c.1.4ha of land currently dominated by poor semi-improved grassland with a small area of bracken and boundary woodland, scrub and hedgerow. Most of the grassland is tall, locally tussocky in structure, and although rather species poor does include a number of species characteristic of less improved and wet or marshy grasslands.

A species-poor hedgerow forms the eastern and part of the southern boundary of the site. It has been unmanaged for some time, apart from the eastern side of the eastern boundary, where it adjoins the B2112. Species include blackthorn, hawthorn, ash and hazel and the field layer is species-poor. The hedgerow is considered to be a Priority Habitat.

A narrow woodland strip runs along the northern, western and southern boundaries, as well as a wider area in the north west of the site. A boundary bank and ditch are present along these boundaries and it is likely that the woodland has developed and expanded from hedgerows located along these features as a result of lack of management. Although variable the woodland is moderately species-rich, and several Ancient Woodland Indicator Species were identified. A small area of wet woodland, with crack willow and alder and a distinctive field layer, is located in the north western corner of the site. The woodland is considered to be a Priority Habitat.

Stands of dense scrub are present on part of the northern boundary as well as adjacent to the hedge on the eastern boundary. A small stand of Himalayan balsam (listed on Schedule 9 of the Wildlife and Countryside Act) is present in and on the edge of the woodland near part of the southern boundary of the site.

Most of the ecological value on site resides in the priority woodland and hedgerow habitats which, together with areas of dense scrub, provide habitats suitable for a range of protected species including breeding birds, roosting, foraging and commuting bats, hazel dormouse and reptiles. There are no ponds on site or nearby and there is considered to be negligible potential for great crested newts.

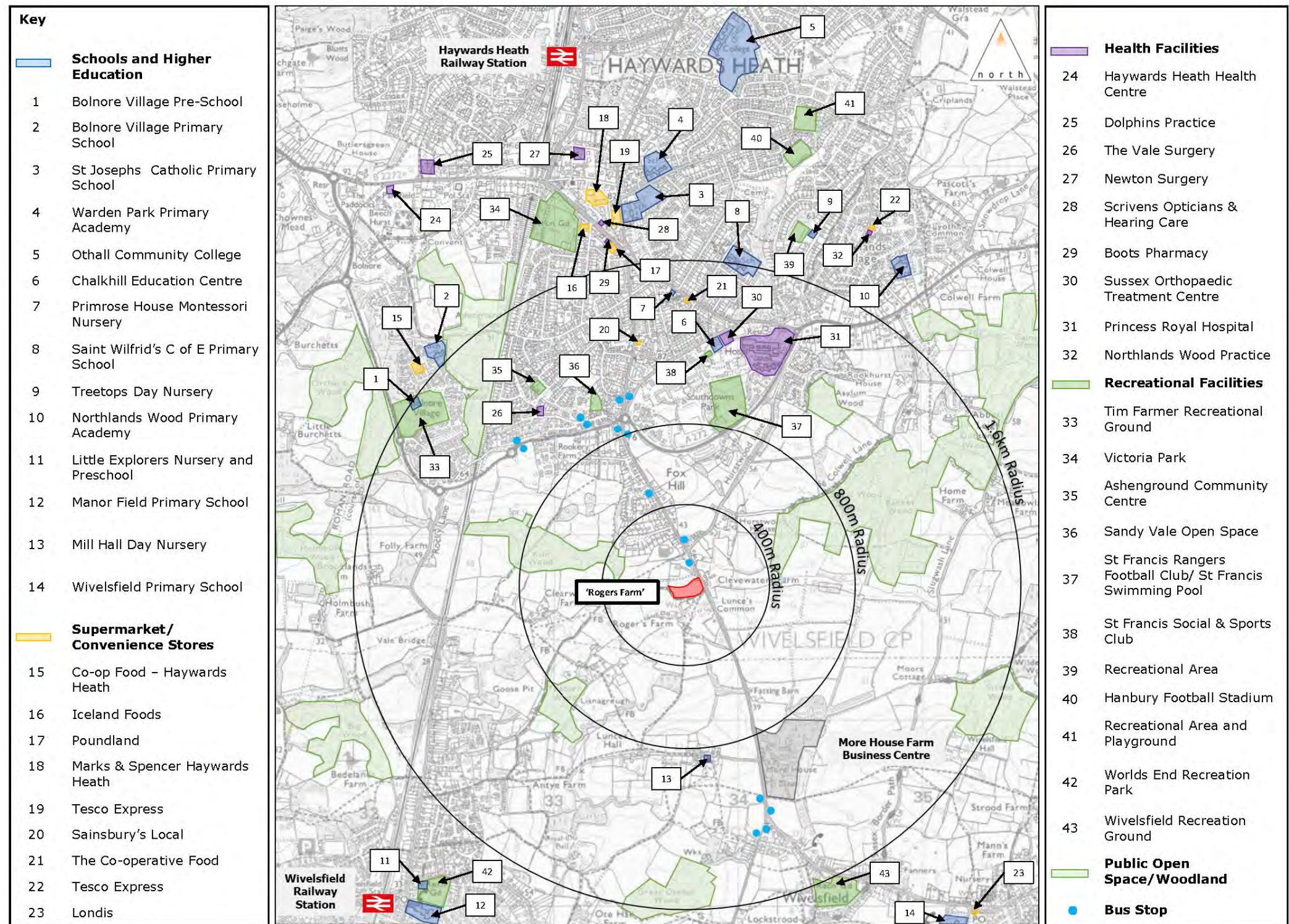
The proposed site plan seeks to preserve the most valuable ecological features by retaining the woodland, hedgerow and scrub within the layout. A small section of hedgerow and trees would be removed at the south-east corner to make way for access, but this impact is unlikely to be significant and can be offset by additional hedgerow and tree planting within the landscape scheme.



The site is located on the south side of Haywards Heath and west of Fox Hill/Lunce's Hill (B2112). The B2112 is the main route into the town centre from the south and is served by regular bus services. These services are accessed by recently improved pedestrian facilities, delivered as part of a residential development constructed to the north of the site. The town is approximately 2 kilometres to the north, within a comfortable cycle distance and accessible by existing pedestrian facilities.

The development has been designed to provide safe and convenient routes for walking and cycling to integrate with existing networks that offer opportunities for sustainable travel choices. This strategy seeks to ensure future residents are able to access a range of amenities on foot, by cycle and public transport.

The main access to the development for pedestrians, cyclists and vehicles is proposed at the south-eastern corner of the site. The access comprises a new simple priority junction with Lunce's Hill and has been positioned to ensure appropriate sightlines are achieved. The proposed access has been designed to provide safe and suitable access for all users and vehicles anticipated to require access to the development. The recent enhancements to the local highway in the vicinity of the site, including improved road markings and signage (as well as vehicle actuated signs), are designed to reduce the speeds of vehicles traveling on this section of the B2112.



Within the site, the layout will be designed to encourage low vehicle speeds and to prioritise the needs of pedestrians and cyclists. A footway will lead into the development running along the northern side of the primary access road. Shared surface private drives will lead off this primary access route, which will connect with a footpath extending along the northern boundary of the site. These pedestrian routes will integrate into the existing and recently enhanced footway on the western side of Lunce's Hill, which leads north towards Haywards Heath and nearby bus stops. Improvements have been implemented as part of the recent Cape Road residential development to enhance pedestrian crossing facilities in the vicinity of the site to these stops.

The site is entirely within 400 metres of existing bus stops near the Fox and Hounds public house. These stops benefit from shelters with seating and are due to be installed with real time passenger information. They provide regular services to the town centre.

A wide range of amenities is available in Haywards Heath, accessible by active and sustainable forms of travel, including retail, health, education, leisure and recreation as well as employment opportunities. The plan above identifies the selection of amenities available in Haywards Heath in relation to the site.

The site also benefits from access to an extensive network of public rights of way (PRoW) to the south of the site between the B2112 and Valebridge Road and beyond. This includes a bridleway, which leads along the southern boundary of the site and continues in a south-westerly direction to connect with Valebridge Road (a core route between Burgess Hill in the south and the A272 to the north) a short distance to the north of Wivelsfield railway station. These routes provide future residents with alternative pedestrian and/or cycle links to other nearby settlements, as well as for recreational purposes.

Heritage



Front, west-facing elevation of Cleavewater



View towards Roger's Farmhouse looking north-east



View towards the Olde Cottage, clearly set within a hollow allowing visibility of the roof only



Front elevation of the Olde Cottage

A Heritage Impact Assessment has been conducted as an assessment of the significance of designated heritage assets likely to be affected by the proposed development at the land at Roger's Farm. It accords with the NPPF insofar as it provides a proportionate assessment of significance and it makes reference to Historic England's guidance on setting (GPA3), taking into consideration the nature and extent of the setting associated with each of the listed building discussed.

It has identified a low level of less than substantial harm (therefore, falling within paragraph 196 of the NPPF) to Cleavewater (grade II), whilst also taking into account the potential for cumulative impacts (with reference to the Fox Hill development to the north). Proposed development of this Site will need to be weighed in the planning balance.

No harm to the significance of the other listed buildings; Olde Cottage and Roger's Farmhouse were identified (see HIA for more details).

The following recommendations have been made in order to mitigate heritage impacts only and are not exhaustive:

- » Retain an ample buffer between the southern boundary to the Site and The Olde Cottage and Roger's Farm. An existing tree belt already provides ample screening but could be enhanced;
- » Setting development back away from Lunce's Hill and ensure careful planting to retain a sense of rurality and minimise (as far as possible) the change of outlook from Cleavewater;
- » Design ample spaces between buildings to reduce the perception or risk of overdevelopment from within the wider surroundings;
- » Draw on the local vernacular and adopt a sensitive material palette that complements that of the surrounding development.

Flood Risk and Drainage



A Flood Risk and Drainage Appraisal was prepared, which considers the flood risk and drainage matters associated with the potential residential development of up to 25 homes, in particular the flood risk associated with rivers, surface water and groundwater. Additionally, the report considers how the site would be drained and what SuDS measures could be utilised on site to control and manage the runoff from the site post development.

As the site is greater than 1 hectare and it is classified as a 'Major Development', a full site specific Flood Risk Assessment and Drainage Strategy will be required as part of a planning application.

The site is located within Flood Zone 1 (less than 1 in 1000 annual probability of flooding from rivers or the sea) and is at low risk of flooding from rivers and the seas, artificial sources, groundwater and infrastructure failure.

The site is at medium to high risk of flooding from surface water. However, this will be managed onsite by pulling the development away from the northwest corner of the site and allowing surface water to be held in this area. This site levels will be raised and any overland flow will be diverted around the edge of the site. This will ensure the risk to any future properties will be low.

The site's Qbar (greenfield discharge rate) has been calculated as 7.6/s and a MicroDrainage quick storage estimate has been used to calculate the attenuation requirement, which is a maximum of 731m³ and will cater for the 1 in 100 year event, plus 40% allowance for climate change.

To attenuate the runoff from the development the surface water from the proposed development will discharge into permeable paving. The permeable paving will be used in the roads and car parking areas of the site. There will be a flow control which restricts flows into the existing watercourse at a rate of 7.6l/s.

There are existing foul sewers located adjacent to Fox Hill and Cape Road to the north of the development. The Developer will work with Southern Water to identify a suitable point of connection for the proposed development.

The flood risk for the proposed development can be managed on site without increasing the flood risk to any neighbouring developments and downstream areas, therefore fulfilling the requirements of the PPG and NPPF.



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NATURAL PROGRESSION

Rogers Farm, Ditchling Road, Haywards Heath, West Sussex

Preliminary Ecological Appraisal Report

August 2020

Rogers Farm, Ditchling Road, Haywards Heath, West Sussex

Preliminary Ecological Appraisal Report

Client:	Sigma Homes	
Report No.:	UE0387_RogersFm_PEA_200804	
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Abbreviations

CHS	Conservation of Habitats and Species Regulations 2017 (as amended)
EPS	European Protected Species
GCN	Great crested newt
HSI	Habitat Suitability Index
LGS	Local Geological Site
LNR	Local Nature Reserve
LWS	Local Wildlife Site
NERC	Natural Environment and Rural Communities Act 2006
NNR	National Nature Reserve
PEA	Preliminary Ecological Assessment
PRF	Potential (bat) Roost Feature
SAC	Special Area for Conservation
SNCI	Site of Nature Conservation Interest
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
SxBRC	Sussex Biological Records Centre
TN	Target Note
WCA	Wildlife & Countryside Act 1981 (as amended)

0 Executive Summary

0.1 Introduction

- 0.1.1 A Preliminary Ecological Appraisal was undertaken for the site of a proposed residential development at Rogers Farm, Ditchling Road, Haywards Heath, West Sussex (Grid Reference: 533735,121702). The report was prepared to establish the site's suitability for development to inform the design process for the proposal, record the ecological baseline and identify key ecological features within and around the proposal site.

0.2 Results

- 0.2.1 There are no designated wildlife sites within the 1km desk study search area. There are records of a range of protected or notable species in the locality, including amphibians, birds, invertebrates, terrestrial mammals, flowering plants and terrestrial reptiles, together with the following priority habitats: Deciduous Woodland, including Ancient Woodland and Ghyll Woodland, and Open Water.
- 0.2.2 The survey area lies to the south of the town of Haywards Heath in the Mid Sussex district of West Sussex. The site comprises c.1.3ha of land currently formed of a poor semi-improved grassland field with a small area of bracken and boundary woodland, scrub and hedgerow. The site is bounded to the east by the B2112 Ditchling Road and to the north by recent residential development forming part of the southern edge of the built-up area of Haywards Heath. To the south and west it is bounded by grassland fields and isolated residential properties. The wider landscape comprises a mosaic of grassland and arable fields, mostly set within a network of hedgerows, as well as woodland, although the built-up area of Haywards Heath lies to the north. The nearest pond is approximately 500 metres from the site.

0.3 Evaluation

- 0.3.1 Table 0.1 presents a summary of ecological constraints and opportunities identified within the survey area.

Table 0.1: Summary of ecological constraints and opportunities

Feature	Detail
<u>Constraints:</u>	
Designated sites	There are no designated wildlife sites within the 1km radius desk study area.
Priority habitats	Deciduous Woodland and Hedgerow priority habitats are present within the survey area and are of high intrinsic ecological value and provide habitats suitable for a range of protected species, including amphibians, nesting birds, invertebrates, bats,

Feature	Detail
	hazel dormouse and reptiles. It is currently understood that the majority of these habitats will be retained and protected as part of any development proposals.
Other habitats	The proposed development would result in permanent losses of up to c.0.77ha of poor semi-improved grassland and bracken as well as scattered trees, and a small area of scrub and tall ruderals. A short a section of hedgerow and a small area of woodland may be removed to facilitate development, depending on the extent and layout of the proposals. On the whole these areas are of relatively low ecological value and of importance at the site level only but provide habitats suitable for a number of protected species (e.g. dormice, nesting birds, badger, bats and reptiles).
Birds (nesting)	Possible permanent small-scale loss of nesting habitats (hedgerows and scrub).
Bats (roosting)	In total 18 trees were identified as having <u>low suitability</u> and two trees as having <u>moderate suitability</u> for roosting bats. It is currently understood that all these trees will be retained and protected as part of any development proposals.
Bats (foraging / commuting)	Direct and indirect effects on a relatively small area of high suitability habitats (taller areas of grassland, hedgerow, scrub and woodland habitats) for foraging and commuting bats, including through increases in artificial light.
Hazel dormouse	Possible permanent small-scale loss of hedgerow and dense scrub habitat suitable for hazel dormouse.
Invasive non-native plants	Himalayan balsam, a non-native invasive species listed on Schedule 9 of the Wildlife and Countryside Act, was recorded in the survey area.
Reptiles	Permanent losses of suitable habitats (tall grassland, bracken, scrub, woodland, hedgerow bases).
<u>Opportunities:</u>	
Priority habitats	The hedgerow and woodland priority habitats within the survey area are of high intrinsic value and can provide a focus for ecological enhancement measures.
Habitat creation / enhancement	Habitat creation and enhancement opportunities include woodland management, wildflower meadow planting, hedgerow creation, habitat piles and bird/bat boxes.

0.4 Recommendations

- 0.4.1 Recommendations are made for further botanical or protected species surveys, together with preliminary recommendations for the protection of important ecological features to avoid or mitigate ecological impacts, and to deliver biodiversity net gain on site post-construction; these are summarised in Table 0.2. It is intended that these preliminary recommendations should be considered during future changes to the design of development proposals so that protection of important ecological features is secured and opportunities for ecological enhancement are realised. The recommendations should be reviewed following the completion of further ecological surveys.

Table 0.2: Summary of recommendations

#	Summary of recommendations
Botanical / protected species surveys	
R1	Breeding bird surveys, undertaken from April to July, if significant areas of boundary woodland, scrub and hedgerow are to be removed.
R2	A repeat inspection for badger, undertaken within two/three months before any ground works begin on site.
R3	Presence / absence surveys for roosting bats within trees T2 and T15, undertaken between May and August, if they are affected by proposals for the site.
R4	Bat activity surveys, undertaken between April and October.
R5	Presence / absence surveys for dormouse, undertaken between April and November, if significant areas of boundary woodland, scrub and hedgerow are to be removed.
R6	Presence / absence surveys for reptiles, undertaken between April and September within suitable habitats on site.
R7	A full Ecological Impact Assessment of the effects of the proposed development should be carried out based on the results of recommended surveys.
Precautionary measures	
R8	Removal of nesting bird habitats will be undertaken outside of the bird nesting season, which runs from 1 March to 31 August. Any construction works undertaken within the bird breeding season where suitable bird breeding habitat exists will require a site check for nesting birds by a suitably qualified ecologist.
R9	If works to fell or lop the low suitability trees are required, they will be undertaken during March-April or September-October to avoid critical maternity and hibernation periods, and in accordance with a Non-Licensed Method Statement to reduce the risk of killing/injury to roosting bats.
R10	Works to remove smalls section of hedgerow and scrub will be undertaken in accordance with a Non-Licensed Method Statement to reduce the risk of killing/injury to hazel dormouse.
Ecological protection measures	
R11	The majority of Deciduous Woodland and Hedgerow priority habitats will be retained and protected during construction.
R12	Standard site procedures to prevent impacts on trees will be adhered to during construction.
R13	A method statement will be prepared to ensure adequate control measures are adopted to prevent the spread of invasive Himalayan balsam during construction.
R14	The use of external lighting will be avoided or reduced to the minimum required for its intended purpose, during both construction and operation. Lighting will not be directed towards the boundary woodland, scrub or hedgerow.
R15	Small access gaps will be provided at the base of new fence boundaries to enable continued dispersal of hedgehogs and other small mammals.
R16	At the end of each working day excavations will be covered over and open pipework capped to prevent entrapment of mammals, amphibians and other fauna.
R17	Destruction of fox dens or rabbit warrens will be done in accordance with the Mammals Act

#	Summary of recommendations
	1996 by a registered pest control company.
Biodiversity net gain	
R18	The retained woodland will be enhanced through targeted management.
R19	New green spaces will be sown with a native wildflower and grass seed mix.
R20	Hedgerow creation as part of the landscaping plan for the site will use a range of native shrub species.
R21	The site's landscaping plans will utilise plant species which encourage bats by providing additional food sources or roosting opportunities.
R22	Habitat piles for amphibians, invertebrates and reptiles will be created within areas of retained hedgerow, woodland and scrub.
R23	The value of the site for birds will be enhanced by installing a range of artificial nest boxes onto new buildings and retained trees.
R24	The value of the site for bats will be enhanced by installing a range of artificial roost boxes onto new buildings and retained trees.

0.5 Conclusions

- 0.5.1 The majority of land proposed for development is of low to moderate ecological value. Significant constraints to development were identified including priority habitats and the potential presence of breeding birds, roosting and foraging/commuting bats, hazel dormouse and reptiles. Further ecological surveys and impact assessment are required prior to submitting a planning application, to determine the value of these features, how they are being used by protected species and to formulate a suitable mitigation strategy. Precautionary and ecological protection measures are recommended on an interim basis to enable offences under the relevant legislation to be avoided.

1 Introduction

1.1 Purpose of this Report

- 1.1.1 This report presents a Preliminary Ecological Appraisal for the site of a proposed residential development at Rogers Farm, Ditchling Road, Haywards Heath, West Sussex (Grid Reference: 533735,121702). The report has been prepared to establish the site's suitability for development, inform the design process for the proposal, record the ecological baseline and identify key ecological features within and around the proposal site.

1.2 Objectives and Approach of the Study

- 1.2.1 The objectives of the Preliminary Ecological Appraisal were to:
- ▶ Identify features present on the site or adjacent which are ecologically significant and which may act as constraints or opportunities to the proposed development;
 - ▶ Consider the need for further ecological surveys which may be necessary; and
 - ▶ Make preliminary recommendations for the protection of important ecological features, to avoid or mitigate ecological impacts, and to enhance the ecology of the site post-construction, with the aim of achieving an overall net gain for biodiversity.
- 1.2.2 The approach to establishing the ecological baseline found within this report has been achieved through:
- ▶ A desk study involving a review of statutory and non-statutory nature conservation sites, and records of habitats and species from the local area (1km radius from the centre of the proposed development site);
 - ▶ An extended Phase 1 habitat survey identifying the main habitats on site and adjacent, and the presence of, or potential for, protected and/or notable species; and
 - ▶ A Preliminary Ecological Appraisal of the effects of development proposals with respect to the nature conservation value of the site.

1.3 Survey Area

- 1.3.1 The survey area lies to the south of the town of Haywards Heath in the Mid Sussex district of West Sussex. The site comprises c.1.3ha of land currently formed of a poor semi-improved grassland field with a small area of bracken and boundary woodland, scrub and hedgerow.
- 1.3.2 The site is bounded to the east by the B2112 Ditchling Road and to the north by recent residential development forming part of the southern edge of the built-up area of Haywards Heath. To the south and west it is bounded by grassland fields and isolated residential properties. The extent of the survey area is outlined in red on Figure 1.1.

- 1.3.3 The wider landscape comprises a mosaic of grassland and arable fields, mostly set within a network of hedgerows, as well as woodland, although the built-up area of Haywards Heath lies to the north. The nearest pond is approximately 500 metres from the site.

1.4 Proposed Construction Activities

- 1.4.1 The site is being promoted for a residential development comprising 25 dwellings, together with parking, access, landscaping, and associated facilities. It is currently intended that the majority of the woodland, including mature trees, scrub and hedge on the boundaries of the site would be retained. An indicative site layout is shown in Figure 1.2.

Rogers Farm, Ditchling Road, Haywards Heath, West Sussex

 Survey area

Figure 1.1: Survey area



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Ordnance Survey 0100031673

Scale: 1:5,000 Created by: AD
Date: Jul 2020 Reviewed by: NP
Drawing number:
UE0387ECO-Site200731



2 Survey Methodology

2.1 Desk Study

- 2.1.1 A desk-based study was undertaken to examine published information and biological records from within the search area (site centroid plus 1km). The desk study established the presence of designated sites of nature conservation interest, or records of protected/notable habitats/species within the site and its surrounding area. This information was collected from the following sources:
- ▶ The 'MAGIC' (Multi-agency Geographic Information for the Countryside) website: www.magic.gov.uk; and
 - ▶ Sussex Biological Records Centre (SxBRC).

2.2 Preliminary Ecological Appraisal

- 2.2.1 The Preliminary Ecological Appraisal (compliant to British Standard BS42020:2013) is based on a survey of the site undertaken on the 30th of June 2020 by an experienced ecologist. Weather conditions were mild (c.16°C), with a moderate south-westerly wind (Beaufort Scale 3-4), 100% cloud cover and occasional to persistent light rain.
- 2.2.2 Within the survey area every parcel of land was classified, recorded and mapped using standard colour codes, in accordance with a list of ninety habitat types specified within the methodology for Phase 1 habitat survey (Joint Nature Conservation Council, 2010). This allows rapid visual assessment of the extent and distribution of different habitat types. Target notes were used to provide supplementary information on features which were particularly interesting or significant to specific construction proposals, or too small to map, or to provide additional details, for example relating to species composition and structure.
- 2.2.3 This basic methodology was extended to provide more detail in relation to habitats with potential to support rare or protected fauna, as described by the Chartered Institute of Ecology and Environmental Management's *Guidelines for Preliminary Ecological Appraisal* (CIEEM, 2017b). The assessment of habitat suitability for protected, rare or priority species is based on current good practice guidance such as that presented in the *Herpetofauna Workers' Manual* (Gent and Gibson, 2003) and *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (Collin (ed.), 2016). Where a species/group is not specifically evaluated, this indicates that no habitat of potential value for the species was identified during the survey.

Scope of the survey

- 2.2.4 The buffer zone for the desk study was set at 1km from the centre of the site – a distance within which any notable ecological features likely to be affected by the proposed scheme would be identified.

- 2.2.5 All habitats within the survey area as indicated on Figure 1.1 were included in order to identify any ecological constraints that would be likely to apply to the scheme from within this zone. Adjacent habitats were also surveyed where appropriate in order to identify constraints falling outside of the proposed development site and to place the survey area in its ecological context.

Evaluation criteria

- 2.2.6 Important ecological features were evaluated to the extent possible under the survey methods used, and in relation to a geographical frame of reference, i.e. international/European value being most important, then national, regional, metropolitan/county/district/borough, and lastly local (based on CIEEM, 2018). Where a feature is of no more than site value, this is stated.
- 2.2.7 Value judgements are based on various characteristics that contribute to the importance of ecological features. These include site designations (such as Sites of Special Scientific Interest, or for undesignated features, the extent, naturalness, conservation status (local or national importance and so on), and quality of the ecological resource. Quality can refer to habitats (for instance if they are particularly diverse, are a good example of a specific habitat type, or provide for the requirements of important species or assemblages), other features (such as connectivity provided by wildlife corridors or mosaics of habitats) or the richness and abundance of species populations or assemblages.

2.3 Preliminary Roost Assessment

- 2.3.1 Trees within to the survey area were subject to an external inspection for potential bat roost features (subject to safe access). All observable features potentially suitable for bats were noted and the overall suitability of the tree for roosting bats was classified with reference to Box 1 (Collins (ed.), 2016). The objective was to establish whether each feature was of negligible, low, moderate or high roosting bat suitability, or a confirmed roost based on the presence of bats or their droppings.
- 2.3.2 Trees were assessed for PRFs such as woodpecker holes, cavities, cracks or splits in major limbs (e.g. hazard beams, rot holes, frost cracks, knot holes, occlusions, flush cuts, tear-outs, cankers or butt-rots), loose platey bark, aerial deadwood and dense ivy or epicormic growth. The tree inspection was carried out from ground level. One experienced surveyor undertook the inspections over a period of approximately 2hrs.

Box 1: Potential suitability of structures/trees for roosting bats (after Collins, 2016)

Suitability	Roosting habitats
<u>Negligible</u>	Negligible habitat features on site likely to be used by roosting bats
<u>Low</u>	<p>A structure with one or more potential roost features (PRF) that could be used by individual bats opportunistically, but do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats</p> <p>A tree of sufficient size and age to contain PRFs but with none seen from the ground / using ladders or features seen with only very limited roosting potential</p>

Box 1: Potential suitability of structures/trees for roosting bats (after Collins, 2016)

<u>Moderate</u>	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (for roost type only)
<u>High</u>	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat
<u>Confirmed roost</u>	Bats or unequivocal evidence of bats found, i.e. bat droppings

2.4 Limitations

- 2.4.1 Biological records gathered during the desk study can provide an indication of the likely presence of a species on or adjacent to a site, however, the absence of records for protected species does not equate to evidence of their absence from the locality. Data search accuracy is variable and records are often georeferenced to the nearest 1km grid square.
- 2.4.2 Time of year when the survey was carried out and other variations will influence the results of the survey. Botanical species vary considerably in their flowering, seeding and fruiting periods, and surveys outside of these periods can confound accurate species identification. Where this is the case plants have been identified to lowest possible taxonomic group, normally genus. The possibility nonetheless exists for other species to be present on the site which were not recorded or otherwise indicated by the survey. Ornamental species are not included in botanical listings.
- 2.4.3 The survey reported herein was carried out in mid-summer, during the flowering period for many botanical species, and the timing of the survey is not considered to be a significant limitation to meeting the objectives of the survey.
- 2.4.4 There were no difficulties in gaining access to survey the site's habitats and assess protected species suitability. Adjacent habitats were surveyed where appropriate in order to identify constraints falling outside of the proposed development site and to place the survey area in its ecological context.
- 2.4.5 This report aims to provide general advice on the ecological constraints associated with development proposals for the site and includes recommendations for further survey where appropriate. Where impacts are likely or further ecological surveys are recommended, a more detailed Ecological Impact Assessment (EclA) of the effects of the proposed development should be carried out based on the results of recommended surveys. The EclA will include detailed advice on ecological avoidance, mitigation, enhancement and/or compensation measures. This is in line with the latest guidance from the Chartered Institute of Ecology and Environmental Management (CIEEM, 2017a, 2017b, 2018).
- 2.4.6 See Appendix VII for general Legal and Technical Limitations which apply to this document.

2.5 Personnel

- 2.5.1 The site survey was carried out by Dr Richard Bickers BSc(Hons) PhD MCIEEM, a Senior Ecologist with thirteen years' ecological consultancy experience. Richard holds a Natural England Class Licence to survey for great crested newt (WML-CL09).
- 2.5.2 The report was extensively reviewed by Nick Pincombe BA(Hons) MSc CEnv MIEMA MCIEEM, Director of Urban Edge Environmental Consulting, who has fifteen years' experience in leading survey and impact assessment teams for a wide range of ecology and environmental planning projects. Nick holds Natural England Class Licences to survey for bats (WML-CL18) and great crested newt (WML-CL08).

3 Results

3.1 Desk Study

Statutory and non-statutory site designations

- 3.1.1 There are no statutory or non-statutory designated wildlife sites within the 1km desk study search area.

Priority habitats

- 3.1.2 Priority habitats include those listed on local Biodiversity Action Plans and habitats of principal importance listed under section 41 of the Natural Environment and Rural Communities Act 2006. SxBRC and a search of the MAGIC database returned the following data on priority and other habitats within the desk study search area: Deciduous Woodland, Ancient Woodland, Ghyll Woodland and Open Water. Deciduous Woodland is shown as present within the survey area; see Figure 3.1.

Records of protected, rare and notable species

- 3.1.3 Biological records were obtained from SxBRC for the desk study search area and are summarised in Table 3.1.

Map 4: Section 41 habitats and other

Land at Roger's Farm, Ditchling Road, Haywards Heath + 1km radius
 SxBRC/20/236 - 06/07/2020

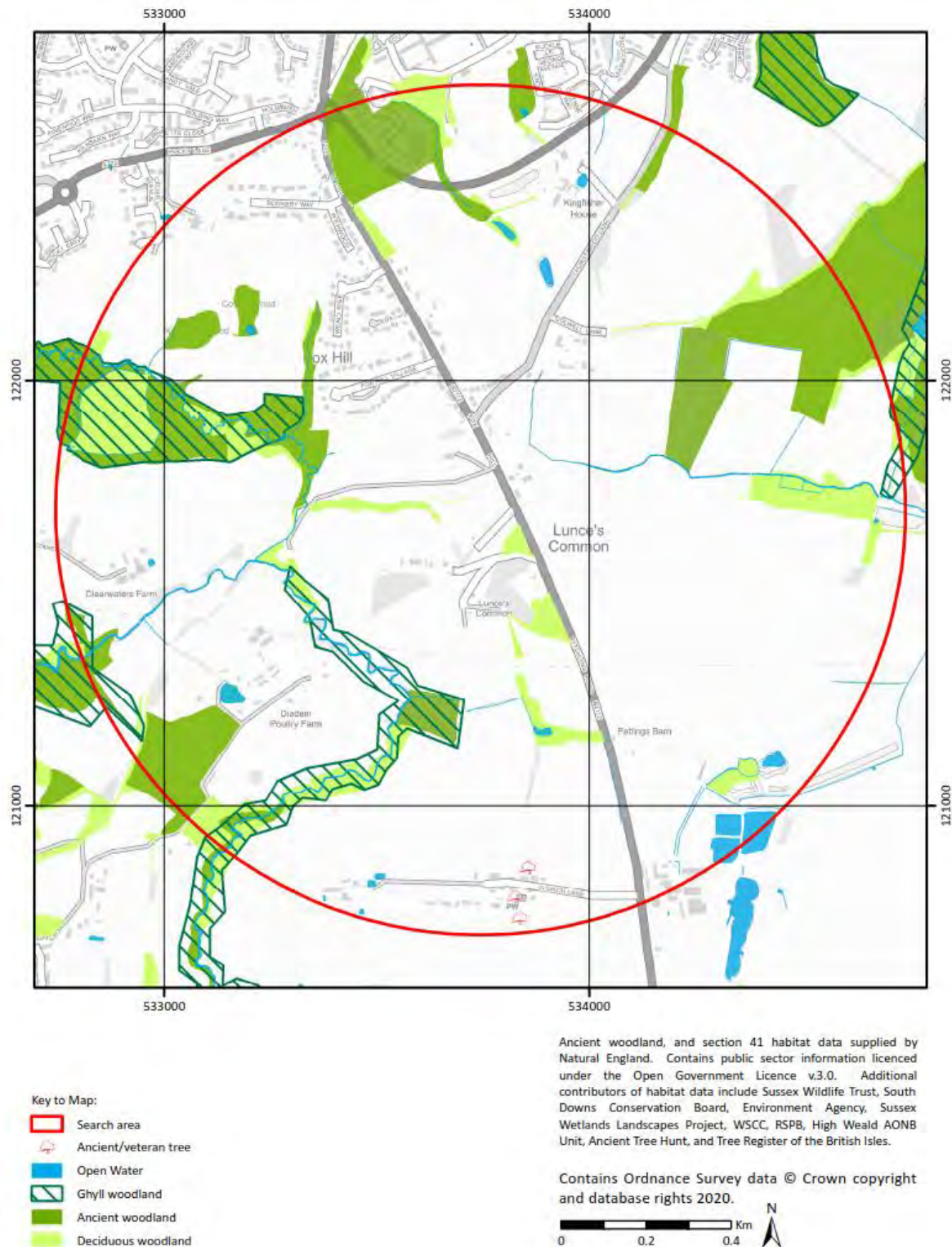


Figure 3.1: Priority habitats within the desk study search area

Table 3.1: Records of protected, rare & notable species within the desk study search area

Group	Species	Protection
Amphibians	Common Toad <i>Bufo bufo</i>	WCA Sch.5 part, NERC s41
	Palmate Newt <i>Lissotriton helveticus</i> , Smooth Newt <i>Lissotriton vulgaris</i> , Common Frog <i>Rana temporaria</i>	WCA Sch.5 part
Birds (note: species may appear more than once)	Kingfisher <i>Alcedo atthis</i> , Nightjar <i>Caprimulgus europaeus</i> , Peregrine <i>Falco peregrinus</i> , Red Kite <i>Milvus milvus</i> , Osprey <i>Pandion haliaetus</i> , Honey Buzzard <i>Pernis apivorus</i>	Birds Dir.1
	Kingfisher <i>Alcedo atthis</i> , Garganey <i>Anas querquedula</i> , Peregrine <i>Falco peregrinus</i> , Brambling <i>Fringilla montifringilla</i> , Hobby <i>Falco subbuteo</i> , Red Kite <i>Milvus milvus</i> , Osprey <i>Pandion haliaetus</i> , Honey Buzzard <i>Pernis apivorus</i> , Black Redstart <i>Phoenicurus ochruros</i> , Firecrest <i>Regulus ignicapillus</i> , Redwing <i>Turdus iliacus</i> , Fieldfare <i>Turdus pilaris</i> , Barn Owl <i>Tyto alba</i>	WCA Sch.1
	Lesser Redpoll <i>Acanthis cabaret</i> , Skylark <i>Alauda arvensis</i> , Nightjar <i>Caprimulgus europaeus</i> , Cuckoo <i>Cuculus canorus</i> , Hawfinch <i>Coccothraustes coccothraustes</i> , Yellowhammer <i>Emberiza citrinella</i> , Reed Bunting <i>Emberiza schoeniclus</i> , Lesser Spotted Woodpecker <i>Dendrocopos minor</i> , Dunnock <i>Prunella modularis</i> , Herring Gull <i>Larus argentatus</i> , Linnet <i>Linaria cannabina</i> , Spotted Flycatcher <i>Muscicapa striata</i> , House Sparrow <i>Passer domesticus</i> , Tree Sparrow <i>Passer montanus</i> , Wood Warbler <i>Phylloscopus sibilatrix</i> , Marsh Tit <i>Poecile palustris</i> , Bullfinch <i>Pyrrhula pyrrhula</i> , European Turtle Dove <i>Streptopelia turtur</i> , Starling <i>Sturnus vulgaris</i> , Song Thrush <i>Turdus philomelos</i> , Lapwing <i>Vanellus vanellus</i>	NERC s41
	Lesser Redpoll <i>Acanthis cabaret</i> , Skylark <i>Alauda arvensis</i> , Cuckoo <i>Cuculus canorus</i> , Hawfinch <i>Coccothraustes coccothraustes</i> , Lesser Spotted Woodpecker <i>Dendrocopos minor</i> , Yellowhammer <i>Emberiza citrinella</i> , Pied Flycatcher <i>Ficedula hypoleuca</i> , Herring Gull <i>Larus argentatus</i> , Linnet <i>Linaria cannabina</i> , Nightingale <i>Luscinia megarhynchos</i> , Grey Wagtail <i>Motacilla cinerea</i> , Spotted Flycatcher <i>Muscicapa striata</i> , House Sparrow <i>Passer domesticus</i> , Tree Sparrow <i>Passer montanus</i> , Black Redstart <i>Phoenicurus ochruros</i> , Wood Warbler <i>Phylloscopus sibilatrix</i> , Marsh Tit <i>Poecile palustris</i> , Turtle Dove <i>Streptopelia turtur</i> , Starling <i>Sturnus vulgaris</i> , Redwing <i>Turdus iliacus</i> , Fieldfare <i>Turdus pilaris</i> , Mistle Thrush <i>Turdus viscivorus</i> , Song Thrush <i>Turdus philomelos</i> , Lapwing <i>Vanellus vanellus</i>	RL
	Kingfisher <i>Alcedo atthis</i> , Greylag Goose <i>Anser anser</i> , Mallard <i>Anas platyrhynchos</i> , Meadow Pipit <i>Anthus pratensis</i> , Garganey <i>Anas querquedula</i> , Swift <i>Apus apus</i> , Nightjar <i>Caprimulgus europaeus</i> , Black-headed Gull <i>Chroicocephalus ridibundus</i> , Stock Dove <i>Columba oenas</i> , House Martin <i>Delichon urbicum</i> , Reed Bunting <i>Emberiza schoeniclus</i> , Kestrel <i>Falco tinnunculus</i> , Common Gull <i>Larus canus</i> , Lesser Black-backed Gull <i>Larus fuscus</i> , Osprey <i>Pandion haliaetus</i> , Honey Buzzard <i>Pernis apivorus</i> , Dunnock <i>Prunella modularis</i> , Willow Warbler <i>Phylloscopus trochilus</i> , Grey plover <i>Pluvialis squatarola</i> ,	AL

Group	Species	Protection
	Bullfinch <i>Pyrrhula pyrrhula</i> , Tawny Owl <i>Strix aluco</i>	
Invertebrates	White-letter Hairstreak <i>satyrium w-album</i>	WCA Sch.5 part, NERC s41
Mammals (terrestrial)	Noctule <i>Nyctalus noctula</i> , Hazel Dormouse <i>Muscardinus avellanarius</i> , Soprano Pipistrelle <i>Pipistrellus pygmaeus</i> , Brown Long-eared Bat <i>Plecotus auritus</i>	Habs.Dir.4, CHS Sch.2, WCA Sch.5 full, NERC s41
	Serotine <i>Eptesicus serotinus</i> , Common Pipistrelle <i>Pipistrellus pipistrellus</i>	Habs.Dir.4, CHS Sch.2, WCA Sch.5 full
	West European Hedgehog <i>Erinaceus europaeus</i>	NERC s41
Plants	Bluebell <i>Hyacinthoides non-scripta</i>	WCA Sch.8
Lower plants	Slender Thread-moss <i>Orthodontium gracile</i>	NERC s41
Reptiles (terrestrial)	Slow Worm <i>Anguis fragilis</i> , Grass Snake <i>Natrix natrix</i> , Adder <i>Vipera berus</i> , Common Lizard <i>Zootoca vivipara</i>	WCA Sch.5 part, NERC s41

Birds.Dir.1	Wild Birds Directive 2009/147/EC Annex 1
Habs.Dir.2/4	Habitats Directive 92/43/EEC Annex 2 or 4
CHS Sch.X	Conservation of Habitats & Species Regulations 2017 Schedules 2 (EPS animals) or 5 (EPS plants)
WCA s1/Sch.X	Wildlife and Countryside Act 1981 Section 1 / Schedules 1, 5 (fully or partially protected), 6 or 8
PBA	Protection of Badgers Act 1992
NERC s41	Natural Environment & Rural Communities Act 2006 Section 41 Species of Principal Importance
RL/AL	Red/Amber Listed (IUCN or Birds of Conservation Concern 4 (Eaton et al., 2015))
NR	Nationally Rare
	NS Nationally Scarce

3.2 Phase 1 Habitats

3.2.1 The following Phase 1 habitats were identified within or adjacent to the survey area and are shown on the Phase 1 habitats map at Appendix I. The habitats are described below.

- ▶ Poor semi-improved grassland
- ▶ Broadleaved semi-natural woodland
- ▶ Dense scrub
- ▶ Scattered broadleaved trees
- ▶ Bracken
- ▶ Species poor hedgerow

Poor semi-improved grassland

3.2.2 The centre of the site comprised a grassland field. Most of the grassland was tall and locally tussocky in structure, although there were some small shorter areas due to localised rabbit and other grazing. Although generally rather species poor, with forb content not more than c.20%, it did include a number of species characteristic of less improved and wet or marshy grasslands, such as locally frequent tufted hair grass *Deschampsia cespitosa*, and hairy sedge *Carex hirta*, and occasional rushes *Juncus* spp., as well as locally abundant greater birds foot trefoil *Lotus*

pedunculatus, locally frequent meadow vetchling *Lathyrus pratensis* and lesser spearwort *Ranunculus flammula*, frequent common sorrel *Rumex acetosa* and lesser stichtwort *Stellaria graminea* and occasional marsh thistle *Cirsium palustre*. Apart from such species the most abundant and frequent grasses were Yorkshire fog *Holcus lanatus*, sweet vernal grass *Anthoxanthum odoratum*, common bent *Agrostis capillaris*, false oat grass *Arrhenatherum elatius* and meadow foxtail *Alopecurus pratensis*. Other species included meadow and red fescue *Festuca pratensis* and *F. rubra*, creeping buttercup *Ranunculus repens* and occasional docks *Rumex* spp.. Bramble *Rubus fruticosus* and tree seedlings were occasional, suggesting that the grassland has been unmanaged for some time.



Grassland from the west and east respectively

Broadleaved semi-natural woodland

- 3.2.3 There was a narrow woodland strip along the northern, western and southern boundaries, as well as a wider area in the north west corner of the site. A boundary bank and ditch were present along these boundaries and it is likely that the woodland has developed and expanded from a hedgerow or hedgerows located along these features as a result of lack of management.
- 3.2.4 The canopy consisted largely of mature pedunculate oak *Quercus robur*, with frequent ash *Fraxinus excelsior* and locally frequent hornbeam *Carpinus betulus* along the northern boundary, much of which appeared to have been coppiced in the past. Many of these trees supported features such as deadwood, cracks, holes and growths of ivy *Hedera helix* and 20 trees were identified as supporting potential roost features for bats and are preliminarily assessed as having low or moderate suitability for roosting bats (see Table 3.2 below).
- 3.2.5 Hazel *Corylus avellana* was the most abundant shrub species, but hawthorn *Crataegus monogyna* and holly *Ilex aquifolium* were frequent and blackthorn *Prunus spinosa* and hornbeam were locally frequent. Other species included grey willow *Salix cinerea*, elder *Sambucus nigra* and rose *Rosa* sp..
- 3.2.6 Although variable the field layer was moderately species rich, and several Ancient Woodland Indicator species were identified, including frequent bluebell *Hyacinthoides non-scriptus* as well as three-nerved sandwort *Moehringia trinerva*, ramsons *Allium ursinum*, blackcurrant *Ribes nigrum* and remote sedge *Carex remota*. Other species included bramble, wood avens *Geum urbanum*, ground ivy *Glechoma hederacea*, bugle *Ajuga reptans*, cleavers *Galium aparine*, foxglove *Digitalis purpurea*, enchanters nightshade *Circaea lutetiana*, red campion *Silene dioica*, rough meadow grass *Poa trivialis*, male fern *Dryopteris felix-mas* and broad buckler fern *Dryopteris dilatata*. Honeysuckle *Lonicera periclymenum* was frequent and ivy occasional.

- 3.2.7 A small area of wet woodland, with a canopy of crack willow *Salix fragilis* and alder *Alnus glutinosa* and a distinctive field layer, including abundant creeping buttercup, lesser spearwort, woody nightshade *Solanum dulcamara* and flote grass *Glyceria fluitans*, locally frequent water pepper *Persicaria hydropiper* and sedge *Carex* sp. and occasional marsh bedstraw *Galium palustre* and soft rush *Juncus effusus*, was located in the north western corner of the site (TN1).
- 3.2.8 A small stand of Himalayan balsam *Impatiens glandulifera* (listed on Schedule 9 of the Wildlife and Countryside Act) was present in and on the edge of the woodland near part of the southern boundary of the site (TN2).



Woodland, southern boundary, from the east



Woodland, northern boundary from the west



Within woodland, northern boundary



Typical coppiced hornbeam, northern bdy



Mature oaks, western end of northern bdy



Wet woodland, north west corner of site

Dense scrub

- 3.2.9 There was an area of scrub on the northern boundary, in a section that lacks trees, as well as in the east of the site, adjoining the hedgerow. The latter is dominated by blackthorn and bramble, with occasional young pedunculate oak trees.



Dense scrub on northern boundary (to right)



Dense scrub on eastern boundary

Scattered broadleaved trees

- 3.2.10 A stand of young alder trees was located in the northern edge of the grassland.

Bracken

- 3.2.11 A stand of bracken *Pteridium aquilinum* was present in the south eastern corner of the site, between the grassland and the hedge.



Young alder trees, northern edge of grassland



Bracken, south east corner of site

Species poor hedge

- 3.2.12 A hedge of c.75m length was present on the eastern and the most easterly part of the southern boundary. It was species poor, with the northern section dominated by blackthorn, although small numbers of young oak and ash trees were present, and the southern section dominated by hawthorn and hazel. The hedge appeared unmanaged, apart from the eastern side of the northern section, where it adjoined the B112, where the side appeared to have been flailed.



Hedge, eastern bdy, flailed on side by road



Hedge, eastern part of southern bdy

Table 3.2: Preliminary Roost Assessment of trees within the survey area

Preliminary Roost Assessment of trees *	
T1: Ash	
<i>Description</i>	
	Large mature tree.
<i>Evidence of bats</i>	
	None observed
<i>Potential roost features (PRF)</i>	
	No obvious PRFs observed but extensive ivy present, though much dead.
<i>Overall suitability for roosting bats</i>	
	Low
T2: Ash	
<i>Description</i>	
	Mature tree
<i>Evidence of bats</i>	
	None observed
<i>Potential roost features (PRF)</i>	
	At least 3 woodpecker holes on dead branch in centre of tree, north side.
<i>Overall suitability for roosting bats</i>	
	Moderate
T3: Ash	
<i>Description</i>	
	Large mature multi stemmed tree
<i>Evidence of bats</i>	
	None observed
<i>Potential roost features (PRF)</i>	
	Lifted bark northern side of southern most stem. Extensive dense ivy.
<i>Overall suitability for roosting bats</i>	
	Low
T4: Oak	
<i>Description</i>	
	Large mature tree
<i>Evidence of bats</i>	
	None observed
<i>Potential roost features (PRF)</i>	
	Deadwood snags, including one with probable cracks north side

Preliminary Roost Assessment of trees *	
<i>Overall suitability for roosting bats</i>	
Low	
T5: Ash	
<i>Description</i>	
Large mature tree	
<i>Evidence of bats</i>	
None observed	
<i>Potential roost features (PRF)</i>	
Deadwood snags, including possible cracks. Extensive dense ivy.	
<i>Overall suitability for roosting bats</i>	
Low	
T6: Oak	
<i>Description</i>	
Large mature tree	
<i>Evidence of bats</i>	
None observed	
<i>Potential roost features (PRF)</i>	
Deadwood snags, including possible cracks.	
<i>Overall suitability for roosting bats</i>	
Low	
T7: Oak	
<i>Description</i>	
Large mature tree	
<i>Evidence of bats</i>	
None observed	
<i>Potential roost features (PRF)</i>	
Decay with associated cracks/possible cavity on north east side of trunk	
<i>Overall suitability for roosting bats</i>	
Low	
T8: Oak	
<i>Description</i>	
Large mature tree	
<i>Evidence of bats</i>	
None observed	
<i>Potential roost features (PRF)</i>	

Preliminary Roost Assessment of trees *	
Deadwood snags with cracks etc and extensive dense ivy	
<i>Overall suitability for roosting bats</i>	
Low	
T9: Oak	
<i>Description</i>	
Mature tree	
<i>Evidence of bats</i>	
None observed	
<i>Potential roost features (PRF)</i>	
Deadwood snags low on north and east sides have possible cracks, patchy ivy	
<i>Overall suitability for roosting bats</i>	
Low	
T10: Ash	
<i>Description</i>	
Mature tree	
<i>Evidence of bats</i>	
None observed	
<i>Potential roost features (PRF)</i>	
Cavity (probably shallow due to rot from branch loss) base of northern main branch, east side	
<i>Overall suitability for roosting bats</i>	
Low	
T11: Alder	
<i>Description</i>	
Mature tree but of modest size	
<i>Evidence of bats</i>	
None observed	
<i>Potential roost features (PRF)</i>	
Woodpecker hole c.5m up south east side	
<i>Overall suitability for roosting bats</i>	
Low	
T12: Oak	
<i>Description</i>	
Mature tree	
<i>Evidence of bats</i>	

Preliminary Roost Assessment of trees *	
None observed	
<i>Potential roost features (PRF)</i>	
Deadwood snags with possible cracks	
<i>Overall suitability for roosting bats</i>	
Low	
T13: Oak	
<i>Description</i>	
Large mature tree	
<i>Evidence of bats</i>	
None observed	
<i>Potential roost features (PRF)</i>	
Deadwood snags with possible cracks	
<i>Overall suitability for roosting bats</i>	
Low	
T14: Oak	
<i>Description</i>	
Large mature tree	
<i>Evidence of bats</i>	
None observed	
<i>Potential roost features (PRF)</i>	
Deadwood snags with possible cracks	
<i>Overall suitability for roosting bats</i>	
Low	
T15: Oak	
<i>Description</i>	
Large mature tree	
<i>Evidence of bats</i>	
None observed	
<i>Potential roost features (PRF)</i>	
Relatively large deadwood snags with cracks, holes etc	
<i>Overall suitability for roosting bats</i>	
Moderate	
T16: Oak	
<i>Description</i>	
Large mature tree	

Preliminary Roost Assessment of trees *	
<i>Evidence of bats</i>	
None observed	
<i>Potential roost features (PRF)</i>	
Deadwood snags with possible cracks	
<i>Overall suitability for roosting bats</i>	
Low	
T17: Oak	
<i>Description</i>	
Large mature tree	
<i>Evidence of bats</i>	
None observed	
<i>Potential roost features (PRF)</i>	
Deadwood snags with possible cracks	
<i>Overall suitability for roosting bats</i>	
Low	
T18: Hornbeam	
<i>Description</i>	
Mature tree	
<i>Evidence of bats</i>	
None observed	
<i>Potential roost features (PRF)</i>	
Deadwood snags with possible cracks	
<i>Overall suitability for roosting bats</i>	
Low	
T19: Oak	
<i>Description</i>	
Mature tree	
<i>Evidence of bats</i>	
None observed	
<i>Potential roost features (PRF)</i>	
Deadwood snags with possible cracks	
<i>Overall suitability for roosting bats</i>	
Low	
T20: Oak	
<i>Description</i>	

Preliminary Roost Assessment of trees *
Mature tree
<i>Evidence of bats</i>
None observed
<i>Potential roost features (PRF)</i>
Deadwood snags and extensive dense ivy
<i>Overall suitability for roosting bats</i>
Low

* Any other trees within the survey area were not of sufficient size/age to present PRFs

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4 Evaluation

4.1 Introduction

- 4.1.1 This section evaluates the survey area in terms of the habitats and species present or potentially present on site or its immediate vicinity, in the context of relevant legislation and planning policy. See Appendix VI for a review of the legislation and planning context.

4.2 Designated Sites

- 4.2.1 There are no statutory or non-statutory wildlife sites within the 1km desk-study search zone. The nearest Ancient Woodland (Rookery Wood) is located approximately 280m to the west of the site. Given the size and scale of the proposals and the distance of the Ancient Woodland from the site it is considered unlikely that they will have an adverse impact on the Ancient Woodland.

4.3 Habitats

Evaluation

- 4.3.1 Table 4.1 presents a preliminary evaluation of the habitats recorded within or adjacent to the survey area, with reference to the criteria defined at section 2.2.6. It is important to note that these preliminary evaluations may be updated following completion of more detailed botanical or protected species surveys.

Table 4.1: Preliminary evaluation of habitats within the survey area

Habitat	Evaluation	Justification
Poor semi-improved grassland	Site	Relatively species poor but does include frequent species characteristic of less improved and wet or marshy grassland types. Value also lies in the potential to support protected species, such as reptiles.
Broadleaved semi-natural woodland	Local	Priority habitat; relatively diverse in terms of species and structure and includes mature trees and a small area of wet woodland. Value also lies in the potential to support protected species, such as bats, dormice and breeding birds.
Dense scrub	Site	Relatively small areas of common and widespread species. Area on north boundary forms part of wider boundary vegetation with woodland. Includes value to support protected species, such as breeding birds and reptiles.

Habitat	Evaluation	Justification
Scattered broadleaved trees	Site	Small number of relatively young trees. Potential to support protected species, such as breeding birds and reptiles.
Bracken	Site	Small area of relatively common and widespread habitat. Value largely lies in potential to support protected species, such as reptiles.
Species poor hedgerow	Site	Priority habitat; species poor hedge but intact without gaps and forms part of wider woody boundary vegetation. Includes value to support protected species, such as dormice, breeding birds and reptiles.

Priority habitats

4.3.2 Priority habitats present within the survey area or at its boundaries include:

- ▶ Lowland Mixed Deciduous Woodland
- ▶ Hedgerow

4.3.3 Most of the vegetation on the northern, western and southern boundaries can be identified as Lowland Mixed Deciduous Woodland. It is relatively diverse in terms of structure and species, including a number of Ancient Woodland Indicators. It includes mature trees and a small area of wet woodland. Woodland of this type is of high intrinsic ecological value. It provides habitats suitable for a range of protected species, including nesting birds, badger *Meles meles* (foraging and sett creation), foraging, commuting and roosting bats, and hazel dormouse *Muscardinus avellanarius*. Dead wood within these habitats also provides valuable habitat for fungi and saproxylic invertebrates (e.g. stag beetle *Lucanus cervus*) and refuge/hibernation habitats for widespread amphibians, great crested newt *Triturus cristatus* and reptile species. It is currently understood that the majority of woodland will be retained and protected during development.

4.3.4 The hedgerow was classified as species-poor. Priority hedgerow habitats are defined "as any boundary line of trees or shrubs over 20m long and less than 5m wide, and where any gaps between the trees or shrub species are less than 20m wide..., consisting predominantly (i.e. 80% cover or more) of at least one woody UK native species" (any bank, wall, ditch or tree within 2m of the centre of the hedgerow is considered to be part of the hedgerow habitat, as is the herbaceous vegetation within 2m of the centre of the hedgerow) (Maddock, 2008). The survey area's hedgerow falls within this classification.

4.3.5 Hedgerow priority habitats are of high intrinsic ecological value and provide habitats suitable for a range of protected species, including amphibians and reptiles (shelter and dispersal), nesting birds, invertebrates, foraging/commuting bats, and hazel dormouse *Muscardinus avellanarius*. Although detailed proposals for the site are not yet finalised, it is currently anticipated that the majority of the hedgerow will be retained and protected during construction.

- 4.3.6 The hedgerow within the site was assessed according to criteria set out in the Hedgerow Regulations 1997. A table showing full survey results is presented in Appendix IV. The hedgerow does not qualify as important, largely due to its species poor character.

Other habitats

- 4.3.7 The proposed development would result in permanent losses of up to c.0.77ha of poor semi-improved grassland and bracken as well as scattered trees, and a small area of scrub and tall ruderals. A short section of hedgerow and a small area of woodland may be removed to facilitate development, depending on the extent and layout of the proposals. On the whole these areas are of relatively low ecological value and of importance at the site level only but provide habitats suitable for a number of protected species (e.g. dormice, nesting birds, badger, bats and reptiles).

4.4 Species

Amphibians (excluding great crested newt)

- 4.4.1 SxBRC returned 14 records of common toad *Bufo bufo*, common frog *Rana temporaria*, smooth newt *Lissotriton vulgaris* and palmate newt *Lissotriton helveticus* from within the desk-study search zone, dating mostly from the 1990s but with some records from the early 2000s. One of the most recent records (2002) was of common frog located c.100m south of the site.
- 4.4.2 All of the habitats on site represent suitable terrestrial habitat for common amphibians. However, it is understood that a large proportion of high value habitat on and adjacent to the site boundaries, will be retained and protected as part of the proposals, and habitats of similar suitability are widely available in the surrounding area. Common amphibians are not considered to present a constraint to the development proposals.

Great crested newt

- 4.4.3 SxBRC returned no records of great crested newt (GCN) *Triturus cristatus* from within the desk-study search zone.
- 4.4.4 The survey area contains good quality terrestrial habitats for GCN, dominated by coarse grasses and variable sward height and structure which is suitable for foraging. Boundary hedgerows, scrub and woodland provide dispersal, shelter and hibernation habitat. However, there are no ponds within the survey area, and analysis of Ordnance Survey maps and aerial photography indicated that the nearest ponds are c.500m of the site.
- 4.4.5 Research undertaken by Natural England (Cresswell & Whitworth, 2004) suggests GCN will rarely move further than 200-250m from a breeding pond, with much reduced distances recorded where adjacent habitats are of good quality. Jehle (2000) also determined a terrestrial zone of 63m, within which 95% of summer GCN refuges were located. In addition, following the breeding season, Jehle and Arntzen (2000) recorded 64% of newts within 20m of the pond edge. In conclusion, GCN is unlikely to be present within the survey area and is not considered

to present a constraint to the development proposals. No further surveys for this species are required.

Birds (nesting)

- 4.4.6 SxBRC returned 452 records of 57 notable bird species from within the desk-study search zone during a date range of 1980 to 2018. The survey area's boundary woodland, scrub and hedgerow, as well as scattered trees are suitable for nesting birds. The grassland is unlikely to support ground-nesting species such as skylark *Alauda arvensis* (BoCC4 Red-listed) due to the relatively small field size. Removal of the suitable habitats on site could result in a detrimental effect on bird populations and, depending on the timing of vegetation clearance works, could result in the killing/injury of birds/eggs or destruction of active nests. Further breeding bird surveys are recommended at section 5.2 if significant areas of woodland, scrub or hedgerow on the site boundaries are to be removed. Precautionary measures for nesting birds are recommended at section 5.3.

Invertebrates

- 4.4.7 SxBRC returned nine records of eight species of protected invertebrate from within the desk-study search zone, during a date range of 2002 to 2011, comprising mostly beetles, but also a butterfly and a spider.
- 4.4.8 The survey area's combination of unmanaged grassland, scrub, woodland and hedgerow habitats provide are likely to provide moderate value for a range of common and widespread invertebrates. Deadwood within the woodland on site also provides potential habitat for saproxylic species such as stag beetle *Lucanus cervus*. However, it is currently understood that much of the most valuable habitat, including the woodland, scrub and hedgerow on the site boundaries will be retained and protected as part of the proposals. Thus the limited losses within the site resulting from development are not considered likely to significantly affect invertebrate communities. Invertebrates are not considered to present a constraint to the development proposals and no further surveys for this group are required.

Mammals (terrestrial)

Badger

- 4.4.9 SxBRC does not supply badger *Meles meles* records for animal welfare reasons.
- 4.4.10 The survey area provides suitable habitat for forging and sett creation by badgers. A search for badger setts and signs of their presence was undertaken within and adjacent to the site boundary, but no setts or other field signs were recorded. Badger is not considered to present a constraint to the development proposals but, given the presence of suitable habitat for sett creation, a repeat inspection for badgers two/three months before any ground works begin on site is recommended. General ecological protection measures for badgers and other mammals are advised in section 5.4.

Bats

- 4.4.11 SxBRC returned 17 records of five species of bat from within 1km of the survey area, during a date range of 2000 to 2016, including serotine *Eptesicus serotinus*, noctule *Nyctalus noctula*, common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *P. pygmaeus* and brown long-eared *Plecotus auritus* bats. Most of these records were of bats in flight but included five roost sites, the closest to the survey area being located c.240m north in 2004.
- 4.4.12 A total of 18 trees within the woodland were noted to be of low suitability for roosting bats and two trees were of moderate suitability and contained potential roost features. Felling or arboricultural works to these trees, if required to facilitate the proposals, could result in destruction of a bat roost or present a risk of killing, injury or disturbance if bats are present during the works. Low suitability trees are not required to undergo further surveys, instead if felling or other tree works are necessary, this should be undertaken in accordance with a Non-Licensed Method Statement to reduce the risk of killing/injury to bats, as recommended at section 5.3. However, should such works be required to the moderate suitability trees then further surveys for bats roosting in trees are recommended at section 5.2.
- 4.4.13 The survey area's habitats, including woodland, scrub, hedgerow, scattered trees, and tall semi-improved grassland are considered to represent relatively small area of high suitability habitat for foraging and commuting bats. Although it is understood that most of the higher value habitats on or close the site boundaries will be retained and protected as part of any proposals, there will be a loss particularly of the grassland, and it is likely that the retained habitats will experience an increase in artificial lighting following development, which may render them less suitable for foraging/commuting in future. Further bat activity surveys are recommended at section 5.2.

Hazel dormouse

- 4.4.14 SxBRC returned six records of hazel dormouse *Muscardinus avellanarius* within the desk study search area, during a date range of 2002 to 2015, the nearest record being located c.130m north-west in 2015.
- 4.4.15 The woodland, scrub and hedgerow are suitable habitat for dormice, with good structure and a range of food plants. In addition, the site is relatively well connected to the network of hedgerows and woodland in the wider landscape. However, most of these habitats are currently expected to be retained and protected under proposals for the site. Removal of a small section of hedgerow in the south east corner of the site to enable access could be undertaken in accordance with a Non-Licensed Method Statement to reduce the risk of killing/injury to hazel dormouse, as recommended at section 5.3. However, should removal of larger sections of these habitats be required further surveys for hazel dormouse are recommended at section 5.2

Water vole and otter

- 4.4.16 SxBRC returned no records of European water vole *Arvicola amphibius* from within the desk study search area. SxBRC does not supply records of otter *Lutra lutra*.

- 4.4.17 There are no riparian habitats running through or adjacent to the site, making it unlikely that either species would be present. Neither species is considered to present a constraint to development proposals and further surveys are not required.

Plants, native

- 4.4.18 SxBRC returned 90 records of 25 protected and notable plant species from within the desk-study search zone during a date range of 1950 to 2016.
- 4.4.19 Native bluebell was recorded in the woodland and scrub on the site boundaries; the species is listed on schedule 8 of the Wildlife and Countryside Act 1981 which affords it protection against possession, transport and trade. No other rare or protected plant species were recorded within the site, although the woodland and scrub habitats on the site boundaries support a moderate diversity of species, including some, such as Ancient Woodland Indicators, associated with long established habitats. However, it is currently understood that these habitats will be retained and protected as part of the proposals. Plant species and communities are not considered to present a constraint to the development proposals and no further botanical surveys are considered necessary.

Plants – invasive non-native species and injurious weeds

- 4.4.20 A small stand of Himalayan balsam *Impatiens glandulifera*, an invasive non-native species listed on Schedule 9 of the Wildlife and Countryside Act, was present on the edge of the woodland on the southern edge of the site at TN2. This will require treatment and removal prior to site development, and recommendations with respect to this are given at section 5.4. No other schedule 9 plants were recorded.
- 4.4.21 No significant stands of injurious weed species were noted (ragwort *Senecio jacobea*, spear thistle *Cirsium vulgare*, creeping thistle *Cirsium arvense*, curled dock *Rumex crispus*, and broad-leaved dock *Rumex obtusifolius*).

Reptiles (terrestrial)

- 4.4.22 SxBRC returned 21 records of terrestrial reptile species from within the desk-study search area, during a date range of 1991 to 2016. All four widespread species have been recorded in the vicinity; slow worm *Anguis fragilis*, common lizard *Zootoca vivipara*, grass snake *Natrix natrix* and adder *Vipera berus*. The closest record to the site was a slow worm located c.120m west in 2015.
- 4.4.23 The survey area contains good quality habitats for reptiles, including structurally diverse grassland with variable sward height and structure and bracken. Boundary hedgerow and scrub provide shelter and dispersal habitat, while nearby areas of woodland offer hibernation potential. Construction works would involve site clearance, creation of access tracks and materials storage compounds, vehicle movements and groundworks, which together could present a risk of killing or injury for reptiles if present within the survey area. Further surveys for reptiles are recommended at section 5.2.

Other protected, rare or notable species

- 4.4.24 SxBRC returned two records of hedgehog *Erinaceus europaeus* from within the desk-study search zone during a date range of 2015 to 2017. The closest to the site was located c.190m north in 2017. The survey area contains habitats suitable for this species, including grassland, woodland, scrub and hedgerow. Hedgehog is listed as a species of principal importance under the NERC Act 2006 and is undergoing a significant population decline. Measures should be taken to continue accommodating this species on the site post-development (see section 5.4).

5 Recommendations

5.1 Introduction

- 5.1.1 With regard to the objectives of this Preliminary Ecological Appraisal, recommendations are made below for further protected species survey where necessary. Preliminary recommendations are also made for the protection of important ecological features, and/or to avoid or mitigate ecological impacts, and to enhance the ecology of the site post-construction with the aim of achieving an overall net gain for biodiversity. It is intended that these preliminary recommendations should be considered during future changes to the design of development proposals so that protection of important ecological features is secured and opportunities for ecological enhancement are realised. The recommendations should be reviewed following the completion of further ecological surveys.

5.2 Protected Species Surveys

- 5.2.1 The following species / groups (Table 5.1) will require additional surveys prior to refining development designs and formulating a suitable avoidance and mitigation strategy (if required).

Table 5.1: Recommendations for further ecological surveys

#	Recommendations for further ecological survey
R1	Breeding bird surveys, undertaken from April to July, if significant areas of boundary woodland, scrub and hedgerow are to be removed.
R2	A repeat inspection for badger, undertaken within two/three months before any ground works begin on site.
R3	Presence / absence surveys for roosting bats within trees T2 and T15, undertaken between May and August, if they are affected by proposals for the site.
R4	Bat activity surveys, undertaken between April and October.
R5	Presence / absence surveys for dormouse, undertaken between April and November, if significant areas of boundary woodland, scrub and hedgerow are to be removed.
R6	Presence / absence surveys for reptiles, undertaken between April and September within suitable habitats on site.
R7	A full Ecological Impact Assessment (EclA) of the effects of the proposed development should be carried out based on the results of recommended surveys.

Breeding birds

- 5.2.2 Woodland, scrub, scattered trees and hedgerow provide potential breeding habitats for a range of bird species, including Birds of Conservation Concern. Loss of these habitats could

result in a detrimental effect on bird populations and, depending on the timing of clearance and demolition works, could result in an offence under the relevant legislation.

- 5.2.3 If these habitats are to be removed as part of the proposals, apart from a small loss of hedgerow and scrub in the south eastern corner to facilitate site access, a breeding bird survey is recommended and should be undertaken with reference to the Common Bird Census (CBC) methodology (Gilbert *et al.*, 1998) comprising at least three visits to the site between April and July, with all species mapped using standard British Trust for Ornithology species codes and annotations. The objective of the surveys will be to make an assessment of the breeding bird assemblage using the site, the number of territories of each species present in the survey area, and the overall importance of the site as a breeding habitat in the context of surrounding habitats which will continue to exist once the development is operational.
- 5.2.4 On each survey, early morning transects should be slowly walked around all field boundaries and across fields such that no part of the survey area is further than 50m from the transect route. Route directions should be varied between visits to avoid systematically surveying the same areas at similar times of day on each visit.

Badger

- 5.2.5 Although no badger setts or other field signs were recorded during the survey, due to the presence of suitable habitat for sett construction and foraging it is recommended that a repeat inspection should be undertaken for badgers within two/three months before ground works begin on site. This should be focused on suitable sett building habitats (dense scrub, hedgerow and woodland) and surrounding habitats within 30 meters of the site boundary, and include searching for the following evidence of badger activity: badger setts, latrines, dung pits, footprints, hairs, pathways, scratching posts or evidence of foraging.

Roosting bats

- 5.2.6 If the proposed development requires felling or arboricultural works to trees T2 and/or T15 these could result in destruction of a bat roost or killing, injury or disturbance to roosting bats, and further surveys are recommended to determine their presence or likely absence with these features. The surveys should follow current guidelines (Collins, 2016), comprising dusk emergence and/or dawn re-entry surveys, and can be carried out between May and September (May to August is the optimal period). Surveys should begin at least quarter of an hour before dusk and continue for up to 2 hours after sunset, or begin 1.5 to 2 hours before dawn and continue until at least 15mins after sunrise. The level of survey effort required is dependent on each feature's suitability for roosting bats, as follows:
- ▶ Confirmed roost / High suitability: At least three surveys visits in total, including at least one dusk emergence and at least one separate dawn re-entry survey;
 - ▶ Moderate suitability: At least one dusk emergence and a separate dawn re-entry survey;
 - ▶ Low suitability: At least one dusk emergence or dawn re-entry survey.
- 5.2.7 An alternative approach for trees is to carry out a PRF inspection by a suitably licenced tree-climber in the first instance, to determine whether there is a need for presence/absence survey.

Foraging and commuting bats

- 5.2.8 Bat activity surveys are recommended due to the good quality foraging and commuting habitats (woodland, scrub, hedgerow and tall grassland) which may be directly or indirectly affected by development proposals. Bat activity surveys should follow current guidelines (Collins (ed.), 2016), combining transect surveys with static automated monitoring and supplementary methods as appropriate, and can be carried out between April and October. Transect surveys should begin at sunset and continue for 2–3hrs, or begin 2 hours before dawn and continue at least until sunrise, or continue through the night.

Hazel dormouse

- 5.2.9 Woodland, scrub and hedgerow habitats within the survey area provide potential habitat for hazel dormouse. It is currently understood that the majority of these are to be retained and protected as part of the development proposals, apart from a small section of hedgerow and scrub in the south eastern corner of the site. However, should removal of a larger area of such habitat be required, surveys to establish the presence or likely absence of hazel dormouse are recommended.
- 5.2.10 These surveys should be undertaken by a suitably experienced and licensed ecologist following current guidelines (Bright *et al.*, 2006), comprising hazel nut searches and nest tube surveys, and can be carried out between April and November. The required survey effort will depend on the extent of the removal of suitable habitat proposed.

Reptiles

- 5.2.11 The survey area contains habitats suitable for reptiles including rough grassland, bracken, scrub, hedgerow and woodland. There is hence a risk of killing or injury to reptiles and further surveys by an experienced herpetologist are required to establish their presence or likely absence within the proposed construction footprint. The survey should involve a minimum of seven visits to the site in suitable weather conditions during the active season (broadly April to September), following current guidelines (Froglife, 1999; Gent & Gibson, 2003). Methods include visual encounter surveys (i.e. targeted transects) and searches of artificial and natural refuges.

Ecological Impact Assessment

- 5.2.12 A full Ecological Impact Assessment (EclA) of the effects of the proposed development should be carried out based on the results of recommended surveys. The EclA will include detailed advice on ecological avoidance, mitigation, enhancement and/or compensation measures. This is in line with the latest guidance from the Chartered Institute of Ecology and Environmental Management (CIEEM, 2017a, 2017b, 2018).

5.3 Precautionary Measures

- 5.3.1 The following species/groups (Table 5.2) require specific precautionary measures to be adhered to prior to and during construction to ensure that an offence under the relevant legislation is

avoided. These measures may need to be added to or amended following completion of the protected species surveys described above.

Table 5.2: Recommended precautionary measures

#	Recommended precautionary measures
R8	<p>Removal of nesting bird habitats will be undertaken outside of the bird nesting season, which runs from 1 March to 31 August. It will therefore be carried out between September and February, but should be planned and implemented in accordance with the findings of the further ecological surveys recommended above, as other protected species may still be present outside of the bird breeding season.</p> <p>Any construction works undertaken within the bird breeding season where suitable bird breeding habitat exists will require a site check for nesting birds by a suitably qualified ecologist. This will take place no more than two days prior to works commencing. This is to ensure that no disturbance to active bird nests occurs. If a nest is found it must be cordoned off and works adjacent to the nest must be delayed until such time that the chicks have fledged from the nest. This will be supervised by a suitably qualified ecologist.</p>
R9	<p>If works to fell or lop the low suitability trees are required, they will be undertaken in accordance with a Non-Licensed Method Statement to reduce the risk of killing/injury to roosting bats. The Method Statement will specify reasonable avoidance measures including timing restrictions (works to be carried out during March-April or September-October to avoid critical maternity and hibernation periods), 'soft felling' techniques to enable bats to disperse, and will be carried out under the supervision of a suitably qualified ecologist.</p>
R10	<p>Works to remove small sections of the hedgerow and scrub to facilitate site access will be undertaken in accordance with a Non-Licensed Method Statement to reduce the risk of killing/injury to hazel dormouse. The Method Statement will specify reasonable avoidance measures including progressive reduction of vegetation height by hand (initial cut to 15cm max during November to March, stump removal from May) to enable any dormice present to disperse into suitable surrounding areas of retained habitat, and will be carried out under the supervision of a suitably qualified ecologist.</p>

5.4 Ecological Protection Measures

5.4.1 The following protection measures (Table 5.3) will be carried out as part of the proposed scheme, alongside any specific measures that are recommended following the protected species surveys described above.

Table 5.3: Recommended ecological protection measures

#	Recommended ecological protection measures
R11	<p>Deciduous Woodland and Hedgerow priority habitat within the survey area are of high intrinsic ecological value and provide habitats suitable for a range of protected species. The majority of these habitats will be retained and protected during construction, and will also provide a focus for ecological enhancement measures (see below).</p>
R12	<p>British Standard BS 5837:2012 and/or National Joint Utilities Group Guidelines (NJUG, 1995) will be followed at all times during construction when working in close proximity to trees or shrubs which are to be retained. According to NJUG Guidelines the root protection zone or</p>

#	Recommended ecological protection measures
	precautionary area is 4x the circumference of the trunk (circumference is measured around the trunk at a height of 1.5m above ground level). The distance is measured from the centre of the trunk to the nearest part of any excavation or other work. If a separate tree survey is carried out for the proposed development, works will be undertaken in accordance with the recommendations therein.
R13	A suitably qualified contractor will be appointed to remove the stand of Himalayan balsam close to the southern boundary of the survey area, prior to any works commencing in this part of the site. It is recommended that early preventative measures are undertaken to avoid the infestation spreading further into the developable area or onto neighbouring properties.
R14	The use of external lighting will be avoided or reduced to the minimum required for its intended purpose, during both construction and operation. This will be of benefit to nocturnal species e.g. bats. Where external lighting is to be provided, it will be low-level, directional lighting with minimal spill and glare, and consideration will be given to reduced hours of operation and/or a movement responsive system of control. Use narrow-spectrum bulbs and light sources that emit minimal UV light, avoiding white and blue wavelengths of the spectrum. Use glass lantern covers instead of plastic to filter UV light. Lighting will not be directed towards the boundary woodland, scrub or hedgerow.
R15	To enable continued dispersal of hedgehogs (which require large territory sizes) and other small mammals across the site and within the local area following development, small access gaps to measure c.13x13cm are recommended to be provisioned at the base of all new fence boundaries. These will allow easy passage for small mammals to continue foraging in the area while still being small enough to contain pets.
R16	All excavations left overnight will either be covered over, or provided with a ramp to enable easy escape of badgers, hedgehogs, small mammals, amphibians and other fauna, and inspected each morning prior to recommencement. Open pipework greater than 150mm outside diameter will be blanked off at the end of each working day.
R17	Where fox dens or rabbit warrens are to be damaged or destroyed as part of the proposed works, this will be done in accordance with the Mammals Act 1996 by a registered pest control company.

5.5 Recommendations for Biodiversity Net Gain

- 5.5.1 The following ecological enhancements (Table 5.4) should be considered for the site to achieve an overall net gain for biodiversity in line with the requirements of local and national policy and guidance, but should be reviewed and specified further following the completion of recommended protected species surveys.

Table 5.4: Preliminary recommendations for biodiversity net gain

#	Preliminary recommendations for biodiversity net gain
R18	The woodland to be retained around the boundary of the site outside of the developable area will be enhanced through a more active management regime, for example through carefully targeted coppicing of shrubs and younger trees. This will increase light penetration to benefit the ground flora as well as a range of dependent invertebrate species.

#	Preliminary recommendations for biodiversity net gain
R19	New green spaces will be sown with a native wildflower and grass seed mix (i.e. wildflower meadow) to increase botanical richness above that currently present. This will be particularly targeted towards retained habitat features such as woodland, scrub and hedgerow, but will also be extended to public realm areas such as open spaces and road verges. The wildflower meadow treatment could include tussock-forming grass species (such as cock's foot <i>Dactylis glomerata</i> , Yorkshire fog <i>Holcus lanatus</i> , tufted hair-grass <i>Deschampsia cespitosa</i> and false oat-grass <i>Arrhenatherum elatius</i>) to provide shelter and ecological connectivity for reptiles, amphibians and small mammals, and provide forage for invertebrates.
R20	Hedgerow creation as part of the landscaping plan for the site will use a range of native shrub species of local provenance. Fruit, seed, nut and nectar-bearing species will be used preferentially when selecting species for landscape planting, so that food sources are available throughout the year (e.g. hazel <i>Corylus avellana</i> , hawthorn <i>Crataegus monogyna</i> , blackthorn <i>Prunus spinosa</i> , rowan <i>Sorbus aucuparia</i> and honeysuckle <i>Lonicera periclymenum</i>). If an evergreen hedge is required for landscape screening, suitable native species include holly <i>Ilex aquifolium</i> , holm oak <i>Quercus ilex</i> although both can be rather slow growing, ivy <i>Hedera helix</i> and privet <i>Ligustrum vulgare</i> . Beech <i>Fagus sylvatica</i> and hornbeam <i>Carpinus betulus</i> are also widely used as hedging plants and, although not evergreen, these will keep their brown leaves through winter if trimmed in late summer.
R21	The site's landscaping plans will utilise plant species which encourage bats. The table at Appendix V lists species of plants that can provide benefit for bats either by providing scrub a food source for insects on which bats feed, or providing additional roosting opportunities (Gunnell et al., 2012). The plant species are predominantly native to Britain, but not all species will be suitable in all situations. The aim is to encourage a diverse range of invertebrate food sources and increased bat roost potential.
R22	Habitat piles will be created within areas of retained rough grassland or marginal vegetation, at the edges of the site close to boundary hedgerow, woodland and scrub. These will provide additional hibernation and shelter resources for amphibians, invertebrates, reptiles, and a range of other wildlife, and egg-laying substrate for grass snakes. Hibernacula can be created by partially burying logs and stones in sheltered areas away from flood risk, and covering over with earth or turf. Breeding habitats can be created by collecting grass clippings and other prunings arising from landscape management of the site, and composting them in a secluded corner of the site. Deadwood piles can be created using arisings from site clearance to provide shelter and breeding opportunities for invertebrates, particularly saproxylic species which are dependent on deadwood.
R23	<p>The value of the site for birds will be enhanced by installing a range of artificial nest boxes. These will be placed on retained mature trees within the development or at the site boundaries, or incorporated within building facades. For instance:</p> <ul style="list-style-type: none"> ▪ New buildings: nest boxes can be installed under the eaves for birds that utilise buildings for nesting, e.g. house martin <i>Delichon urbica</i>, house sparrow <i>Passer domesticus</i>, swallow <i>Hirundo rustica</i> and swift <i>Apus apus</i>. These species are of principal importance, of conservation concern and/or are notable in Sussex. ▪ Trees: nest boxes with entrance holes suitable for tit species, woodpeckers and nuthatches, and open-fronted boxes suitable for spotted flycatcher <i>Muscicapa striata</i> or song thrush <i>Turdus philomelos</i>, and treecreeper <i>Certhia familiaris</i> boxes.
R24	The value of the site for bats will be enhanced by installing a range of artificial roost boxes.

#	Preliminary recommendations for biodiversity net gain
	<p>These will be placed on retained mature trees within the development or at the site boundaries, or incorporated within building facades. Boxes suitable for a range of species should be used, for instance:</p> <ul style="list-style-type: none"> ▪ New buildings: integral bat tubes can be installed within buildings which face vegetated areas. Bat tubes can be incorporated into the design of the building so that only the access holes are visible from the exterior of the building. The Schwegler 1FR or 2FR Bat Tube is designed to meet the characteristic requirements of the types of bats that inhabit buildings such as pipistrelles <i>Pipistrellus spp.</i> or serotines <i>Eptesicus serotinus</i>. It is designed to be installed on the external walls of buildings, either flush or beneath a rendered surface. ▪ Pipistrelles: bat boxes suitable to install on mature trees either within or at the edges of the development include the Schwegler 1FF Flat Bat Box, or other manufacturer's equivalent. ▪ Noctules <i>Nyctalus spp.</i> and brown long eared bats <i>Plecotus auritus</i>: bat boxes suitable to install on mature trees either within or at the edges of the development include the Schwegler 2F General Purpose Bat Box or the 2FN Woodland Bat Box, or other manufacturer's equivalent. Bat boxes should ideally be located south-facing (between south-east and south-west) and above 4m from ground level. They should be installed facing vegetation features such as mature hedgerows or trees, but with a clear line of flight for bats exiting the roost, and away from sources of artificial light.

6 Summary and Conclusions

6.1 Introduction

- 6.1.1 A Preliminary Ecological Appraisal was undertaken for the site of a proposed residential development at Rogers Farm, Ditchling Road, Haywards Heath, West Sussex. The report was prepared to establish the site's suitability for development to inform the design process for the proposal, record the ecological baseline and identify key ecological features within and around the proposal site.

6.2 Results

- 6.2.1 There are no designated wildlife sites within the 1km desk study search area. There are records of a range of protected or notable species in the locality, including amphibians, birds, invertebrates, terrestrial mammals, flowering plants and terrestrial reptiles, together with the following priority habitats: Deciduous Woodland, including Ancient Woodland and Ghyll Woodland, and Open Water.
- 6.2.2 The survey area lies to the south of the town of Haywards Heath in the Mid Sussex district of West Sussex. The site comprises c.1.3ha of land currently formed of a poor semi-improved grassland field with a small area of bracken and boundary woodland, scrub and hedgerow. The site is bounded to the east by the B2112 Ditchling Road and to the north by recent residential development forming part of the southern edge of the built-up area of Haywards Heath. To the south and west it is bounded by grassland fields and isolated residential properties. The wider landscape comprises a mosaic of grassland and arable fields, mostly set within a network of hedgerows, as well as woodland, although the built-up area of Haywards Heath lies to the north. The nearest pond is approximately 500 metres from the site.

6.3 Evaluation

- 6.3.1 Table 6.1 presents a summary of ecological constraints and opportunities identified within the survey area.

Table 6.1: Summary of ecological constraints and opportunities

Feature	Detail
Constraints:	
Designated sites	There are no designated wildlife sites within the 1km radius desk study area.
Priority habitats	Deciduous Woodland and Hedgerow priority habitats are present within the survey area and are of high intrinsic ecological value and provide habitats suitable for a range of protected species, including amphibians, nesting birds, invertebrates, bats,

Feature	Detail
	hazel dormouse and reptiles. It is currently understood that the majority of these habitats will be retained and protected as part of any development proposals.
Other habitats	The proposed development would result in permanent losses of up to c.0.77ha of poor semi-improved grassland and bracken as well as scattered trees, and a small area of scrub and tall ruderals. A short a section of hedgerow and a small area of woodland may be removed to facilitate development, depending on the extent and layout of the proposals. On the whole these areas are of relatively low ecological value and of importance at the site level only but provide habitats suitable for a number of protected species (e.g. dormice, nesting birds, badger, bats and reptiles).
Birds (nesting)	Possible permanent small-scale loss of nesting habitats (hedgerows and scrub).
Bats (roosting)	In total 18 trees were identified as having <u>low suitability</u> and two trees as having <u>moderate suitability</u> for roosting bats. It is currently understood that all these trees will be retained and protected as part of any development proposals.
Bats (foraging / commuting)	Direct and indirect effects on a relatively small area of high suitability habitats (taller areas of grassland, hedgerow, scrub and woodland habitats) for foraging and commuting bats, including through increases in artificial light.
Hazel dormouse	Possible permanent small-scale loss of hedgerow and dense scrub habitat suitable for hazel dormouse.
Invasive non-native plants	Himalayan balsam, a non-native invasive species listed on Schedule 9 of the Wildlife and Countryside Act, was recorded in the survey area.
Reptiles	Permanent losses of suitable habitats (tall grassland, bracken, scrub, woodland, hedgerow bases).
<u>Opportunities:</u>	
Priority habitats	The hedgerow and woodland priority habitats within the survey area are of high intrinsic value and can provide a focus for ecological enhancement measures.
Habitat creation / enhancement	Habitat creation and enhancement opportunities include woodland management, wildflower meadow planting, hedgerow creation, habitat piles and bird/bat boxes.

6.4 Recommendations

- 6.4.1 Recommendations are made for further protected species surveys, together with preliminary recommendations for the protection of important ecological features to avoid or mitigate ecological impacts, and to deliver biodiversity net gain on site post-construction; these are summarised in Table 6.2. It is intended that these preliminary recommendations should be considered during future changes to the design of development proposals so that protection of important ecological features is secured and opportunities for ecological enhancement are realised. The recommendations should be reviewed following the completion of further ecological surveys.

Table 6.2: Summary of recommendations

#	Summary of recommendations
	Botanical / protected species surveys

#	Summary of recommendations
R1	Breeding bird surveys, undertaken from April to July, if significant areas of boundary woodland, scrub and hedgerow are to be removed.
R2	A repeat inspection for badger, undertaken within two/three months before any ground works begin on site.
R3	Presence / absence surveys for roosting bats within trees T2 and T15, undertaken between May and August, if they are affected by proposals for the site.
R4	Bat activity surveys, undertaken between April and October.
R5	Presence / absence surveys for dormouse, undertaken between April and November, if significant areas of boundary woodland, scrub and hedgerow are to be removed.
R6	Presence / absence surveys for reptiles, undertaken between April and September within suitable habitats on site.
R7	A full Ecological Impact Assessment of the effects of the proposed development should be carried out based on the results of recommended surveys.
Precautionary measures	
R8	Removal of nesting bird habitats will be undertaken outside of the bird nesting season, which runs from 1 March to 31 August. Any construction works undertaken within the bird breeding season where suitable bird breeding habitat exists will require a site check for nesting birds by a suitably qualified ecologist.
R9	If works to fell or lop the low suitability trees are required, they will be undertaken during March-April or September-October to avoid critical maternity and hibernation periods, and in accordance with a Non-Licensed Method Statement to reduce the risk of killing/injury to roosting bats.
R10	Works to remove smalls section of hedgerow and scrub will be undertaken in accordance with a Non-Licensed Method Statement to reduce the risk of killing/injury to hazel dormouse.
Ecological protection measures	
R11	The majority of Deciduous Woodland and Hedgerow priority habitats will be retained and protected during construction.
R12	Standard site procedures to prevent impacts on trees will be adhered to during construction.
R13	A method statement will be prepared to ensure adequate control measures are adopted to prevent the spread of invasive Himalayan balsam during construction.
R14	The use of external lighting will be avoided or reduced to the minimum required for its intended purpose, during both construction and operation. Lighting will not be directed towards the boundary woodland, scrub or hedgerow.
R15	Small access gaps will be provided at the base of new fence boundaries to enable continued dispersal of hedgehogs and other small mammals.
R16	At the end of each working day excavations will be covered over and open pipework capped to prevent entrapment of mammals, amphibians and other fauna.
R17	Destruction of fox dens or rabbit warrens will be done in accordance with the Mammals Act 1996 by a registered pest control company.
Biodiversity net gain	

#	Summary of recommendations
R18	The retained woodland will be enhanced through targeted management.
R19	New green spaces will be sown with a native wildflower and grass seed mix.
R20	Hedgerow creation as part of the landscaping plan for the site will use a range of native shrub species.
R21	The site's landscaping plans will utilise plant species which encourage bats by providing additional food sources or roosting opportunities.
R22	Habitat piles for amphibians, invertebrates and reptiles will be created within areas of retained hedgerow, woodland and scrub.
R23	The value of the site for birds will be enhanced by installing a range of artificial nest boxes onto new buildings and retained trees.
R24	The value of the site for bats will be enhanced by installing a range of artificial roost boxes onto new buildings and retained trees.

6.5 Conclusions

- 6.5.1 The majority of land proposed for development is of low to moderate ecological value. Significant constraints to development were identified including priority habitats and the potential presence of breeding birds, roosting and foraging/commuting bats, hazel dormouse and reptiles. Further ecological surveys and impact assessment are required prior to submitting a planning application, to determine the value of these features, how they are being used by protected species and to formulate a suitable mitigation strategy. Precautionary and ecological protection measures are recommended on an interim basis to enable offences under the relevant legislation to be avoided.

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Appendix I: Phase 1 Habitats Map

Please see insert.

Rogers Farm, Ditchling Road, Haywards Heath, West Sussex

-  Broadleaved semi-natural woodland
-  Dense scrub
-  Semi-improved grassland
-  Bracken
-  Species-poor hedgerow
-  Broadleaved tree
-  Target note
-  Survey area






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Ordnance Survey 0100031673

Scale: 1:1,100 Created by: AD
Date: Jul2020 Reviewed by: NP
Drawing number:
UE0387ECO-Phase1_200731








Appendix II: Target Notes

Target Note	Photo
1. Wet woodland	
2. Stand of Himalayan balsam on woodland/grassland interface	
2. Wet woodland	

Appendix III: Pond Map

Please see insert.

Rogers Farm, Ditchling Road, Haywards Heath, West Sussex

-  Survey area
-  100m buffer
-  250m buffer
-  500m buffer
-  Pond number



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Ordnance Survey 0100031673

Scale: 1:6,800
Date: Jul 2020
Drawing number: UE0387ECO-Ponds200731

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Reviewed by: NP



Appendix IV: Hedgerow Regulations Survey

Table VI.1: Hedgerow assessment

	Hedgerow Number
Feature	H1
Adjacent to bridleway/path	No
<i>Populus nigra</i> , <i>Sorbus torminalis</i> , <i>Tilia cordata</i> , <i>Tilia platyphyllos</i> present	No
Average number of woody species within 30m sections	3
Associated bank or wall	No
Intact hedgerow	Yes
Trees present within hedge	No
Ditch	No
Connection points	4
Parallel hedge	No
Residential curtilage	No
IMPORTANT	No

About Hedgerow Regulations assessment

If a hedgerow is classified as important under the Regulations, local planning authorities are able to prevent its removal. To be classified as important, the hedgerow should be over 30 years old and should comprise one of the following:

- ▶ At least 7 woody species/30m;
- ▶ At least 6 woody species/30m and at least 3 features such as; an associated ditch, bank or wall, standard trees, parallel hedge, or connections to woodland or pond;
- ▶ At least 6 woody species/30m and including any one of *Populus nigra*, *Sorbus torminalis*, *Tilia cordata*, *Tilia platyphyllos*;
- ▶ At least 5 woody species and at least 4 associated features;
- ▶ If adjacent to a bridleway or footpath, at least 4 woody species and at least 2 features.

The Hedgerow Regulations do not apply to hedgerows which form the curtilage of residential properties or gardens. It should also be noted that hedgerows may qualify as important for historic or archaeological reasons and this report only assesses them according to the ecological criteria set out in the Hedgerow Regulations¹.

¹ A full list of criteria can be found at: <http://www.legislation.gov.uk/ukxi/1997/1160/schedule/1/made>

Appendix V: Plant Species which encourage Bats

Please see following pages which are drawn from Gunnell *et al.* (2012).

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Plant Species	Common name	Native	Type	Benefit	Soil	Light	Extensive green roofs	Living walls	Rain Gardens	Hedges/trees	Beds/borders
<i>Acer campestre</i>	Field maple	N	T/S	C	Any	Sun / shade				Y	
<i>Acer platanoides</i>	Norway maple		T	S	Well drained / alkaline	Sun / shade				Y	
<i>Acer saccharum</i>	Sugar maple		T	S	Any	Sun / shade				Y	
<i>Achillea millefolium</i>	Yarrow	N	HP	C,F	Well drained	Sun	Y				
<i>Ajuga reptans</i>	Bugle	N	HP	C,F	Any	Sun / shade	Y				
<i>Anthyllis vulneraria</i>	Kidney vetch	N	HP	F	Well drained	Sun	Y				
<i>Aubrieta deltoidea</i>	Aubrieta		H	F	Well drained	Sun / shade		Y			
<i>Betula pendula</i>	Silver birch	N	T	C	Sandy / Acid	Sun				Y	
<i>Cardamine pratensis</i>	Cuckoo-flower	N	HP	F	Moist	Sun / shade					Y
<i>Carpinus betulus</i>	Hornbeam	N	T	C	Clay	Sun				Y	
<i>Centaurea nigra</i>	Common knapweed	N	HP	C,F	Dry, not acid	Sun	Y				Y
<i>Centranthus ruber</i>	Red valerian		HP	F	Well drained / alkaline	Sun	Y				Y
<i>Clematis vitalba</i>	Old man's beard	N	C	F	Well drained / alkaline	Sun				Y	
<i>Corylus avellana</i>	Hazel	N	S	C	Any dry	Sun / shade		Y		Y	
<i>Crataegus monogyna</i>	Hawthorn	N	S	S,C	Any	Sun / shade				Y	
<i>Daucus carota</i>	Wild carrot	N	Bi	S,C,F	Any	Sun	Y				Y
<i>Dianthus spp.</i>	Pinks	N	A-Bi	F	Well drained	Sun	Y	Y			Y
<i>Digitalis purpurea</i>	Foxglove	N	Bi	C	Well drained	Shade / partial shade				Y	Y
<i>Erica cineria</i>	Bell heather	N	S	F	Sandy	Full sun					Y
<i>Erysimum cheiri</i>	Wallflower		Bi-P	F	Well drained	Sun		Y			
<i>Eupatorium cannabinum</i>	Hemp agrimony	N	H	F	Moist	Sun / shade					Y
<i>Fagus sylvatica</i>	Beech	N	T	C,R	Well drained / alkaline	Sun / shade				Y	
<i>Foeniculum vulgare</i>	Fennel		H	F	Well drained	Sun					Y
<i>Fraxinus excelsior</i>	Common ash	N	T	C,R	Any	Sun / shade				Y	
<i>Hebe spp.</i>	Hebe species		S	F	Well drained	Sun / shade				Y	Y
<i>Hedera helix</i>	Ivy	N	C	F,C	Any	Sun / shade		Y		Y	Y
<i>Hesperis matronalis</i>	Sweet rocket		H	F	Well drained / dry	Sun / shade					Y
<i>Hyacinoides non-scripta</i>	Bluebell	N	B	F	Loam	Shade / partial shade		Y		Y	Y
<i>Ilex aquifolium</i>	Holly	N	T	C	Any	Sun / shade				Y	
<i>Jasminum officinale</i>	Common jasmine		C	F	Well drained	Sun		Y			Y
<i>Lavandula spp.</i>	Lavander species		S	F	Well drained / sandy	Sun		Y			Y
<i>Linaria vulgaris</i>	Toadflax	N	HP	C	Well drained / alkaline	Sun	Y				Y
<i>Lonicera periclymenum</i>	Honeysuckle	N	C	F	Well drained	Sun		Y		Y	
<i>Lotus corniculatus</i>	Bird's foot trefoil	N	HP	F	Well drained / dry	Sun	Y				Y
<i>Lunaria annua</i>	Honesty		Bi	F	Any	Sun / partial shade	Y				
<i>Malus spp.</i>	Apple		T	C	Any	Sun				Y	
<i>Matthiola longipetala</i>	Night-scented stock		A	F	Well drained/ moist	Sun			Y		
<i>Myosotis spp.</i>	forget-me-not	N	A	F	Any	Sun	Y	Y			
<i>Nicotiana glauca</i>	Ornamental tobacco		A	F	Well drained/ moist	Sun / partial shade			Y		
<i>Oenothera spp.</i>	Evening primrose species		Bi	F	Well drained/ dry	Sun	Y				
<i>Origanum vulgare</i>	Marjoram	N	HP	F	Well drained/ dry	Sun	Y	Y			
<i>Populus alba</i>	White poplar	N	T	C	Clay loam	Sun				Y	
<i>Primula veris</i>	Cowslip	N	HP	F	Well drained/moist	Sun / partial shade	Y				
<i>Primula vulgaris</i>	Primrose	N	HP	F	Moist	Partil shade	Y	Y		Y	
<i>Prunus avium</i>	Wild cherry	N	T	C	Any	Sun				Y	

Plant Species	Common name	Native	Type	Benefit	Soil	Light	Extensive green roofs	Living walls	Rain Gardens	Hedges/trees	Beds/borders
<i>Prunus domestica</i>	Plum		T	C	Well drained/ moist	Sun				Y	
<i>Prunus spinosa</i>	Blackthorn	N	S	C	Any	Sun / partial shade				Y	
<i>Quercus petraea</i>	Sessile oak	N	T	C,R	Sandy loam	Sun / shade				Y	
<i>Quercus robur</i>	Common oak	N	T	C,R	Clay loam	Sun / shade				Y	
<i>Rosa canina</i>	Dog rose	N	S	C	Any	Sun			Y	Y	
<i>Salix</i> spp.	Willow species	N	S	S,C	Moist	Sun / shade			Y	Y	
<i>Sambucus nigra</i>	Elder	N	T	C	Clay loam	Sun				Y	
<i>Saponaria officinalis</i>	Soapwort	N	HP	F	Any	Sun					
<i>Saxifraga oppositifolia</i>	Saxifrage	N	HP	C	Well drained	Sun	Y	Y			
<i>Scabiosa columbaria</i>	Small scabious	N	HP	F	Well drained/ alkaline	Sun	Y				
<i>Sedum spectabile</i>	Ice plant		HP	F	Well drained/ dry	Sun	Y				
<i>Silene dioecia</i>	Red campion	N	HP	F	Any	Shade / partial shade		Y	Y	Y	
<i>Sorbus aucuparia</i>	Rowan	N	T	C	Well drained	Sun				Y	
<i>Stachys lanata</i>	Lamb's ears		HP	F	Well drained/dry	Sun	Y				
<i>Symphotrichum</i> spp.	Michaelmas daisies		HP	F	Any	Sun					
<i>Tegetes patula</i>	French marigold		A	F	Well drained/moist	Sun					
<i>Thymus serpyllum</i>	Creeping thyme	N	HP/S	F	Well drained/dry	Sun	Y	Y			
<i>Tilia x europaea</i>	Common lime		Type	C	Any	Sun / shade				Y	
<i>Trifolium</i> spp.	Clover species	N	HP	F	Any	Sun	Y				
<i>Valeriana</i> spp.	Valerian species	N	HP	F	Moist	Sun / partial shade			Y		
<i>Verbascum</i> spp.	Mulleins	N	Bi,HP	C	Well drained	Sun	Y				
<i>Verbena bonariensis</i>	Verbena		HP	F	Well drained/moist	Sun					
<i>Viburnum lantana</i>	Wayfaring tree	N	S	C	Any	Sun / shade				Y	
<i>Viburnum opulus</i>	Guelder rose	N	S	C	Moist	Sun / shade			Y	Y	
<i>Viola tricolor</i>	Pansy	N	A	F	Well drained/moist		Y	Y			

The table above is derived from the BCT publication Landscape and Urban Design for Bats and Biodiversity (Gunnell et al., 2012) and lists suggested plant species that can provide benefit for bats either by providing a food source for insects or roost potential. The plants listed are predominately native to Britain. The small group of non-native plants is included for their documented value for wildlife. This list has been checked against Natural England's list of invasive non-native plants.

HP: Herbaceous perennial	T: Tree	A: Annual	Benefit:				
Bi: Biennial	S: Shrub	B: Bulb	C: Moth caterpillar food plant	F: Flowers attract adult moths			
BiP: Biennial perennial	H: Herb	C: Creeper/climber	S: Sap sucking insects (e.g. whiteflies)	R: Good roost potential			

Appendix VI: Legislation and Planning Context

Legislation

General

The main legislative instruments for ecological protection in England and Wales are the Wildlife and Countryside Act 1981 (WCA; as amended), Countryside and Rights of Way Act 2000 (CROW; as amended), Natural Environment and Rural Communities Act 2006 (NERC) and the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations; as amended). The Environment Bill (reintroduced to parliament in 2020) is expected to make significant changes to the legislative provisions when enacted.

WCA 1981 consolidated and amended pre-existing national wildlife legislation in order to implement the Bern Convention and the Birds Directive. It complements the Habitats Regulations, offering protection to a wider range of species than the latter. The Act also provided for the designation and protection of nationally important conservation sites of value for their floral, faunal or geological features, termed Sites of Special Scientific Interest (SSSI). Schedules of the act list protected species of flora and fauna, as well as invasive species, and detail the possible offences that apply to these species.

The CROW Act 2000 amended and strengthened existing wildlife legislation detailed in the WCA. It placed a duty on government departments & the National Assembly for Wales to have regard for biodiversity, provided increased powers for the protection and maintenance of SSSI, and created a right of access to parts of the countryside. The Act contained lists of habitats and species (Section 74) for which conservation measures should be promoted, in accordance with the recommendations of the Convention on Biological Diversity (Rio Earth Summit) 1992.

The NERC Act 2006 consolidated and replaced aspects of earlier legislation. Section 40 of the Act places a duty upon all local authorities and public bodies in England and Wales to have regard to the purpose of conserving biodiversity in exercising all of their functions, including by restoring or enhancing habitats and species populations. Sections 41 (England) and 42 (Wales) list habitats and species of principal importance to the conservation of biodiversity (otherwise known as priority habitats/species as listed in the now superseded UK Biodiversity Action Plan). These lists supersede Section 74 of the CROW Act 2000. These species and habitats are a material consideration in the planning process.

The Habitats Regulations 2017 consolidate and update the Conservation of Habitats and Species Regulations 2010 and all its various amendments. The Regulations are the principal means by which Council Directive 92/43/EEC (The Habitats Directive) is transposed into English and Welsh law, and place a duty upon the relevant authority of government to identify sites which are of importance to the habitats and species listed in Annexes I and II of the Habitats Directive. Those sites which meet the criteria are, in conjunction with the European Commission, designated as Sites of Community Importance, which are subsequently identified as Special Areas of Conservation (SAC) by the European Union member states.

The Habitats Regulations also place a duty upon the government to maintain a register of European protected sites designated as a result of Council Directive 2009/147/EC on the Conservation of Wild Birds (The Birds Directive). These sites are termed Special Protection Areas (SPA) and, in conjunction with SACs, form a network of sites known

as Natura 2000. The Habitats Directive introduces for the first time for protected areas, the precautionary principle; that is that projects can only be permitted having ascertained no adverse effect on the integrity of the site. Projects may still be permitted if there are no alternatives, and there are imperative reasons of overriding public interest.

The Habitats Regulations also provide for the protection of individual species of fauna and flora of European conservation concern listed in Schedules 2 and 5 respectively (European Protected Species (EPS)). Schedule 2 includes species such as otter and great crested newt for which the UK population represents a significant proportion of the total European population. It is an offence to deliberately kill, injure, disturb or trade in these species. Schedule 5 plant species are protected from unlawful destruction, uprooting or trade under the regulations. Under the Habitats Regulations disturbance includes any activity which is likely to: impair the ability of a EPS to survive, breed, reproduce, or rear/nurture its young; impair the ability of a EPS to migrate or hibernate; or significantly affect the local distribution or abundance of the species.

When enacted, the Environment Bill is expected, among other things, to: establish an Office for Environmental Protection; require all new development requiring planning permission to achieve a net gain for biodiversity (expected to be at least 10%); amend the NERC Act duty to conserve biodiversity by explicitly adding a duty to enhance; and require local authorities to produce local nature recovery strategies.

Badgers (Meles meles)

Badgers are listed under Schedule 6 of the Wildlife and Countryside Act which grants them partial protection. This protection is extended by the Protection of Badgers Act 1992 (Badger Act) which makes it an offence to take, injure or kill a badger, interfere with a sett, sell or possess a live badger, or mark or ring a badger without a licence. Under the Act disturbance is illegal without a licence. Natural England has published guidelines to be adopted when determining whether an activity is 'disturbing' i.e. a licence is required when, for example, using heavy machinery (generally tracked vehicles) within 30m of any entrance to an active sett. Licences are not normally issued during the badger breeding season (December – June inclusive).

Bats (Chiroptera)

Bats and their roosts are fully protected by protected by the WCA and the Habitats Regulations, and seven species of bats are species of principal importance. The legislation makes it an offence, *inter alia*, to:

- ▶ Intentionally kill, injure or take a bat.
- ▶ Possess or control a live or dead bat, any part of a bat, or anything derived from a bat.
- ▶ Intentionally or recklessly damage, destroy or obstruct access to any structure or place that a bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.
- ▶ Intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection.
- ▶ Make a false statement in order to obtain a licence for bat work.

Birds

Birds are protected by the Wildlife and Countryside Act, 1981 (as amended). This legislation makes it an offence to intentionally kill, injure or take away any wild bird. It is also an offence to take, damage or destroy the nest of any wild bird while it is in use or being built or to take or destroy the egg of any wild bird. In addition, certain species are listed on Schedule 1 of the WCA (such as kingfisher *Alcedo atthis*). This makes it an additional offence to intentionally or recklessly disturb the adults while they are in and around their nest or intentionally or recklessly

disturb their dependent young. Such species are considered to be in greater need of legal protection or of high nature conservation priority.

Birds of Conservation Concern ("BoCC4) are included on Red and Amber lists (Eaton *et al.*, 2015). Birds on the Red list are those of highest conservation priority due significant and sustained population decreases and/or range contractions (e.g. house sparrow *Passer domesticus* and starling *Sturnus vulgaris*). Birds on the Amber list are the next most critical group and include species whose population/range have shown moderate declines, or which have recovered to some extent from historical decline, such as dunnoek *Prunella modularis*.

Dormouse (*Muscardinus avellanarius*)

Dormouse is fully protected by the WCA and the Habitats Regulations. The legislation makes it an offence, *inter alia*:

- ▶ Intentionally kill, injure or take a dormouse.
- ▶ Possess or control a live or dead dormouse, any part of, or anything derived from a dormouse.
- ▶ Intentionally or recklessly damage, destroy or obstruct access to any structure or place that a dormouse uses for shelter or protection.
- ▶ Intentionally or recklessly disturb a dormouse while it is occupying a structure or place that it uses for shelter or protection.

Great crested newt (*Triturus cristatus*; GCN) (and natterjack toad *Bufo calamita*)

GCN is fully protected by the WCA and the Habitats Regulations. The legislation makes it an offence, *inter alia*, to:

- ▶ Intentionally kill, injure or take a GCN (including its eggs).
- ▶ Possess or control a live or dead GCN, any part of, or anything derived from a GCN.
- ▶ Intentionally or recklessly damage, destroy or obstruct access to any structure or place that a GCN uses for shelter or protection.
- ▶ Intentionally or recklessly disturb a GCN while it is occupying a structure or place that it uses for shelter or protection.

Otter (*Lutra lutra*)

Otter is fully protected by the WCA and the Habitats Regulations. The legislation makes it an offence, *inter alia*, to:

- ▶ Intentionally kill, injure or take an otter.
- ▶ Possess or control a live or dead otter, any part of, or anything derived from an otter.
- ▶ Intentionally or recklessly damage, destroy or obstruct access to any structure or place that an otter uses for shelter or protection.
- ▶ Intentionally or recklessly disturb an otter while it is occupying a structure or place that it uses for shelter or protection.

Reptiles

The four common species (slow-worm *Anguis fragilis*, common lizard *Zootoca vivipara*, adder *Vipera berus* and grass snake *Natrix natrix*) are partially protected under the WCA. They are protected, *inter alia*, against intentional killing and injuring. The handling and translocation of these reptiles does not require a licence.

Smooth snake *Coronella austriaca* and sand lizard *Lacerta agilis* are fully protected by the WCA and the Habitats Regulations. The legislation makes it an offence, *inter alia*, to:

- ▶ Intentionally kill, injure or take a smooth snake or sand lizard.
- ▶ Possess or control a live or dead smooth snake or sand lizard, any part of, or anything derived from a smooth snake or sand lizard.
- ▶ Intentionally or recklessly damage, destroy or obstruct access to any structure or place that a smooth snake or sand lizard uses for shelter or protection.
- ▶ Intentionally or recklessly disturb a smooth snake or sand lizard while it is occupying a structure or place that it uses for shelter or protection.

Water vole (*Arvicola amphibious*)

Water vole is fully protected by the WCA. The legislation makes it an offence, *inter alia*, to:

- ▶ Intentionally kill, injure or take a water vole.
- ▶ Possess or control a live or dead water vole, any part of, or anything derived from a water vole.
- ▶ Intentionally or recklessly damage, destroy or obstruct access to any structure or place that a water vole uses for shelter or protection.
- ▶ Intentionally or recklessly disturb a water vole while it is occupying a structure or place that it uses for shelter or protection.

Weeds Act 1959 / Ragwort Control Act 2003

This legislation provides for orders to be made for control where notifiable weed species such as ragwort are said to be a problem. The act does not make it illegal to have ragwort (or other weed species) on your land, make it illegal to allow ragwort to spread, or force landowners automatically to control it. However, if DEFRA is satisfied that there are injurious weeds to which this Act applies growing upon any land it may serve upon the occupier of the land a notice in writing requiring them, within the time specified in the notice, to take such action as may be necessary to prevent the weeds from spreading.

Planning context

National Planning Policy Framework (Section 15: Conserving and enhancing the natural environment)

The National Planning Policy Framework (NPPF), published in February 2019, outlines the Government's commitment to the conservation of wildlife and natural features. It is concerned with:

- ▶ Protecting and enhancing valued landscapes, sites of biodiversity or geological conservation value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- ▶ Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- ▶ Maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- ▶ Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current & future pressures;

- ▶ Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- ▶ Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

The NPPF requires that local plans should “distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value...; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries”.

To protect and enhance biodiversity and geodiversity, the NPPF states that planning policies should:

- ▶ Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
- ▶ Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

When determining planning applications, local planning authorities should aim to protect and enhance biodiversity by applying the following principles:

- ▶ if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- ▶ development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- ▶ development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- ▶ development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

The following wildlife sites should be given the same protection as habitats sites:

- ▶ potential Special Protection Areas and possible Special Areas of Conservation;
- ▶ listed or proposed Ramsar sites; and
- ▶ sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site. The policies within the NPPF (and additional guidance contained within Circular 06/2005) are a material planning consideration.

UK/Local Biodiversity Action Plan Designations and Birds of Conservation Concern and Red Data Book Listings

Note that BAP designations and status as RSPB Birds of Conservation Concern or Red Data Book species does not offer any further legal protection, but planning authorities are required to prevent these species from being adversely affected by development in accordance with National Planning Policy and the CROW and NERC Acts. The United Kingdom Biodiversity Action Plan (UKBAP), first published in 1994 and updated in 2007, was a government initiative designed to implement the requirements of the Convention of Biological Diversity to conserve and enhance species and habitats. The UKBAP contained a list of priority habitats and species of conservation concern in the UK, and outlined biodiversity initiatives designed to enhance their conservation status.

However, as a result of devolution, and new country-level and international drivers and requirements, much of the work previously carried out by the UK BAP is now focussed at a country-level rather than a UK-level, and the UK BAP was succeeded by the 'UK Post-2010 Biodiversity Framework' in July 2012. The UK lists of priority habitats and species nonetheless remain an important reference source and were used to draw up statutory lists of priority habitats and species in England, Northern Ireland, Scotland and Wales. The priority habitats and species correlate with those listed on Section 41 and 42 of the NERC Act.

The UKBAP required that conservation of biodiversity be addressed at a County level through the production of Local BAPs. These are targeted towards species of conservation concern characteristic of each area. In addition, a number of local authorities and large organisations have produced their own BAPs. Where they exist, Local BAP targets with regard to species and habitats are a material consideration in the planning process.

Local Planning Policy

The following policies of the Mid-Sussex District Plan 2014 – 31 (March 2018) are of relevance.

DP37: Trees, Woodland and Hedgerows – for the protection of trees, woodland and hedgerows, with particular emphasis on Ancient Woodland and aged and veteran trees.

DP38: Biodiversity – for the protection and enhancement of biodiversity, with particular emphasis on the hierarchy of designated sites, priority habitats as well as opportunities for habitat restoration and creation and the development of ecological networks.

Appendix VII: Legal and Technical Limitations

- This report has been prepared by Urban Edge Environmental Consulting Ltd (UEEC Ltd) with all reasonable skill, care and diligence within the terms of the contract made with the Client to undertake this work, and taking into account the information made available by the Client. No other warranty, expressed or implied, is made as to the professional advice included in this report or any other services provided by us.
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- The advice provided in this report does not constitute legal advice. As such, the services of lawyers may also be considered to be warranted.
- Unless otherwise stated in this report, the assessments made assume that the sites and facilities that have been considered in this report will continue to be used for their current planned purpose without significant change.
- All work carried out in preparing this report has utilised and is based upon UEEC Ltd's current professional knowledge and understanding of current relevant UK standards and codes, technology and legislation. Changes in this legislation and guidance may occur at any time in the future and may cause any conclusions to become inappropriate or incorrect. UEEC Ltd does not accept responsibility for advising the Client or other interested parties of the facts or implications of any such changes;
- Where this report presents or relies upon the findings of ecological field surveys (including habitat, botanical or protected/notable species surveys), its conclusions should not be relied upon for longer than a maximum period of two years from the date of the original field surveys. Ecological change (e.g. colonisation of a site by a protected species) can occur rapidly and this limitation is not intended to imply that a likely absence of, for instance, a protected species will persist for any period of time;
- This report has been prepared using factual information contained in maps and documents prepared by others. No responsibility can be accepted by UEEC Ltd for the accuracy of such information;
- Every effort has been made to accurately represent the location of mapped features, however, the precise locations of features should not be relied upon;
- Populations of animals and plants are often transient in nature and a single survey visit can only provide a general indication of species present on site. Time of year when the survey was carried out, weather conditions and other variables will influence the results of an ecological survey (e.g. it is possible that some flowering plant species which flower at other times of the year were not observed). Every effort has been made to accurately note indicators of presence of protected, rare and notable species within and adjacent to the site but the possibility nonetheless exists for other species to be present which were not recorded or otherwise indicated by the survey;
- Any works undertaken as a consequence of the recommendations provided within this report should be subjected to the necessary health & safety checks and full risk assessments.

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NATURAL PROGRESSION



PROPOSED RESIDENTIAL DEVELOPMENT,
LAND AT ROGER'S FARM, LUNCE'S HILL,
HAYWARDS HEATH.

Landscape & Visual Appraisal

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1. INTRODUCTION

- 1.1. Aspect Landscape Planning Ltd has been appointed by Sigma Homes Ltd. to undertake a landscape and visual appraisal relating to the promotion for residential development on land at Rogers Farm, Lunce's Hill, Haywards Heath. The proposed allocation is for development of up to 25 residential properties and is situated directly to the south of the approved residential development (DM/15/3448) referred to as Gamble Mead, Fox Hill, which is now being developed. The location and context of the application site is illustrated on Plan **ASP1** Site Location and Plan **ASP2** Site and Setting.
- 1.2. A detailed appraisal of the surrounding study area has been undertaken using Ordnance Survey data, historical map data, local policy and published character assessments. This has informed the on-site field analysis to identify key viewpoints, analyse the landscape character and visual environment of the local area, and determine the extent and significance of any potential landscape and visual effects.
- 1.3. This Landscape and Visual Appraisal is not a detailed Landscape and Visual Impact Assessment (LVIA) but seeks to introduce the principle of development into the context of the existing landscape character, visual environment and landscape related policy to assess the ability of the site to integrate development of the type proposed.
- 1.4. This assessment should be read alongside the other supporting material which accompanies this application.

2. BASELINE ASSESSMENT

- 2.1. The application site is located on the western side of the B2112 Lunce's Hill / Fox Hill road, to the south of the main built up area of Haywards Heath. The site comprises a small well contained field parcel that consists of semi-improved grassland within the internal area with the boundaries defined by mature woodland / treescape. The site's eastern boundary, which fronts onto Lunce's Hill road, is characterised by a maintained mixed species native hedgerow, behind which an unmanaged stand of native structural shrub and tree planting is establishing to provide further containment.
- 2.2. The site is located to the immediate south of the emerging Gamble Mead development area, which itself extends from the established Fox Hill residential setting. Combined, these developments form a consistent area of residential development right up to the site's northern boundary, that extends south along Fox Hill from the main Haywards Heath settlement area further to the north. Further recent residential development is established along Hurstwood Lane, within the site's localised setting to the north east, forming a well-established built up environment around the junction of Fox Hill and Hurstwood Lane. The Fox and Hounds Public House forms a notable built component within this setting, with an extensive car parking area, extending south west along the Fox Hill street scene towards the site's north western corner and to the immediate east of the Gamble Mead development.
- 2.3. It is noted that the site and area on the north western side of Hurstwood Lane are under consideration for housing allocation, indicating the changing nature of the site's localised setting.
- 2.4. Development within these locations is relatively recent, dating from the late 20th Century and the present day, establishing a distinctively suburban character that extends along Fox Hill road, right up to the site's northern boundary, within the Gamble Mead development.

- 2.5. Cleavewaters Farm, established to the immediate east of the site, is more rural in character, consisting of a group of traditional barn and cottage style farmhouse properties, with a low stonewall frontage and contains the Grade 2 Listed Cleavewater property. The farmstead is considered to mark a perceived transition point between the more rural setting to the south of the site and the suburban environment to the immediate north.
- 2.6. As demonstrated within the accompanying photorecord (refer **Appendix 2**) the site is highly compartmentalised, with an established treescape characterising the southern, western and northern boundaries, with broader woodland blocks and belts established around the site's north western corner and the southern boundary respectively. The site's eastern boundary, which runs adjacent to Lunce's Hill road, is contained by a well-established and maintained mixed species native hedgerow, behind which is established further unmanaged structural native planting consisting of blackthorn, hawthorn, ash and hazel species.
- 2.7. These positive landscape features form part of a broader landscape structure that is characterised by well-established woodland blocks, tree belts and roadside hedgerows, which reinforce the compartmentalised character within the localised countryside and fieldscape setting and help to integrate the settlement edge.
- 2.8. Localised woodland blocks include; Kiln Wood, Tilebarn Wood and Hurst Wood, located within the wider landscape setting to the west, south and east respectively, with well-established tree belts and semi maintained hedgerows establishing a well-defined, medium to large scale field pattern within the surrounding countryside.
- 2.9. The localised landscape is characterised by an undulating topography. The site is set low down, at around +35m AOD, with the landscape rising to the north along Fox Hill to around +75m AOD at the junction of Fox Hill and the A272, which circumnavigates the southern extents of the main Haywards Heath settlement area. To the south, the landscape rises again to a high point of approximately +47m AOD along Ditchling Road as you head out towards More House Moat and

+53m AOD within the setting of Lunce's Hall and the small group of adjacent properties that are accessed from Ditchling Road, approximately 1km to the south of the site. The undulating topography further reinforces the compartmentalised character of the site and its localised setting, with the site being set down within a low-lying valley location, further reducing its prominence.

- 2.10. The site is bordered by a bridleway which runs adjacent to the southern and western boundaries and runs through the established woodland belt along the site's southern boundary from Lunce's Hill road. The bridleway extends from the site's north western corner following a low-lying woodland tree belt extending within the localised / wider landscape setting to the west towards Clearwaters Farm, around which a relatively extensive PRow network is established.
- 2.11. A further Public Right of Way (PRow) branches off from the bridleway just beyond the site's south eastern corner, heading south west past 'The Olde Cottage' (Grade 2 Listed) and 'Field Cottage' properties established to the immediate south of the site. The path then leads through a well contained open space area, known as Lunce's Common (refer Viewpoint 5) which is characterised by overgrown semi-maintained grassland and surrounding woodland, within the setting of Roger's Farmhouse (Grade 2 Listed) and the neighbouring cottage properties that front onto the common. The path exits the common, via a narrow track, between Pilgrims Cottage and Studio Cottage, before heading to the wider countryside setting to the south. Further PRow routes within the localised setting, include PRow 28CU, which access the Gamble Mead development to the immediate north.
- 2.12. There is a distinct lack of PRow routes to the east of Lunce's Hill road, with the nearest route accessing Colwell Lane, within Hurst Wood, approximately half a km to the north east.
- 2.13. Access into the site is provided by a partially concealed field gate within its south east corner and a field gate which is accessed from the bridleway which runs alongside the site's southern boundary. The busy B2112 Lunce's Hill / Fox Hill road provides connections to the settlement edge to the north and the countryside setting to the south,

leading to Wivelsfield village, from which the larger settlement of Burgess Hill is accessible. Hurstwood Lane, extends to the north east from the southern extents of Fox Hill, providing direct access to the south eastern settlement edge of Haywards Heath.

Local Landscape Related Planning Policy

- 2.14. The application site is located within Mid Sussex District Council on the boundary of Lewes District Council. Relevant planning policy is found within the Mid Sussex District Plan 2014-2031, which sets out a strategic overview for development within the district and also forms the basis for decision making in relation to planning applications.
- 2.15. The site falls outside of and to the immediate south the Built-up Area Boundary as defined by the current adopted policy map and as such falls within an area designated as Countryside Area of Development Restraint (CADR). However, within the Draft Policy Map, the site is shown to be within the limits of a revised Built up Area Boundary and the Housing Allocation site SA21.
- 2.16. The following adopted 'Mid Sussex District Plan 2014 – 2031' (MSDP) policies are considered to be of some relevance in landscape and visual terms to the promotion of the site for residential development:
- 2.17. DP12: Protection and Enhancement of Countryside; DP15 New Homes in the Countryside; DP22 Rights of Way and other Recreational Routes; DP26: Character and Design; DP37 Trees, Woodland and Hedgerows; DP39: Sustainable Design and Construction.
- 2.18. Of particular relevance, Policy DP12: Protection and Enhancement of Countryside states:

“The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where

possible enhances the quality of the rural and landscape character of the District....”

2.19. Policy DP26: Character and Design states:

“All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside....”

2.20. Policy DP37: Trees, Woodland and Hedgerows states:

“The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected....

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted....

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose....”

2.21. A list of ‘Saved Policies’ from the 2004 Local Plan, is contained within Appendix C of the current adopted MSDP, however there are no saved policies that are considered relevant to the site.

2.22. To the east of the site, within the northern setting of Cleavewater Farm, the adopted policy map has designated a ‘Proposed Green Corridor’ that is covered by Policy E5 within the Haywards Heath Neighbourhood Plan, which states:

“The land outside the proposed built up area is designated as a local gap between Haywards Heath and neighbouring Town/Parishes, see figure 4, to create a landscape buffer that will support and enhance ecological connectivity, maintain the landscape character of the areas and individual settlements. New development outside the built up area will only be permitted if it:

- would not unduly erode the landscape character of the area or its ecology***
- would not harm the setting of the town and***
- would retain and enhance the separate identity of communities.***

2.23. It is noted that this designation is more closely related to establishing an open buffer to the residential setting established along Hurstwood Road in order to protect the setting of Cleavewater Farm rather than the site itself.

2.24. It is also noted that the residential development within Fox Hill, is designated as an ‘Area Of Townscape Character’ and covered by Neighbourhood Plan Policy E10, which protects the ‘special character’ of these areas, further reinforcing the townscape character that influences the site to the north.

2.25. The site is not covered by any statutory landscape designations and the landscape is therefore not considered to be within ‘valued countryside’ in accordance with paragraph 170a of the NPPF. Listed buildings within close proximity to the site include the Grade 2 Listed Cleavewaters Farm located opposite the site’s north east boundary on the Fox Hill Road, the Grade 2 Listed Roger’s Farm to the south west and Grade 2 Listed The Olde Cottage, to the immediate south, however the site is not within, nor does it have an association any Conservation Areas.

Landscape Character

Regional

- 2.26. At a national level, the site is located on the boundary line between the Low Weald character area (NCA121) and the High Weald (NCA122). These assessments provide a useful introduction to the landscape of the region but are considered too broad to be applied at a more site-specific level.

District

- 2.27. Within the Landscape Character Assessment for Mid Sussex November 2005, the site is located between **Character Area 10: High Weald Fringes** and **Character Area 4: Hickstead Low Weald**. The assessment identifies some of the key characteristics of these character areas as:

- *Wooded, often confined rural landscape of intimacy and complexity partly within the High Weald Area of Outstanding Natural Beauty (AONB).*
- *South and east-draining gills and broad ridges sweeping gently down to the Low Weald.*
- *Western part drained by the headwaters of the River Arun, eastern part around Scaynes Hill by the River Ouse.*
- *Long views over the Low Weald to the downs.*
- *Significant woodland cover, a substantial portion of it ancient, and a dense network of shaws, hedgerows and hedgerow trees.*
- *Pattern of small, irregular-shaped assart fields and larger fields, and small pockets of remnant heathland.*

- ***Orchards and horticulture on lower slopes, particularly to the west. Biodiversity concentrated in the valleys, heathland, and woodland.***
- ***Network of lanes, droveways, tracks and footpaths.***
- ***Dispersed historic settlement pattern, close to Horsham, the principal settlements Cuckfield, Haywards Heath and Lindfield and a few villages and hamlets.***
- ***Some busy lanes and roads including A and B roads bounding the area to the west, and other roads crossing north to south, including the A23 Trunk Road.***
- ***London to Brighton Railway Line crosses the area at Haywards Heath.***
- ***Mill sites, hammerponds and ornamental lakes and ponds.***
- ***Varied traditional rural buildings built with diverse materials including timberframing, Horsham Stone roofing, Wealden stone and varieties of local brick and tile-hanging.***
- ***Arable and pastoral rural landscape, a mosaic of small and larger fields, scattered woodlands, shaws and hedgerows with hedgerow trees.***
- ***Quieter and more secluded, confined rural landscape to the west, much more development to the east, centred on Burgess Hill.***
- ***Biodiversity in woodland, meadowland, ponds and wetland.***

2.28. Some of the key management guidelines relevant to the site, described within the High Weald Fringes Land Management Guidelines as follows:

- ***Maintain and restore the historic pattern and fabric of the woodland and agricultural landscape for scenic, nature conservation and recreational purposes.***
- ***Increase screening of prominent parts of new development on the southern fringes of Haywards Heath.***
- ***Conserve, strengthen and manage existing hedgerows and hedgerow trees and replant hedgerows where they have been lost.***
- ***Minimise the effects of adverse incremental change by seeking new development of high quality that sits well within the landscape and reflects local distinctiveness.***
- ***Seek to protect the tranquil and historic character of rural lanes and manage road verges to enhance their nature conservation value.***

Aspect Landscape Character Assessment

- 2.29. At a more site-specific level, Aspect has undertaken an assessment of the landscape character of the site and its immediate setting. This assessment identifies that the site is located within a settlement fringe landscape, being closely related to the existing residential development on Fox Hill, Hurstwood Lane and the emerging Gamble Mead development to the immediate north.
- 2.30. The site's boundaries are characterised by an established treescape, including several well established Category B & C tree groups consisting of a mix of alder, ash, goat willow, field maple, hazel, holly and hawthorn and several mature Category B (and a singular Category A) Pedunculate oaks, located along the site's western and southern boundaries, creating a high degree of containment from the surrounding countryside setting and listed properties within Rogers Farm, Cleavewaters Farm and The Olde Cottage, which is located to the immediate south beyond the site's southern tree group.

- 2.31. The proximity of the surrounding suburban influences, which includes Lunce's Hill and the existing residential development, together with the large areas of emerging development that is expanding the southern settlement edge of Haywards Heath, exert a clear suburban influence over the site, which detracts from its more rural qualities and sense of tranquillity. As such the site is considered to be located within a suburban edge location, providing a transition point between the emerging settlement edge and wider, more rural countryside, which extends to south along Ditchling Road, and to the east and west associated with the settings of Cleavewaters Farm and Rogers Farm / Lunce's Common respectively.
- 2.32. In terms of the landscape value of the site in relation to 'Box 5.1' of the Landscape Institute's 'Guidelines for Landscape and Visual Impact Assessment, Third edition,' it is considered that the application site is clearly influenced by its proximity to the existing suburban edge, which detracts from the scenic quality of the site within its immediate setting. The established vegetation structure associated with the site's boundaries and localised setting, coupled with the sites low lying and contained setting, ensures that the site is not prominent or immediately apparent within the localised or wider landscape setting and as such does not contribute significantly to the scenic quality of the wider area, although it is noted that the site's eastern boundary vegetation structure contributes to a relatively sensitive transition point between the suburban edge and rural countryside to the south as well as the setting of Cleavewater Farm.
- 2.33. The site's key boundary treescape is noted and is considered to be representative of the positive wider woodland belts and field boundary vegetation that characterise the wider landscape, with several Category B tree groups considered to be in 'Fair' condition, although the blackthorn stand along the site's eastern boundary is noticeably less well established in terms of its maturity by comparison. However, there are no landscape features associated with internal site area that are considered to be rare, or of high quality, with the majority of the internal area consisting of semi-improved grassland. The site is not accessed by any Public Rights of Way, although it is acknowledged

that the southern and western boundaries are bound by a bridleway, that is well contained within the mature woodland that characterises these boundaries. The internal grassland and boundary treescape provide some ecological interest and the neighbouring listed properties establish some historic value within the immediate and localised setting of the site, however there are no known historic or literary associations with the site itself.

- 2.34. As such, based on the above analysis, it is considered that the value of the site is low / medium and the site is therefore not considered to be 'valued countryside' in relation to the NPPF paragraph 170a. In terms of the susceptibility to change as a result of residential development, it is considered that the proximity of the settlement edge and further expanding recent development has created a changing landscape that reduces the site's susceptibility to the nature of change proposed, with its compartmentalised character ensuring it has some capacity successfully integrate residential development. However, the site's greenfield nature is acknowledged, as is the rural countryside to the west, east and south and it is therefore considered that the site is of medium susceptibility to change as a result of sensitively designed residential development. As such, it is considered that the site and its immediate landscape setting is of medium sensitivity, being representative of a site with good landscape structure, that is relatively intact, but with some detracting features and evidence of recent change.

Visual Environment

- 2.35. A visual assessment of the site and its setting has been undertaken and a series of photographs, taken during July 2020 (with the exception of internal views A and B, which were taken during a previous site visit in 2016), are included within **Appendix 2** which illustrate the site within its localised visual environment. The photographs have been taken in accordance with published guidance from the Landscape Institute, from publicly accessible locations.

Viewpoints 1-4

- 2.36. Photographs 1 to 4 show a progression along the B2112 Fox Hill / Lunce's Hill Road as you travel past the site from the north opposite the Fox and Hounds Public House (VP1). Suburban influences extending from the Fox Hill residential development to the north of the site, such as the pay and display car park, road signage and closed board fencing associated with the residential properties on the corner of Hurstwood Road as well as the busy road corridor itself, are prominent within the foreground of VP1, illustrating the site's location within a suburban fringe setting.
- 2.37. The site's contained nature is evident, with substantial tree belts and overgrown hedgerows seen extending along the road corridor creating a dense vegetation structure that prevents direct views into the site itself. The sense of containment is further enhanced through the established, semi-maintained, Blackthorn hedgerow and overgrown scrub seen in the foreground of viewpoints 2 & 3 along the site's eastern boundary, which provides a robust natural buffer to the development edge and the setting of the adjacent Cleavewaters Farm. The emerging development within Gamble Mead is also evident from viewpoint 3, with a new access point adjacent to the site's north east corner illustrated by prominent road side signage, indicating the increasing visual influence of the settlement edge over the site.

Viewpoint 5

- 2.38. Photograph 5 is taken from the PRoW as it passes through Lunce's Common within the setting of Rogers Farm and the neighbouring properties that overlook the common. This view illustrates the mature woodland belt and treescape established along the site's southern boundary and further mature tree groups that define the southern boundaries of the adjacent properties (The Olde Cottage and Field Cottage), which contain views towards the site from this location and illustrates the high degree of visual containment from Rogers Farm and the neighbouring properties that are located around the common. The PRoW can be seen in the foreground following the hard-standing

track and internal grassland that characterises the common. A very minor glimpsed view of the Grade 2 Listed 'The Olde Cottage' is just made out through the intervening vegetation that characterises the immediate setting to the south of the site.

Viewpoint 6

- 2.39. Photograph 6 is taken from the bridleway adjacent to the site's south west corner and depicts the internal area of the application site. The view is afforded via a timber field gate that provides access into the site and has created a gap within the otherwise dense vegetation cover found along the site's southern boundary, where views are more contained by the immediate treescape. Internally the site is characterised by semi-maintained grassland which is seen against the the dense woodland vegetation that has established along the site's north western corner, establishing a robust natural backdrop that further contributes to the site's visual containment.

Viewpoint 7

- 2.40. Photograph 7 has been taken from the bridleway as it follows the site's western boundary and illustrates the dense woodland cover established along this part of the site, with only very minor glimpsed views of the internal parts of the site just possible. The bridleway heads away from the site at this location to the west, where these minor glimpsed views are soon reduced and contained, illustrating the high degree of visual containment from the localised rural setting to the west.

Viewpoint 8

Photograph 8 is taken from a Public Right of Way approximately 700m north west of the site and is representative of views from the emerging development area and residential setting found on elevated ground around Rookery Farm. This longer distance view highlights the extensively wooded and tranquil nature of the rural surroundings, that extends beyond Haywards Heath to the north east. An indication of

the site's approximate location is detailed within the view, highlight the degree of separation from the site that the intervening vegetation affords to both the residents located near Rookery Farm and those using the Public Right of Way.

Viewpoint 9

- 2.41. Photograph 9 is taken from the elevated section of public footpath found approximately 700m south of the site close to the private property of Lunce's Hall. The footpath is seen within the right of the view, following the tree lined field boundary. The field is pastoral in nature and flows down to meet an area of ancient and semi-natural woodland, which contains the view to the north, beyond which the site is located and not visible. Further enclosure within the view is illustrated by the dense woodland which wraps around the field boundary to the left of the view. This longer distance view highlights the extensive woodland and increased sense of tranquillity within the wider more rural surroundings, that extends beyond Haywards Heath to the south east. An indication of the site's approximate location is detailed within the view, highlight the degree of separation from the site that the intervening vegetation affords to both the residents located near Rookery Farm and those using the Public Right of Way.

Viewpoint 10

- 2.42. Photograph 10 is taken from an accessible location within the emerging Gamble Mead development and illustrates the mature vegetation structure established along the site's northern boundary and the high degree of visual containment that this affords from the adjacent development area.

Internal Views A & B

- 2.43. Due to the limited availability of views into the site, two internal views were obtained to complete the visual assessment (these views were taken in 2016 as the site was not accessible during Aspect's more recent site visit). The robust boundary vegetation found along the

site's south boundary and north west corner are evident within views A & B respectively and illustrate the site's highly contained nature and degree of separation from both the immediate and wider landscape settings with a robust natural buffer established between the site and the neighbouring Gamble Mead development. The internal grassland has now grown on and is more semi-maintained in character.

Summary of the Visual Environment

- 2.44. The visual appraisal identifies that the site is not readily visible both from the wider or immediate visual environment. The undulating topography and established network of dense tree belts and pockets of ancient and mature woodland, established within the surrounding countryside and settlement edge, have created a highly compartmentalised character, that assists with visually integrating the site and adjacent settlement edge. Views towards the site are highly contained, with direct views into the site limited to within the immediate setting only along Lunce's Hill and through small /occasional gaps found within the boundary vegetation, primarily at the location of the existing field access point within the site's south west corner as illustrated within viewpoint 6.
- 2.45. Views from the adjacent Lunce's Hill road and setting of the Grade 2 Listed Cleavewaters Farm are well contained due to the extent of the existing Blackthorn hedgerow and overgrown scrub that has established along the site's roadside eastern boundary, whilst views from Roger's Farm and the neighbouring properties to the south west around the setting of Lunce's Common are also highly contained as a result of the dense woodland that characterises the site's southern boundary and the setting of 'The Olde Cottage' and 'Field Cottage' properties that are established to the immediate south of the site.
- 2.46. Views from the local Public Right of Way network have been tested, with minor glimpsed views into the site just possible from the bridleway that follows the site's southern boundary seen through the established woodland structure, whilst the effects of the undulating topography and

substantial intervening vegetation have contained views from the wider footpath network identified in viewpoints 5, 8 & 9.

- 2.47. Views from the emerging residential setting within Gamble Mead have been tested (refer viewpoint 10) with direct views into the site found to be prevented as a result of the established intervening vegetation established along the site's northern boundary.
- 2.48. The Visual Assessment has established that the site sits within an increasingly suburban influenced location, with the more rural characteristics and tranquillity of the site and wider setting diminished. Views from the localised rural settings and PRow network are highly contained as a result of the undulating topography and established tree belts and localised woodland character. Views from Fox Hill are well contained as a result of the existing tree belts and overgrown hedgerows established along the road corridor and the site's northern and eastern boundaries. The transient nature of those using the road corridor, also further reduces the sensitivity from Viewpoints 1 to 4 as the main focus of the primary road users would be on the road itself and views of the site would be seen in passing only.

3. DESCRIPTION OF THE PROPOSALS

- 3.1. The emerging landscape proposals seek to provide a high quality landscape setting, within which the new residential development of up to 25 residential properties will be integrated, through the use of high-quality material finishes and planting that reflects the locality and will sensitively enhance and complement the existing suburban edge character of the site.
- 3.2. The emerging layout has been informed by a thorough analysis of the landscape and visual opportunities and constraints of the site, with particular focus on the retention and enhancement of the key treescape that is established along the site's boundary locations. This will provide a mature landscape setting from Day One and maintain the historic field patterns and wooded character that is a feature of the localised landscape setting.
- 3.3. Informed by the arboricultural assessment and survey information, extensive development offsets underpin the landscape-led design approach, ensuring that the sensitive boundary vegetation structure is not harmed. This approach will provide positive ecological benefits through the strengthening of the site's important wildlife corridors, and maintain positive links with the surrounding key landscape features and elements to assist with physically integrating the proposed development within the receiving landscape.
- 3.4. Protecting the site's southern and western boundary vegetation will ensure that the more sensitive rural landscape setting to the south and south west is not harmed, whilst maintaining a positive treed setting to the Grade 2 Listed Rogers Farmhouse and Old Cottage properties. These important boundary areas will be carefully managed through the implementation of a long term, site-wide maintenance strategy that will seek to protect and enhance the important treescape along these boundaries whilst maintaining a positive setting for the PRow links that access this setting.

- 3.5. The site's northern boundary, which sits adjacent to the emerging Gamble Mead residential scheme, will be reinforced through the planting of new mixed species native hedgerow, hedgerow trees and substantial native shrub planting, to ensure that a robust natural buffer is established between the two developments. This will provide a high-quality natural green back drop to the developments and will physically break up the perceived massing and scale of built form within the settlement edge as it extends southwards along Fox Hill Road.
- 3.6. A high-quality, vegetated frontage onto Lunce's Hill will be maintained, to ensure that the setting of the Grade 2 Listed Cleavewater property is not harmed. The proposed access point has been carefully located within the site's south eastern corner to minimise the impact of the associated visibility splays, and the harm to the existing roadside hedgerow. Any hedgerow removal that is required, will be mitigated through the installation of new native hedgerow and hedgerow tree planting that will be specified to provide an immediate robust vegetation structure and maintain the rural / suburban edge character within the context of the adjacent street scene setting.
- 3.7. Internally, the proposals have allowed for the incorporation of a varied palette of feature trees, shrubs and formal hedgerows, which will provide the main landscape structure within the site and establish high-quality landscaped streetscenes. This will be supplemented with further shrub and herbaceous planting to provide a diverse planting structure and an important sense of seasonality within the scheme.
- 3.8. Whilst it is acknowledged that the development would result in the loss of an undeveloped greenfield site, it is considered that the landscape – led design approach to the proposed development, ensures that a sensitive transition between the settlement edge and wider rural setting to the south can be successfully established. The amenity of the important listed properties that are located within the immediate and localised setting to the south, south west and east, have been carefully considered through the maintenance of the positive landscape buffers and further mitigation planting where necessary

along the site's eastern boundary, and an outward looking approach to the proposed development. The scale, density and orientation of the proposed built form is considered to reflect the localised suburban grain and would not appear to be out of character within the context of the surrounding residential development that forms the backdrop to the site.

- 3.9. The proposals are illustrated within the context of the localised landscape and also the proposed development immediately to the north, within the Landscape Strategy Plan ASP3.

4. POTENTIAL LANDSCAPE AND VISUAL EFFECTS

Potential Effect upon Landscape Character

- 4.1. The site is considered to be located within a settlement fringe location, that reduces the site's sense of tranquillity and association with the wider more rural countryside settings to the south, east and west. The suburban influences are currently increasing as a result of the development of the Gamble Mead site to the immediate north and further development coming forward along Hurstwood Lane within the localised setting to the north west, with the area to the immediate north west of Hurstwood Lane identified within the draft policies map as an area for housing allocation (H1) giving a clear indication as to the changing nature of the localised townscape setting to the north and its increasing influence over the character of the site itself.
- 4.2. The site is well contained and set down within a typically undulating topography, ensuring that the proposals would not be well perceived from the nearby rural settings, such as from within Lunce's Common to the south, Rodgers Farm, to the south west and west and the rural fieldscape setting as you head further south along Ditchling Road, where the well established woodland blocks, along the eastern side of the road, within the site's immediate and localised setting, would further reduce the prominence of the emerging proposals from this setting.
- 4.3. The setting of the neighbouring Cleavewaters Farm, which is more rural in character in comparison to the more suburban influenced built form established to the north, has been a key consideration within the emerging development principles.
- 4.4. At present, Cleavewaters Farm, overlooks Fox Hill road, which itself is relatively suburban in character and busy with traffic accessing the southern extents of Haywards Heath and wider countryside. The internal parts of the site are largely hidden, with the established hedgerow and scrub stand established along the site's eastern boundary, informing the setting of Cleavewaters Farm.

- 4.5. A significant development offset has been established from the site's eastern boundary to ensure that a positive, high-quality landscaped frontage along Fox Hill, can be both retained and established. It is assumed that the new access point, which is presently located within the site's south east corner, where there is a gap within the boundary vegetation structure, would require some partial removal of the existing vegetation along the site's eastern boundary, however, as illustrated the introduction of an instant native hedgerow, which would be used to replace any removed boundary vegetation, providing a positive landscaped frontage to the site from Day One.
- 4.6. Further native structural planting is proposed to reinforce the roadside hedgerow and existing scrub stand. In the long term, this will provide betterment in landscape terms and ensure that the green frontage to the site's eastern boundary and immediate setting of Cleavewaters Farm is maintained and enhanced. This positive landscape led approach, would also ensure that a sensitive transition with the rural setting to the south is established whilst reinforcing the positive rural / suburban character established along this section of Lunce's Hill.
- 4.7. The site's boundary treescape and hedgerows are considered positive elements, that reflect the localised wooded landscape character that assists with integrating the settlement edge. These features would be retained, adopting a similarly beneficial landscape-led approach as has been established within the Gamble Mead development, where the mature tree belts and enhanced green links break up the physical appearance and scale of the development. This influence would extend into the site, with the site's northern treebelt and tree groups retained and reinforced with new high quality native hedgerow and hedgerow tree planting to retain the localised wooded character and further enhance the compartmentalised nature of the site and localised setting. It is noted that this approach will further protect the setting of the bridleway PRow, which accesses the site's southern and western boundaries.
- 4.8. It is considered therefore, that with the introduction of a sensitively designed landscape scheme as is presently illustrated, that a high

quality residential scheme can be successfully integrated without significant harm to the existing key characteristics of the site and its setting.

- 4.9. Whilst development within the site would result in harm to the character of the internal undeveloped field parcel, it is noted that the majority of the internal area is characterised by semi-maintained grassland, which provides some ecological interest, but is not considered to be of high landscape value, is not perceived from the localised setting, and is not considered to be a rare element within the context of the receiving landscape.
- 4.10. The scale and pattern of the proposed development is considered to be compatible with the surrounding suburban grain. The relatively low density development allows for a high quality internal landscape to be established, that would create high quality street scenes and further reduce the prominence of the proposed built form, whilst also reducing pressure on the key vegetation established along the site's boundaries.
- 4.11. The emerging architectural proposals incorporate the use of an appropriate recessive palette of materials, which have been informed by the local vernacular and would ensure that the proposed development can be integrated into the settlement edge.
- 4.12. The proposals incorporate new footpath links, to promote sustainable localised movement and modal shift and further anchor the proposed development within the suburban fabric of Haywards Heath. The site is not subject to any national or localised landscape designations and is considered to be valued countryside in relation to the NPPF paragraph 170a.
- 4.13. The proposals would not require the significant removal of any key landscape features associated with the site and it is considered that the site can be developed in accordance with adopted and emerging local planning policy and the guidance set out within the relevant published landscape character assessment.

- 4.14. It is considered therefore that the proposed development of the site for residential use as proposed can be successfully integrated without significant harm to the existing landscape character of the site and its localised and wider setting.

Potential Effect upon the Visual Environment

- 4.15. Subject to the adoption of a sensitive design approach, such as has been outlined within Section 3 of this report, it is considered that the site has capacity to integrate carefully designed residential development without significant harm to the amenities or qualities of the localised visual environment. As illustrated within the visual assessment, views of the site are highly localised due to the compartmentalised character of the site, which is afforded by a mature treescape established along its boundaries, its location within a low lying shallow valley and further large scale woodland blocks, tree belts and mature roadside hedgerows and treelines which characterise the localised countryside setting.
- 4.16. The primary visual receptors are considered to be motorists travelling along Fox Hill road, refer viewpoints 1-4, which illustrate the gradual change from the suburban edge to the wider countryside which characterises the visual environment to the south of the site. Whilst views of the site are evidently highly contained, any minor glimpsed views of the proposed development would be seen within the context of the surrounding built components which characterise the road corridor on exiting Haywards Heath (refer viewpoint 1), with the prominent roadside advertising for the emerging development within Gamble Mead indicating the increasing visual influence of the suburban edge over the site. Within the context of the expanding settlement edge and prominent built components, which includes extensive residential built form that now extends beyond the Hurstwood Junction, right up to the site's north eastern corner, it is considered that the proposed development would not be perceived as an alien visual component.

- 4.17. On approaching Haywards Heath from the south, viewpoint 4 illustrates a more rural setting, with the robust roadside tree lines and hedgerow vegetation establishing a green backdrop alongside Ditchling Road. Views of the site are not possible as a result of these positive visual components and as such it is considered that there would be no change to the visual environment to the south along Ditchling Road as a result of the emerging proposed development.
- 4.18. The site's south eastern corner is demarked by the village entrance signage (refer viewpoint 3), indicating to motorists that they are now within the settlement edge. Whilst some removal of the roadside vegetation would be required, the proposed development has incorporated a significant development offset from the eastern boundary, pushing the proposed built form away from the immediate field of view and allowing for the incorporation of a high quality instant native hedgerow which will provide a mature landscaped frontage from Day One. This would be reinforced by the retained sections of overgrown hedgerow and further native structural planting which will enhance the degree of visual containment into the site once matured.
- 4.19. Minor glimpsed views into the site are available from the adjacent bridleway, although these views are heavily filtered and restricted by the dense woodland structure and canopy. A field gate provides access from the bridleway at the site's south western corner and would allow for a passing view into the site. However, this impact would only be temporary, with the proposed landscape enhancements providing infill planting, incorporating native tree and hedgerow species, which in time would contain views into the site from this location in line with the robust nature of the surrounding vegetation structure that is established along the remainder of the boundary locations and overall, it is considered that users of the adjacent bridleway would not experience any significant visual change.
- 4.20. As noted above, some removal of the site's eastern boundary vegetation, would cause some initial harm to the visual amenity upon this immediate stretch of Fox Hill road. However, the proposed high-quality landscaping will establish a robust green buffer alongside Fox Hill road that is befitting of the site's location within the suburban / rural

fringe setting. In the long-term, the enhanced boundary vegetation would provide a continuation of the positive tree lined character of this part of the road corridor and provide a sensitive visual transition with the wider countryside setting to the south.

- 4.21. Whilst it is well known that in planning terms there is no right to a view, the amenity of Cleavewaters Farm has been a key factor in developing the emerging proposals and it is considered that the positive landscape-led approach would ensure that the setting and visual amenity of Cleavewaters Farm is not significantly harmed, with its rural qualities remaining undiminished. The proposed development would be perceived from within parts of the farmstead; however, they would not be prominent, being set well back from the roadside and perceived beyond extensive high-quality landscaping. As previously noted, the surrounding visual environment around Cleavewaters Farm is becoming increasingly suburbanised, as is evidenced within viewpoint 3, where the entrance to the new Gamble Mead development is clearly seen just beyond the farmstead to the immediate north. As such, it is considered that the proposed development, as currently proposed, would not cause significant harm or change to the visual setting of Cleavewaters Farm.
- 4.22. The presence of the established treescape and undulating topography within the localised site context will ensure that an appropriately designed development will not appear prominent or overbearing. The low density of the proposed built form and considered layout ensures the proposals respect the settlement fringe location with the current field pattern and vegetation belts remaining unaltered. The proposed development would be highly contained from the setting of Rogers Farm and adjacent neighbouring properties that are established around Lunce's Common and it is considered that the establishment of the Gamble Mead development, further contains views of the site from the localised setting to the north and PRow 28CU which accesses this setting.
- 4.23. The retention and enhancement of the majority of the landscaped boundaries will soften the proposed built elevations and assist in the integration of the built form. The retention of these features will also

ensure that any built form is afforded an appropriate set back from the road corridor in keeping with the existing built form found on Lunce's Hill / Fox Hill road. It is considered that the site is not apparent in long distance views and due to the undulating topography and extent of vegetation within the site and its localised context, will not significantly affect the setting or character of the residential development found within Fox Hill to the north.

- 4.24. It is therefore considered that the development of the site for residential use as proposed can be successfully integrated without significant harm to the receiving visual environment. Any views of the proposed development would be highly localised and seen within the context of the surrounding suburban fringe setting.

5. CONCLUSIONS

- 5.1. Aspect Landscape Planning Ltd has been appointed by Sigma Homes Ltd. to undertake a landscape and visual appraisal relating to the proposed residential development on land at Rogers Farm, Lunce's Hill, Haywards Heath. The application is for development of up to 25 residential properties and is situated directly to the south of the emerging development to the immediate north.
- 5.2. As illustrated within the visual assessment, views of the site are well contained and highly localised, with the primary receptors being motorists of the Lunce's Hill / Fox Hill road.
- 5.3. The primary visual receptors are considered to be motorists travelling along Fox Hill road, whose main focus will be on the road ahead rather than an appreciation of the surrounding suburban setting. Views towards the site from the road corridor are highly contained, however any views of the proposed development would be seen within the context of the expanding settlement edge and prominent built components, which includes extensive residential built form that now extends beyond the Hurstwood Junction, right up to the site's north eastern corner.
- 5.4. In relation to the setting of Cleavewaters Farm in both landscape and visual terms, the proposed development will be set well back from the roadside and perceived beyond extensive high-quality landscaping. The surrounding visual environment is becoming increasingly suburbanised, as is evidenced within viewpoint 3, where the entrance to the new Gamble Mead development is clearly seen just beyond the farmstead to the immediate north. As such, it is considered that the proposed development, as currently proposed, would not cause significant harm or change to the visual amenities or landscape setting of Cleavewaters Farm and that its more rural character will still be perceived.
- 5.5. Minor glimpsed views into the site are available from the adjacent bridleway, although these views are heavily filtered and restricted by

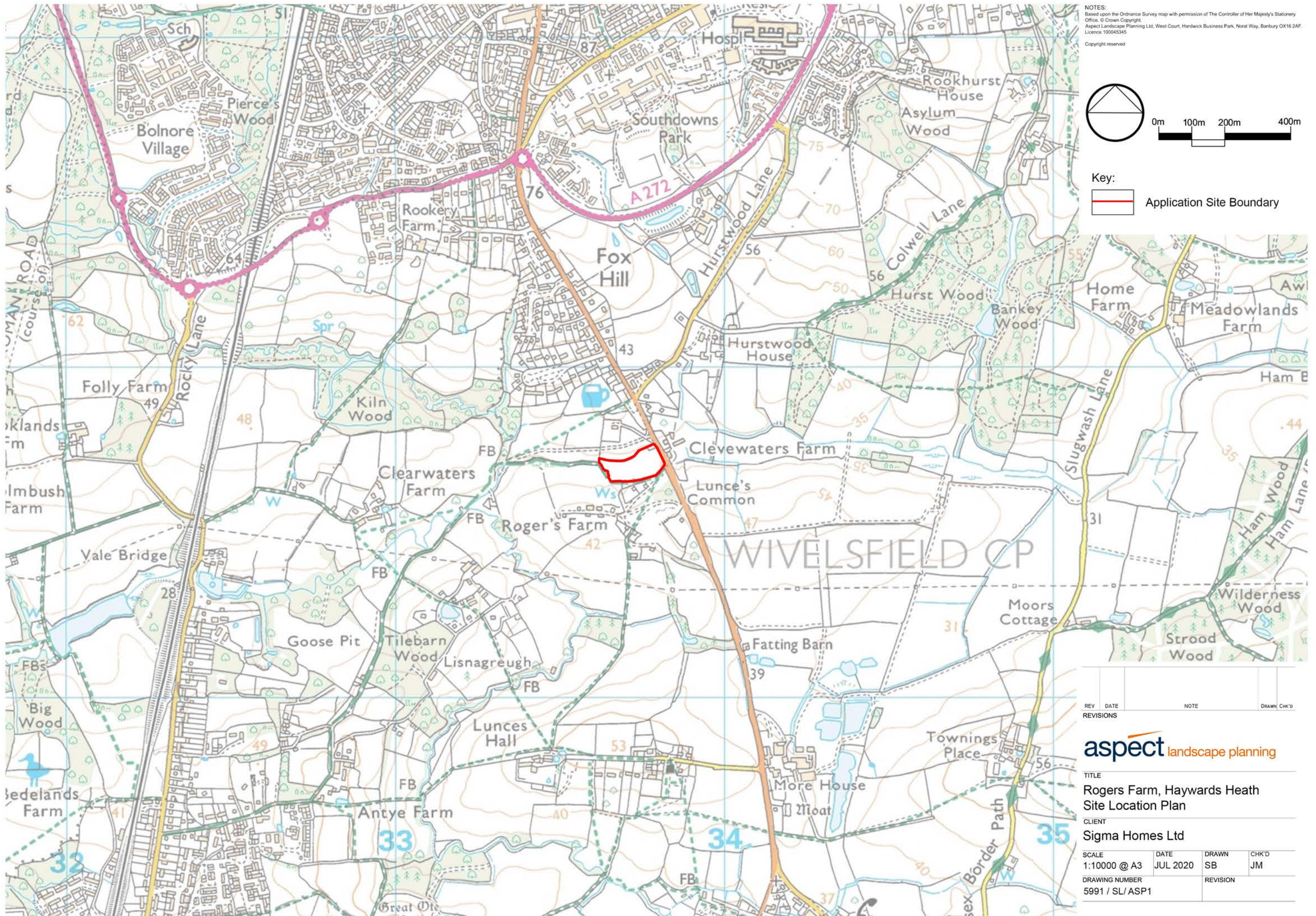
the dense woodland structure and canopy that characterises its setting, with proposed infill planting ensuring that any passing views through the gated access at the site's south west corner would be successfully mitigated.

- 5.6. The presence of the established treescape and undulating topography within the localised setting of the site ensures that an appropriately designed development will not appear prominent or overbearing from middle or long distance views.
- 5.7. The proposed development would be highly visually contained from the setting of Rogers Farm and the adjacent neighbouring properties that are established around Lunce's Common and it is considered that the establishment of the Gamble Mead development, further contains views of the site from the localised setting to the north and the PRoW 28CU route which accesses this setting.
- 5.8. The retention and enhancement of the majority of the landscaped boundaries will soften the proposed built elevations and assist in the visual integration of the built form, and it is therefore considered that the development of the site for residential use as proposed, can be successfully integrated without significant harm to the receiving visual environment. Any views of the proposed development would be highly localised and seen within the context of the suburban fringe setting ensuring that the proposed built components would not be perceived as being alien within these views.
- 5.9. In landscape terms, the retention and reinforcement of the site's higher quality vegetation along the southern and western boundaries as well as within the site's north west corner will ensure that a robust and defensible green edge to the site is maintained that protects the more sensitive and tranquil rural setting to the south and south west of the site.
- 5.10. The planting proposals along sections of the northern boundary, will see the introduction of a robust and high quality native hedgerow and native buffer planting. This responds to the presence of the emerging Gamble Mead development and the increased suburban influence that

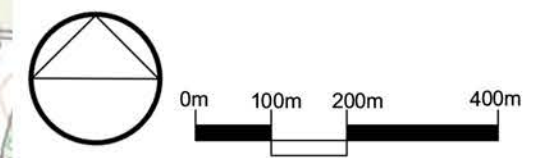
this will impart on the site by ensuring that a sensitive and substantial natural edge is provided between the two developments. This will help to break up the overall massing of the two developments to a scale and proportion that is in keeping with the protected townscape character established within Fox Hill.

- 5.11. It is considered therefore that the introduction of a sensitively designed residential scheme can be successfully integrated without significant harm to the existing key characteristics of the site and its setting. The proposed development would be perceived within the context of the existing and increasingly apparent suburban setting, ensuring that the development will not introduce any new or alien components within the localised environment.
- 5.12. Whilst development within the site would result in harm to the character of the internal undeveloped field parcel, it is noted that the majority of the internal area is characterised by semi-maintained grassland, which provides some ecological interest, but is not considered to be of high landscape value, is not perceived from the localised setting, and is not considered to be a rare element within the context of the receiving landscape.
- 5.13. The use of an appropriate palette of materials and a carefully considered layout will ensure that the proposed development can be integrated in this location and appear as a natural addition to the existing suburban setting, with the positive landscape led approach, ensuring that a sensitive transition with the rural setting to the south is established that will also reinforce the positive rural / suburban character established along this section of Lunce's Hill.

ASPECT PLANS



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Key:
 Application Site Boundary

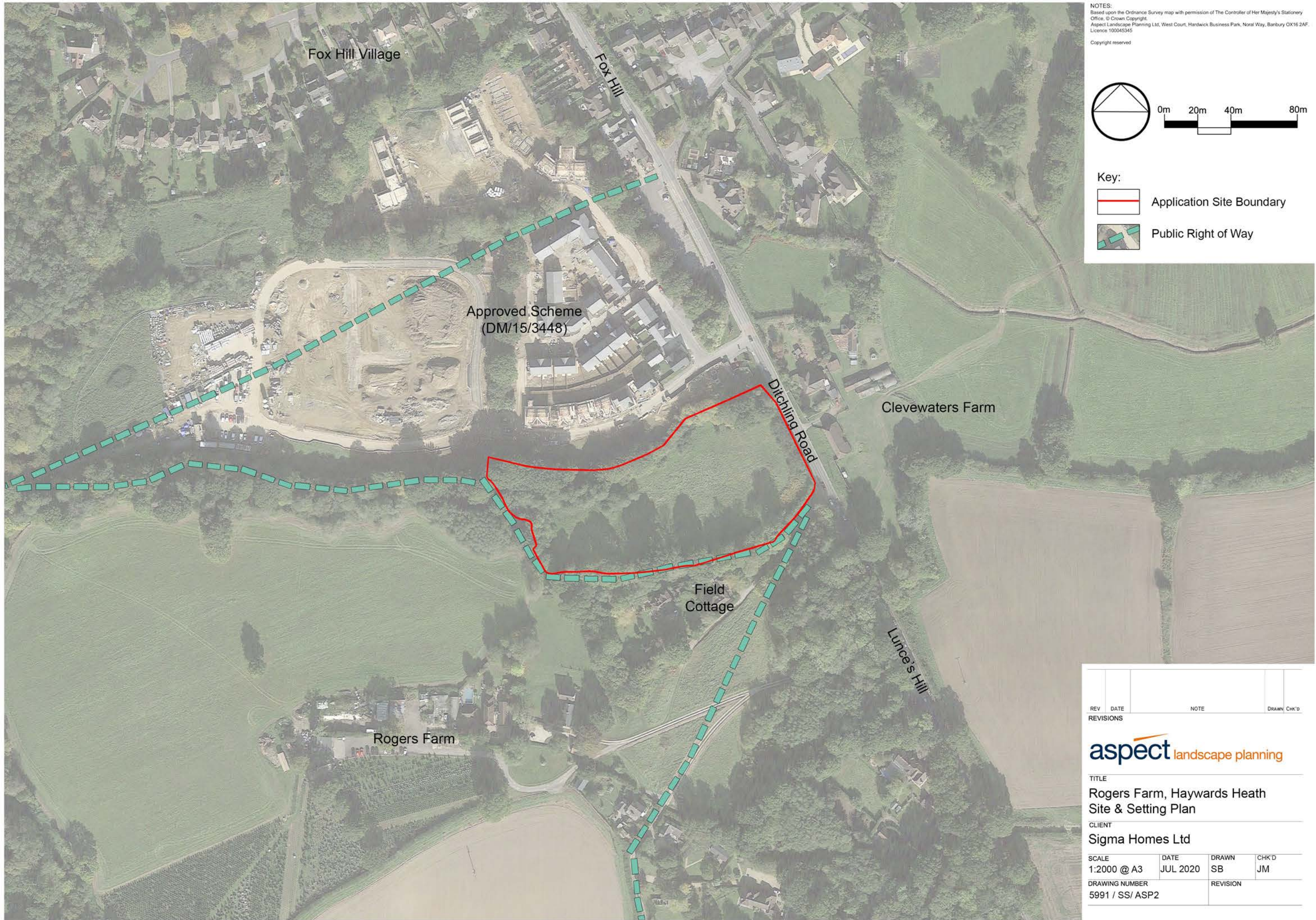
REV	DATE	NOTE	DRAWN	CHK'D
REVISIONS				

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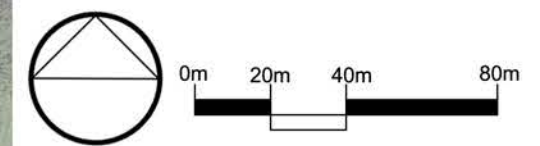
TITLE
Rogers Farm, Haywards Heath
Site Location Plan

CLIENT
Sigma Homes Ltd

SCALE 1:10000 @ A3	DATE JUL 2020	DRAWN SB	CHK'D JM
DRAWING NUMBER 5991 / SL/ ASP1		REVISION	



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- Key:
- Application Site Boundary
 - Public Right of Way

REV	DATE	NOTE	DRAWN	CHK'D
REVISIONS				
				
TITLE				
Rogers Farm, Haywards Heath Site & Setting Plan				
CLIENT				
Sigma Homes Ltd				
SCALE	DATE	DRAWN	CHK'D	
1:2000 @ A3	JUL 2020	SB	JM	
DRAWING NUMBER		REVISION		
5991 / SS/ ASP2				

Native Hedge Planting
Acer campestre
Crataegus monogyna
Ilex aquifolium
Corylus avellana
Ligustrum vulgare
Prunus spinosa
Viburnum lanata
Viburnum opulus
Wallis wonder plum



Native Shrub Planting
Cornus sanguinea
Corylus avellana
Ligustrum vulgare
Prunus spinosa
Rhamnus cathartica
Viburnum lanata
Viburnum opulus
Acer campestre
Alnus glutinosa
Betula pendula
Prunus avium



Typical Native Tree Planting



Downy birch, Rowan, Crab apple. Larger species such as Oak and beech can be provided within POS.

Ornamental Shrubs



Includes: Hebe rakaiensis, Potentilla fruticosa 'Tangerine', Lonicera nitida, Genista lydia & Lavandula angustifolia 'Hidcote'

Primary Street Trees
Tilia Rancho
Ulmus new horizon
Acer campestre 'Streetwise'
Prunus spire
Tilia tomentosa Brabant
Carpinus betulus 'Lucas'
Corylus columna
Malus trilobata
Malus tschonoskii
Pyrus calleryana chanticleer



Ornamental Shrubs



Includes: Hebe rakaiensis, Potentilla fruticosa 'Tangerine', Lonicera nitida, Genista lydia & Lavandula angustifolia 'Hidcote'

Species Rich Wildflower
Emorsgate EM2 General Purpose Meadow Mix
Emorsgate EM8 Meadow Mixture for Wetlands



The site's north boundary will be planted with a combination of native trees and mixed native hedgerow planting where necessary to fill in gaps to further assist the integration of the new development within the local and wider setting, and to provide a substantial natural buffer between the application site and the emerging Gamble Mead development.

Ecological buffer to run the full length of the north boundary will increase tree retention along this boundary and provide a significant undisturbed natural edge to the development.

Three No. advanced heavy standard 16-18cm girth Hornbeams.

Hard landscaping proposals will make use of SUDS compatible paving, using open jointed paving to reduce run off and pressure on the existing ground water system.

Some existing boundary vegetation along the site's eastern boundary vegetation structure to allow for visibility splays. Mitigation to include a new instant 2m wide native hedgerow to accommodate the required visibility splays, within a deep development setback to protect the setting of Cleavewater Farm and the adjacent road corridor.

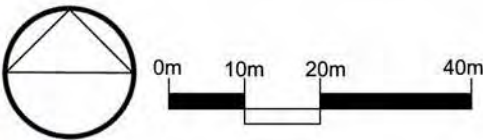
New access point from Fox Hill, will incorporate visibility splays.

Further tree and hedgerow planting along the full length of the eastern boundary will ensure a sensitive natural setting is provided for both the development itself and also the adjacent Cleavewater Farm.

Higher quality trees and vegetation will be retained along the more sensitive southern and western boundaries, where the site backs onto a more rural and sensitive countryside setting. This will also ensure that the setting currently afforded to Field Cottage and the neighbouring properties to the south of the application site is not harmed. Wild meadow planting will be introduced along the woodland edges to provide further diversity and visual amenity.

Internal plot landscaping will take advantage of the lower density housing to provide a high quality landscape framework within which the housing will sit. A varied palette of feature trees, formal hedgerows, ornamental shrubs and hedgerow species will be used appropriate to the residential context, and will further help establish the development within its surroundings.

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- Key:
- Application Site Boundary
 - Existing Vegetation
 - Proposed Trees
 - Proposed Hedge
 - Proposed Shrub
 - Feature Shrub

REV	DATE	NOTE	DRAWN	CHK'D
REVISIONS				

aspect landscape planning

TITLE
Rogers Farm, Haywards Heath
Landscape Strategy Plan

CLIENT
Sigma Homes Ltd.

SCALE 1:1000 @ A3	DATE JULY 2020	DRAWN SB	CHK'D JM
DRAWING NUMBER 5991 / LM / ASP3		REVISION	

APPENDIX 1

ASPECT LANDSCAPE & VISUAL IMPACT METHODOLOGY

LANDSCAPE AND VISUAL IMPACT ASSESSMENT METHODOLOGY

- 1.1. The Landscape Institute and the Institute of Environmental Management and Assessment have jointly published Guidelines for Landscape and Visual Impact Assessment Third Edition 2013 (GLVIA3) that gives guidance on carrying out a Landscape and Visual Impact Assessment (LVIA), either as a standalone appraisal or part of an Environmental Impact Assessment (EIA). This methodology takes on board the above guidance.
- 1.2. When assessing character within an urban context, this methodology can be applied to Townscape Assessments and how the development will affect the elements that make up the townscape and its distinctive character.
- 1.3. The main stages of the LVIA process are outlined below. This process will identify and assess the potential effects of a development on the landscape resource and the visual environment.

1. Baseline study

Landscape

- Define the scope of the assessment.
- Outline the planning policy context, including any landscape designations.
- Establish the landscape baseline through a site visit and an assessment of published Landscape Character Assessments to identify the value and susceptibility of the landscape resource (receptor), at community, local, national or international levels where appropriate.

Visual

- Define the scope of the assessment.
- Identify the extent of visual receptors within the study area, with the use of Zones of Theoretical Visibility (ZTV) where appropriate, and establish the number and sensitivity of the representative viewpoint and/or groups of people (receptors) within the study area whose views may be altered as a result of the proposals.

2. Project description

The baseline study highlights clear opportunities and constraints for the integration of the proposals into the receiving environment. The aspects of the scheme at each phase that will potentially give rise to effects on the landscape and visual amenity will need identifying. At this time, the proposals can be modified to ensure that further mitigation measures are incorporated into the design as a response to the local landscape and visual environment.

3. Description of Effects

The level of effect on both landscape and visual receptors should be identified in respect of the different components of the proposed development. In order to assess the significance of the effect on the receiving environment, it is necessary to consider the **magnitude**, i.e. the degree of change, together with the **sensitivity** of the receptor.

This will identify whether the effects are:

Adverse or Beneficial - beneficial effects would typically occur where a development could positively contribute to the landscape character or view. Neutral effects would include changes that neither add nor detract from the quality and character of an area or view. Adverse effects would typically occur where there is loss of landscape elements, or the proposal detracts from the landscape quality and character of an area or view.

Direct or Indirect – A direct effect will be one where a development will affect a view or the character of an area, either beneficially or adversely. An indirect effect will occur as a result of associated development i.e. a development may result in an increase of traffic on a particular route.

Short, Medium or Long Term – this relates to the expected duration and magnitude of a development. Within this assessment the potential effects are assessed during the Construction Phase, then at Years 1 and 10, following completion of the development.

Reversible or Irreversible – can the resulting effect of a development be mitigated or not, and whether the result of the mitigation is beneficial or adverse.

4. Significance of Effects (EIA only)

A final judgment on whether the effect is likely to be significant, as required by the Regulations. The summary should draw out the key issues and outline the scope for reducing any negative / adverse effects. Mitigation measures need to be identified that may reduce the final judgement on the significance of any residual negative effects in the long term.

Assessing effects

Landscape Sensitivity

- 1.4. The sensitivity of a particular landscape in relation to new development is categorised as high, medium, low or negligible. This takes into account the susceptibility of the receptor to the type of development proposed and the value attached to different landscapes by society. The following table explains each threshold and the factors that make up the degree of sensitivity.

Table 1: Landscape Sensitivity Thresholds

Sensitivity	Definition
High	Landscape resource where there is a high susceptibility to change. Landscapes would be considered of high value, have a high degree of intimacy, strong landscape structure, relatively intact and contain features worthy of protection. Townscapes may include a high proportion of historic assets. Typical examples may be of National or County importance e.g. within the setting of National Parks, AONB's, Conservation Areas etc.
Medium	Landscape resource where there is a medium susceptibility to change. Landscapes would be considered of medium value, good landscape structure, with some detracting features or evidence of recent change. Townscapes may include a proportion of historic assets or of cultural value locally. Typical examples may be designated for their value at District level.
Low	Landscape resource where there is a low susceptibility to change. Landscapes would be considered of low value, and contain evidence of previous landscape change.
Negligible	Landscape resource where there is little or no susceptibility to change. Typical landscapes are likely to be degraded, of weak landscape structure, intensive land uses, and require landscape restoration.

Visual Sensitivity

- 1.5. The sensitivity of the visual receptor will be assessed against the magnitude of visual change, and is categorised as high, medium, low or negligible. Each receptor should be assessed in terms of both their susceptibility to change in views and visual amenity and also the value attached to particular views.

Table 2: Visual Sensitivity Thresholds

Sensitivity	Definition
High	Viewers on public rights of way whose prime focus is on the landscape around and are often very aware of its value. Occupiers of residential properties with primary views affected by the development. Examples include users of National Trails, Long Distance Routes or Sustrans cycle routes, or within the setting of a listed building.
Medium	Viewers engaged in outdoor recreation with some appreciation of the landscape, occupiers of residential properties with oblique views affected by the development, and users of rural lanes and roads. Examples include viewers within moderate quality landscapes, local recreation grounds, and outdoor pursuits.
Low	Viewers engaged in outdoor sport or recreation whose prime focus is on their activity, or those passing through the area on main transport routes whose attention is focused away from an appreciation of the landscape.
Negligible	Viewers whose attention is focused on their work or activity, and not susceptible to changes in the surrounding landscape.

Effect Magnitude

- 1.6. The magnitude of change relates to the degree in which proposed development alters the fabric of the landscape character or view. This change is categorised as high, medium, low, or negligible.

Table 3: Magnitude of Change

Magnitude	Effect Definition
High	Change resulting in a high degree of deterioration or improvement, or introduction of prominent new elements that are considered to make a major alteration to a landscape or view.
Medium	Change resulting in a moderate degree of deterioration or improvement, or constitutes a perceptible change within a landscape or view.
Low	Change resulting in a low degree of deterioration or improvement to a landscape or view, or constitutes only a minor component within a landscape or view.
Negligible	Change resulting in a barely perceptible degree of deterioration or improvement to a landscape or view.
No Change	It is also possible for a landscape or view to experience no change due to being totally compatible with the local character or not visible due to intervening structures or vegetation.

Significance Threshold

- 1.7. The magnitude of change is then considered against the sensitivity of the landscape resource as a receptor or the existing character of the panorama / view. In formulating the significance of effect, reasoned professional judgement is required which is explained within the assessment. This is carried out both in terms of the predicted effects on landscape character or on visual amenities. The significance thresholds are predicted as Major, Moderate, Minor, Negligible and None, and can be either beneficial or adverse. Unless otherwise stated, all effects are predicted in the winter months. The extent of mitigation measures should be clearly stated, and in the case of planting proposals, the contribution to reducing adverse effects should be demonstrated at different stages (construction stage, operational stage year 0, and year 10).

Table 4: Significance of Effect

Significance	Threshold Definition
Major	A high magnitude of change that materially affects a landscape or view, that has little or no ability to accommodate change. Positive effects will typically occur in a damaged landscape or view.
Moderate	A medium magnitude of change that materially affects a landscape or view that may have the ability to accommodate change. Positive effects will typically occur in a lower quality landscape or view.
Minor	A low magnitude of change that materially affects a landscape or view that has the ability to accommodate change. Positive effects will typically occur in a lower quality landscape or view.
Negligible	A negligible magnitude of change that has little effect on a landscape or view that has the ability to accommodate change.
None	It is also possible for a magnitude of change to occur that results in a neutral effect significance due to the change being compatible with local character or not visible.

- 1.8. The significance of the effect is measured on the ability of a landscape or view to accommodate the change. In assessing the significance of effects, the following matrix will be used to determine the significance thresholds, through determining the sensitivity of the receptor and the magnitude of change.
- 1.9. In terms of assessing whether the effects are significant or otherwise, it is noted that para 5.56 of GLVIA3 states that there are no “hard and fast rules” about what makes a significant effect. For the purposes of this assessment significant landscape or visual effects are those effects considered to be greater than moderate, shaded below in Table 5.

Table 5: Measuring Significance of Effect

	Sensitivity of Receptors				
		High	Medium	Low	Negligible
Magnitude of Change	High	Major	Major/ Moderate	Moderate	Moderate/ Minor
	Medium	Major/ Moderate	Moderate	Moderate/ Minor	Minor
	Low	Moderate	Moderate/ Minor	Minor	Negligible
	Negligible	Moderate/ Minor	Minor	Negligible	Negligible/ None

- 1.10. It should be noted that where there is no perceptible change in terms of the effect magnitude regardless of the sensitivity of the receptor, the significance of the effect on a landscape or view will be none.
- 1.11. A written statement summarising the significance of effects is provided, assisted by the tables and matrices. The final judgement relies on professional judgement that is reasonable, based on clear and transparent methods, suitable training and experience, and a detached and dispassionate view of the development in the final assessment.

Assessing cumulative effects




- 1.12. Cumulative effects are additional effects caused by a proposed development in conjunction with other similar developments. This can be cumulative landscape effects on the physical fabric or character of the landscape, or cumulative visual effects caused by two or more developments being visible from one viewpoint and/or sequence of views. The scope of cumulative effects should be agreed at the outset to establish what schemes are relevant to the assessment, and what planning stage is appropriate. It is generally considered that existing and consented developments and those for which planning applications have been submitted but not yet determined should be included.

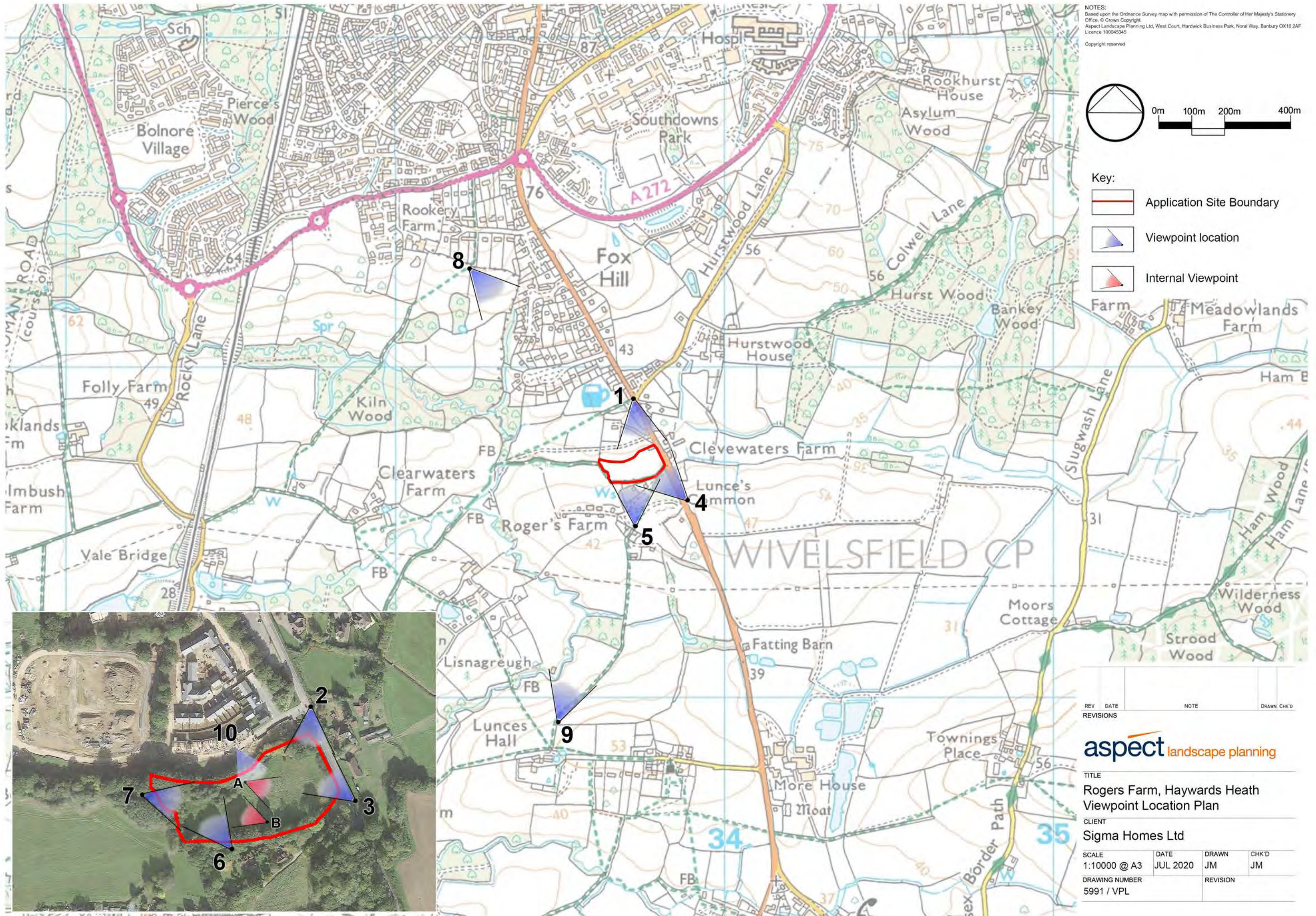
APPENDIX 2

PHOTOGRAPHIC RECORD

The diagram shows a circular bridge with a triangular arch. The arch is formed by two lines meeting at a point on the top of the circle. A horizontal line connects the two base points of the arch, forming the base of the triangle. Below the bridge is a scale bar with markings at 0m, 100m, 200m, and 400m. The bridge's width is indicated to be 100m.

Key:

-  Application Site Boundary
-  Viewpoint location
-  Internal Viewpoint



REV	DATE	NOTE	DRAWN	CHK'D
REVISIONS				
				
TITLE				
Rogers Farm, Haywards Heath Viewpoint Location Plan				
CLIENT				
Sigma Homes Ltd				
SCALE	DATE	DRAWN	CHK'D	
1:10000 @ A3	JUL 2020	JM	JM	
DRAWING NUMBER		REVISION		
5991 / VPL				



Viewpoint 1



Viewpoint 2



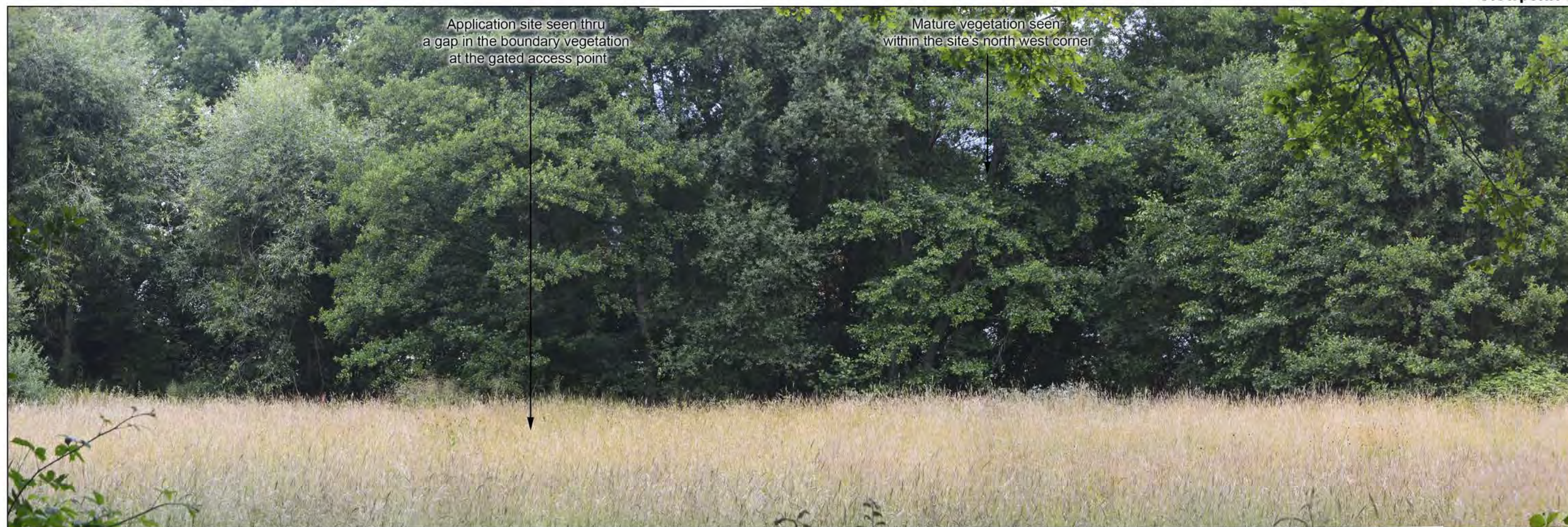
Viewpoint 3



Viewpoint 4



Viewpoint 5



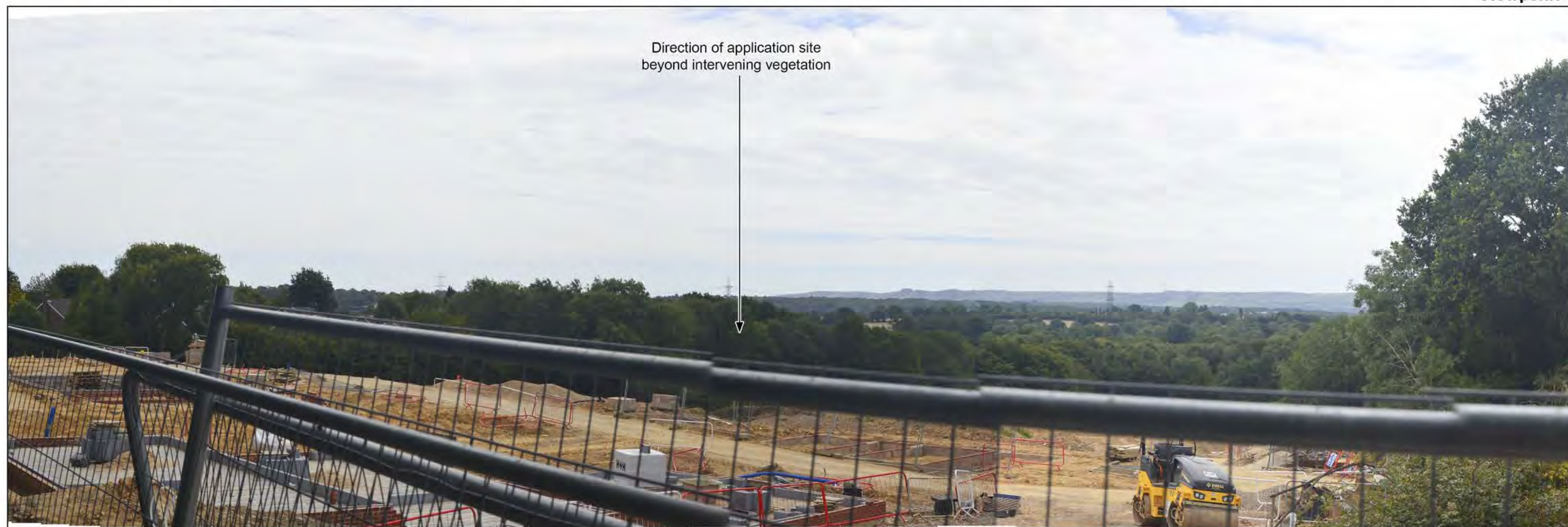
Viewpoint 6



Application site glimpsed through
intervening vegetation along the
site's west boundary

Public Right of Way, through
wooded boundary area

Viewpoint 7



Direction of application site
beyond intervening vegetation

Viewpoint 8



Viewpoint 9



Viewpoint 10



Heritage Impact Assessment

Land at Rogers
Farm, Fox Hill,
Haywards Heath,
RH16 4QT



July 2020 | Project Ref 6091A

Project Number: 6091
File Origin: M:\HC\Projects\Projects 6001-6500\6001-6100\06091 - Land
at Roger's Farm, Hayward
Heath\HC\Reports\2020.07.21_Heritage Assessment.v2.docx

Author with date	Reviewer code, with date
LJ, 21.07.2020	JE37, 23.07.2020

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6.	Conclusions	33

Appendices

- App. 1** **Scale of Harm table (Heritage Collective, 2019)**
- App. 2** **Assessment against Historic England’s Guidance on Setting (GPA3, 2017)**

1. Introduction

- 1.1** This Heritage Assessment has been prepared by HCUK Group on behalf of Sigma Homes Ltd. It concerns land at Roger's Farm, Fox Hill, Haywards Heath (henceforth referred to as 'the Site').



Fig.1: Site Location

The Context

- 1.2** In 2019 the Site was accepted by Mid Sussex District Council (MSDC), within the site allocations DPD as a draft allocation SA21 for development for 'at least 25 plots'.
- 1.3** The Site comprises an area of greenfield/grazing, covering 1.30 ha. It has mature tree vegetation along its boundaries on all sides. It is positioned towards the edge of built up settlement (**Hayward's Heath is located to the north**) with a scattering of rural farm properties on all sides.

1.4

Immediately to the north of the Site is a recently approved, currently in construction, housing development, referred to throughout this document as 'the Linden Homes Scheme'. This is discussed in more detail further on but will need to be taken carefully into consideration in relation to any development of Site at the focus of this Assessment.

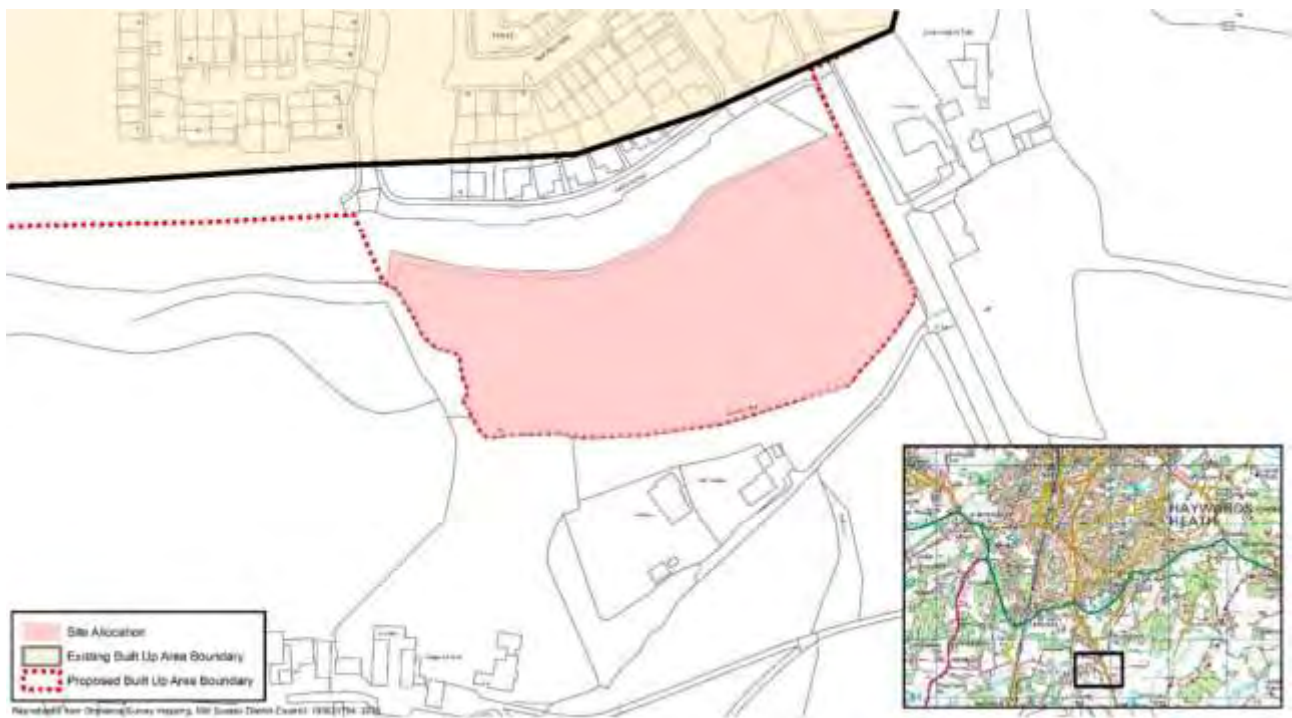


Fig.2: Site Allocation

Purpose of this Statement

1.5

This Heritage Impact Assessment (HIA), requested by MSDC, considers the potential impact of **the Site's** future development on the setting and significance of nearby designated and non-designated heritage assets. It draws on work previously undertaken by Heritage Collective (2017 and 2019) including desk-based research, observations made on Site along with a review of cartographic evidence.

1.6

This HIA has been worked up based on an additional level of assessment. A visit to the Site was undertaken in July 2020 where observations were made on the setting and significance of nearby heritage asset and the impact of the new Linden Homes

development to the north (which had only been consented, but not built out, at the time of the previous assessment work undertaken).

- 1.7** This HIA has been prepared with reference to the Scale of Harm Table developed in-house (HCUK, 2019 - see Appendix 1) and in line with **Historic England's** Guidance of the Setting of Heritage Assets, referred to moving forward as GPA3 (please refer to Appendix 2 for detail).

Key Considerations

- 1.8** Both HCUK Group and the conservation officer at Mid-Sussex District Council (MSDC) are in agreement that there are 3 designated heritage assets, in the form of grade II listed buildings, located within close proximity to the Site. These have the potential to be subject to impacts due to the introduction of dwellings onto the Site.

Cleavewater (1286454)	Grade II	Opposite/east of the Site
Roger's Farm (1223058)	Grade II	South of the Site
The Olde Cottage (1223019)	Grade II	South West of the Site

- 1.9** Each of the above listed buildings include a number of small ancillary and curtilage farm buildings and these too have been taken into consideration within this assessment.

2. Relevant Planning Policy Framework

2.1 The decision maker is required by section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 require the decision maker to have special regard to the desirability of preserving a listed building and its setting when exercising planning functions. The decision maker must give considerable importance and weight to the desirability of preserving the significance of the listed building, and there is a strong presumption against the grant of permission for development that would harm its heritage significance.¹

2.2 For the purposes of this statement, preservation equates to an absence of harm.² Harm is **defined in paragraph 84 of Historic England's Conservation Principles** as change which erodes the significance of a heritage asset.³

2.3 The significance of a heritage asset is defined in the National Planning Policy Framework (NPPF) as being made up of four main constituents: architectural interest, historical interest, archaeological interest and artistic interest. The assessments of heritage significance and impact are normally made with primary reference to the four main elements of significance identified in the NPPF.

2.4 The setting of a heritage asset can contribute to its significance. Setting is defined in the NPPF as follows:

"The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."

2.5 The NPPF requires the impact on the significance of the designated heritage asset to be considered in terms of either "substantial harm" or "less than substantial harm" as described within paragraphs 195 and 196 of that document. National Planning Practice Guidance (NPPG) makes it clear that substantial harm is a high test, and case law describes substantial harm in terms of an effect that would

¹ Barnwell Manor Wind Energy Limited v East Northamptonshire District Council and others [2014] EWCA Civ 137.

² South Lakeland v SSE [1992] 2 AC 141.

³ Conservation Principles, 2008, paragraph 84.

vitiate or drain away much of the significance of a heritage asset.⁴ The Scale of Harm is tabulated at Appendix 1.

2.6 Paragraphs 195 and 196 of the NPPF refer to two different balancing exercises in which harm to significance, if any, is to be balanced with public benefit. Paragraph 18a-020-20190723 of National Planning Practice Guidance (NPPG) online makes it clear that some heritage-specific benefits can be public benefits. Paragraph 18a-018-20190723 of the same NPPG makes it clear that it is important to be explicit about the category of harm (that is, whether paragraph 195 or 196 of the NPPF applies, if at all), and the extent of harm, when dealing with decisions affecting designated heritage assets, as follows:

"Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated."

2.7 Paragraphs 193 and 194 of the NPPF state that great weight should be given to the conservation of a designated heritage asset when considering applications that affect its significance, irrespective of how substantial or otherwise that harm might be.

2.8 A full review of local policy is provided within the Planning Statement accompanying this submission. Of relevance are:

- Mid Sussex District Plan 2018 (MSDP)
- Mid Sussex Site Allocations DPD
- Haywards Heath Neighbourhood Plan (HHNP) which was adopted in 2016 prior to the District Plan. Future planning applications are required to give due consideration to the requirements of the HHNP.

2.9 Heritage related policies within the MSDP include Policy DP34 (Listed Buildings and Other Heritage Assets). The most relevant extract has been copied below for reference.

⁴ Bedford Borough Council v SSCLG and Nuon UK Limited [2013] EWHC 4344 (Admin).

DP34: Listed Buildings and Other Heritage Assets

Strategic Objectives: 2) To promote well located and designed development that reflects the District's distinctive towns and villages, retains their separate identity and character and prevents coalescence; 4) To protect valued characteristics of the built environment for their historical and visual qualities; and 11) To support and enhance the attractiveness of Mid Sussex as a visitor destination.

Evidence Base: West Sussex Historic Environment Record; Register of Listed Buildings.

Listed Buildings

Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- **A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;**
- **Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;**
- **Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;**
- **Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;**
- **Special regard is given to protecting the setting of a listed building;**
- **Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.**

3. Background and Development

Cartographic Evidence

- 3.1** The first Ordnance Survey map included within this Statement is dated 1875 (Fig.3). This map shows the hedgerows and hedgerow trees that appear on the Wivelsfield Tithe Map of 1844 (not included here). The Site remains open and undeveloped and Clewwaters Farm is identified immediately to the east, along with Rogers Farm to the south-west.
- 3.2** The 1910 OS map (Fig.4) shows very little change.
- 3.3** By 1955, there is little to no change on the Site itself, but the farmland to the north has been bisected by various trackways and subdivided into small irregular plots, some with small structures present.
- 3.4** The 1967 OS map (Fig.6) shows a scattering of new development to the north and Gamblemead at the centre of the field immediately north of the Site.



Fig.3: OS Map, 1875



Fig.4: OS Map, 1910



Fig.5: OS Map, 1955-1956



Fig.6: OS Map, 1967-1972

Historic Development

- 3.5** The area around Haywards Heath remained forested in the early Medieval period but the construction of churches at Ardingly, Balcombe and Wivelsfield by the 12th century suggests that the area began to evolve more identifiably as a settlement.
- 3.6** The agriculture of the area was mainly pastoral but included some irregular open-field systems that were later enclosed. The earliest and only real survivals of the Medieval period in the area are Great Haywards and Little Haywards, which date to around the beginning of the 15th century.
- 3.7** The name 'Heyward's Heath' first appears on the Gardner and Green map of 1795 (not included here). The town itself began as an urban village on common land that was enclosed by Parliamentary Act. The London to Brighton railway had a huge influence on the area and the town increased in size considerably after its opening in 1841, officially becoming a town in 1862.
- 3.8** Today the area remains rural but there is a sense of it being on the outskirts of a town owing to its proximity to Haywards Heath and Fox Hill Village, north of the

Site. This has been intensified in recent years by development of land immediately to the north of the Site (referred to here as 'Fox Hill') by Linden Homes.

3.9

An aerial image taken from Google Maps highlights the most recent changes within the immediate vicinity of the Site, namely the Linden Homes development to the north. This has introduced a relatively discrete but more suburban character within the immediate surroundings of the Site and within the wider setting of the listed buildings discussed within this HIA.



Fig.7: Google Maps extract showing recent changes close to the Site. The Linden Homes development is clearly visible, in construction, to the north.

4. Statement of Significance

Assessment of Significance



Fig.8: Location of nearby listed buildings.

- 4.1** The setting and significance of the 3 designated heritage assets identified above has been assessed considered against the four values set out within the NPPF, which are: Architectural Value, Historic Value, Artistic Value and Archaeological Value. Their settings have been discussed and identified in accordance with GPA3 summarised below and tabulated at Appendix 2).

Cleavewater, GII

"TQ 32 SW HAYWARDS HEATH WIVELSFIELD ROAD 4/147 Cleavewater 28.8.79 II House. C16 or earlier Wealden hall-house with C18 remodelling and early to mid C19 additions at front to form a T plan. Rear part is partly timber framed and tile hung on first floor and red brick with grey headers and some ashlar to ground floor. Horsham slab roof with central massive C16 stepped stack and end chimney stack. T-wing to road front is early to mid C19 Sussex sandstone with plinth and discontinuous stringcourse. Hipped tiled roof with large panelled stack. 2 storeys, 2 windows. Front has 2 triple mid C19 sashes with broken stringcourse forming keystones over ground floor windows. Single central C19 4 panelled doorcase. Rear part has mixed C19 casements and sashes. (See R T Mason "Framed Buildings of the Weald" p 40)."

- 4.2** Cleavewater is a multiphase farmhouse with the timber framing visible to the rear indicating its origins as a typical Wealden hall-house. It is orientated to face west **onto Lunce's Hill and is slightly set back from the road, with the majority of its** associated land located to the east and south.
- 4.3** Within the associated land to the south, is a large weather-boarded barn, positioned relatively close to the roadside, and this certainly contributes positively to the setting of Cleavewater. The barn is likely 16th century, possibly earlier, and is timber framed with a part stone, part brick plinth, which suggests it was built in two phases.
- 4.4** The barn is curtilage listed by virtue of age and association and together the farmhouse and the large barn form an attractive and coherent grouping.
- 4.5** There are a number of other ancillary building within the private curtilage of Cleavewater but these are not considered to be of any particular heritage value and are of a later date. However, they do contribute to the group and there is a clear association between them and the main listed farmhouse and roadside barn.
- 4.6** Cleavewater is principally of architectural value through the quality of its construction and level of survival, although it is not without alteration. It is a multi-phase building that includes an original 16th century chimney stack. It is a good

example of a Sussex farmhouse originally dating from the 16th century or earlier and it incorporates local building materials which contribute to its architectural and aesthetic value.

4.7

It is of historic value insofar as it is one of the earlier farm buildings to occupy this area and is of a date that coincides with Haywards Heath's gradual expansion and recognition as a town in the 19th century.

4.8

Cleavewater is of no particular artistic interest but does hold some archaeological and evidential value through the survival of historic 16th century (or earlier) timbers.



Fig.9: Roadside curtilage listed barn in the foreground and Cleavewater beyond it. Other ancillary structures visible beyond the barn.



Fig.10: View east into Cleavewater's site with associated ancillary barns visible.



Fig.11: Front, west-facing elevation of Cleavewater.

Summary of Setting

- 4.9** Please refer to Appendix 2 for assessment in accordance with GPA3.
- 4.10** The setting of Cleavewater remains ostensibly rural. The property is best **appreciated from in kinetic views from Lunce's Hill. The road the only location** (aside from within the private curtilage of the property itself) from which the house and associated barn, can be clearly seen and this is how the building is experienced on a day-to-day basis.
- 4.11** The new Linden Homes development at Fox Hill (to the north-west) does bring a more suburban character within close proximity **to the building's setting but** Cleavewater is well screened from the Fox Hill development, with only the chimney visible.
- 4.12** The large curtilage barn to the south is seen in conjunction with the listed building from all roadside viewpoints. Curtilage buildings to south-west are much less conspicuous and of limited heritage value by comparison. Nonetheless, these ancillary buildings contribute positively to the setting of Cleavewater and are of group value as a historic smallholding.

There are no public vantage points from the land to the east of Cleavewater.



Fig.12: Pedestrian access into the Site, as seen looking south-west from the western boundary of Cleavewater



Fig.13: Views north along Lunce's Hill – Cleavewater to the right (east).

The Olde House, GII

"WIVELSFIELD LUNCE'S COMMON 1. 5206 The Olde Cottage TQ 32 SW 1/60 7.7.71. II 2. C17 or earlier timber-framed cottage refaced with red brick, now painted, on ground floor and tile-hung above. Tiled roof hipped at west end. Casement windows. Two storeys. Two windows."

- 4.13** The Olde Cottage is principally of architectural value through its level of survival and the presence of 17th century or earlier timber framing. It is a modest building but a good example of a vernacular dwelling in the area. It has been subject to alteration and extension over the years.
- 4.14** Similar to Cleavewater, The Olde Cottage is of historic value insofar as it is one of the earlier farm buildings within the area, now positioned on the edge of the settlement.
- 4.15** It is of no artistic value but does hold some archaeological and evidential value through its age and association with the rural surroundings.



Fig.14: Front elevation of the Olde Cottage.



Fig.15: One for the ancillary buildings within the private curtilage of the Olde Cottage.



Fig.16: Part of the Olde Cottage in conjunction with one of the ancillary buildings within its private curtilage.

Summary of Setting

- 4.16** Please refer to Appendix 2 for assessment in accordance with GPA3.
- 4.17** The Olde House is very secluded – the house is nestled into a snaking hollow but the tiled roofs and chimney can be seen across the meadow from the drive to **Roger’s Farm**. It is just possible to see the Linden Homes development through the trees behind the house just east of the listed building, but they are not readily appreciable. The visibility of the Linden Homes site will be subject to some change seasonal change as the trees begin to thin out. The screening is very thick when the trees are in leaf leaving little to no sense of the field (the Site) behind the listed building itself.
- 4.18** Up close to the listed building the curtilage structures are very low key, barely visible unless one is within the grounds (private land). The small tiled and weather-boarded shed to the south west of the house is not very old and has a modern car port on the east side.
- 4.19** The rural surroundings on approach to the Olde Cottage, which includes the Site, forms part of its wider setting of the listed building. However, the house itself is not readily appreciable until one is within close proximity to it, owing to the topography and existing screening – it is not a location from which the building can be best appreciated.



Fig.17: View towards the Olde Cottage, clearly set within a hollow allowing visibility of the roof only.



Fig.18: Approach to/from The Olde Cottage.

Roger's Farmhouse, GII

"WIVELSFIELD LUNCE'S COMMON 1. 5206 Roger's Farmhouse TQ 32 SW 1/61 II 2. Early C19. Two storeys. Three windows. Stuccoed. Slate roof. Glazing bars intact. Late C19 porch."

- 4.20** Roger's Farmhouse faces south-east over the approach from Lunce's Hill. It is a later (19th century) building located to the south-west of the Site. It is principally of architectural value through its quality and form but again, alteration and later intervention is apparent. It is a good example of a vernacular building in the area and relates well to its surroundings.
- 4.21** There are a number of ancillary barns within the private curtilage of Roger's Farm to the west, which have been converted and are not very prominent, being screen by tall laurel (evergreen) hedging and there is a timber clad garage (visible in the figures below), but these are not of any notable historic value.
- 4.22** In addition to the above, there is also a separate property, which is clearly historic and incorporates a pegged tile roof and Dutch gable. This contributes positively to the wider setting of the listed building.
- 4.23** The property is of historic value insofar as it is part of the 19th century development of Hayward's Heath but is very much a rural building association with a farm development.



Fig.19: View from the approach road towards Rogers Farmhouse.



Fig.20: Timber garage to the right of Roger's Farmhouse, of no particularly heritage interest but a complimentary feature within the setting of the listed building.



Fig.21: View towards Roger's Farmhouse looking north-east.

Summary of Setting

- 4.24** Please refer to Appendix 2 for assessment in accordance with GPA3.
- 4.25** **Roger's Farmhouse** is **very** secluded, enclosed by a mature belt of deciduous trees to the east and north with spacious private garden setting. There are no views of the house at all from the approach drive until one arrives at the front gate.
- 4.26** The curtilage barns to the west have been converted and are not very prominent, being screened by tall laurel (evergreen) hedging.
- 4.27** The land associated with **Roger's Farmhouse** extends north to the edge of the Site but this is heavily screened by a belt of oak trees and there is little opportunity to **appreciate the two areas**. The Site does form part of the listed building's wider setting but its contribution is diminished owing to the established visual buffer between the two.



Fig.22: View towards Roger's Farmhouse with adjacent garage visible far centre.



Fig.23: There are various non-historic ancillary structures within the private curtilage of Roger's Farmhouse.

5. Heritage Impact Assessment

5.1 It is recognised that not all parts of a heritage asset will necessarily be of equal significance. In some cases, certain aspects or elements could accommodate **change without affecting the government's objectives, which include 'intelligently managed change' and which seeks to ensure decisions are based on the nature, extent and level of significance of those heritage assets affected.**

5.2 Change is only considered to be harmful where it erodes or negatively affects a **heritage asset's significance. Understanding the significance of any heritage asset** (along with any contribution made by its setting) is, therefore, fundamental to understanding the ability for the asset to accept change.

Relevant Considerations

5.3 There is some relevant context in relation to the permitted Linden Homes scheme, **referred to here as 'Fox Hill'**, which has already briefly been mentioned, located on the land immediately to the north of the Site (ref DM/15/3448). The decision and the result of that decision, currently being built out, is important in the context of the Site.

5.4 Two applications were associated with the Fox Hill scheme and these were: 1) DM/15/3448 (also PP-04442191), permitted July 2016 comprising 99 dwellings, 30% affordable; and, 2) DM/17/0331, which proposed an uplift in the number of dwellings from 99 to 151, again with 30% affordable, permitted August 2017.

5.5 **An application for Roger's Farm (the Site and focus of this HIA)** was officer recommended for approval but refused at committee in July 2017. This was before the second application associated with Fox Hill (DM/17/0331) was permitted. Both applications were in the system at the same time and decided within weeks of one another. In considering the committee reports for both sites, the comments within those documents and the wording/approach to assessment are almost identical. The Conservation Officer only slightly adjusts the wording used in the responses to account for the different number of assets being assessed.

5.6 In response to the Fox Hill (permitted) applications, the Conservation Officer's conclusions are summarised as follows:

"Your officer agrees with the views of the Conservation Officer and it is considered that whilst there will be some limited harm to the setting of the listed building [Cleavewater], this certainly amounts to less than substantial harm. It is therefore necessary to consider whether according to Para 134⁵ of the NPPF sufficient public benefits would offset the harm which must be given significant importance and weight in accordance with S66(1) of the Listed Buildings Act."

5.7 The Conservation Officer's conclusions relating to the refused Roger's Farm scheme are summarised as follows:

"Your officer agrees with the views of the Conservation Officer and it is considered that whilst there will be some limited harm to the setting of the two listed buildings referred to above, this certainly amounts to less than substantial harm. It is therefore necessary to consider whether according to Para 134 of the NPPF sufficient public benefits would offset the harm which must be given significant importance and weight in accordance with S66(1) of the Listed Buildings Act."

5.8 The Fox Hill scheme was considered by MSDC to be within the setting of Cleavewater, due to 'its proximity and contribution to the historically rural setting of the listed building'.

5.9 In addition, the conservation officer made the following observations:

"the proposed development will have a fundamental impact on the character of the site, which will be transformed from predominantly green and rural landscape to a suburban enclave. In terms of the impact on the setting of Cleavewater the development to the south-east corner of the site, including the access road, will be most significant being the nearest to the listed building and also that with the least screening in views from the south-east".

5.10 The response went on to conclude:

⁵ Now Para 192 of the revised NPPF, 2019

"the suburbanisation of this part of the historically rural setting of the listed building is considered detrimental to its character and therefore to be harmful to the special interest of the listed building. However, given the separation of the site from the listed building by Fox Hill Road and the degree of screening which is present the harm is considered to be less than substantial...".

- 5.11** The underlined extract above is considered particularly relevant to this HIA.
- 5.12** More recently, a further revised scheme for 19 dwellings, including 6 affordable units with associated landscaping, road layout, access and parking was also approved on the Fox Hill site (ref DM/19/2764).
- 5.13** The permissions associated with Fox Hill have resulted in a change to the baseline conditions when undertaking an assessment that looks to identify the potential impact of development on **the Roger's Farm Site** on the significance of Cleavewater and the other listed buildings/designated heritage assets discussed within this HIA. It adds an important cumulative consideration.
- 5.14** The Fox Hill development was recognised to bring about some limited harm to the significance of Cleavewater. Where on the scale the level of harm falls was not identified (i.e. the lower or upper limits of less than substantial harm) and the assessment of harm generally has come on some way since 2015, with updates to the NPPF and a revised NPPG having been published since that time (in 2019). What it does mean is that development on the Site at the focus of this HIA needs to take into account that there has already been some recent harm caused to Cleavewater and the cumulative impact of development on the Site, in conjunction with the new development at Gamblemead, is an important factor in any future development proposals. It does not by any means prevent further change but it does add an additional layer of sensitivity.

The proposals

- 5.15** The proposed layout has been designed, and this assessment undertaken, as part of a Regulation 19 application. An appraisal of the proposals is provided below for the purposes of allocation and is, therefore, not a detailed assessment at this stage.
- 5.16** This HIA, therefore, provides professional judgements on the potential impact of the introduction of residential dwellings onto the Site. There is no detailed design at

this stage and the assessment undertaken here, along with the conclusions need to be considered as strategic.



Fig.24: Indicative site layout.

5.17 The indicative site layout included above provides the basis of this assessment and includes 25 dwellings of a domestic scale, in line with the Mid Sussex Site Allocations DPD. The dwellings include 1-2 bed apartments within the south-western corner plot and a range of 2, 3 and 4 bed dwellings arranged throughout the rest of the Site.

5.18 The development has been laid out around ample private gardens, located to the rear of each property. The orientation of each property has been carefully considered to avoid a sense of enclosure whilst also allowing for ample privacy. Predominantly the proposed dwellings are south, east or west-facing either onto each other, from either side of access roads or over the boundary/green buffer to the south.

5.19 The main access road from Lunce's Hill runs along the southern boundary of the Site providing access to each group of dwellings to the north. The access road is

well screened by existing and proposed planting to the south, in order to minimise visibility and also to respect the relationship of the Site with the northern-most **elements of the land associated with Roger's Farmhouse (grade II), discussed further on below.**

5.20 Development has been pulled away from the eastern boundary with Lunce's Road with a green buffer and private drive separating the two. In addition, development on the eastern side of the Site has been well spaced to prevent a sense of enclosure and preserve a sense of openness through the core of the development. This helps to respect the relationship of the Site with Cleavewater, the grade II **listed building located opposite (on the eastern side of the Lunce's Hill), discussed further on below.**

5.21 Landscaping and trees play an important role in this indicative scheme to reinforce the buffer to the north, between the Linden Homes scheme and the Site.

Impact of the Proposals

5.22 With reference to Appendix 1, along with the most important considerations relating to the impact of the proposals on the setting of the designated heritage assets discussed within this Statement (which include, location and siting, form and appearance, effects and permanence⁶), value-based judgements on the impact of the outline proposals on significance have been set out below.

With respect to Cleavewater...

4.28 The Site is located opposite Cleavewater. The property is best appreciated from the road and this is how it is most readily experienced. The eastern boundary to the Site will be visible in views towards Cleavewater, but it will be relatively peripheral insofar the road separates the two, one to the east and one to the west. The listed building is separate from the Site in visual terms because of this and in the best views towards Cleavewater the Site will be behind the viewer or peripherally to the left or right, depending **on the direction of travel along Lunce's Hill.**

⁶ Historic England's guidance on setting GPA3

- 4.29** From the land to the east (rear) of the listed building there is the potential for the development to be seen in the distance behind the building. However, the new development would need to be substantial in height (which it is not) to be considered to dominate this view and that is not the intention of the proposals. Furthermore, this particular view is from private land and is a low sensitivity receptor given it offers no public access.
- 4.30** Views west (over the Site) from the first floor windows (which are very low set) would be possible and development at the Site would diminish the rural character of these views. However, the views from the building do not contribute, to any notable degree, to an appreciation of **building's significance** – its significance is very much architectural and historic and views out from the building are essentially incidental, insofar as they are not designed views.
- 4.31** The proposals have set back development away from the eastern boundary of the Site and allowed for a sense of openness to be retained in this location in order to respect the relationship with the listed building.
- 4.32** View **of the Site from Cleavewater's private curtilage and immediate surroundings** are heavily filtered by the tall deciduous hedge with much mature / overgrown shrubbery beyond it, within the field. There will be some seasonal variation, but given the very dense and tall nature of the screening, there would be some year-round screening, if retained.
- 4.33** In terms of cumulative impacts, taking into consideration the finding of less than substantial harm in relation to the Fox Hill development, the proposed development **at Roger's Farm is similar in so far as it introduces a number of domestically scaled residential dwellings onto the Site. This development requires an access route in from Lunce's Hill. At present there is a footpath into the Site that is visible from the road, opposite Cleavewater. The location of the new access is in the same position but widened to allow for vehicular access (not just pedestrian as existing). A key comment from the conservation officer in association with the Fox Hill scheme, when discussing the impacts on Cleavewater, was**

"given the separation of the site from the listed building by Fox Hill Road and the degree of screening which is present the harm is considered to be less than substantial..."

4.34 It is the conclusion of this assessment that the same findings can be applied in **relation to the Roger's Farm development, although this assessment** goes one step further, in line with the NPPG, and recognises that this less than substantial harm is at a low level.

4.35 With dwellings set back from the front (eastern boundary) of the Site, behind screen planting, the impact is considered to result in a low level harm that does not seriously affect the significance of the designated heritage asset. This remains the case when cumulative impacts are taken into consideration. The level of harm to the significance of Cleavewater is considered low in both instances and needs to be weighed in the planning balance.

With respect to Roger's Farm...

4.36 There are no views of the Site from within the building's setting and no filtered views of the Linden Homes development to the north of the Site. There are a considerable amount of mature trees, set out in effectively two belts (mostly oaks) at right angles, which create a small wooded area.

4.37 The grounds to Roger's Farmhouse extent north to the edge of the Site but the tree belt and other screening provide a considerable buffer that prevents intervisibility. The development on the Site is also set back away from the southern boundary of the Site, north of the access road, further pushing the built-up elements away from the existing tree belt.

4.38 The northern part of the Roger's Farmhouse land is not a location from which the **significance of Roger's Farmhouse** itself can be appreciated. There will be a change within the wider setting of the farmhouse due to the proposed development but that change will not prevent appreciation of the listed building and its heritage values.

4.39 It is considered that the development at the Site would have little to no effect on **the setting and the impact on significance would be neutral. The building's rural** setting would be preserved (assuming the trees to the perimeter of the site are retained).

4.40 In summary, no harm to significance has been identified.

With respect to the Olde House...

- 5.23** In views towards the Olde House where the roof top is seen just above the ground level of the hollow within which the building sits may be slightly affected by the new development (subject to density of the new housing). This is an informed assumption made based on the fact that there is slight visibility of the Linden Homes scheme. In these longer range views, there is the potential for a low level of impact in a winter context.
- 5.24** It is likely that views from the north side of the house will potentially be affected by the proposed development, more in winter, but would remain heavily filtered due to the size of the trees and density of the understorey and other shrubbery. The most important aspects of the **building's rural setting would be preserved and the impact on significance neutral**, provided the trees to the perimeter of the Site are retained.
- 5.25** The approach to the property forms part of its setting but it is not a location from which the building is best **appreciated. Any impact on the building's significance is the primary consideration** and although development on the Site would result in a change within the wider setting of this building, that change is not considered to result in any harm to its significance or, more specifically, to how one is able to appreciate the significance of the building.
- 5.26** There is a slight intervisibility of Olde Cottage (or the house to the east) from within the Site, but it is considered that this is not sufficient for the Site to be seen to **contribute to the listed building's setting**.
- 5.27** In summary, based on the above, development on the Site is not considered to result in any harm to the significance of the Olde House.

6. Conclusions

- 6.1** This HIA has provided an assessment of the significance of designated heritage assets likely to be affected by the proposed development at **the land at Roger's Farm**. It accords with the NPPF insofar as it provides a proportionate assessment of **significance and it makes reference to Historic England's** guidance on setting (GPA3), taking into consideration the nature and extent of the setting associated with each of the listed building discussed.
- 6.2** It has identified a low level of less than substantial harm (therefore, falling within paragraph 196 of the NPPF) to Cleavewater (grade II), whilst also taking into account the potential for cumulative impacts (with reference to the Fox Hill development to the north). Proposed development of this Site will need to be weighed in the planning balance.
- 6.3** No harm to the significance of the other listed buildings discussed within this Assessment has been identified for the reasons set out in Section 5.
- 6.4** The following recommendations have been made in order to mitigate heritage impacts only and are not exhaustive.
- Retain an ample buffer between the southern boundary to the Site and **The Olde Cottage and Roger's Farm**. An existing tree belt already provides ample screening but could be enhanced;
 - Setting **development back away from Lunce's Hill and ensure careful planting** to retain a sense of rurality and minimise (as far as possible) the change of outlook from Cleavewater (see indicative proposals and Vision Document);
 - Design ample spaces between buildings to reduce the perception or risk of overdevelopment from within the wider surroundings;
 - Draw on the local vernacular and adopt a sensitive material palette that complements that of the surrounding development.
- 6.5** The proposed indicative layout is considered to draw on all of the points set out above and is in accordance with both national and location policy in its approach.

Appendix 1

Scale of Harm (HCUK, 2019)

The table below has been worked up by HCUK Group (2019) based on current policy and guidance. It is intended as simple and effect way to better define harm and the implications of that finding on heritage significance. It draws on various recent appeal decisions and reflects the increasing importance being put on the contribution of setting to significance and the need to create a greater level of clarity within the finding of less than substantial harm (see the NPPF, paragraph 194-196). This has been proving more and more necessary and the table below goes some way to reflect the most recent updates (2019) to the guidance set out within the NPPG⁷

Scale of Harm	
Total Loss	Total removal of the significance of the designated heritage asset.
Substantial Harm	Serious harm that would drain away or vitiate the significance of the designated heritage asset
Less than Substantial Harm	High level harm that could be serious, but not so serious as to vitiate or drain away the significance of the designated heritage asset.
	Medium level harm, not necessarily serious to the significance of the designated heritage asset, but enough to be described as significant, noticeable, or material.
	Low level harm that does not seriously affect the significance of the designated heritage asset.

Heritage Collective, 2019

It is recognised that not all parts of a heritage asset will necessarily be of equal significance. In some cases, certain aspects or elements could accommodate change without affecting the government's objectives, which include 'intelligently managed change' and which seeks to

⁷ See NPPG 2019. Section: 'How can the possibility of harm to a heritage asset be assessed?'. Paragraph 3, under this heading notes that '*within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.*'

ensure decisions are based on the nature, extent and level of significance of those heritage assets affected.

Change is only considered to be harmful where it erodes or negatively affects a heritage **asset's significance**. Understanding the significance of any heritage asset (along with any contribution made by its setting) is, therefore, fundamental to understanding the ability for the asset to accept change.

Appendix 2

Assessment - Historic England's Guidance on Setting, (GPA3, 2017)

In assessing the effect of the proposed development on the Land at Roger's Farm on the setting and significance of designated heritage assets, it is relevant to consider how the following factors may or may not take effect, with particular reference to the considerations in Steps 2 and 3 of GPA3. The following analysis seeks to highlight the main relevant considerations.

<i>Relevant Considerations</i>	<i>Cleavewater, GII</i>
<i>Proximity of the development to the asset</i>	Approximately 50m to the east.
<i>Proximity in relation to topography and watercourses</i>	N/A
<i>Position of development in relation to key views</i>	To the west/opposite Cleavewater. To the west in views along Lunce's Hill, where Cleavewater is seen to the east.
<i>Orientation of the development</i>	Predominantly north-south but inward-looking.
<i>Prominence, dominance and conspicuousness</i>	Domestic scale development located within a heavily screened site bounded by trees and shrubs. Some visibility but limited and in no way dominant or conspicuous.
<i>Competition with or distraction from the asset</i>	No competition between the Site and the listed building is envisaged. The Site will be visible peripherally in views north-south along Lunce's Hill and towards Cleavewater.
<i>Dimensions, scale, massing, proportions</i>	Residential/domestic scale 2-3 storeys appropriate for the location.
<i>Visual permeability</i>	Enclosed by mature screening preventing open views into and through the Site.
<i>Materials and design</i>	Unknown.

<i>Diurnal or seasonal change</i>	Trees will thin out during winter months but existing screening will be retained and this is dense and mature around most parts of the Site and will therefore still provide substantial screening.
<i>Change to built surroundings and spaces</i>	Introduction of residential dwellings on previously undeveloped land. Introduction of a more suburban character within rural surroundings.
<i>Change to skyline, silhouette</i>	Unknown.
<i>Change to general character</i>	Introduction of a more suburban character within rural surroundings but well screened and of limited appreciation.

Relevant Considerations

The Olde Cottage

<i>Proximity of the development to the asset</i>	Approximately 100m to the south.
<i>Proximity in relation to topography and watercourses</i>	N/A
<i>Position of development in relation to key views</i>	To the north but not apparent in key views of/towards this building.
<i>Orientation of the development</i>	South.
<i>Prominence, dominance and conspicuousness</i>	Not apparent from within the setting of the Olde Cottage.
<i>Competition with or distraction from the asset</i>	N/A
<i>Dimensions, scale, massing, proportions</i>	As previously.
<i>Visual permeability</i>	The Site is enclosed by mature screening, particularly to the south, preventing open views into and through the Site.
<i>Materials and design</i>	Unknown.
<i>Diurnal or seasonal change</i>	As previously.
<i>Change to built surroundings and spaces</i>	As previously.

<i>Change to skyline, silhouette</i>	As above.
<i>Change to general character</i>	As above.

Relevant Considerations

Roger's Farm

<i>Proximity of the development to the asset</i>	Approximately 200m from the listed building but the northern part of the land associated with Roger's Farmhouse extends to the southern Site boundary.
<i>Proximity in relation to topography and watercourses</i>	N/A
<i>Position of development in relation to key views</i>	The development will not be apparent in any key views towards Roger's Farmhouse.
<i>Orientation of the development</i>	East.
<i>Prominence, dominance and conspicuousness</i>	As previously.
<i>Competition with or distraction from the asset</i>	As previously.
<i>Dimensions, scale, massing, proportions</i>	As previously.
<i>Visual permeability</i>	There is a thick belt of mature oak trees between the southern part of the Site and the land association with Roger's Farmhouse. There is no intervisibility.
<i>Materials and design</i>	Unknown.
<i>Diurnal or seasonal change</i>	As previously.
<i>Change to built surroundings and spaces</i>	As previously.
<i>Change to skyline, silhouette</i>	As previously.
<i>Change to general character</i>	As previously.

Standard Sources

<https://maps.nls.uk>

<https://historicengland.org.uk/listing/the-list>

www.heritagegateway.org.uk

<http://magic.defra.gov.uk>

www.history.ac.uk/victoria-county-history

The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition). Historic England (2017 edition)

Planning (Listed Buildings and Conservation Areas) Act, 1990

National Planning Policy Framework, 2019

National Planning Practice Guidance, 2019

Conservation Principles, Policies and Guidance, Historic England (2008)



Future Residential Development
Land at Rogers Farm, Fox Hill,
Haywards Heath

Transport Overview

for

Sigma Homes Limited

Document Control Sheet

Transport Overview

Future Residential Development/Land at Rogers Farm, Fox Hill, Haywards Heath

Sigma Homes Limited

This document has been issued and amended as follows:

Date	Issue	Prepared by	Approved by
24/07/2020	1 st Issue	FT	SGi
27/07/2020	2 nd Issue	FT	SGi

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Appendices

A	Illustrative Site Masterplan
B	Swept Path analysis
C	Access Arrangement & Visibility Splays
D	Stage 1 Road Safety Audit
E	TRICS Output Report

1.0 Introduction

- 1.1 This Transport Overview report has been prepared on behalf of Sigma Homes Limited in relation to potential future residential development on land at Rogers Farm, Fox Hill, Haywards Heath (the site).
- 1.2 The site is undeveloped and is located within the District of Mid Sussex, within the County of West Sussex. The District Council is in the process of preparing a Site Allocations Development Plan Document (DPD). The draft Regulation 19 submission DPD includes an allocation for development of land at Rogers Farm with 25 dwellings. This report has been prepared to provide supporting information with respect of transport and highway matters pursuant to the draft allocation.
- 1.3 The report considers the transport and highway matters associated with residential development of the site with up to 25 homes (Land Use Class C3), in particular focusing on suitability of the site in terms of transport sustainability, feasibility of achieving safe and suitable access, and a high-level consideration of potential traffic generation and impact on the local highway network. An illustrative masterplan is included in [Appendix A](#). In summary, this report demonstrates that:
- ▶ Land at Rogers Farm is located adjacent to existing residential development, approximately 1.6 kilometres to the south of Haywards Heath town centre
 - ▶ The site has good connections to existing main routes through the District
 - ▶ The site is accessible by sustainable modes of transport, including on foot, by cycle and public transport, providing connections to local amenities and employment opportunities in Haywards Heath and to the proposed 2-form entry primary school at Hurstwood Lane
 - ▶ Enhancements to the local highway network, pedestrian routes and bus facilities have recently been implemented along Fox Hill in relation to a residential development recently completed to the north of the site
 - ▶ Appropriate connections can be delivered as part of future development of the land to secure pedestrian and cycle links to the site, connecting into existing networks and providing connections to existing nearby bus stops
 - ▶ Safe and suitable vehicular access to the site can be achieved in accordance with design guidance
 - ▶ Any proposals for creation of new accesses to the land or other highway enhancements will be subject to relevant Road Safety Audit, in line with West Sussex County Council (WSCC) policy
 - ▶ The impact of 25 residential units would not give rise to a requirement for more detailed junction modelling, in view of WSCC guidance; and the development could be accommodated within the existing operating capacity of the local highway network
 - ▶ It is unlikely that any significant infrastructure or highway upgrades would be required to support potential future development of the site
- 1.4 The report follows the following structure:
- ▶ [Section 2](#) provides information on the site and surrounding area, including a brief review of the relevant planning background with respect to transport matters and the emerging Local Plan
 - ▶ [Section 3](#) describes the accessibility of the site to more sustainable forms of travel, including walking, cycling and public transport as well as access by these modes to local amenities
 - ▶ [Section 4](#) considers the feasibility of achieving safe and suitable access to the site from Fox Hill/Lunce's Hill
 - ▶ [Section 5](#) provides an assessment of traffic impact of potential future housing development of the site
 - ▶ [Section 6](#) presents the summary and conclusions of this report

2.0 Background

Site & Surrounding Area

- 2.1 The site is located adjacent to existing residential development to the north and to the west of Fox Hill, within the administrative boundaries of Mid Sussex District Council and West Sussex County Council. The County boundary is a few metres to the south of the site boundary along Fox Hill/Lunce's Hill. The commercial centre of Haywards Heath is approximately 1.6 kilometres to the north of the site, via the B2112.
- 2.2 The site is located to the south of Cape Road and west of Lunce's Hill and comprises circa 1.3 hectares of land associated with Rogers Farm. Land to the south, west and east is generally undeveloped. Cape Road was constructed as part of the recent residential development to the north. The site in relation to the surrounding area is identified on the plan below.

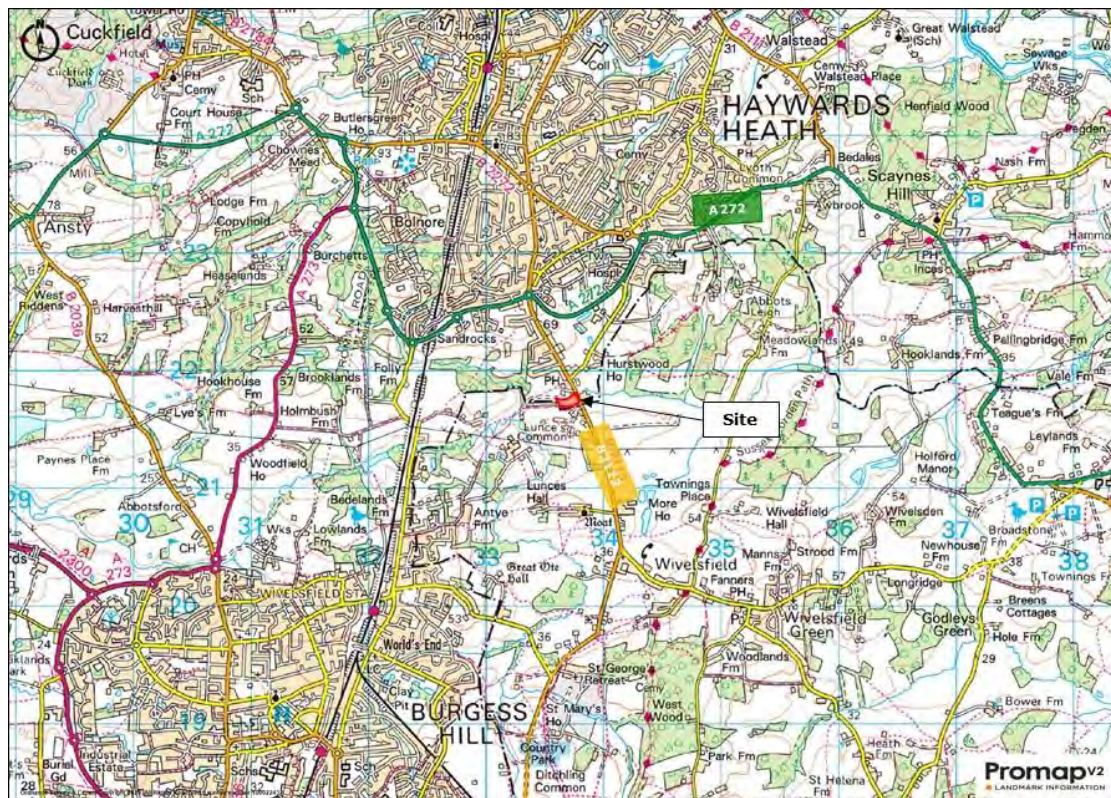


Site & Surrounding Area

Highway Network

- 2.3 Existing access to Rogers Farm is via a private drive, which leads south-west off Lunce's Hill. There is no existing direct access from the development site to the public highway.
- 2.4 The local highway network in the vicinity of the site includes Lunce's Hill and Cape Road.
- 2.5 Lunce's Hill (B2112) adjoins the site to the east and is a single carriageway road subject to the national speed limit in the vicinity of the site (60 mph). The B2112 provides a main route into Haywards Heath town centre from the south. Lunce's Hill connects with the A272 approximately 1 kilometre to the north of the site, which provides onward connections to Ansty and the A23 to the west and Scaynes Hill and North Chailey to the east. To the south, the B2112 leads towards Wivelsfield and the east of Burgess Hill.

- 2.6 Highway enhancements were implemented on Lunce's Hill as part of the recently completed Cape Road development, including a re-aligned carriageway, enhanced road markings and installation of vehicle actuated signs.
- 2.7 The site in relation to the wider highway network is identified on the plan below:



Surrounding Highway Network

Planning Background

- 2.8 An outline planning application was submitted in 2016 for a residential development of 37 dwellings on the site (planning reference: DM/16/3998). Whilst the application was refused, it is notable that no objection was raised to the application in relation to highways and transport matters, subject to planning conditions, by West Sussex County Council in its capacity as local highway authority. Furthermore, given the location of the development at the County boundary, East Sussex County Council was consulted on the proposals and raised no objection, again subject to conditions.
- 2.9 Access to the 2016 scheme was proposed a short distance to the north of the existing access to Rogers Farm and included visibility splays of 2.4 metres by 160 metres in each direction. The application **included proposals to enhance the existing footway on the western side of Lunce's Hill to connect into the footway enhancements secured as part of the residential development to the north.**
- 2.10 In more recent times, land to the north of the site has been developed with 170 dwellings by Linden Homes, known as Fox Hill. Planning permission for 99 dwellings was originally granted in July 2016 (planning reference: DM/15/3448). The number of units was extended to 151 by a further planning permission granted in September 2017 (planning reference: DM/17/0331). Finally, an additional 19 dwellings were approved at the end of 2019 (planning reference: DM/19/2764). The Fox Hill development is now substantially complete and involved enhancements, including:
- **Provision of an enhanced footway on the western side of Lunce's Hill from Cape Road (the site access) leading towards Haywards Heath**

- ▶ Installation of informal pedestrian crossings (dropped kerbs and tactile paving) across **junctions/accesses as well as across Lunce's Hill to enhance crossing for pedestrians to nearby bus stops**
- ▶ Improved road markings and signage **on Lunce's Hill**
- ▶ Installation of vehicle actuated signs to encourage lower vehicle speeds
- ▶ Provision of new bus shelters at nearby bus stops (near the Fox and Hound public house) with real time passenger information

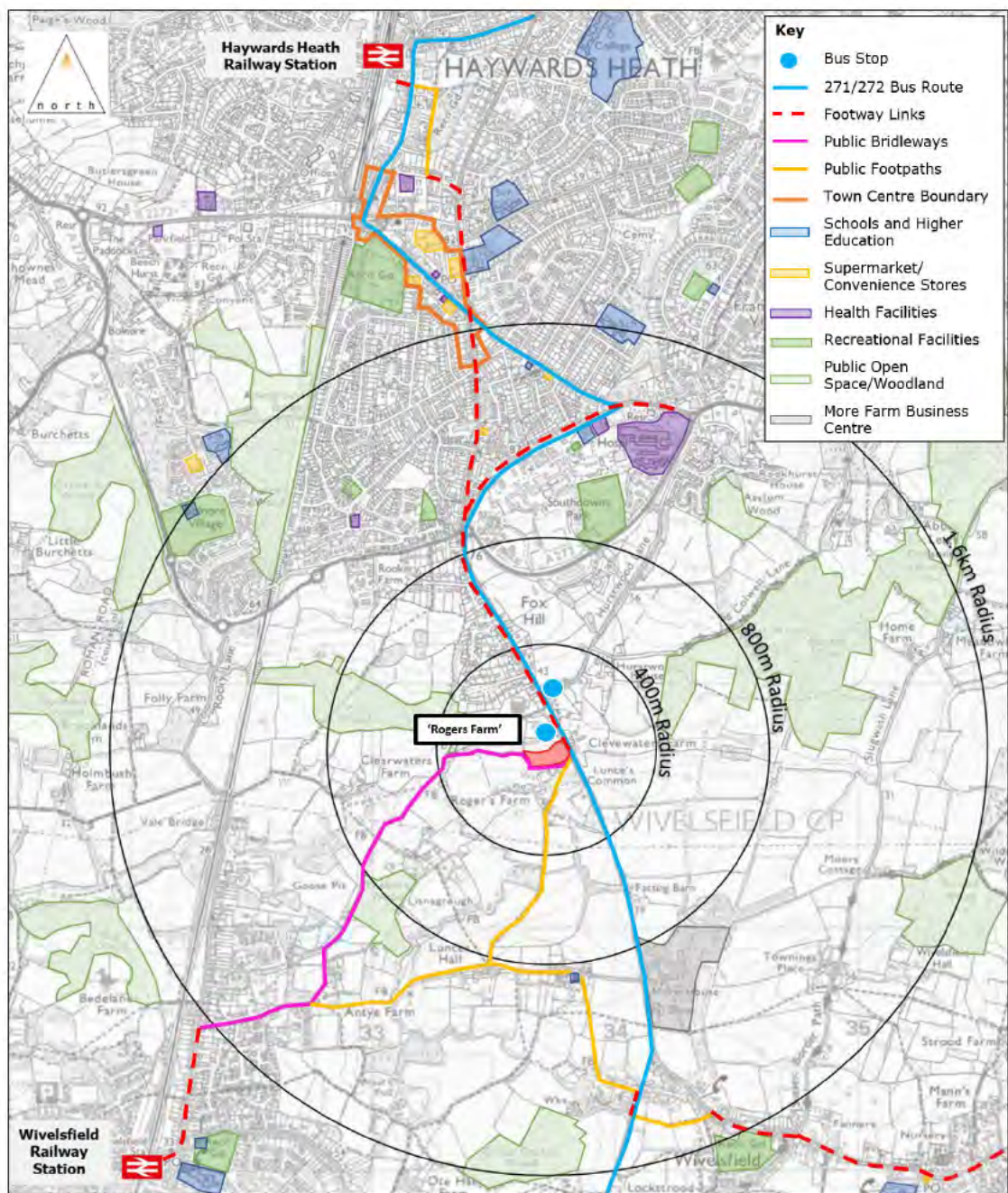
Draft Site Allocations DPD

- 2.11 The District Council is in the process of preparing a Site Allocations DPD. The draft Regulation 19 submission DPD includes an allocation for development of land at Rogers Farm with 25 dwellings (site reference: SA 21). This report has been prepared to provide supporting information in respect of transport and highway matters pursuant to the draft allocation.
- 2.12 In relation to 'Highways and Access', the draft allocation outlines the following requirements:
- ▶ **Provide access to Lunce's Hill (B2112), the details of which will need to be investigated further.**
 - ▶ Provide a sustainable transport strategy to identify sustainable transport infrastructure improvements and how the development will integrate with the existing network, providing safe and convenient routes for walking, cycling and public transport through the development and linking with existing networks.
- 2.13 **Under 'Urban Design Principles', the draft allocation also indicates:**
- ▶ Seek to enhance the connectivity of the site with Haywards Heath by providing pedestrian and/or cycle links adjacent to existing networks, including a connection to the bridleway to the south of the site.

3.0 Transport Sustainability

Sustainable Transport Strategy

- 3.1 The site is located on the south side of Haywards Heath and west of Fox Hill/Lunce's Hill (B2112). The B2112 is the main route into the town centre from the south and is served by regular bus services. These services are accessed by recently improved pedestrian facilities, delivered as part of residential development constructed to the north of the site. The town centre is approximately 1.6 kilometres to the north, within a comfortable cycle distance and accessible by existing pedestrian facilities.
- 3.2 The development has been designed to provide safe and convenient routes for walking and cycling to integrate with existing networks that offer opportunities for sustainable travel choices. This strategy seeks to ensure future residents can access a range of amenities on foot, by cycle and public transport.



Key Sustainable Transport Connections

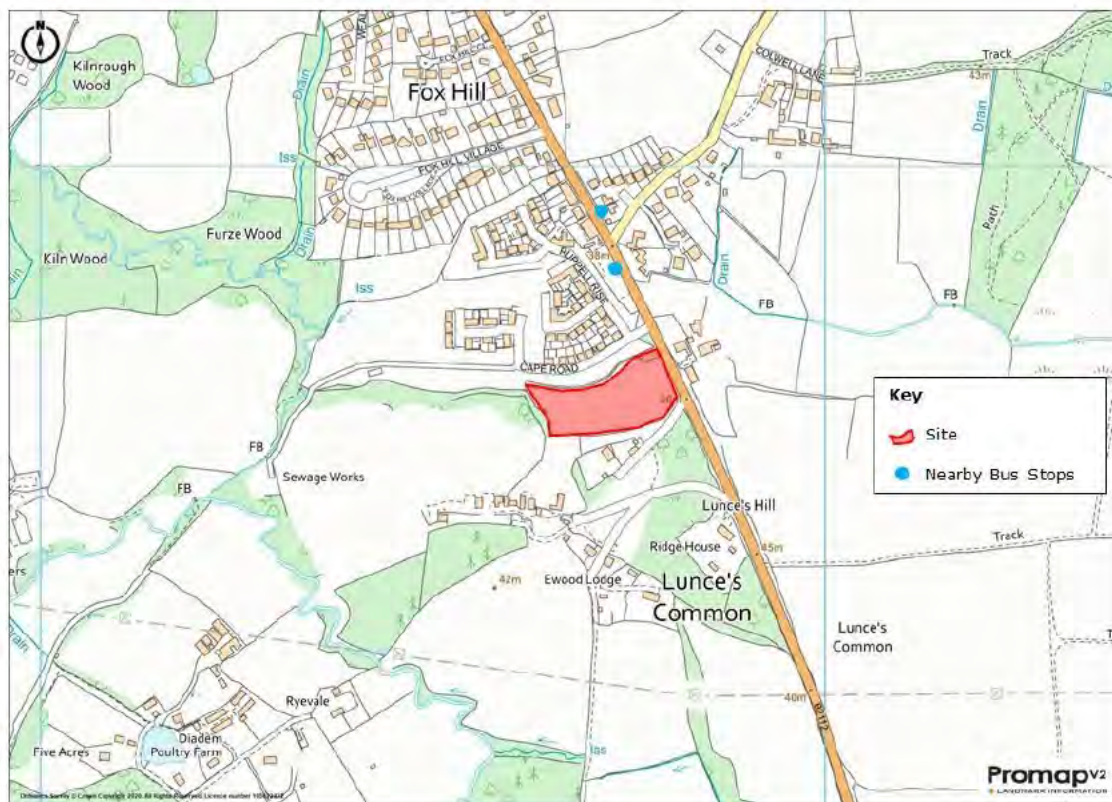
- 3.3 A Travel Plan will be prepared to support the new residential development, which will seek to encourage more sustainable travel choices among residents, primarily through the provision of local information on pedestrian, cycle and public transport routes and facilities.
- 3.1 It is generally accepted that walking and cycling provide important alternatives to the private car and should also be encouraged to form part of longer journeys via public transport. The Chartered Institute of Highways and Transportation (CIHT) has prepared several guidance documents that provide advice with respect to the provision of sustainable travel in conjunction with new developments. Within these documents it is suggested that:
- ▶ Most people will walk to a destination that is less than one mile (circa 1.6 kilometres) - Planning for Walking, 2015
 - ▶ The bicycle is a potential mode of transport for all journeys under five miles (circa 8 kilometres) - Planning for Cycling, 2015
 - ▶ Walking distances to bus stops should not exceed 400 metres, whilst people are prepared to walk twice as far to rail stations - Planning for Walking, 2015
- 3.2 The site is accessible by sustainable modes of transport and local amenities are within walking distance of the site. The following paragraphs provide further information on access to the site on-foot, by cycle and public transport as well as further information on local services and facilities.

Walking & Cycling

- 3.3 **There is an existing footway on the western side of Lunce's Hill, which leads north** from the existing access to Rogers Farm and connects with the recently enhanced footway fronting the Fox Hill development and on towards nearby bus stops and Haywards Heath. Also installed as part of the development to the north, a new informal pedestrian crossing (involving dropped kerbs and tactile paving) has been installed to enhance crossing for pedestrians to the southbound bus stop opposite the Fox and Hounds public house, as well as additional dropped kerbs and tactile paving across a number of other accesses and local junctions.
- 3.4 There are no dedicated cycle routes in the vicinity of the site. However, recent measures have been implemented on the B2112 to the north of the site, which seek to reduce vehicle speeds, including improved road marking and signage as well as installation of vehicle actuated signs. Lower vehicle speeds are likely to be conducive to encouraging an increase in cycling towards the town.
- 3.5 The site also benefits from access to an extensive network of public rights of way (PRoW) to the south of the site between the B2112 and Valebridge Road and beyond. This includes a bridleway (Wivelsfield 3), which leads along the southern boundary of the site and continues in a south-westerly direction to connect with Valebridge Road (a core route between Burgess Hill in the south and the A272 to the north) a short distance to the north of Wivelsfield railway station. A further public footpath (Wivelsfield 15) **leads south from the existing access to Rogers Farm towards Lunce's Hill** and connects with the wider PRoW network. These routes provide future residents with alternative pedestrian and/or cycle links to other nearby settlements, as well as for recreational purposes.
- 3.6 Within the site, the layout will be designed to encourage low vehicle speeds and to prioritise the needs of pedestrians and cyclists. A footway will lead into the development running along the northern side of the primary access road. Shared surface private drives will lead off this primary access route, which will connect with a footpath extending along the northern boundary of the site. These pedestrian routes will integrate into the existing and recently enhanced **footway on the western side of Lunce's Hill, which leads north towards Haywards Heath and nearby bus stops**. It is envisaged that the footway **on the western side of Lunce's Hill between the new site access and recently enhanced section of** footway will be improved, with localised widening and surface improvements.

Bus Services

- 3.7 The nearest bus stops to the site are located on Fox Hill within 400 metres of the entire site, identified on the plan below. These stops benefit from shelters with seating and are due to be installed with real time passenger travel information.



Location of Nearby Bus Stops

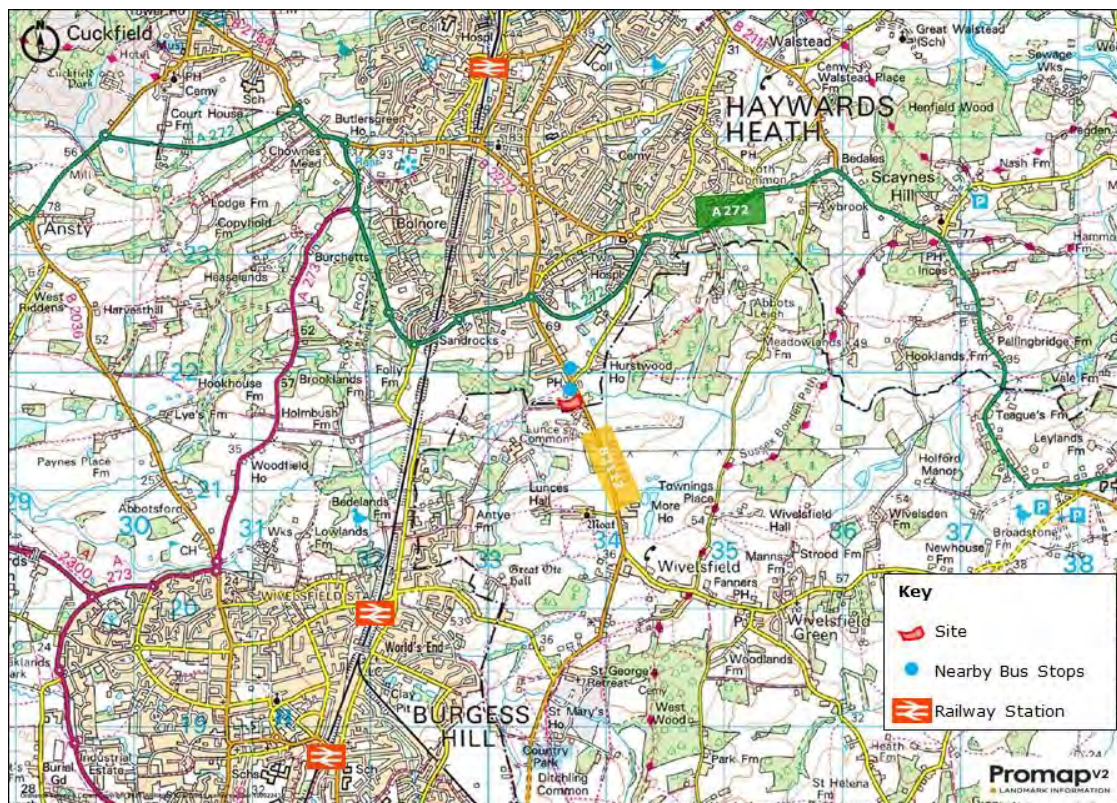
- 3.8 These stops provide access to regular bus services serving Haywards Heath as well as Brighton and Burgess Hill. A summary of existing services is provided in the table below based on information available online (West Sussex County Council and Traveline websites).

Service	Route	Approximate Frequency	
		Monday - Saturday	Sunday
271/272	Brighton – Burgess Hill – Haywards Heath – Crawley	Hourly	Every 2 hours

Table 3.1 – Local Bus Service

Rail Services

- 3.9 Three railway stations are located within the distance recognised by the CIHT as convenient for cycling, including Haywards Heath (3.2 kilometres), Wivelsfield (2.8 kilometres via bridleway 3, or 4.5 kilometres by road) and Burgess Hill (6.1 kilometres).

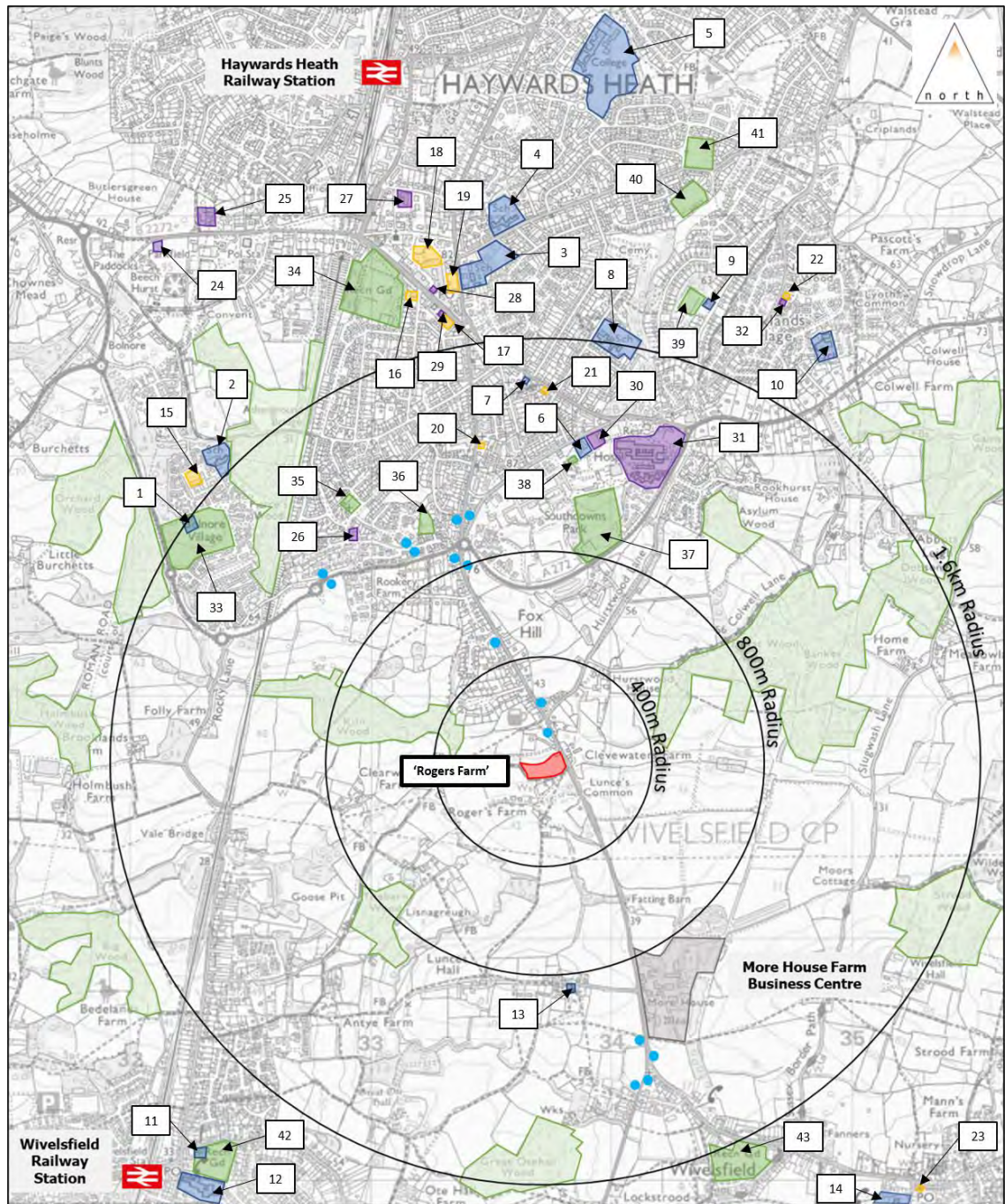


Site in relation to Nearby Railway Stations

- 3.10 These stations form part of the network managed by Southern and benefit from services to London Victoria, Bedford, and Brighton. Bus services 271/272 (described above) provide connections to Haywards Heath and Burgess Hill stations **and stop close to Wivelsfield station in World's End**. Each station also benefits from cycle storage.

Access to Local Amenities

- 3.11 Many local services and facilities are available within 1.6 kilometres of the site, the distance referenced in the CIHT guidance within which most people will walk to a destination. The plan below identifies the location of the site in relation to these amenities, as well as those available within a wider catchment and Haywards Heath.
- 3.12 Clearly, a wide range of amenities is available in Haywards Heath including retail, health, education, leisure, and recreation facilities as well as employment opportunities, located within 2 kilometres of the site. The town is within easy cycling distance of the site, based on CIHT guidance, and as identified above, is accessible by regular daily bus services. The 2-form entry primary school with Early Years provision, approved as part of the Hurstwood Farm planning application (reference DM/17/2739), will substantially enhance local education opportunities.



Local Amenities (key overleaf)

Key			
 Schools and Higher Education		 Health Facilities	
1	Bolnore Village Pre-School	24	Haywards Heath Health Centre
2	Bolnore Village Primary School	25	Dolphins Practice
3	St Josephs Catholic Primary School	26	The Vale Surgery
4	Warden Park Primary Academy	27	Newton Surgery
5	Othall Community College	28	Scrivens Opticians & Hearing Care
6	Chalkhill Education Centre	29	Boots Pharmacy
7	Primrose House Montessori Nursery	30	Sussex Orthopaedic Treatment Centre
8	Saint Wilfrid's C of E Primary School	31	Princess Royal Hospital
9	Treetops Day Nursery	32	Northlands Wood Practice
10	Northlands Wood Primary Academy	 Recreational Facilities	
11	Little Explorers Nursery and Preschool	33	Tim Farmer Recreational Ground
12	Manor Field Primary School	34	Victoria Park
13	Mill Hall Day Nursery	35	Ashenground Community Centre
14	Wivelsfield Primary School	36	Sandy Vale Open Space
 Supermarket/ Convenience Stores		37	St Francis Rangers Football Club/ St Francis Swimming Pool
15	Co-op Food – Haywards Heath	38	St Francis Social & Sports Club
16	Iceland Foods	39	Recreational Area
17	Poundland	40	Hanbury Football Stadium
18	Marks & Spencer Haywards Heath	41	Recreational Area and Playground
19	Tesco Express	42	Worlds End Recreation Park
20	Sainsbury's Local	43	Wivelsfield Recreation Ground
21	The Co-operative Food	 Public Open Space/Woodland	
22	Tesco Express	 Bus Stop	
23	Londis		

4.0 Access Strategy

Access Arrangements

- 4.1 The main access to the development for pedestrians, cyclists and vehicles is proposed at the south-eastern corner of the site. The access comprises a new simple priority junction with Lunce's Hill and has been positioned to ensure appropriate sightlines are achieved. The proposed access has been designed to provide safe and suitable access for all users and vehicles anticipated to require access to the development.
- 4.2 The access road is 5.5 metres in width and provided with appropriate bellmouth radii. A 2-metre-wide footway extends into the site on the northern side of the access. Swept path analysis in [Appendix B](#) demonstrates the ability of a refuse vehicle to enter the site access and exit in a forward gear. It is also evident that the access is wide enough for a refuse vehicle to pass a car at the access junction.
- 4.3 Visibility splays of 2.4 metres by 160 metres are achievable to the north and south of the access, within land forming the site and public highway, as shown on the plan in [Appendix C](#). Provision of these sightlines will require some cutting back of vegetations within the public highway. These visibility splays were accepted as appropriate by both West Sussex and East Sussex County Councils in considering the Cape Road scheme in 2016. The Transport Statement submitted in support of the earlier application identified vehicle speeds of 49 mph northbound and 51 mph southbound (with a wet weather reduction). It is therefore apparent that the recorded speed of vehicles at the time of the earlier application were travelling below the posted speed limit and 160 metre sightlines are the appropriate splays for roads with vehicle speeds of 50 miles per hour.
- 4.4 The recent enhancements to the local highway in the vicinity of the site, including improved road markings and signage (as well as vehicle actuated signs), are designed to reduce the speeds of vehicles travelling on this section of the B2112.
- 4.5 As part of a future application, it is anticipated that updated speed data will be collected to establish appropriate sightlines for the new access based on current circumstances. However, it is considered safe and suitable access to the site can be achieved in accordance with relevant design guidance.

Internal Layout

- 4.6 Within the site, the layout will be designed to encourage low vehicle speeds and to prioritise the needs of pedestrians and cyclists, having regard to relevant design guidance. A footway will lead into the development running along the northern side of the primary access road. Shared surface private drives will lead off this primary access route, which will connect with a footpath extending along the northern boundary of the site. These pedestrian routes will integrate into the existing and recently enhanced **footway on the western side of Lunce's Hill, which leads north towards Haywards Heath and nearby bus stops.**
- 4.7 Appropriate provision will also be made for car and cycle parking based on local standards. The illustrative masterplan in [Appendix A](#) identifies suitable provision can be achieved to cater for the proposed quantum of development and ensure parking does not overspill onto the adjacent public highway.
- 4.8 Swept path analysis in [Appendix B](#), indicates the ability of a 12-metre refuse vehicle to use the site access and turn within the illustrative layout. In this regard, it is evident that appropriate provision can be made for the largest vehicles anticipated to require access to the development.

Road Safety

- 4.9 To consider the standard of road safety in the vicinity of the site, personal injury collision (PIC) information was requested from Sussex Safer Road Partnership (SSRP). Data received from SSRP for the 5-year period 1st June 2015 to 31st May 2020 identifies a total of 11 PICs, two of serious and 9 of slight severity, were recorded on the section of Lunce's Hill between Rookery Way and Church Lane. These PICs resulted in 16 casualties, two of serious and 14 of slight severity. The PICs and conditions are summarised in the following table.

Year	Fatal	Serious	Slight	Wet	Dark
2015 (part)	0		1(1)		
2016	0		2(4)	1	1
2017	0	1(3)			1
2018	0		3(4)		
2019	0		2(2)	1	
2020 (part)	0	1(1)	1(1)	2	1
Total	0	2(4)	9(12)	4	3

Table 4.1 – PICs by year (casualties), and conditions

- 4.10 Further analysis has been carried out on each PIC, listed below from north to south.

30mph zone

- ▶ 31/01/2016 at 18.12hrs; south of Weald Rise, in dark and wet conditions, northbound car crossed centreline, clipping southbound car and colliding with following southbound car. Main causation – fatigue and distraction in vehicle.
- ▶ 25/01/2018 at 13.26hrs; south of Fox Hill Close, in dry and light conditions, southbound car hit stationary waiting vehicles. Main causation – failed to look properly and sudden braking.
- ▶ 07/01/2020 at 20.04hrs; Hurstwood Lane junction, in dark wet conditions, car turned right out of Hurstwood Lane in front of southbound (stolen) motorcycle. Main causation – defective lights (motorcycle).
- ▶ 11/03/2020 at 09.27hrs; Hurstwood Lane junction, in light wet conditions, car turned right across southbound car into Hurstwood Lane. Main causation – careless, reckless, in a hurry and failed to judge other persons path or speed.
- ▶ 25/08/2019 at 13.05hrs; Hurstwood Lane junction, in dry light conditions, car turned right out of Hurstwood Lane in front of southbound car (which was indicating left). Main causation – poor turn or manoeuvre.

60mph zone

- ▶ 23/06/2015 at 11.50hrs; Gamblemead access, in dry light conditions, car travelling slowly to turn right into Gamblemead is overtaken by following southbound car, when front car makes the right turn. Main causation – failed to look properly and failed to signal.
- ▶ 21/08/2018 at 17.07hrs; PH car park entrance, in dry light conditions, southbound car turning right into car park struck from behind by following car. Main causation – failed to judge other persons path or speed.
- ▶ 07/11/2019 at 08.14hrs; Lunce's Hill (near overhead lines) in wet light conditions, southbound LGV fails to see stationary vehicles in front and collides with oncoming car. Main causation – careless, reckless, in a hurry, failed to judge other persons path or speed, and travelling too fast.
- ▶ 07/03/2017 at 20.19hrs; North of Church Lane, in dark dry conditions, northbound car swerving into oncoming traffic strikes oncoming car. Main causation – impaired by alcohol.

- ▶ 08/09/2016 at 11.12hrs; North of Church Lane, in dry light conditions, northbound car collides with stationary car waiting for right turning car to make its manoeuvre. Main causation – following too close.
 - ▶ 06/06/2018 at 21.56hrs; south of Church Lane, in light dry conditions, northbound car overtaking cyclist strikes oncoming car turning left from an access. Main causation – poor turn or manoeuvre.
- 4.11 No PICs involved pedestrians, one involved a defective stolen motorcycle and one involved a pedal cyclist, although they were not a casualty. One PIC involved a drunk driver. Three PICs occurred at Hurstwood Lane junction involving right turning vehicles.
- 4.12 Having regard to the review of PICs recorded on the local highway network outlined above, no trends have been identified and it appears that most PICs were the result of human error, rather than defects associated with the highway network. In this regard it is considered that there are no existing highway issues that contribute to the existing standard of road safety.
- 4.13 A Stage 3 road safety audit for the adjacent residential development at Cape Road (completed in August 2019) identified overgrown vegetation on the new section of footway to the south of Cape Road creating a hazard for pedestrians. This will be monitored when tying into the new section of footway linking to the new site access.
- 4.14 A new stage 1 road safety audit has been carried out on the proposed access, the report from which is attached as [Appendix D](#). Two minor problems were raised, which are easily addressed as matters of detailed design as described within the Designer's Response at Appendix B of the RSA report.

5.0 Traffic Impact

Vehicle Movements

- 5.1 To establish potential vehicle movements arising from a future residential development at the site, reference has been made to the TRICS database. The assessment below considers vehicle movements during the traditional weekday morning and evening peak hours and across a typical weekday. These periods are generally accepted to be the times where movements associated with residential development and on the local highway networks are likely to be at their greatest.
- 5.2 The table below sets out weekday trip rates extracted from TRICS for private houses for sites in England (excluding Greater London) located in suburban and edge of town areas for developments up to 50 dwellings. The table also identifies the number of vehicle movements during weekday morning and evening peak hours associated with 25 private dwellings. Full TRICS outputs are also available in **Appendix E**.

Time Period	Trip Rate (per unit)			Traffic Generation (25 houses)		
	Arrivals	Departures	Total	Arrivals	Departures	Total
Morning Peak (08:00-09:00)	0.152	0.344	0.496	4	9	12
Evening Peak (17:00-18:00)	0.304	0.157	0.461	8	4	12

Table 5.1 – Weekday Trip Rates (Private Houses) and Traffic Generation

- 5.3 Based on the trip rate data summarised in the table above, a residential development of 25 dwellings will result in around 12 vehicle movements during the weekday morning and evening peak hours. This assessment is considered to be robust on the basis that the trip rates relate to private houses and therefore does not reflect the lower number of trips typically associated with affordable units, which could form part of a future residential development. Moreover, the proposed scheme includes flats, which also typically generate a lower number of vehicle movements than houses.

Traffic Impact

- 5.4 A more detailed assessment, such as junction modelling, is typically required where vehicle movements on any link/junction would increase by 30 or more movements in any hour. This is confirmed in guidance entitled, 'Transport Assessment Methodology', published by WSCC in June 2007.
- 5.5 On the basis that the proposals would not result in this level of vehicle movements during traditional weekday morning and evening peak hours, it is considered there would be no requirement for more detailed assessment and that additional traffic arising from the development would not give rise to any capacity concerns. Furthermore, no existing issues have been identified in relation to the existing highway network that result in a higher than average accident rate. It is therefore considered the impact of additional vehicle movements on the local highway network would not be detrimental to the existing standard of road safety.
- 5.6 In view of the estimated vehicle movements anticipated to arise, is not considered likely that any significant infrastructure or highway upgrades would be required to support potential future development of the site.

6.0 Summary and Conclusions

- 6.1 This Transport Overview report has been prepared on behalf of Sigma Homes Limited in relation to potential future residential development of land at Rogers Farm, Haywards Heath, **and the Council's** emerging Site Allocations DPD.
- 6.2 In respect of transport, this report demonstrates that:
- ▶ Land at Rogers Farm is located adjacent to existing residential development, approximately 1.6 kilometres to the south of Haywards Heath town centre
 - ▶ The site has good connections to existing core routes through the District including the B2112 and A272
 - ▶ The site is accessible by the more sustainable modes of transport, including on foot, by cycle and public transport that provide connections to local amenities and employment opportunities in Haywards Heath and to the proposed 2-form entry primary school at Hurstwood Lane
 - ▶ Enhancements to the local highway network, pedestrian routes and bus facilities have recently been implemented along Fox Hill in relation to a residential development recently completed to the north of the site
 - ▶ Appropriate connections can be delivered as part of future development of the land to secure pedestrian and cycle links to the site, connecting into existing networks and providing connections to existing nearby bus stops
 - ▶ Safe and suitable vehicular access to the site can be achieved in accordance with relevant design guidance
 - ▶ Any proposals for creation of new accesses to the land or other highway enhancements will be subject to relevant Road Safety Audit, in line with West Sussex County Council (WSCC) policy
 - ▶ The impact of 25 residential units at this location would not give rise to a requirement for more detailed junction modelling and, on that basis, that future development could be accommodated within the existing operating capacity of the local highway network
 - ▶ It is unlikely that any significant infrastructure or highway upgrades would be required to support potential future development of the site
- 6.3 In conclusion therefore, it is considered that development of land at Rogers Farm for housing purposes, in transport terms, is deliverable and would be consistent with the environmental, social, and economic considerations of the National Planning Policy Framework.

Appendix A

Illustrative Site Masterplan



Scale: 0 10 30 50m

Sketch Site Layout

Proposed Residential Development, Land at Rogers Farm, Lunce's Hill, Haywards Heath

ARCHITECTURE
 arch@architect.co.uk
 info@architect.co.uk
 01227 634334

Client Details
 Sigma Homes Ltd

Project Title
 Proposed Residential Development,
 Land at Rogers Farm, Lunce's Hill, Haywards Heath

Drawing Title
 Sketch Site Layout

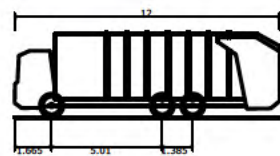
Scale	Date	Drawn	Checked
1:500@A3(approx)	June 2020	KE	

Project Number	Drawing Number	Drawing Revision
20.212	SK02	A

Canterbury Studio: Logan House St Andrews Close Canterbury CT1 2RP
 London Studio: Ink Rooms 25-37 Easton Street Clerkenwell WC1X 0DS

Appendix B

Swept Path Analysis



Future ESCC Vehicle
Overall Length
Overall Width
Overall Body Height
Min Body Ground Clearance
Track Width
Lock to lock time
Kerb to Kerb Turning Radius

12.000m
3.000m
3.839m
0.391m
3.000m
4.00s
11.550m

motion

84 North Street
Guildford
Surrey
GU1 4AU

Cargo Works
1-2 Hatfields
London
SE1 9PG

T: 01483 531 300

T: 020 8065 5208

www.motion.co.uk

Project:
Rogers Farm, Fox Hill, Haywards Heath

Title:
Swept Path Analysis
Refuse Vehicle

Scale: 1:500 (@ A3)

Notes:

Drawing:

2006082-TK01

Revis on:

A

Appendix C

Access Arrangement & Visibility Splays

Assumed Highway
Boundary

motion

84 North Street
Guildford
Surrey
GU1 4AU

Cargo Works
1-2 Hatfields
London
SE1 9PG

T: 01483 531 300

T: 020 8065 5208

www.motion.co.uk

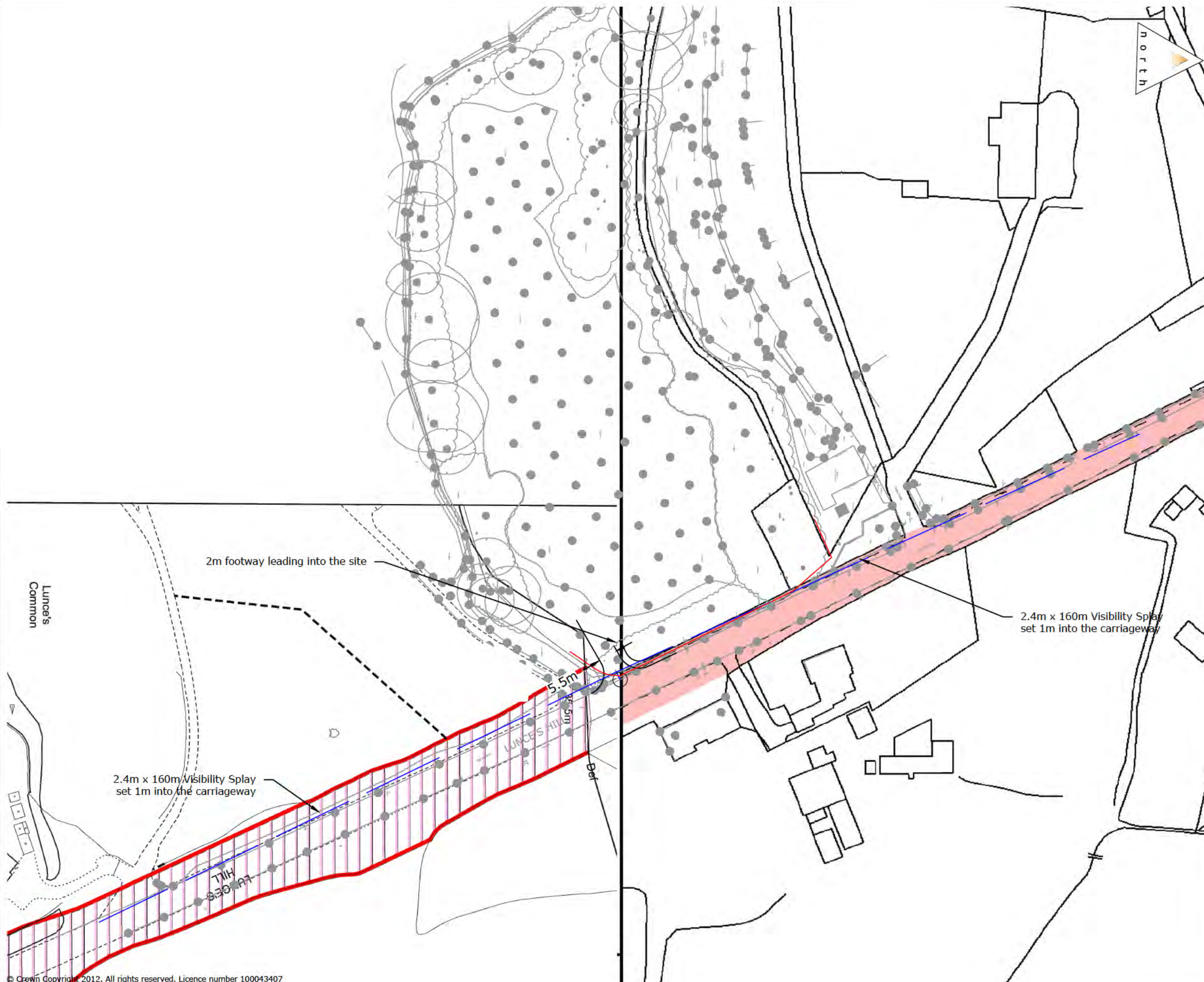
Project:
Rogers Farm, Fox Hill, Haywards Heath

Title:
Proposed Access Arrangements

Scale: 1:250 (@ A3)

Drawing:
2006082-SK01

Revision:
-



Appendix D

Stage 1 Road Safety Audit

ROGERS FARM, FOX HILL, HAYWARDS HEATH

Proposed Access Arrangements

Stage 1 Road Safety Audit
Requested by Motion

July 2020



Road Safety Engineering

Project: Rogers Farm, Fox Hill, Haywards Heath
Proposed Access Arrangements

Client: Motion

Project Sponsor: West Sussex County Council

Document: Stage 1 Road Safety Audit

Gateway TSP ref: WP/JS/2006082 RSA1 v1.0

Issue date: 23rd July 2020

Status: Issued as version 1.0

Authorised by: WP

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CONTENTS

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2	Items Considered by this Road Safety Audit	3
3	Collision Data.....	4
4	Previous Road Safety Audits.....	5
5	Problems Identified by this Road Safety Audit	6
6	Audit Team Statement	8

Appendices

- Appendix A: Location Plan(s)
Appendix B: **Designer's Response**

1 INTRODUCTION

- 1.1** This report describes a Stage 1 Road Safety Audit (RSA) of proposed access **arrangements onto Lunce's Hill**, Haywards Heath in West Sussex.
- 1.2** The highway works considered by this Audit comprise a new 5.5m wide access for a development of 25 residential units and a 2m wide footway linking to the adjacent Cape Road footway and junction.
- 1.3** B2112 **Lunce's Hill** is two-way single carriageway with no parking restrictions. The speed limit is 60mph reducing to 30mph to the north at Hurstwood Lane. The carriageway is generally unlit with one lighting unit opposite the access. A narrow footway is provided on the western side between the Cape Road development and the existing access just to the south of the proposed access. Speed activated signs are located either side of the Cape Road junction, indicating a warning of the side road.
- 1.4** This Road Safety Audit was carried out by Wendy Palmer and Julian Smith and consisted of a desktop study and a site visit, which was carried out on Monday 20th July 2020 between the hours of 16.15 and 16.45, when the weather was fine and the road surface dry. Traffic flows were regular and no significant traffic congestion was observed during the site visit.
- 1.5** The terms of reference for this RSA are as described in the Design Manual for Roads and Bridges (DMRB) document GG119. The Audit Team is independent of the project design team and has not been involved in the design process in any other capacity. The audit considers only the potential road safety implications of the scheme and has not verified compliance of the design with any other criteria.
- 1.6** The Audit Team has not been made aware of any Departures from Standard. Whilst reference may be made to design standards, this report is not intended to provide a design check.

- 1.7** Recommendations are aimed at addressing the identified potential road safety problems. However, there may be other acceptable ways to overcome a problem, considering wider constraints and opportunities; the Auditors would be pleased to discuss such alternative solutions as appropriate. The recommendations contained herein do not absolve the Designer of his/her responsibilities.

2

ITEMS CONSIDERED BY THIS ROAD SAFETY AUDIT

Document ref.	Rev.	Originator	Title
2006082-01	-	Motion	Proposed Access Arrangements
2006082-SK01	-	Motion	Proposed Access Arrangements
2006082-TK01	-	Motion	Swept Path Analysis, Refuse Vehicle

Additional/background information provided to the Audit Team

- None

3 COLLISION DATA

3.1 Personal Injury Collision (PIC) information was requested from Sussex Safer Road Partnership (SSRP). Data received from SSRP for the 5-year period 1st June 2015 to 31st May 2020 identifies a total of 11 PICs, two of serious and 9 of slight severity, **were recorded on the section of Lunce's Hill between Rookery Way and Church Lane.** These PICs resulted in 16 casualties, two of serious and 14 of slight severity. The PICs in the vicinity of the access are extracted from the Transport Overview, detailed below.

- 23/06/2015 at 11.50hrs; Gamblemead access, in dry light conditions, car travelling slowly to turn right into Gamblemead is overtaken by following southbound car, when front car makes the right turn. Main causation - failed to look properly and failed to signal.
- 21/08/2018 at 17.07hrs; PH car park entrance, in dry light conditions, southbound car turning right into car park struck from behind by following car. Main causation - failed to judge other persons path or speed.
- **07/11/2019 at 08.14hrs; Lunce's Hill (near overhead lines) in wet light** conditions, southbound LGV fails to see stationary vehicles in front and collides with oncoming car. Main causation - careless, reckless, in a hurry, failed to judge other persons path or speed, and travelling too fast.

4 PREVIOUS ROAD SAFETY AUDITS

- 4.1** The Audit Team is unaware of any previous road safety audits on these proposals. GTSP did however carry out the RSAs on the adjacent scheme at Cape Road between 2017 and 2019.

5 PROBLEMS IDENTIFIED BY THIS ROAD SAFETY AUDIT

General Matters

- 5.1** The Audit Team raises no concerns at this Stage 1 RSA in respect of general matters.

Local Alignment

- 5.2** The Audit Team raises no concerns at this Stage 1 RSA in respect of local alignment.

Junctions

- 5.3** The Audit Team raises no concerns at this Stage 1 RSA in respect of junctions.

Walking, Cycling and Horse Riding

5.4 Problem

Narrow length of footway may lead to pedestrians being struck by a passing vehicle

Location: *proposed footway*

It is proposed to provide a short section of footway leading from the new access along **Lunce's Hill. This would leave a narrow section of footway prior to the Cape Road site** boundary footway. This may lead to pedestrians stepping into the footway and being struck by a passing vehicle.

Recommendation

The mid-section of footway should be improved joining the new sections.

Traffic Signs, Carriageway Markings and Lighting

5.5 Problem

Lack of advance warning to the junction may lead to t-bone or nose to tail collisions.

Location: *approaches to the access*

The junction at Cape Road has speed activated signs on both approaches warning of the access on this 60mph section of carriageway. The drivers eye view to these signs illuminating may distract from the proposed access, leading to t-bone or nose to tail collisions.

Recommendation

Advance warning of the new access should be provided.

6 AUDIT TEAM STATEMENT

6.1 We certify that this Road Safety Audit has been carried out in accordance with DMRB document GG119.

Audit Team Leader

Wendy Palmer
MCIHT, MSoRSA, HE Cert Comp
Road Safety Engineer

Signed:



Date: 22nd July 2020

Audit Team Member(s)

Julian Smith
BEng MCIHT
Road Safety Engineer

Signed:



Date: 22nd July 2020

APPENDIX A Location Plan(s)



APPENDIX B

Designer's Response

Project: Rogers Farm, Fox Hill, Haywards Heath
Proposed Access Arrangements
Client: Motion
Document: Stage 1 Road Safety Audit
Gateway TSP ref: WP/JS/2006082 RSA1 v1.0
Status: Issued as version 1.0
Issue date: 23rd July 2020

Item No.	Audit Team Recommendation	Designer's Response	Highway Authority's Comments
5.1	n/a		
5.2	n/a		
5.3	n/a		
5.4	The mid-section of footway should be improved joining the new sections.	Agreed - the footway will be improved along the site frontage to match the footway constructed as part of the Cape Road scheme.	
5.5	Advance warning of the new access should be provided.	Agreed - a junction ahead advance warning sign will be included in the detailed design proposals, for discussion with and approval by the Highway Authority.	

Project: Rogers Farm, Fox Hill, Haywards Heath
Proposed Access Arrangements
Client: Motion
Document: Stage 1 Road Safety Audit
Gateway TSP ref: WP/JS/2006082 RSA1 v1.0
Status: Issued as version 1.0
Issue date: 23rd July 2020

Designer's Statement:

I confirm that I have considered the items that have arisen in the Stage 1 Road Safety Audit Report and my response to its recommendations are set out above.



.....
Designer: Steve Giles, Director, Motion

Date: 27th July 2020

Highway Authority/Project Sponsor/ Client Organisation Statement:

I accept/do not accept the Designer's **Response** (delete as appropriate)

.....
[Name], on behalf of Highway Authority/Project Sponsor/Client Organisation
(delete as appropriate)

Date:

Appendix E

TRICS Output Report

Calculation Reference: AUDIT-734001-200715-0748

TRIP RATE CALCULATION SELECTION PARAMETERS:

Land Use : 03 - RESIDENTIAL
Category : A - HOUSES PRIVATELY OWNED
VEHICLES

Selected regions and areas:

02	SOUTH EAST	
	HC HAMPSHIRE	3 days
	KC KENT	1 days
	WS WEST SUSSEX	1 days
03	SOUTH WEST	
	DC DORSET	1 days
	DV DEVON	1 days
	SM SOMERSET	3 days
	WL WILTSHIRE	1 days
04	EAST ANGLIA	
	CA CAMBRIDGESHIRE	1 days
	NF NORFOLK	3 days
	SF SUFFOLK	3 days
05	EAST MIDLANDS	
	LN LINCOLNSHIRE	1 days
06	WEST MIDLANDS	
	SH SHROPSHIRE	1 days
	ST STAFFORDSHIRE	1 days
	WK WARWICKSHIRE	2 days
	WM WEST MIDLANDS	1 days
07	YORKSHIRE & NORTH LINCOLNSHIRE	
	NY NORTH YORKSHIRE	3 days
	WY WEST YORKSHIRE	1 days
08	NORTH WEST	
	CH CHESHIRE	4 days
	GM GREATER MANCHESTER	1 days
	LC LANCASHIRE	1 days
	MS MERSEYSIDE	1 days
09	NORTH	
	DH DURHAM	1 days
	TW TYNE & WEAR	2 days

This section displays the number of survey days per TRICS® sub-region in the selected set

Primary Filtering selection:

This data displays the chosen trip rate parameter and its selected range. Only sites that fall within the parameter range are included in the trip rate calculation.

Parameter: No of Dwellings
Actual Range: 7 to 50 (units:)
Range Selected by User: 6 to 50 (units:)

Parking Spaces Range: All Surveys Included

Parking Spaces per Dwelling Range: All Surveys Included

Bedrooms per Dwelling Range: All Surveys Included

Percentage of dwellings privately owned: All Surveys Included

Public Transport Provision:

Selection by: Include all surveys

Date Range: 01/01/12 to 25/09/19

This data displays the range of survey dates selected. Only surveys that were conducted within this date range are included in the trip rate calculation.

Selected survey days:

Monday	7 days
Tuesday	9 days
Wednesday	10 days
Thursday	7 days
Friday	5 days

This data displays the number of selected surveys by day of the week.

Selected survey types:

Manual count	38 days
Directional ATC Count	0 days

This data displays the number of manual classified surveys and the number of unclassified ATC surveys, the total adding

This data displays the number of surveys per main location category within the selected set. The main location categories consist of Free Standing, Edge of Town, Suburban Area, Neighbourhood Centre, Edge of Town Centre, Town Centre and Not Known.

Selected Location Sub Categories:

Residential Zone	33
Village	5

This data displays the number of surveys per location sub-category within the selected set. The location sub-categories consist of Commercial Zone, Industrial Zone, Development Zone, Residential Zone, Retail Zone, Built-Up Zone, Village, Out of Town, High Street and No Sub Category.

Secondary Filtering selection:

Use Class:

C3	38 days
----	---------

This data displays the number of surveys per Use Class classification within the selected set. The Use Classes Order 2005 has been used for this purpose, which can be found within the Library module of TRICS®.

Population within 1 mile:

1,000 or Less	1 days
1,001 to 5,000	5 days
5,001 to 10,000	9 days
10,001 to 15,000	7 days
15,001 to 20,000	4 days
20,001 to 25,000	5 days
25,001 to 50,000	6 days
50,001 to 100,000	1 days

This data displays the number of selected surveys within stated 1-mile radii of population.

Population within 5 miles:

5,001 to 25,000	2 days
25,001 to 50,000	3 days
50,001 to 75,000	6 days
75,001 to 100,000	8 days
100,001 to 125,000	1 days
125,001 to 250,000	10 days
250,001 to 500,000	7 days
500,001 or More	1 days

This data displays the number of selected surveys within stated 5-mile radii of population.

Car ownership within 5 miles:

0.6 to 1.0	16 days
1.1 to 1.5	21 days
1.6 to 2.0	1 days

This data displays the number of selected surveys within stated ranges of average cars owned per residential dwelling, within a radius of 5-miles of selected survey sites.

Travel Plan:

Yes	7 days
No	31 days

This data displays the number of surveys within the selected set that were undertaken at sites with Travel Plans in place, and the number of surveys that were undertaken at sites without Travel Plans.

PTAL Rating:

No PTAL Present	38 days
-----------------	---------

This data displays the number of selected surveys with PTAL Ratings.

LIST OF SITES relevant to selection parameters

1	CA-03-A-05 EASTFIELD ROAD PETERBOROUGH	DETACHED HOUSES		CAMBRIDGESHIRE
	Suburban Area (PPS6 Out of Centre)			
	Residential Zone			
	Total No of Dwellings:	28		
	Survey date: MONDAY	17/10/16		Survey Type: MANUAL
2	CH-03-A-08 WHITCHURCH ROAD CHESTER	DETACHED		CHESHIRE
	BOUGHTON HEATH			
	Suburban Area (PPS6 Out of Centre)			
	Residential Zone			
	Total No of Dwellings:	11		
	Survey date: TUESDAY	22/05/12		Survey Type: MANUAL
3	CH-03-A-09 GREYSTOKE ROAD MACCLESFIELD	TERRACED HOUSES		CHESHIRE
	HURDSFIELD			
	Edge of Town			
	Residential Zone			
	Total No of Dwellings:	24		
	Survey date: MONDAY	24/11/14		Survey Type: MANUAL
4	CH-03-A-10 MEADOW DRIVE NORTHWICH	SEMI-DETACHED & TERRACED		CHESHIRE
	BARNTON			
	Edge of Town			
	Residential Zone			
	Total No of Dwellings:	40		
	Survey date: TUESDAY	04/06/19		Survey Type: MANUAL
5	CH-03-A-11 LONDON ROAD NORTHWICH	TOWN HOUSES		CHESHIRE
	LEFTWICH			
	Suburban Area (PPS6 Out of Centre)			
	Residential Zone			
	Total No of Dwellings:	24		
	Survey date: THURSDAY	06/06/19		Survey Type: MANUAL
6	DC-03-A-08 HURSTDENE ROAD BOURNEMOUTH	BUNGALOWS		DORSET
	CASTLE LANE WEST			
	Edge of Town			
	Residential Zone			
	Total No of Dwellings:	28		
	Survey date: MONDAY	24/03/14		Survey Type: MANUAL
7	DH-03-A-01 GREENFIELDS ROAD BISHOP AUCLAND	SEMI DETACHED		DURHAM
	Suburban Area (PPS6 Out of Centre)			
	Residential Zone			
	Total No of Dwellings:	50		
	Survey date: TUESDAY	28/03/17		Survey Type: MANUAL
8	DV-03-A-01 BRONSHILL ROAD TORQUAY	TERRACED HOUSES		DEVON
	Suburban Area (PPS6 Out of Centre)			
	Residential Zone			
	Total No of Dwellings:	37		
	Survey date: WEDNESDAY	30/09/15		Survey Type: MANUAL
9	GM-03-A-11 RUSHFORD STREET MANCHESTER	TERRACED & SEMI-DETACHED		GREATER MANCHESTER
	LEVENSHULME			
	Neighbourhood Centre (PPS6 Local Centre)			
	Residential Zone			
	Total No of Dwellings:	37		
	Survey date: MONDAY	26/09/16		Survey Type: MANUAL

LIST OF SITES relevant to selection parameters (Cont.)

10	HC-03-A-17 CANADA WAY LIPHOOK	HOUSES & FLATS	HAMPSHIRE
	Suburban Area (PPS6 Out of Centre) Residential Zone Total No of Dwellings:	36	
	Survey date: THURSDAY	12/11/15	Survey Type: MANUAL
11	HC-03-A-21 PRIESTLEY ROAD BASINGSTOKE HOUNDMILLS	TERRACED & SEMI-DETACHED	HAMPSHIRE
	Edge of Town Residential Zone Total No of Dwellings:	39	
	Survey date: TUESDAY	13/11/18	Survey Type: MANUAL
12	HC-03-A-22 BOW LAKE GARDENS NEAR EASTLEIGH BISHOPSTOKE	MIXED HOUSES	HAMPSHIRE
	Edge of Town Residential Zone Total No of Dwellings:	40	
	Survey date: WEDNESDAY	31/10/18	Survey Type: MANUAL
13	KC-03-A-05 ROCHESTER ROAD NEAR CHATHAM BURHAM	DETACHED & SEMI-DETACHED	KENT
	Neighbourhood Centre (PPS6 Local Centre) Village Total No of Dwellings:	8	
	Survey date: FRIDAY	22/09/17	Survey Type: MANUAL
14	LC-03-A-31 GREENSIDE PRESTON COTTAM	DETACHED HOUSES	LANCASHIRE
	Edge of Town Residential Zone Total No of Dwellings:	32	
	Survey date: FRIDAY	17/11/17	Survey Type: MANUAL
15	LN-03-A-03 ROOKERY LANE LINCOLN BOULTHAM	SEMI DETACHED	LINCOLNSHIRE
	Suburban Area (PPS6 Out of Centre) Residential Zone Total No of Dwellings:	22	
	Survey date: TUESDAY	18/09/12	Survey Type: MANUAL
16	MS-03-A-03 BEMPTON ROAD LIVERPOOL OTTERSPOOL	DETACHED	MERSEYSIDE
	Suburban Area (PPS6 Out of Centre) Residential Zone Total No of Dwellings:	15	
	Survey date: FRIDAY	21/06/13	Survey Type: MANUAL
17	NF-03-A-01 YARMOUTH ROAD CAISTER-ON-SEA	SEMI DET. & BUNGALOWS	NORFOLK
	Suburban Area (PPS6 Out of Centre) Residential Zone Total No of Dwellings:	27	
	Survey date: TUESDAY	16/10/12	Survey Type: MANUAL

LIST OF SITES relevant to selection parameters (Cont.)

18	NF-03-A-03 HALING WAY THETFORD	DETACHED HOUSES		NORFOLK
	Edge of Town Residential Zone Total No of Dwellings:		10	
	Survey date: WEDNESDAY		16/09/15	Survey Type: MANUAL
19	NF-03-A-05 HEATH DRIVE HOLT	MIXED HOUSES		NORFOLK
	Edge of Town Residential Zone Total No of Dwellings:		40	
	Survey date: THURSDAY		19/09/19	Survey Type: MANUAL
20	NY-03-A-08 NICHOLAS STREET YORK	TERRACED HOUSES		NORTH YORKSHIRE
	Suburban Area (PPS6 Out of Centre) Residential Zone Total No of Dwellings:		21	
	Survey date: MONDAY		16/09/13	Survey Type: MANUAL
21	NY-03-A-11 HORSEFAIR BOROUGHBRIDGE	PRIVATE HOUSING		NORTH YORKSHIRE
	Edge of Town Residential Zone Total No of Dwellings:		23	
	Survey date: WEDNESDAY		18/09/13	Survey Type: MANUAL
22	NY-03-A-13 CATTERICK ROAD CATTERICK GARRISON OLD HOSPITAL COMPOUND Suburban Area (PPS6 Out of Centre) Residential Zone Total No of Dwellings:	TERRACED HOUSES	10	NORTH YORKSHIRE
	Survey date: WEDNESDAY		10/05/17	Survey Type: MANUAL
23	SF-03-A-04 NORMANSTON DRIVE LOWESTOFT	DETACHED & BUNGALOWS		SUFFOLK
	Suburban Area (PPS6 Out of Centre) Residential Zone Total No of Dwellings:		7	
	Survey date: TUESDAY		23/10/12	Survey Type: MANUAL
24	SF-03-A-05 VALE LANE BURY ST EDMUNDS	DETACHED HOUSES		SUFFOLK
	Edge of Town Residential Zone Total No of Dwellings:		18	
	Survey date: WEDNESDAY		09/09/15	Survey Type: MANUAL
25	SF-03-A-06 BURY ROAD KENTFORD	DETACHED & SEMI-DETACHED		SUFFOLK
	Neighbourhood Centre (PPS6 Local Centre) Village Total No of Dwellings:		38	
	Survey date: FRIDAY		22/09/17	Survey Type: MANUAL
26	SH-03-A-06 ELLESMERE ROAD SHREWSBURY	BUNGALOWS		SHROPSHIRE
	Edge of Town Residential Zone Total No of Dwellings:		16	
	Survey date: THURSDAY		22/05/14	Survey Type: MANUAL

LIST OF SITES relevant to selection parameters (Cont.)

27	SM-03-A-01 WEMBDON ROAD BRIDGWATER NORTHFIELD Edge of Town Residential Zone Total No of Dwellings: <i>Survey date: THURSDAY</i>	DETACHED & SEMI 33 24/09/15	SOMERSET <i>Survey Type: MANUAL</i>
28	SM-03-A-02 HYDE LANE NEAR TAUNTON CREECH SAINT MICHAEL Neighbourhood Centre (PPS6 Local Centre) Village Total No of Dwellings: <i>Survey date: TUESDAY</i>	MIXED HOUSES 42 25/09/18	SOMERSET <i>Survey Type: MANUAL</i>
29	SM-03-A-03 HYDE LANE NEAR TAUNTON CREECH ST MICHAEL Neighbourhood Centre (PPS6 Local Centre) Village Total No of Dwellings: <i>Survey date: TUESDAY</i>	MIXED HOUSES 41 25/09/18	SOMERSET <i>Survey Type: MANUAL</i>
30	ST-03-A-08 SILKMORE CRESCENT STAFFORD MEADOWCROFT PARK Edge of Town Residential Zone Total No of Dwellings: <i>Survey date: WEDNESDAY</i>	DETACHED HOUSES 26 22/11/17	STAFFORDSHIRE <i>Survey Type: MANUAL</i>
31	TW-03-A-02 WEST PARK ROAD GATESHEAD Suburban Area (PPS6 Out of Centre) Residential Zone Total No of Dwellings: <i>Survey date: MONDAY</i>	SEMI -DETACHED 16 07/10/13	TYNE & WEAR <i>Survey Type: MANUAL</i>
32	TW-03-A-03 STATION ROAD NEAR NEWCASTLE BACKWORTH Neighbourhood Centre (PPS6 Local Centre) Village Total No of Dwellings: <i>Survey date: FRIDAY</i>	MIXED HOUSES 33 13/11/15	TYNE & WEAR <i>Survey Type: MANUAL</i>
33	WK-03-A-02 NARBERTH WAY COVENTRY POTTERS GREEN Edge of Town Residential Zone Total No of Dwellings: <i>Survey date: THURSDAY</i>	BUNGALOWS 17 17/10/13	WARWICKSHIRE <i>Survey Type: MANUAL</i>
34	WK-03-A-03 BRESE AVENUE WARWICK GUYS CLIFFE Suburban Area (PPS6 Out of Centre) Residential Zone Total No of Dwellings: <i>Survey date: WEDNESDAY</i>	DETACHED HOUSES 23 25/09/19	WARWICKSHIRE <i>Survey Type: MANUAL</i>

LIST OF SITES relevant to selection parameters (Cont.)

35	WL-03-A-02	SEMI DETACHED		WILTSHIRE
	HEADLANDS GROVE			
	SWINDON			
	Suburban Area (PPS6 Out of Centre)			
	Residential Zone			
	Total No of Dwellings:	27		
	Survey date: THURSDAY	22/09/16	Survey Type: MANUAL	
36	WM-03-A-04	TERRACED HOUSES		WEST MIDLANDS
	OSBORNE ROAD			
	COVENTRY			
	EARLSDON			
	Neighbourhood Centre (PPS6 Local Centre)			
	Residential Zone			
	Total No of Dwellings:	39		
	Survey date: MONDAY	21/11/16	Survey Type: MANUAL	
37	WS-03-A-05	TERRACED & FLATS		WEST SUSSEX
	UPPER SHOREHAM ROAD			
	SHOREHAM BY SEA			
	Suburban Area (PPS6 Out of Centre)			
	Residential Zone			
	Total No of Dwellings:	48		
	Survey date: WEDNESDAY	18/04/12	Survey Type: MANUAL	
38	WY-03-A-01	MIXED HOUSING		WEST YORKSHIRE
	SPRING VALLEY CRESCENT			
	LEEDS			
	BRAMLEY			
	Neighbourhood Centre (PPS6 Local Centre)			
	Residential Zone			
	Total No of Dwellings:	46		
	Survey date: WEDNESDAY	21/09/16	Survey Type: MANUAL	

This section provides a list of all survey sites and days in the selected set. For each individual survey site, it displays a unique site reference code and site address, the selected trip rate calculation parameter and its value, the day of the week and date of each survey, and whether the survey was a manual classified count or an ATC count.

TRIP RATE for Land Use 03 - RESIDENTIAL/A - HOUSES PRIVATELY OWNED
VEHICLES
Calculation factor: 1 DWELLS
BOLD print indicates peak (busiest) period

Time Range	ARRIVALS			DEPARTURES			TOTALS		
	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00									
07:00 - 08:00	38	28	0.080	38	28	0.271	38	28	0.351
08:00 - 09:00	38	28	0.152	38	28	0.344	38	28	0.496
09:00 - 10:00	38	28	0.152	38	28	0.190	38	28	0.342
10:00 - 11:00	38	28	0.155	38	28	0.144	38	28	0.299
11:00 - 12:00	38	28	0.162	38	28	0.179	38	28	0.341
12:00 - 13:00	38	28	0.161	38	28	0.174	38	28	0.335
13:00 - 14:00	38	28	0.172	38	28	0.171	38	28	0.343
14:00 - 15:00	38	28	0.173	38	28	0.200	38	28	0.373
15:00 - 16:00	38	28	0.254	38	28	0.213	38	28	0.467
16:00 - 17:00	38	28	0.265	38	28	0.166	38	28	0.431
17:00 - 18:00	38	28	0.304	38	28	0.157	38	28	0.461
18:00 - 19:00	38	28	0.226	38	28	0.133	38	28	0.359
19:00 - 20:00									
20:00 - 21:00									
21:00 - 22:00									
22:00 - 23:00									
23:00 - 24:00									
Total Rates:	2.256			2.342			4.598		

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

*To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: COUNT/TRP*FACT. Trip rates are then rounded to 3 decimal places.*

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Parameter summary

Trip rate parameter range selected:	7 - 50 (units:)
Survey date range:	01/01/12 - 25/09/19
Number of weekdays (Monday-Friday):	38
Number of Saturdays:	0
Number of Sundays:	0
Surveys automatically removed from selection:	0
Surveys manually removed from selection:	0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are shown. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

TRIP RATE for Land Use 03 - RESIDENTIAL/A - HOUSES PRIVATELY OWNED

OGVS

Calculation factor: 1 DWELLS

BOLD print indicates peak (busiest) period

Time Range	ARRIVALS			DEPARTURES			TOTALS		
	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00									
07:00 - 08:00	38	28	0.003	38	28	0.002	38	28	0.005
08:00 - 09:00	38	28	0.007	38	28	0.005	38	28	0.012
09:00 - 10:00	38	28	0.005	38	28	0.007	38	28	0.012
10:00 - 11:00	38	28	0.005	38	28	0.003	38	28	0.008
11:00 - 12:00	38	28	0.003	38	28	0.005	38	28	0.008
12:00 - 13:00	38	28	0.000	38	28	0.001	38	28	0.001
13:00 - 14:00	38	28	0.002	38	28	0.002	38	28	0.004
14:00 - 15:00	38	28	0.001	38	28	0.001	38	28	0.002
15:00 - 16:00	38	28	0.001	38	28	0.001	38	28	0.002
16:00 - 17:00	38	28	0.001	38	28	0.001	38	28	0.002
17:00 - 18:00	38	28	0.002	38	28	0.002	38	28	0.004
18:00 - 19:00	38	28	0.000	38	28	0.000	38	28	0.000
19:00 - 20:00									
20:00 - 21:00									
21:00 - 22:00									
22:00 - 23:00									
23:00 - 24:00									
Total Rates:			0.030			0.030			0.060

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: $COUNT/TRP*FACT$. Trip rates are then rounded to 3 decimal places.

2065

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA21

ID: 2065

Response Ref: Reg19/2065/11

Respondent: Mr A Black

Organisation: Andrew Black consulting

On Behalf Of: Denton - Horsham Road

Category: Promoter

Appear at Examination? x



Mid Sussex District Council

Draft Site Allocations DPD (Regulation 19)
Consultation

Representation on behalf of Denton Homes – Land
North of Horsham Road, Pease Pottage

September 2020

Project MSDC Draft Site Allocations DPD

ABC Reference ABC/0075/07a

Local Authority Mid Sussex District Council

Client Denton Homes

Issue Final

Author Andrew Black

Date September 2020

Disclaimer: This report has been prepared for the above named client for the purpose agreed in Andrew Black Consulting's (ABC) terms of engagement. Whilst every effort has been made to ensure the accuracy and suitability of the information contained in this report, the results and recommendations presented should not be used as the basis of design, management or implementation of decisions unless the client has first discussed with ABC their suitability for these purposes and ABC has confirmed their suitability in writing to the client. ABC does not warrant, in any way whatsoever, the use of information contained in this report by parties other than the above named client.

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1. Introduction

- 1.1 These representations for the Draft Site Allocations DPD (Regulation 19) Consultation (Herein referred to as the 'SADPD') are submitted by Andrew Black Consulting on behalf of Denton Homes regarding two linked sites within their control at Horsham Road in Pease Pottage.
- 1.2 The two sites are known as *Land at former Driving Range, Horsham Road, Pease Pottage* (SHELAA ID 219) and *Land north of the Former Golf House, Horsham Road, Pease Pottage* (SHELAA ID 818)
- 1.3 It is understood that the SADPD has been produced in accordance with the Planning and Compulsory Purchase Act 2004, and other relevant regulations.
- 1.4 The NPPF states that Development Plan Documents should be prepared in accordance with the legal and procedural requirements. To be found to be 'sound', plans must be:
 - a) *positively prepared*
 - b) *justified*
 - c) *effective, and*
 - d) *consistent with national policy.*
- 1.5 It is with this in mind that these representations are made.
- 1.6 The draft SADPD has been prepared using an extensive and legally compliant evidence base including a Sustainability Appraisal, Habitat Regulations Assessment, Community Involvement Plan, Equalities Impact Assessment, and various technical reports and studies. Of particular note is the Built Up Area Boundary and Policies Map Topic Paper (TP1) produced in August 2020.
- 1.7 The Site Allocations DPD proposes to allocate 22 sites to meet this residual necessary to meet the overall agreed housing requirement for the plan period as reflected in the 'stepped trajectory' and in accordance with the District Plan.
- 1.8 These representations set out the detail of the Site and Surroundings and a response to the detailed parts of the SADPD.

2. Site and Surroundings

- 2.1 The two sites are located within close proximity of each other as highlighted in the below SHELAA map.

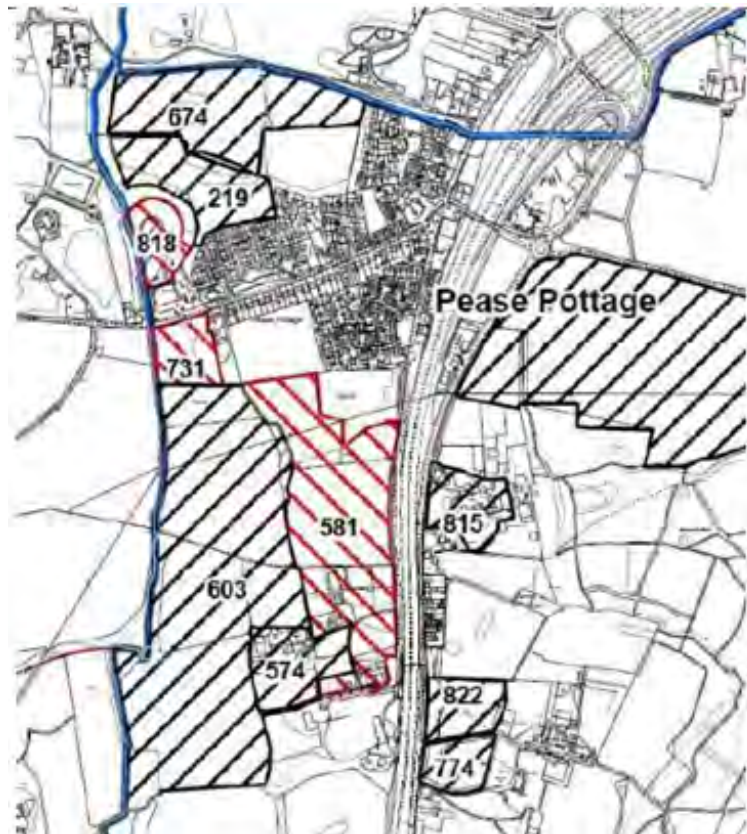


Figure 1 – SHELAA Extract

- 2.2 The sites were assessed in the most recent under SHELAA (Ref 219 and 818) as Suitable, Available and Achievable in the Medium to Long Term (The full extract of the SHELAA is set out in Appendix 1). Several constraints were noted within the HELAA form which are addressed below.

Surrounding Developments and Proposed Allocations

- 2.3 Both sites are in close proximity to areas which have been developed for housing in recent years.
- 2.4 To the south of the sites, permission was granted at appeal for the redevelopment of the former area of Golf Course for 95 dwellings which has been subsequently completed.
- 2.5 The application was submitted in 2013 (13/02994/OUT) and refused at local level before being allowed at appeal in 2014 (ref APP/D3830/A/2215289)



Figure 2 – Riverdale Homes site layout

- 2.6 The site directly to the west of the Golf Course site which comprised of the former club house and driving range was granted permission for the *demolition of existing buildings and redevelopment of the site to provide 25no. dwellings with associated access, parking and landscaping and other associated works* (Ref DM/17/0747).



Figure 3 – Approved layout on land to south (forming access road)

- 2.7 The site provides an access to the further parcels at the rear of the site (SHELAA ref 219 and 818)
- 2.8 The Proposals Map for the SADPD shows the significant growth forecasted in Pease Pottage in the lifetime of the plan.

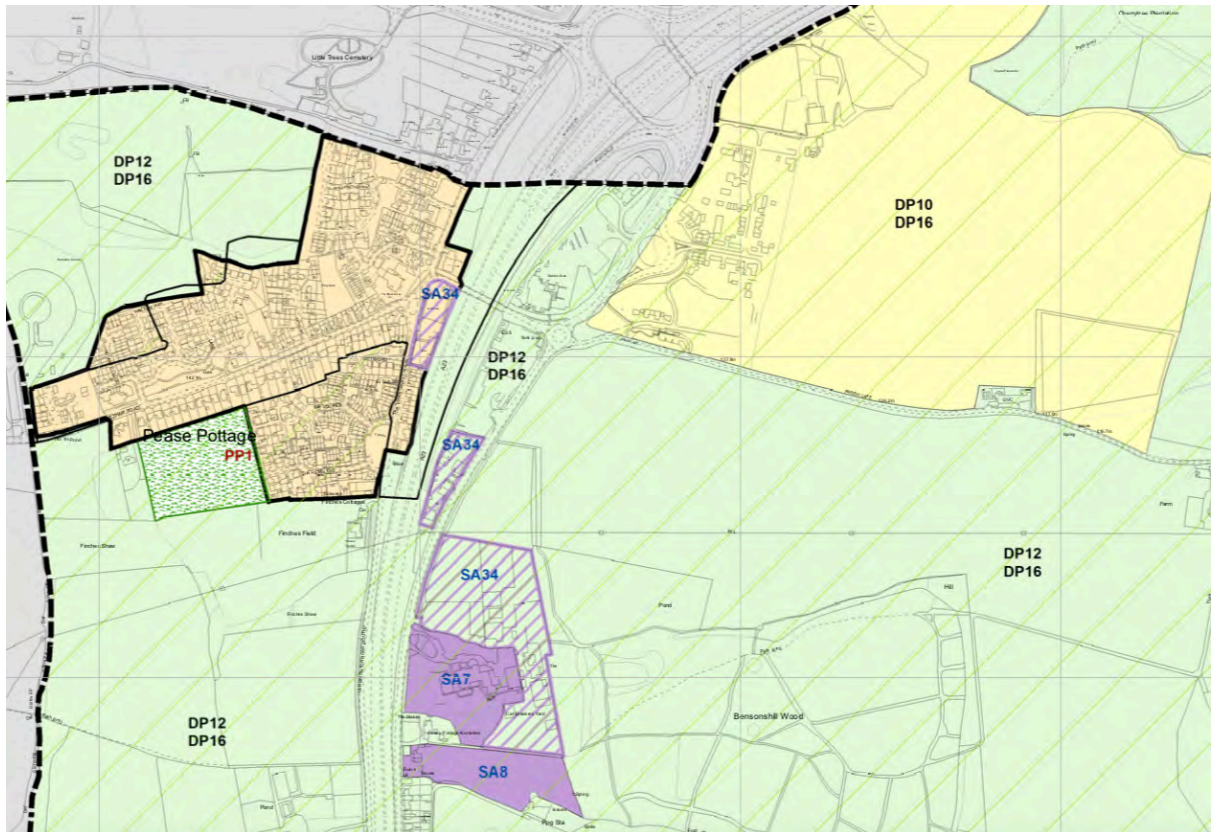


Figure 4 – SADPD Proposals Map

- 2.9 The large development to the East of Pease Pottage is being brought forward by Thakeham Homes and will deliver a substantial portion of housing together with new facilities for the Village including a new Primary School, Village Shop, Village Café and areas of open space.
- 2.10 The site was dismissed within the Site Selection Process for its lack of proximity to services

Part 3 - Sustainability / Access to Services

14 - Education	More than 20 Minute Walk
15 - Health	More than 20 Minute Walk
16 - Services	10-15 Minute Walk
17 - Public Transport	Poor

- 2.11 This may be the case at present but will substantially improve with the development of the Thakeham site.
- 2.12 Sites SA7 Cedars (Former Crawley Forest School) and SA8 Pease Pottage Nurseries are allocated within the SADPD for B1, B2 and B8 employment.

- 2.13 All of the new development coming forward with Pease Pottage is also within the AONB. It demonstrates that Pease Pottage will experience significant growth in the coming years and is able to support an uplift in housing which will be located alongside facilities and employment opportunities.

3. Housing Site Allocation Process

- 3.1 The District Plan 2014-2031 sets out the housing requirement for the district for the plan period of 16,390 dwellings. 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.
- 3.2 The District Plan 2014-2031 established a ‘stepped’ trajectory for housing delivery with an average of 876 dwellings per annum (dpa) between 2014/15 and 2023/24 and thereafter an average of 1,090 dpa between 2024/25 and 2030/31. This represents a significant increase in housing supply compared with historical rates within the district.
- 3.3 The latest data on completions from MSDC was published in *MSDC Housing Land Supply Position Statement* was published in August 2020 (Document H1) and shows a significant shortfall in delivery against the housing requirement since the start of the plan:

Category		Number of Dwellings
Housing Requirement for the full plan period (April 2014 to March 2031)		16,390
Housing Completions (April 2014 to March 2020)		4,917
Completions 2014/15		630
Completions 2015/16		868
Completions 2016/17		912
Completions 2017/18		843
Completions 2018/19		661
Completions 2019/20		1003
Housing Supply (April 2014 to March 2031)	Commitments (including District Plan Allocations)	9,689
	Site Allocations DPD - Allocations	1,764
	Windfalls	504
Total Supply (at 1 April 2019)		16,874

Figure 5 – Extract from MSDC Housing Land Supply Position Statement

- 3.4 The Housing Delivery Test was introduced in the July 2018 update to the NPPF. The Housing Delivery Test is an annual measurement of housing delivery for each local authority and the first results were published in February 2019 by the Ministry of Housing, Communities and Local Government (MHCLG). Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority’s housing requirement over the previous 3 years then it is required to prepare an action plan. Where delivery has fallen below 85% of the housing requirement a 20% buffer should be added to the five year supply of deliverable sites.
- 3.5 The result for Mid Sussex produced in February 2020 was 95%. This result is based on monitoring years 2016-17, 2017-18 and 2018-19. Mid Sussex is therefore not required to add 20% buffer for significant under delivery, or prepare an Action Plan. However, it is clear that under current performance the council will struggle when the housing target steps up to 1,090 in 2024.
- 3.6 Para 4.10 of the previous MSDC Housing Land Supply Position Statement (2019) sets out how the identified to the shortfall to calculate the five year supply requirement for the district:

Annual Requirement As set out in District Plan	876 x 5 years =	4,380
Shortfall spread over remaining plan period	466 divided by 12 remaining years x 5 years	194
Total		4,574
Buffer (see paras 2.4,4.9 above)	10%	457
Total five year supply requirement		5,032

Figure6 – Total Five Year Housing Requirement taken from MSDC Housing Land Supply Position Statement

- 3.7 MSDC is seeking to confirm the five year housing land supply under the terms of paragraph 74 of the NPPF through submission of the annual position statement to the secretary of state. Paragraph 74 of the framework states:

A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which:

- a) has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State; and*
- b) incorporates the recommendation of the Secretary of State, where the position on specific sites could not be agreed during the engagement process.*

- 3.8 The report on the Annual Position Statement was issued by the Planning Inspectorate on 13 January 2020. It was confirmed that as the council did not have a recently adopted plan in conformity with the definition of the NPPF then the correct process had not been followed and the inspector was unable to confirm that the council had a five year housing land supply.
- 3.9 It is therefore clear that the council does not currently have a five year housing land supply and the demonstration of sufficiently deliverable sites within the SADPD is of critical importance for MSDC.

Deliverability of Sites

- 3.10 Any sites that have been included in the final Sites DPD will need to pass the tests of deliverability as set out in the NPPF. This is defined within the glossary of the framework as follows:

Deliverable: *To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.*

- 3.11 The Planning Practice Guidance provides a further explanation on how the deliverability of sites should be considered:

A site can be considered available for development, when, on the best information available (confirmed by the call for sites and information from land owners and legal searches where appropriate), there is confidence that there are no legal or ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available.

The existence of planning permission can be a good indication of the availability of sites. Sites meeting the definition of deliverable should be considered available unless evidence indicates otherwise. Sites without permission can be considered available within the first five years, further guidance to this is contained in the 5 year housing land supply guidance. Consideration can also be given to the delivery record of the developers or landowners putting forward sites, and whether the planning background of a site shows a history of unimplemented permissions.

Paragraph: 019 Reference ID: 3-019-20190722

Revision date: 22 07 2019

- 3.12 It is with this in mind that the proposed sites within the Sites DPD are scrutinised within subsequent sections of this document. It is considered that many of the proposed sites do not fully accord with the definition of delivery and consideration of alternative sites is required.

Historic Environment

- 3.13 Several of the allocations within the DPD are in close proximity to heritage assets. Paragraph 193 of the framework sets out the approach to heritage assets as follows:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any

potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- 3.14 In many instances the council themselves suggest that the development of housing on the sites is likely to have ‘less than significant harm’ on the heritage assets in question. Paragraph 196 of the framework sets out the approach which should be taken in this instance:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable

- 3.15 The council has sought in their assessment of sites to grade the level of harm within the category of less than substantial harm. This is not appropriate way to suggest that this harm could be mitigated if it is at the lower end of ‘less than substantial harm’ is an incorrect interpretation of planning policy, legislation and guidance. The most recent authority on this matter is in the high court decision for *James Hall and Company Limited v City of Bradford Metropolitan District Council & Co-operative Group Limited & Dalehead Properties Limited* in a judgement handed down on 22 October 2019 ([2019] EWHC 2899) where the ruling confirmed that ‘negligible’ or ‘minimal’ harm still equates to ‘harm’ for the purposes of the heritage tests in the NPPF.
- 3.16 It is not considered that the harm caused to heritage assets has been adequately assessed within the Sustainability Appraisal for many of the proposed sites and further consideration is required of the sites in this regard. This would include assessing sites which would not have an impact on heritage assets through a robust application of reasonable alternatives within the Sustainability Appraisal.

4. Sustainability Appraisal

- 4.1 The SADPD is accompanied by a Sustainability Appraisal (SA) report which is a legal requirement derived from the Planning and Compulsory Purchase Act 2004 (Section 19). Section 39 of the Act requires documents such as the SADPD to be prepared with a view to contributing to the achievement of sustainable development.
- 4.2 The requirement for Strategic Environmental Assessment, in addition to the SA, is set out in the European Directive 2001/42/EC adopted into UK law as the “Environmental Assessment of Plans or Programmes Regulations 2004”.
- 4.3 In line with best practice the SEA has been incorporated into the SA of the SADPD.
- 4.4 The planning practice guidance sets out detailed consideration as to how any sustainability should assess alternatives and identify likely significant effects:

The sustainability appraisal needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic and social characteristics of the area and the likely situation if the plan were not to be adopted. In doing so it is important to:

- *outline the reasons the alternatives were selected, and identify, describe and evaluate their likely significant effects on environmental, economic and social factors using the evidence base (employing the same level of detail for each alternative option). Criteria for determining the likely significance of effects on the environment are set out in [schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004](#);*
- *as part of this, identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them;*
- *provide conclusions on the reasons the rejected options are not being taken forward and the reasons for selecting the preferred approach in light of the alternatives.*

Any assumptions used in assessing the significance of the effects of the plan will need to be documented. Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in the plan. They need to be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made.

The development and appraisal of proposals in plans needs to be an iterative process, with the proposals being revised to take account of the appraisal findings.

Paragraph: 018 Reference ID: 11-018-20140306

Revision date: 06 03 2014

- 4.5 In response to this guidance and requirement, paragraph 6.16 of the Sustainability Appraisal states that:

The Site Selection Paper 2 (paras 6.2 - 6.3) also recognises that, in order to meet the District Plan strategy, conclusions will be compared on a settlement-by-settlement basis with the most suitable sites at each settlement chosen in order to meet the residual needs of that settlement. This may result in some sites being chosen for allocation which have higher negative impact across all the objectives because this will be on the basis that the aim is to distribute allocations according to the District Plan strategy in the first instance; as opposed to simply selecting only

the most sustainable sites in the district (as this may not accord with the spatial strategy and would lead to an unequal distribution of sites across settlements). 20 sites that perform well individually and on a settlement basis, the residual housing need of 1,507 would be met with a small over-supply of 112 units.

- 4.6 Paragraph 6.45 recognises that this small over-supply *may not be a sufficient buffer should sites fall out of the allocations process between now and adoption (for example, due to delivery issues, reduction in yield, or any other reasons identified during consultation or the evidence base).*

- 4.7 The SA therefore considers reasonable alternatives of option A, B and C as follows:

Option A – 20 'Constant Sites' – 1,619 dwellings

Option B – 20 'Constant Sites' + Folders Lane, Burgess Hill (x3 sites) – 1,962 dwellings.

Option C – 20 'Constant Sites' + Haywards Heath Golf Court – 2,249 dwellings

- 4.8 Paragraph 6.52 of the SA concludes that:

Following the assessment of all reasonable alternative options for site selection, the preferred option is option B. Although option A would meet residual housing need, option B proposes a sufficient buffer to allow for non-delivery, therefore provides more certainty that the housing need could be met. Whilst option C also proposes a sufficient buffer, it is at the expense of negative impacts arising on environmental objectives. The level of development within option C is approximately 50% above the residual housing need, the positives of delivering an excess of this amount within the Site Allocations DPD is outweighed by the negative environmental impacts associated with it.

- 4.9 It is not considered that this assessment of Option A, B and C is a sufficient enough assessment of reasonable alternatives as required by guidance and legislation. All of the options contain the '20 Constant Sites' with no derivation of alternative options such as those which seek to divert housing growth away from the AONB or designated heritage assets.

- 4.10 It is apparent that other sites other than the 20 Constant Sites will need to be assessed if the council is to adequately demonstrate that reasonable alternatives have been considered as required.

5. Assessment of Proposed Sites.

- 5.1 This section analyses each of the proposed allocations against the tests of deliverability as set out in the NPPF and the potential shortcomings of several of the sites which require significant consideration. The findings of *Appendix B: Housing Site Proformas* of the *Site Selection Paper 3* (Appendix B) and the conclusions of the Sustainability Appraisal (SA) are considered in detail.

SA 12 Land South of 96 Folders Lane, Burgess Hill

- 5.2 Appendix B of the reg 18 SADPD set out that this site has *moderate landscape sensitivity and moderate landscape value. This site could be visible from the South Downs National Park*. The SA states that an LVIA is required to determine any impact on the national park. Given the weight that the NPPF requires to be placed on the protection of the national park, any impact must be measured prior to allocation. If it is deemed that mitigation would not minimise the harm caused, then the proposed allocation must fall away.
- 5.3 Appendix B of the reg 18 SADPD also set out that a TPO area lines the norther border and potential access route. It should be noted that an application was submitted in 2019 for the *erection of 43 dwellings and associated works* (DM/19/0276) but was withdrawn in September 2019 due to concerns over highways. The deliverability of this site is therefore not considered to be in accordance with the guidance set out in the framework.
- 5.4 Finally, whilst the priority for sites higher in the settlement hierarchy is acknowledged, this is site is very remote from the services offered by Burgess Hill. This is highlighted within the sustainability appraisal for the site which states that it is more than a 20 minute walk from the site to schools, GP and shops.

SA 13 Land East of Keymer Road and South of Folders Lane, Burgess Hill.

- 5.5 As with SA12, this site is in close proximity to the national park and the conclusions as set out above apply equally to this site.
- 5.6 The SA sets out that this is the only site within Burgess Hill to have any impact on listed buildings where it is stated that development of this site would cause *less than substantial harm (medium) on High Chimneys (Grade II listed)*. This is not mentioned within appendix B and this therefore calls into question the consistency of assessment of the sites in this regard.
- 5.7 Given that site SA12 and SA13 are in close proximity to one another it is notable that the cumulative impact of the development of both of these sites has not been assessed for a number of ‘in-combination’ impacts such as highways and landscape impact.

SA 14 Land to the south of Selby Close, Hammonds Ridge, Burgess Hill

- 5.8 There is a TPO at the front of this site which is potentially why access is proposed through the CALA Homes site (DM/17/0205). No evidence is submitted to suggest that this form of access is agreed or available. The section relating to Highways and Access within the SADPD simply states that this access *will need to be investigated further*.
- 5.9 The SA and appendix B both point towards the Southern Water Infrastructure which crosses the site. The wording in the DPD recommends that the layout of the development is considered to *ensure future access for maintenance and/or improvement work, unless diversion of the sewer is possible*. Given that the site is only 0.16ha it is therefore questionable whether there would be adequate space to develop the site for housing and provide accommodation for the sewage infrastructure crossing the site. The deliverability of this site has therefore not been adequately demonstrated.

- 5.10 As with SA12 and SA13 there are questions of the sustainability of the site given that the SA notes that it is more than a 20 minute walk to the school and GP.

SA 15 Land South of Southway, Burgess Hill

- 5.11 The SADPD describes the site as *overgrown and inaccessible land designated as a Local Green Space in the Burgess Hill Neighbourhood Plan*. It is unclear whether this site was ever previously in use as playing pitches and whether re-provision of this space would be required under Sport England policies.
- 5.12 Appendix B of the reg 18 SADPD points towards issues with relocation of existing parking on the site and states that:

Private parking areas would need to be removed to provide a suitable access point with sufficient visibility. The parking spaces are visitor spaces over which the owners/developers of the subject land have rights to access it to serve new development onto Linnet Lane. Accordingly, a new access into the site can be provided any new development would include two visitor spaces as close as reasonably possible to the existing visitor spaces.

- 5.13 It is clear that there are substantial issues with deliverability and availability of this site given these constraints and the site should be deleted as a proposed allocation until this can be adequately demonstrated.

SA 16 St. Wilfrids Catholic Primary School, School Close, Burgess Hill

- 5.14 The SADPD sets out that the satisfactory relocation of St Wilfrid's Primary School to St Paul's Catholic College site is required before development can commence on the school part of the site. There is also a requirement to re-provide the emergency services accommodation in a new emergency service centre either on this site or elsewhere in the town.
- 5.15 Given that the allocation is for 300 dwellings and requires this relocation first, it is considered that there is insufficient evidence to justify delivery of development of this site in the 6-10 year time period as set out.

SA 17 Woodfield House, Isaacs Lane, Burgess Hill

- 5.16 The SADPD sets out some significant landscape features on site which require retention and it is stated that:

There is a group Tree Preservation Order in the southern and western areas of the site. High quality substantial new planting of native trees is required, should these be lost to provide access from Isaac's Lane. All other TPO trees on the site are to be retained.

Retain and enhance important landscape features, mature trees, hedgerows and the pond at the south of the site and incorporate these into the landscape structure and Green Infrastructure proposals for the development. Open space is to be provided as an integral part of this landscape structure and should be prominent and accessible within the scheme.

- 5.17 Given that the site is only 1.4 hectares in size it is questionable whether there is adequate space on the site for 30 dwellings after retention of these landscape features.
- 5.18 It is clear from the Sites DPD that access to site is envisaged to be from the Northern Arc where it is stated that:

Integrated access with the Northern Arc Development is strongly preferred, the details of which will need to be investigated further.

- 5.19 This is also set out in appendix B of the reg 18 SADPD where it is stated that:

Entrance drive to house. Access on bend with limited visibility. 50 mph road. Would involve removal of trees that are subject to TPO. Objection for tree officer. However, future access is anticipated to be provided via the Northern Arc. Whilst the specific details of this remain uncertain on the basis that the enabling development is still at an early stage, it is considered that the identified constraints will no longer apply.

- 5.20 Given the uncertainty of the deliverability of the land immediately adjoining the site as part of the Northern Arc it is considered that the deliverability of this site is not clear enough to justify allocation within the sites DPD. The uncertainty of this deliverability also has an implication of the sustainability of the site and proximity to adequate services. This is highlighted within the SA where it is stated that:

The impact of option (h) on these objectives (Health/Retail/Education) is uncertain; currently the site is a long distance from local services, however, this will change once the Northern Arc is built out.

- 5.21 Overall it is not considered that this site is suitable for allocation and should be removed from the Sites DPD

SA 18 East Grinstead Police Station, College Lane, East Grinstead

- 5.22 We have no comments to make in relation to this allocation.

SA 19 Land south of Crawley Down Road, Felbridge

- 5.23 As set out, this allocation is directly to the west of the land under the control of Vanderbilt Homes which is also adjoined to the east by land with the benefit of planning permission for 62 dwellings.

- 5.24 Given that the entire area will be included within the revised Built Up Area Boundary, then it is considered logical that the adjoining sites are also identified for allocation within the SADPD.

SA 20 Land south and west of Imberhorne Upper School, Imberhorne Lane, East Grinstead

- 5.25 There is a requirement in the SADPD for this site to provide a detailed phasing plan with agreement from key stakeholders to secure:

- Land for early years and primary school (2FE) provision – 2.2 ha
- A land exchange agreement between WSCC and the developer to secure 6 ha (gross) land to create new playing field facilities in association with Imberhorne Secondary School (c.4 ha net - excluding land for provision of a new vehicular access onto Imberhorne Lane).

- 5.26 It is unclear when these requirements are to be provided by within the development of any site and whether it is considered that the site would be suitable for allocation should these uses not come forward.

- 5.27 There are clear concerns over the suitability of this site in terms of ecology as set out in appendix B of the reg 18 SADPD which states:

Natural England have concerns over the high density of housing south of Felbridge. Hedgecourt SSSI is accessible from the proposed site allocations via a network of Public Rights of Way. In

line with paragraph 175 of the NPPF, Mid Sussex District Council should determine if allocations are likely to have an adverse effect (either individually or in combination) on SSSI's. The NPPF states that "if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused." We would be happy to provide further advice if requested, although this may need to be on a cost recovery basis. The LWS adjacent to the site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. We are unable to advise you on specific impacts as we have no details of the scale or type of proposed development consider further impacts of disturbance of the LWS and Ancient woodland arising from people and domestic pets, connectivity, light and noise pollution, appropriate buffer and cumulative impact. This site is adjacent to the Worth Way. The SHELAA should be redrawn to remove the section of LWS. The site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. Further consideration be given to impacts of disturbance on LWS and Ancient Woodland from people and pets, impacts on connectivity, impacts of light and noise pollution, need for Ancient Woodland buffer. Cumulative impact with SHELAA 686 and 561.

- 5.28 It is clear that the impacts upon ecology and the SSSI have not been adequately addressed.
- 5.29 As with other sites there is potential for impact upon local heritage assets of Gullege Farm, Imberhorne Farm and Imberhorne Cottages as set out below. The harm in terms of less than strategic harm is inappropriately weighted in the assessment as a means for justification of allocation.

APPENDIX B : Gullege Farm, Imberhorne Lane

This isolated farmstead has historically had a rural setting and continues to do so today. The introduction of a substantial housing development to the north, east and south of the listed manor house would have a fundamental impact on the character of that setting and would detract from the way in which the special interest of this Grade II listed rural manor house and the of the historic farmstead is appreciated.

NPPF: LSH, high

Imberhorne Farm and Imberhorne Cottages

In its original incarnation Imberhorne Cottages was probably constructed as a dwelling providing accommodation between London and Lewes, on Lewes Priory lands. It may have acted as the manor house to the substantial manor of Imberhorne, which was owned by the Priory. It seems likely that the building became farm cottages when the new farmhouse (Imberhorne) was constructed in the early 19th century. The currently rural setting of both buildings within the Imberhorne farmstead informs an understanding of their past function and therefore contributes positively to their special interest.

The proposed development site would engulf the farmstead to the west, north and east and would have a fundamental impact on the character of the greater part of its existing of rural setting and on views from both listed buildings. It would adversely affect the manner in which the special interest of the two listed buildings within their rural setting is appreciated, including by those passing along the PROW to the north of the farmstead.

NPPF: LSH, high

- 5.30 The potential harm to heritage is also referred to in the SA which states that:

option (e) which is not constrained by a conservation area, but would have a less than substantial harm (high) on Gullege Farm (Grade II listed) and Imberhorne Farm and Imberhorne Cottages (Grade II listed). As this is a large site, there is potential to still achieve the yield whilst providing necessary mitigation to lower the impact on these heritage assets.*

- 5.31 Notwithstanding the significant constraints to delivery from this site it is notable that the delivery of 550 in 6-10 years as set out in the SADPD is particularly optimistic and would need to be revised in order to be realistic on the constraints to delivery including the requirement for provision of education on the site.

SA 21 Rogers Farm, Fox Hill, Haywards Heath

- 5.32 This site is also significantly constrained by the presence of heritage assets. This is referenced in the SA which states that:

Site option (b) is constrained in terms of impact upon a listed building; it would have a less than substantial harm (medium) on Cleavewater (Grade II listed) and The Old Cottage (Grade II listed).

- 5.33 Appendix B also references these heritage assets together with an assessment of the likely impact as follows:

*Cleavewaters, Fox Hill there would be a fundamental impact not only on views from the building and associated farmstead but on the context and manner in which the farmhouse and farmstead are appreciated by those travelling along the road which runs between the farmstead and the site. **NPPF: LSH, MID***

*Olde Cottage, there would be some potential impact on views from the Cottage and its garden setting. The belt of woodland between the asset and the site is relatively narrow and development on the site is likely to be visible, particularly in winter. There would also be an impact on the setting in which the Cottage is appreciated by those approaching along the access drive from Ditchling Road. **NPPF: LSH, MID***

- 5.34 The impact on heritage assets and character of the area has been assessed in an appeal decision on the site (APP/D3830/W/17/3187318) issued in January 2019 following an application for up to 37 dwellings on the site (DM/16/3998).

15 The combination of the buffer and local topography would mean that any development would be clearly visible on the approach down Lunce's Hill and perceived as a separate and distinct residential development. I am not persuaded that it would be seen within the context of an urban fringe setting as the appellant suggests. On the contrary it would be a harmful encroachment into the countryside and the rural character of the approach into the settlement would be irrevocably changed and harmed through the loss of this open land.

16 Overall, the proposal would result in an unacceptable suburbanisation of the appeal site that would fundamentally change the character and appearance of the rural setting of the settlement. The effects would also be exacerbated somewhat by the loss of part of the existing mature hedgerow for the access. Proposed mitigation, in the form of additional landscaping would restrict the visibility of the proposal from a number of viewpoints. However, it would take a substantial amount of time to mature and be dependent on a number of factors to be successful. Moreover, I am not persuaded that it would fully mitigate the visual impacts.

17 For these reasons, the proposal would not be a suitable site for housing in terms of location and would cause significant harm to the character and appearance of the area. It would therefore conflict with Policy C1 of the LP and Policies E5 and E9 of the HHNP. In addition to the requirements set out above, these policies also require new development to be permitted where it would protect, reinforce and not unduly erode the landscape character of the area. There would also be some conflict with Policies DP10 and DP24 which, seek to protect the countryside in recognition of its intrinsic character and beauty and promote well located and designed development.

- 5.35 Overall it is not considered that the site represents a logical, justified or deliverable site and should not be considered for allocation within the Sites DPD.

SA 22 Land north of Burleigh Lane, Crawley Down

- 5.36 As with other proposed sites, it has been identified that the development of this site would cause harm to adjoining heritage assets. Appendix B of the reg 18 SADPD sets out the following:

Burleigh Cottage is a Grade II listed 17th century building faced with weatherboarding and painted brick. Previously the building was the farmhouse for Sandhillgate Farm, and was renamed Burleigh Cottage in the mid 20th century. An outbuilding shown on historic maps dating from the mid 19th century appears to survive to the north east of the house, but otherwise the former farm buildings appear to have been lost. If in fact pre-dating 1948 this outbuilding may be regarded as curtilage listed. Sandhillgate Farm is recorded in the West Sussex Historic Farmstead and Landscape Character assessment, which is part of the HER, as an historic farmstead dating from the 19th century.

*Burleigh Cottage is in a semi-rural location on the southern edge of Crawley Down.
NPPF: LSH, MEDIUM*

- 5.37 Conclusions in relation to heritage made for other proposed allocations apply equally to this site.

SA 23 Land at Hanlye Lane to the east of Ardingly Road, Cuckfield

- 5.38 No comments.

SA 24 Land to the north of Shepherds Walk, Hassocks

- 5.39 The access for this site is through an adjacent parcel of land which has a ransom strip over this land. The deliverability of this site is therefore in doubt unless a right of access can be confirmed by the site owners.

SA 25 Land west of Selsfield Road, Ardingly

- 5.40 No comments.

SA 26 Land south of Hammerwood Road, Ashurst Wood

- 5.41 The site is within the AONB and it is considered it is inappropriate to allocate this site for development without thorough appraisal of reasonable alternatives as previously set out.

SA 27 Land at St. Martin Close, Handcross

- 5.42 No comments.

SA28 Land South of The Old Police House, Birchgrove Road, Horsted Keynes

- 5.43 No comments.

SA 29 Land south of St. Stephens Church, Hamsland, Horsted Keynes

- 5.44 No comments.

SA 30 Land to the north Lyndon, Reeds Lane, Sayers Common

- 5.45 The sustainability of this site has been considered in the SA which sets out that the site is more than 20 minutes away from services such as GP and the School. It is therefore not considered that the development of this site would be justified in sustainability terms.
- 5.46 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 31 Land to the rear Firlands, Church Road, Scaynes Hill

- 5.47 The site is located within the Building Stone (Cuckfield) Mineral safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 32 Withypitts Farm, Selsfield Road, Turners Hill

- 5.48 No comments.
- 5.49 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 33 Ansty Cross Garage, Cuckfield Road, Ansty


- 5.50 This site is not considered to be a sustainable location. A total of four separate sites were considered within Ansty with this being the only one accepted. The only difference between this and the other sites was that this scored slightly higher in the SA due to it being PDL. Whilst this is correct it is not considered that the PDL nature of this site makes it appropriate for allocation within the Sites DPD.

6. Conclusions


- 6.1 Detailed consideration of the sites identified for allocation within the SADPD show that there are some significant technical constraints and policy issues with many of the sites. These are matters which have been previously raised as part of regulation 18 representations and the council has done nothing to address these matters.
- 6.2 The analysis of the proposed allocations demonstrates there are some significant failings in the deliverability of the sites which requires reconsideration of the appropriateness of these allocations and selection of alternative sites.
- 6.3 The assessment of reasonable alternatives is significantly lacking and requires further retesting which would logically include this site. As a result, it is not considered that the SADPD is positively prepared or justified and therefore fails the test as set out in the NPPF as a result.
- 6.4 It is clear that the adoption of the SADPD is of significance importance to Mid Sussex in demonstrating a robust and deliverable five year housing land supply. It is therefore suggested that consideration is given to the allocation of the site as set out within these representations which can deliver much needed housing in the early part of the plan period.

7. Appendix 1 – SHELAA Extract – February 2020


Stage 1 Site Pro-Forma – All Sites

SHELAA Ref	219	Parish	Slaugham
Site Location	Land at former Driving Range, Horsham Road, Pease Pottage		
			
Site uses	Sports Facilities and Grounds		
Gross Site Area (ha)	3.97		
Potential Yield	75		
Site History			
Absolute Constraint	Flood Zone 2 or 3	✗	
	Site of Special Scientific Interest	✗	
Other Constraints	Ancient Woodland	✓	
	Area of Outstanding Natural Beauty	✓	
	Local Nature Reserve	✗	
	Conservation Area	Development would not have a negative impact on Conservation area and/or Area of Townscape Character	
	Scheduled Monument	✗	
	Listed Buildings	Development will not affect listed building/s	
	Access	Safe access to site already exists	
Suitable	Relatively unconstrained - assessed as Suitable at Stage 1, progress to Stage 2 assessment		
Availability	Site submitted by site proponent to the SHELAA for assessment - considered available		
Achievability	There is a reasonable prospect that site could be developed within the Plan period		
Timescale	Medium-Long Term		

Stage 1 Site Pro-Forma – All Sites

SHELAA Ref 818		Parish Slaugham
Site Location Land north of the Former Golf House, Horsham Road, Pease Pottage		
		
Site uses	Car Parks	
Gross Site Area (ha)	1.7	
Potential Yield	41	
Site History		
Absolute Constraint	Flood Zone 2 or 3	✗
	Site of Special Scientific Interest	✗
Other Constraints	Ancient Woodland	✗
	Area of Outstanding Natural Beauty	✓
	Local Nature Reserve	✗
	Conservation Area	Development would not have a negative impact on Conservation area and/or Area of Townscape Character
	Scheduled Monument	✗
	Listed Buildings	Development will not affect listed building/s
	Access	Safe access to site already exists
Suitable	Relatively unconstrained - assessed as Suitable at Stage 1, progress to Stage 2 assessment	
Availability	Site submitted by site proponent to the SHELAA for assessment - considered available	
Achievability	There is a reasonable prospect that site could be developed within the Plan period	
Timescale	Medium-Long Term	

8. Appendix 2 – Site Selection Paper Extract

Site Selection - Housing		
Pease Pottage		
ID	818	Land north of the Former Golf House, Horsham Road, Pease Pottage
		
Site Details		
Units:	41	Site Area (ha): 1.4
Part 1 - Planning Constraints		
1 - AONB	Wholly within – Moderate Impact	Moderate impact on AONB due to potential impact on Ancient Woodland. Impact may be low for apartments on site of existing buildings. Pond within Ancient Woodland to the north of the site and a drain to the east of the site. On western edge of the main village of Pease Pottage, currently occupied by an office and car parking. Offices within the Golf House immediately to the east with modern in depth development beyond. Horsham Road is a historic routeway. Ancient Woodland surrounds the site on three sides and may reduce capacity due to need to retain 15m buffers. Twentieth century clearance of woodland. Site not visible from public vantage points.
2 - Flood Risk	None	The site lies entirely within Flood Zone 1, the area of lowest fluvial flood risk.
3 - Ancient Woodland	Adjacent	
4 - SSSI/SNCI/LNR	None	This site is not adjacent to any Sites of Special Scientific Interest or Local Wildlife Site
5 - Listed Buildings	None	There are no listed buildings within or adjacent to the site
6 - Conservation Area	None	There are no conservation areas within or adjacent to the site
7 - Archaeology	None	
8 - Landscape	AONB	Site is within the High Weald AONB (assessed under criterion 1)
9 - Trees/TPOs	Low/Medium	Trees along the south eastern boundary of the site.
Part 2 - Deliverability Considerations		
818 Land north of the Former Golf House, Horsham Road, Pease Pottage		

Site Selection - Housing		
10 - Highways		
11 - Local Road/Access	None	Safe access to site already exists.
12 - Deliverability	Reasonable prospect developability	Housebuilder in an option agreement with the landowner. Intend to submit an application if the site is given a draft allocation in the Site Allocations Document.
13 - Infrastructure	Infrastructure capacity	Developer Questionnaire - normal contributions apply.
Part 3 - Sustainability / Access to Services		
14 - Education	More than 20 Minute Walk	
15 - Health	More than 20 Minute Walk	
16 - Services	10-15 Minute Walk	
17 - Public Transport	Poor	
Part 4 - Other Considerations		
Neighbourhood Plan		Minerals
Policy 1 Protecting AONB		Minerals considerations unnecessary as site does not progress past detailed assessment stage.
Policy 2 Protection of landscape		
Policy 3 Protection of the open countryside		
Aim 1 Preventing coalescence		
Waste		Environmental Health
Water and wastewater considerations unnecessary as site does not progress past detailed assessment stage.		Environmental health considerations unnecessary as site does not progress past detailed assessment stage.
Sustainability Appraisal		Notes
Assessment indicates site is not a reasonable alternative and is therefore not tested through the SA.		
Part 5 - Conclusion		
Summary	The assessment finds that the site is not suitable for allocation.	
Recommendation	Site is not proposed for allocation.	

2067

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA21

ID: 2067

Response Ref: Reg19/2067/12

Respondent: Mr A Black

Organisation: Andrew Black consulting

On Behalf Of: Denton Homes - Butlers green

Category: Promoter

Appear at Examination? x



Mid Sussex District Council

Draft Site Allocations DPD (Regulation 19)
Consultation

Representation on behalf of Denton Homes – Land
North of Butlers Green Road, Haywards Heath

September 2020

Project	MSDC Draft Site Allocations DPD
ABC Reference	ABC/0075/07
Local Authority	Mid Sussex District Council
Client	Denton Homes
Issue	Final
Author	Andrew Black
Date	September 2020

Disclaimer: This report has been prepared for the above named client for the purpose agreed in Andrew Black Consulting's (ABC) terms of engagement. Whilst every effort has been made to ensure the accuracy and suitability of the information contained in this report, the results and recommendations presented should not be used as the basis of design, management or implementation of decisions unless the client has first discussed with ABC their suitability for these purposes and ABC has confirmed their suitability in writing to the client. ABC does not warrant, in any way whatsoever, the use of information contained in this report by parties other than the above named client.

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1. Introduction

- 1.1 These representations for the Draft Site Allocations DPD (Regulation 19) Consultation (Herein referred to as the 'SADPD') are submitted by Andrew Black Consulting on behalf of Denton Homes regarding a within their control in Haywards Heath.
- 1.2 The site is known as *Land north of Butlers Green Road, Haywards Heath* (SHELAA ID 673).
- 1.3 It is understood that the SADPD has been produced in accordance with the Planning and Compulsory Purchase Act 2004, and other relevant regulations.
- 1.4 The NPPF states that Development Plan Documents should be prepared in accordance with the legal and procedural requirements. To be found to be 'sound', plans must be:
 - a) *positively prepared*
 - b) *justified*
 - c) *effective, and*
 - d) *consistent with national policy.*
- 1.5 It is with this in mind that these representations are made.
- 1.6 The draft SADPD has been prepared using an extensive and legally compliant evidence base including a Sustainability Appraisal, Habitat Regulations Assessment, Community Involvement Plan, Equalities Impact Assessment, and various technical reports and studies. Of particular note is the Built Up Area Boundary and Policies Map Topic Paper (TP1) produced in August 2020.
- 1.7 The Site Allocations DPD proposes to allocate 22 sites to meet this residual necessary to meet the overall agreed housing requirement for the plan period as reflected in the 'stepped trajectory' and in accordance with the District Plan.
- 1.8 These representations set out the detail of the Site and Surroundings and a response to the detailed parts of the SADPD.

2. Site and Surroundings

2.1 The site is located to the North of Butlers Green Road in Haywards Heath.



Figure 1 – SHELAA Extract

2.2 The site was assessed as Suitable, Available and Achievable in the Medium to Long Term (The full extract of the SHELAA is set out in Appendix 1).

3. Housing Site Allocation Process

- 3.1 The District Plan 2014-2031 sets out the housing requirement for the district for the plan period of 16,390 dwellings. 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.
- 3.2 The District Plan 2014-2031 established a ‘stepped’ trajectory for housing delivery with an average of 876 dwellings per annum (dpa) between 2014/15 and 2023/24 and thereafter an average of 1,090 dpa between 2024/25 and 2030/31. This represents a significant increase in housing supply compared with historical rates within the district.
- 3.3 The latest data on completions from MSDC was published in *MSDC Housing Land Supply Position Statement* was published in August 2020 (Document H1) and shows a significant shortfall in delivery against the housing requirement since the start of the plan:

Category		Number of Dwellings
Housing Requirement for the full plan period (April 2014 to March 2031)		16,390
Housing Completions (April 2014 to March 2020)		4,917
Completions 2014/15		630
Completions 2015/16		868
Completions 2016/17		912
Completions 2017/18		843
Completions 2018/19		661
Completions 2019/20		1003
Housing Supply (April 2014 to March 2031)	Commitments (including District Plan Allocations)	9,689
	Site Allocations DPD - Allocations	1,764
	Windfalls	504
Total Supply (at 1 April 2019)		16,874

Figure 5 – Extract from MSDC Housing Land Supply Position Statement

- 3.4 The Housing Delivery Test was introduced in the July 2018 update to the NPPF. The Housing Delivery Test is an annual measurement of housing delivery for each local authority and the first results were published in February 2019 by the Ministry of Housing, Communities and Local Government (MHCLG). Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority’s housing requirement over the previous 3 years then it is required to prepare an action plan. Where delivery has fallen below 85% of the housing requirement a 20% buffer should be added to the five year supply of deliverable sites.
- 3.5 The result for Mid Sussex produced in February 2020 was 95%. This result is based on monitoring years 2016-17, 2017-18 and 2018-19. Mid Sussex is therefore not required to add 20% buffer for significant under delivery, or prepare an Action Plan. However, it is clear that under current performance the council will struggle when the housing target steps up to 1,090 in 2024.
- 3.6 Para 4.10 of the previous MSDC Housing Land Supply Position Statement (2019) sets out how the identified to the shortfall to calculate the five year supply requirement for the district:

Annual Requirement As set out in District Plan	876 x 5 years =	4,380
Shortfall spread over remaining plan period	466 divided by 12 remaining years x 5 years	194
Total		4,574
Buffer (see paras 2.4,4.9 above)	10%	457
Total five year supply requirement		5,032

*Figure6 – Total Five Year Housing Requirement taken from MSDC Housing Land Supply
Position Statement*

- 3.7 MSDC is seeking to confirm the five year housing land supply under the terms of paragraph 74 of the NPPF through submission of the annual position statement to the secretary of state. Paragraph 74 of the framework states:

A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which:

- a) has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State; and*
- b) incorporates the recommendation of the Secretary of State, where the position on specific sites could not be agreed during the engagement process.*

- 3.8 The report on the Annual Position Statement was issued by the Planning Inspectorate on 13 January 2020. It was confirmed that as the council did not have a recently adopted plan in conformity with the definition of the NPPF then the correct process had not been followed and the inspector was unable to confirm that the council had a five year housing land supply.
- 3.9 It is therefore clear that the council does not currently have a five year housing land supply and the demonstration of sufficiently deliverable sites within the SADPD is of critical importance for MSDC.

Deliverability of Sites

- 3.10 Any sites that have been included in the final Sites DPD will need to pass the tests of deliverability as set out in the NPPF. This is defined within the glossary of the framework as follows:

Deliverable: *To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.*

- 3.11 The Planning Practice Guidance provides a further explanation on how the deliverability of sites should be considered:

A site can be considered available for development, when, on the best information available (confirmed by the call for sites and information from land owners and legal searches where appropriate), there is confidence that there are no legal or ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available.

The existence of planning permission can be a good indication of the availability of sites. Sites meeting the definition of deliverable should be considered available unless evidence indicates otherwise. Sites without permission can be considered available within the first five years, further guidance to this is contained in the 5 year housing land supply guidance. Consideration can also be given to the delivery record of the developers or landowners putting forward sites, and whether the planning background of a site shows a history of unimplemented permissions.

Paragraph: 019 Reference ID: 3-019-20190722

Revision date: 22 07 2019

- 3.12 It is with this in mind that the proposed sites within the Sites DPD are scrutinised within subsequent sections of this document. It is considered that many of the proposed sites do not fully accord with the definition of delivery and consideration of alternative sites is required.

4. Sustainability Appraisal

- 4.1 The SADPD is accompanied by a Sustainability Appraisal (SA) report which is a legal requirement derived from the Planning and Compulsory Purchase Act 2004 (Section 19). Section 39 of the Act requires documents such as the SADPD to be prepared with a view to contributing to the achievement of sustainable development.
- 4.2 The requirement for Strategic Environmental Assessment, in addition to the SA, is set out in the European Directive 2001/42/EC adopted into UK law as the “Environmental Assessment of Plans or Programmes Regulations 2004”.
- 4.3 In line with best practice the SEA has been incorporated into the SA of the SADPD.
- 4.4 The planning practice guidance sets out detailed consideration as to how any sustainability should assess alternatives and identify likely significant effects:

The sustainability appraisal needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic and social characteristics of the area and the likely situation if the plan were not to be adopted. In doing so it is important to:

- *outline the reasons the alternatives were selected, and identify, describe and evaluate their likely significant effects on environmental, economic and social factors using the evidence base (employing the same level of detail for each alternative option). Criteria for determining the likely significance of effects on the environment are set out in [schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004](#);*
- *as part of this, identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them;*
- *provide conclusions on the reasons the rejected options are not being taken forward and the reasons for selecting the preferred approach in light of the alternatives.*

Any assumptions used in assessing the significance of the effects of the plan will need to be documented. Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in the plan. They need to be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made.

The development and appraisal of proposals in plans needs to be an iterative process, with the proposals being revised to take account of the appraisal findings.

Paragraph: 018 Reference ID: 11-018-20140306

Revision date: 06 03 2014

- 4.5 In response to this guidance and requirement, paragraph 6.16 of the Sustainability Appraisal states that:

The Site Selection Paper 2 (paras 6.2 - 6.3) also recognises that, in order to meet the District Plan strategy, conclusions will be compared on a settlement-by-settlement basis with the most suitable sites at each settlement chosen in order to meet the residual needs of that settlement. This may result in some sites being chosen for allocation which have higher negative impact across all the objectives because this will be on the basis that the aim is to distribute allocations according to the District Plan strategy in the first instance; as opposed to simply selecting only

the most sustainable sites in the district (as this may not accord with the spatial strategy and would lead to an unequal distribution of sites across settlements). 20 sites that perform well individually and on a settlement basis, the residual housing need of 1,507 would be met with a small over-supply of 112 units.

- 4.6 Paragraph 6.45 recognises that this small over-supply *may not be a sufficient buffer should sites fall out of the allocations process between now and adoption (for example, due to delivery issues, reduction in yield, or any other reasons identified during consultation or the evidence base).*

- 4.7 The SA therefore considers reasonable alternatives of option A, B and C as follows:

Option A – 20 ‘Constant Sites’ – 1,619 dwellings

Option B – 20 ‘Constant Sites’ + Folders Lane, Burgess Hill (x3 sites) – 1,962 dwellings.

Option C – 20 ‘Constant Sites’ + Haywards Heath Golf Court – 2,249 dwellings

- 4.8 Paragraph 6.52 of the SA concludes that:

Following the assessment of all reasonable alternative options for site selection, the preferred option is option B. Although option A would meet residual housing need, option B proposes a sufficient buffer to allow for non-delivery, therefore provides more certainty that the housing need could be met. Whilst option C also proposes a sufficient buffer, it is at the expense of negative impacts arising on environmental objectives. The level of development within option C is approximately 50% above the residual housing need, the positives of delivering an excess of this amount within the Site Allocations DPD is outweighed by the negative environmental impacts associated with it.

- 4.9 It is not considered that this assessment of Option A, B and C is a sufficient enough assessment of reasonable alternatives as required by guidance and legislation. All of the options contain the ‘20 Constant Sites’ with no derivation of alternative options such as those which seek to divert housing growth away from the AONB or designated heritage assets.

- 4.10 It is apparent that other sites other than the 20 Constant Sites will need to be assessed if the council is to adequately demonstrate that reasonable alternatives have been considered as required.

5. Assessment of Proposed Sites.

- 5.1 This section analyses each of the proposed allocations against the tests of deliverability as set out in the NPPF and the potential shortcomings of several of the sites which require significant consideration. The findings of *Appendix B: Housing Site Proformas* of the *Site Selection Paper 3* (Appendix B) and the conclusions of the Sustainability Appraisal (SA) are considered in detail.

SA 12 Land South of 96 Folders Lane, Burgess Hill

- 5.2 Appendix B of the reg 18 SADPD set out that this site has *moderate landscape sensitivity and moderate landscape value. This site could be visible from the South Downs National Park*. The SA states that an LVIA is required to determine any impact on the national park. Given the weight that the NPPF requires to be placed on the protection of the national park, any impact must be measured prior to allocation. If it is deemed that mitigation would not minimise the harm caused, then the proposed allocation must fall away.
- 5.3 Appendix B of the reg 18 SADPD also set out that a TPO area lines the norther border and potential access route. It should be noted that an application was submitted in 2019 for the *erection of 43 dwellings and associated works* (DM/19/0276) but was withdrawn in September 2019 due to concerns over highways. The deliverability of this site is therefore not considered to be in accordance with the guidance set out in the framework.
- 5.4 Finally, whilst the priority for sites higher in the settlement hierarchy is acknowledged, this is site is very remote from the services offered by Burgess Hill. This is highlighted within the sustainability appraisal for the site which states that it is more than a 20 minute walk from the site to schools, GP and shops.

SA 13 Land East of Keymer Road and South of Folders Lane, Burgess Hill.

- 5.5 As with SA12, this site is in close proximity to the national park and the conclusions as set out above apply equally to this site.
- 5.6 The SA sets out that this is the only site within Burgess Hill to have any impact on listed buildings where it is stated that development of this site would cause *less than substantial harm (medium) on High Chimneys (Grade II listed)*. This is not mentioned within appendix B and this therefore calls into question the consistency of assessment of the sites in this regard.
- 5.7 Given that site SA12 and SA13 are in close proximity to one another it is notable that the cumulative impact of the development of both of these sites has not been assessed for a number of ‘in-combination’ impacts such as highways and landscape impact.

SA 14 Land to the south of Selby Close, Hammonds Ridge, Burgess Hill

- 5.8 There is a TPO at the front of this site which is potentially why access is proposed through the CALA Homes site (DM/17/0205). No evidence is submitted to suggest that this form of access is agreed or available. The section relating to Highways and Access within the SADPD simply states that this access *will need to be investigated further*.
- 5.9 The SA and appendix B both point towards the Southern Water Infrastructure which crosses the site. The wording in the DPD recommends that the layout of the development is considered to *ensure future access for maintenance and/or improvement work, unless diversion of the sewer is possible*. Given that the site is only 0.16ha it is therefore questionable whether there would be adequate space to develop the site for housing and provide accommodation for the sewage infrastructure crossing the site. The deliverability of this site has therefore not been adequately demonstrated.

- 5.10 As with SA12 and SA13 there are questions of the sustainability of the site given that the SA notes that it is more than a 20 minute walk to the school and GP.

SA 15 Land South of Southway, Burgess Hill

- 5.11 The SADPD describes the site as *overgrown and inaccessible land designated as a Local Green Space in the Burgess Hill Neighbourhood Plan*. It is unclear whether this site was ever previously in use as playing pitches and whether re-provision of this space would be required under Sport England policies.
- 5.12 Appendix B of the reg 18 SADPD points towards issues with relocation of existing parking on the site and states that:

Private parking areas would need to be removed to provide a suitable access point with sufficient visibility. The parking spaces are visitor spaces over which the owners/developers of the subject land have rights to access it to serve new development onto Linnet Lane. Accordingly, a new access into the site can be provided any new development would include two visitor spaces as close as reasonably possible to the existing visitor spaces.

- 5.13 It is clear that there are substantial issues with deliverability and availability of this site given these constraints and the site should be deleted as a proposed allocation until this can be adequately demonstrated.

SA 16 St. Wilfrids Catholic Primary School, School Close, Burgess Hill

- 5.14 The SADPD sets out that the satisfactory relocation of St Wilfrid's Primary School to St Paul's Catholic College site is required before development can commence on the school part of the site. There is also a requirement to re-provide the emergency services accommodation in a new emergency service centre either on this site or elsewhere in the town.
- 5.15 Given that the allocation is for 300 dwellings and requires this relocation first, it is considered that there is insufficient evidence to justify delivery of development of this site in the 6-10 year time period as set out.

SA 17 Woodfield House, Isaacs Lane, Burgess Hill

- 5.16 The SADPD sets out some significant landscape features on site which require retention and it is stated that:

There is a group Tree Preservation Order in the southern and western areas of the site. High quality substantial new planting of native trees is required, should these be lost to provide access from Isaac's Lane. All other TPO trees on the site are to be retained.

Retain and enhance important landscape features, mature trees, hedgerows and the pond at the south of the site and incorporate these into the landscape structure and Green Infrastructure proposals for the development. Open space is to be provided as an integral part of this landscape structure and should be prominent and accessible within the scheme.

- 5.17 Given that the site is only 1.4 hectares in size it is questionable whether there is adequate space on the site for 30 dwellings after retention of these landscape features.
- 5.18 It is clear from the Sites DPD that access to site is envisaged to be from the Northern Arc where it is stated that:

Integrated access with the Northern Arc Development is strongly preferred, the details of which will need to be investigated further.

- 5.19 This is also set out in appendix B of the reg 18 SADPD where it is stated that:

Entrance drive to house. Access on bend with limited visibility. 50 mph road. Would involve removal of trees that are subject to TPO. Objection for tree officer. However, future access is anticipated to be provided via the Northern Arc. Whilst the specific details of this remain uncertain on the basis that the enabling development is still at an early stage, it is considered that the identified constraints will no longer apply.

- 5.20 Given the uncertainty of the deliverability of the land immediately adjoining the site as part of the Northern Arc it is considered that the deliverability of this site is not clear enough to justify allocation within the sites DPD. The uncertainty of this deliverability also has an implication of the sustainability of the site and proximity to adequate services. This is highlighted within the SA where it is stated that:

The impact of option (h) on these objectives (Health/Retail/Education) is uncertain; currently the site is a long distance from local services, however, this will change once the Northern Arc is built out.

- 5.21 Overall it is not considered that this site is suitable for allocation and should be removed from the Sites DPD

SA 18 East Grinstead Police Station, College Lane, East Grinstead

- 5.22 We have no comments to make in relation to this allocation.

SA 19 Land south of Crawley Down Road, Felbridge

- 5.23 As set out, this allocation is directly to the west of the land under the control of Vanderbilt Homes which is also adjoined to the east by land with the benefit of planning permission for 62 dwellings.

- 5.24 Given that the entire area will be included within the revised Built Up Area Boundary, then it is considered logical that the adjoining sites are also identified for allocation within the SADPD.

SA 20 Land south and west of Imberhorne Upper School, Imberhorne Lane, East Grinstead

- 5.25 There is a requirement in the SADPD for this site to provide a detailed phasing plan with agreement from key stakeholders to secure:

- Land for early years and primary school (2FE) provision – 2.2 ha
- A land exchange agreement between WSCC and the developer to secure 6 ha (gross) land to create new playing field facilities in association with Imberhorne Secondary School (c.4 ha net - excluding land for provision of a new vehicular access onto Imberhorne Lane).

- 5.26 It is unclear when these requirements are to be provided by within the development of any site and whether it is considered that the site would be suitable for allocation should these uses not come forward.

- 5.27 There are clear concerns over the suitability of this site in terms of ecology as set out in appendix B of the reg 18 SADPD which states:

Natural England have concerns over the high density of housing south of Felbridge. Hedgecourt SSSI is accessible from the proposed site allocations via a network of Public Rights of Way. In

line with paragraph 175 of the NPPF, Mid Sussex District Council should determine if allocations are likely to have an adverse effect (either individually or in combination) on SSSI's. The NPPF states that "if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused." We would be happy to provide further advice if requested, although this may need to be on a cost recovery basis. The LWS adjacent to the site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. We are unable to advise you on specific impacts as we have no details of the scale or type of proposed development consider further impacts of disturbance of the LWS and Ancient woodland arising from people and domestic pets, connectivity, light and noise pollution, appropriate buffer and cumulative impact. This site is adjacent to the Worth Way. The SHELAA should be redrawn to remove the section of LWS. The site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. Further consideration be given to impacts of disturbance on LWS and Ancient Woodland from people and pets, impacts on connectivity, impacts of light and noise pollution, need for Ancient Woodland buffer. Cumulative impact with SHELAA 686 and 561.

- 5.28 It is clear that the impacts upon ecology and the SSSI have not been adequately addressed.
- 5.29 As with other sites there is potential for impact upon local heritage assets of Gullege Farm, Imberhorne Farm and Imberhorne Cottages as set out below. The harm in terms of less than strategic harm is inappropriately weighted in the assessment as a means for justification of allocation.

APPENDIX B : Gullege Farm, Imberhorne Lane

This isolated farmstead has historically had a rural setting and continues to do so today. The introduction of a substantial housing development to the north, east and south of the listed manor house would have a fundamental impact on the character of that setting and would detract from the way in which the special interest of this Grade II listed rural manor house and the of the historic farmstead is appreciated.

NPPF: LSH, high

Imberhorne Farm and Imberhorne Cottages

In its original incarnation Imberhorne Cottages was probably constructed as a dwelling providing accommodation between London and Lewes, on Lewes Priory lands. It may have acted as the manor house to the substantial manor of Imberhorne, which was owned by the Priory. It seems likely that the building became farm cottages when the new farmhouse (Imberhorne) was constructed in the early 19th century. The currently rural setting of both buildings within the Imberhorne farmstead informs an understanding of their past function and therefore contributes positively to their special interest.

The proposed development site would engulf the farmstead to the west, north and east and would have a fundamental impact on the character of the greater part of its existing of rural setting and on views from both listed buildings. It would adversely affect the manner in which the special interest of the two listed buildings within their rural setting is appreciated, including by those passing along the PROW to the north of the farmstead.

NPPF: LSH, high

- 5.30 The potential harm to heritage is also referred to in the SA which states that:

option (e) which is not constrained by a conservation area, but would have a less than substantial harm (high) on Gullege Farm (Grade II listed) and Imberhorne Farm and Imberhorne Cottages (Grade II listed). As this is a large site, there is potential to still achieve the yield whilst providing necessary mitigation to lower the impact on these heritage assets.*

- 5.31 Notwithstanding the significant constraints to delivery from this site it is notable that the delivery of 550 in 6-10 years as set out in the SADPD is particularly optimistic and would need to be revised in order to be realistic on the constraints to delivery including the requirement for provision of education on the site.

SA 21 Rogers Farm, Fox Hill, Haywards Heath

- 5.32 This site is also significantly constrained by the presence of heritage assets. This is referenced in the SA which states that:

Site option (b) is constrained in terms of impact upon a listed building; it would have a less than substantial harm (medium) on Cleavewater (Grade II listed) and The Old Cottage (Grade II listed).

- 5.33 Appendix B also references these heritage assets together with an assessment of the likely impact as follows:

*Cleavewaters, Fox Hill there would be a fundamental impact not only on views from the building and associated farmstead but on the context and manner in which the farmhouse and farmstead are appreciated by those travelling along the road which runs between the farmstead and the site. **NPPF: LSH, MID***

*Olde Cottage, there would be some potential impact on views from the Cottage and its garden setting. The belt of woodland between the asset and the site is relatively narrow and development on the site is likely to be visible, particularly in winter. There would also be an impact on the setting in which the Cottage is appreciated by those approaching along the access drive from Ditchling Road. **NPPF: LSH, MID***

- 5.34 The impact on heritage assets and character of the area has been assessed in an appeal decision on the site (APP/D3830/W/17/3187318) issued in January 2019 following an application for up to 37 dwellings on the site (DM/16/3998).

15 The combination of the buffer and local topography would mean that any development would be clearly visible on the approach down Lunce's Hill and perceived as a separate and distinct residential development. I am not persuaded that it would be seen within the context of an urban fringe setting as the appellant suggests. On the contrary it would be a harmful encroachment into the countryside and the rural character of the approach into the settlement would be irrevocably changed and harmed through the loss of this open land.

16 Overall, the proposal would result in an unacceptable suburbanisation of the appeal site that would fundamentally change the character and appearance of the rural setting of the settlement. The effects would also be exacerbated somewhat by the loss of part of the existing mature hedgerow for the access. Proposed mitigation, in the form of additional landscaping would restrict the visibility of the proposal from a number of viewpoints. However, it would take a substantial amount of time to mature and be dependent on a number of factors to be successful. Moreover, I am not persuaded that it would fully mitigate the visual impacts.

17 For these reasons, the proposal would not be a suitable site for housing in terms of location and would cause significant harm to the character and appearance of the area. It would therefore conflict with Policy C1 of the LP and Policies E5 and E9 of the HHNP. In addition to the requirements set out above, these policies also require new development to be permitted where it would protect, reinforce and not unduly erode the landscape character of the area. There would also be some conflict with Policies DP10 and DP24 which, seek to protect the countryside in recognition of its intrinsic character and beauty and promote well located and designed development.

- 5.35 Overall it is not considered that the site represents a logical, justified or deliverable site and should not be considered for allocation within the Sites DPD.

SA 22 Land north of Burleigh Lane, Crawley Down

- 5.36 As with other proposed sites, it has been identified that the development of this site would cause harm to adjoining heritage assets. Appendix B of the reg 18 SADPD sets out the following:

Burleigh Cottage is a Grade II listed 17th century building faced with weatherboarding and painted brick. Previously the building was the farmhouse for Sandhillgate Farm, and was renamed Burleigh Cottage in the mid 20th century. An outbuilding shown on historic maps dating from the mid 19th century appears to survive to the north east of the house, but otherwise the former farm buildings appear to have been lost. If in fact pre-dating 1948 this outbuilding may be regarded as curtilage listed. Sandhillgate Farm is recorded in the West Sussex Historic Farmstead and Landscape Character assessment, which is part of the HER, as an historic farmstead dating from the 19th century.

*Burleigh Cottage is in a semi-rural location on the southern edge of Crawley Down.
NPPF: LSH, MEDIUM*

- 5.37 Conclusions in relation to heritage made for other proposed allocations apply equally to this site.

SA 23 Land at Hanlye Lane to the east of Ardingly Road, Cuckfield

- 5.38 No comments.

SA 24 Land to the north of Shepherds Walk, Hassocks

- 5.39 The access for this site is through an adjacent parcel of land which has a ransom strip over this land. The deliverability of this site is therefore in doubt unless a right of access can be confirmed by the site owners.

SA 25 Land west of Selsfield Road, Ardingly

- 5.40 No comments.

SA 26 Land south of Hammerwood Road, Ashurst Wood

- 5.41 The site is within the AONB and it is considered it is inappropriate to allocate this site for development without thorough appraisal of reasonable alternatives as previously set out.

SA 27 Land at St. Martin Close, Handcross

- 5.42 No comments.

SA28 Land South of The Old Police House, Birchgrove Road, Horsted Keynes

- 5.43 No comments.

SA 29 Land south of St. Stephens Church, Hamsland, Horsted Keynes

- 5.44 No comments.

SA 30 Land to the north Lyndon, Reeds Lane, Sayers Common

- 5.45 The sustainability of this site has been considered in the SA which sets out that the site is more than 20 minutes away from services such as GP and the School. It is therefore not considered that the development of this site would be justified in sustainability terms.
- 5.46 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 31 Land to the rear Firlands, Church Road, Scaynes Hill

- 5.47 The site is located within the Building Stone (Cuckfield) Mineral safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 32 Withypitts Farm, Selsfield Road, Turners Hill

- 5.48 No comments.
- 5.49 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 33 Ansty Cross Garage, Cuckfield Road, Ansty


- 5.50 This site is not considered to be a sustainable location. A total of four separate sites were considered within Ansty with this being the only one accepted. The only difference between this and the other sites was that this scored slightly higher in the SA due to it being PDL. Whilst this is correct it is not considered that the PDL nature of this site makes it appropriate for allocation within the Sites DPD.

6. Conclusions


- 6.1 Detailed consideration of the sites identified for allocation within the SADPD show that there are some significant technical constraints and policy issues with many of the sites. These are matters which have been previously raised as part of regulation 18 representations and the council has done nothing to address these matters.
- 6.2 The analysis of the proposed allocations demonstrates there are some significant failings in the deliverability of the sites which requires reconsideration of the appropriateness of these allocations and selection of alternative sites.
- 6.3 The assessment of reasonable alternatives is significantly lacking and requires further retesting which would logically include this site. As a result, it is not considered that the SADPD is positively prepared or justified and therefore fails the test as set out in the NPPF as a result.
- 6.4 It is clear that the adoption of the SADPD is of significance importance to Mid Sussex in demonstrating a robust and deliverable five year housing land supply. It is therefore suggested that consideration is given to the allocation of the site as set out within these representations which can deliver much needed housing in the early part of the plan period.

7. Appendix 1 – SHELAA Extract – February 2020

Stage 1 Site Pro-Forma – All Sites

SHELAA Ref	673	Parish	Haywards Heath
Site Location	Land north of Butlers Green Road, Haywards Heath		
			
Site uses	Agriculture		
Gross Site Area (ha)	1.5		
Potential Yield	5		
Site History			
Absolute Constraint	Flood Zone 2 or 3	✗	
	Site of Special Scientific Interest	✗	
Other Constraints	Ancient Woodland	✗	
	Area of Outstanding Natural Beauty	✗	
	Local Nature Reserve	✗	
	Conservation Area	Development would not have a negative impact on Conservation area and/or Area of Townscape Character	
	Scheduled Monument	✗	
	Listed Buildings	Development may potentially affect listed building/s - mitigation may be necessary	
	Access	Safe access is not available but potential exists to easily gain access	
Suitable	No known constraints - assessed as Suitable at Stage 1, progress to Stage 2 assessment		
Availability	Site submitted by site proponent to the SHELAA for assessment - considered available		
Achievability	There is a reasonable prospect that site could be developed within the Plan period		
Timescale	Medium-Long Term		

8. Appendix 2 – Site Selection Paper Extract

Site Selection - Housing		
Haywards Heath		
ID	673 Land north of Butlers Green Road, Haywards Heath	
		
Site Details		
Units:	45	Site Area (ha): 1.5
Part 1 - Planning Constraints		
1 - AONB	N/A	The site is remote from the High Weald AONB
2 - Flood Risk	None	The site lies entirely within Flood Zone 1, the area of lowest fluvial flood risk.
3 - Ancient Woodland	None	The site is not affected by Ancient Woodland
4 - SSSI/SNCI/LNR	Local Wildlife Site - SWT Mitigation	
5 - Listed Buildings	Listed Building - Less Than Substantial Harm (High)	Butlers Green House, Grade II* Development would have a fundamental impact on the currently rural character of the setting of the house and listed structures. The existing degree of separation between the heritage assets and the eastern edge of the Cuckfield would be reduced, and the open and verdant nature of the house's setting eroded. NPPF:LSH, HIGH
6 - Conservation Area	None	There are no conservation areas within or adjacent to the site
7 - Archaeology	None	
8 - Landscape	Low/Medium	
9 - Trees/TPOs	None	Site is not affected by trees
Part 2 - Deliverability Considerations		
10 - Highways		
11 - Local Road/Access	Moderate - Improve	Safe access likely to be gained from Butlers Green road either from the roundabout or from the road itself.
673 Land north of Butlers Green Road, Haywards Heath		

Site Selection - Housing		
12 - Deliverability	Developable	Site is owned by housebuilder. Outline application March 2019.
13 - Infrastructure	Infrastructure capacity	Developer Questionnaire - normal contributions apply.
Part 3 - Sustainability / Access to Services		
14 - Education	15-20 Minute Walk	
15 - Health	Less Than 10 Minute Walk	
16 - Services	10-15 Minute Walk	
17 - Public Transport	Fair	
Part 4 - Other Considerations		
Neighbourhood Plan		Notes

2079

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA21

ID: 2079

Response Ref: Reg19/2079/22

Respondent: Mr A Black

Organisation: Andrew Black consulting

On Behalf Of: Vanderbilt Homes - Hurstwood HH

Category: Promoter

Appear at Examination? x



Mid Sussex District Council

Draft Site Allocations DPD (Regulation 19)
Consultation

Representation on behalf of Vanderbilt Homes –
Land at Junction of Hurstwood Lane and Colwell
Lane, Haywards Heath

September 2020

Project MSDC Draft Site Allocations DPD

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Local Authority Mid Sussex District Council

Client Vanderbilt Homes

Issue Final

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1. Introduction

- 1.1 These representations for the Draft Site Allocations DPD (Regulation 19) Consultation (Herein referred to as the ‘SADPD’) are submitted by Andrew Black Consulting on behalf of Vanderbilt Homes regarding a site within their control in Haywards Heath.
- 1.2 The site under the control of Vanderbilt Homes is Land at Junction of Hurstwood Lane and Colwell Lane, Haywards Heath and was previously considered in the SHELAA (ref 508) as Available, Achievable and Deliverable.
- 1.3 It is understood that the SADPD has been produced in accordance with the Planning and Compulsory Purchase Act 2004, and other relevant regulations.
- 1.4 The NPPF states that Development Plan Documents should be prepared in accordance with the legal and procedural requirements. To be found to be ‘sound’, plans must be:
 - a) *positively prepared*
 - b) *justified*
 - c) *effective, and*
 - d) *consistent with national policy.*
- 1.5 It is with this in mind that the representations are made.
- 1.6 The draft SADPD has been prepared using an extensive and legally compliant evidence base including a Sustainability Appraisal, Habitat Regulations Assessment, Community Involvement Plan, Equalities Impact Assessment, and various technical reports and studies. Of particular note is the Built Up Area Boundary and Policies Map Topic Paper (TP1) produced in August 2020.
- 1.7 The Site Allocations DPD proposes to allocate 22 sites to meet this residual necessary to meet the overall agreed housing requirement for the plan period as reflected in the ‘stepped trajectory’ and in accordance with the District Plan.
- 1.8 These representations set out the detail of the Site and Surroundings and a response to the detailed parts of the SADPD.

2. Site and Surroundings

- 2.1 The Site is located to the at the Junction of Hurstwood Lane and Colwell Lane in Haywards Heath.



Figure 1 – SHELAA Extract

- 2.2 The site was assessed in the most recent SHELAA (Ref 508) as Suitable, Available and Achievable in the Medium to Long Term (The full extract of the SHELAA is set out in Appendix 1). Several constraints were note within the HELAA form which are addressed below.
- 2.3 The SHELAA Appraisal of the site confirms that there are no constraints to the development of the site in terms of Flooding, SSSIs, Ancient Woodland, AONB, Local Nature Reserves, Heritage Assets or Access.

Planning History

- 2.4 The site does not have any planning history.
- 2.5 The site is in close proximity to a site which was allocated under the District Plan (H1) and has a current application for a substantial application. An application was submitted in 2017 (DM/17/2739) with the following description:
- Outline application for development of up to 375 new homes, a 2 form entry primary school with Early Years provision, a new burial ground, allotments, Country Park, car parking, 'Green Way', new vehicular accesses and associated parking and landscaping. All matters are to be reserved except for access.*
- 2.6 A resolution to grant planning permission was made by planning committee in August 2018. A formal planning decision is yet to be issued as further negotiations are taking place regarding the s106 agreement. However, the allocation of the site and the resolution to grant planning

permission is considered as a strong indicator that development of the site is highly likely to take place and will result in substantial change in the immediate context of the area.

- 2.7 The proximity of the site to the site under control of Vanderbilt Homes (shown in red) is set out below:

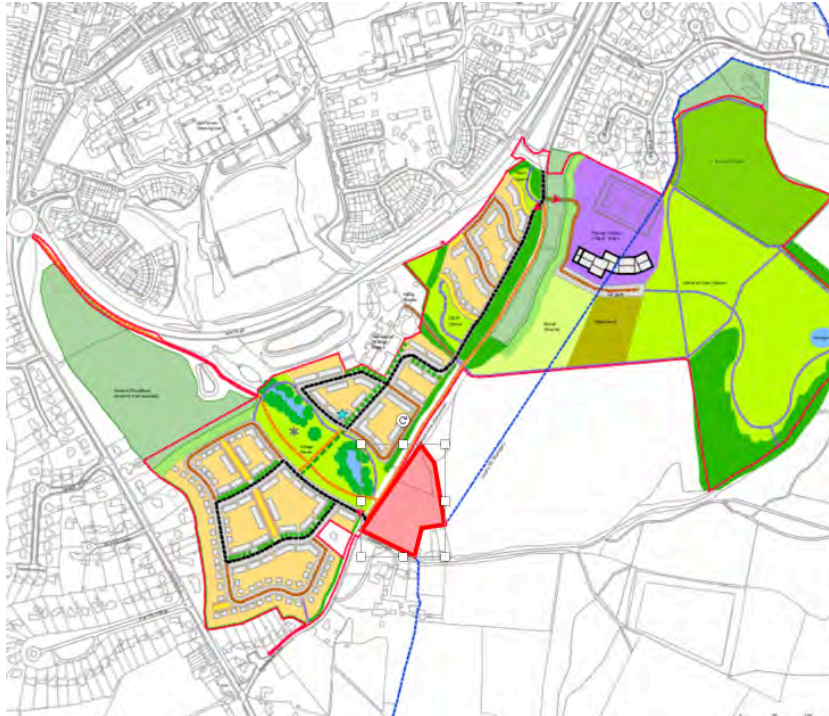


Figure 2 – Proximity of Site to significant application

- 2.8 The proposed policies map shows the extent of the built up area boundary, the proposed allocation of the site to the north (H1) and the proposed allocated site SA21 to the south-west.

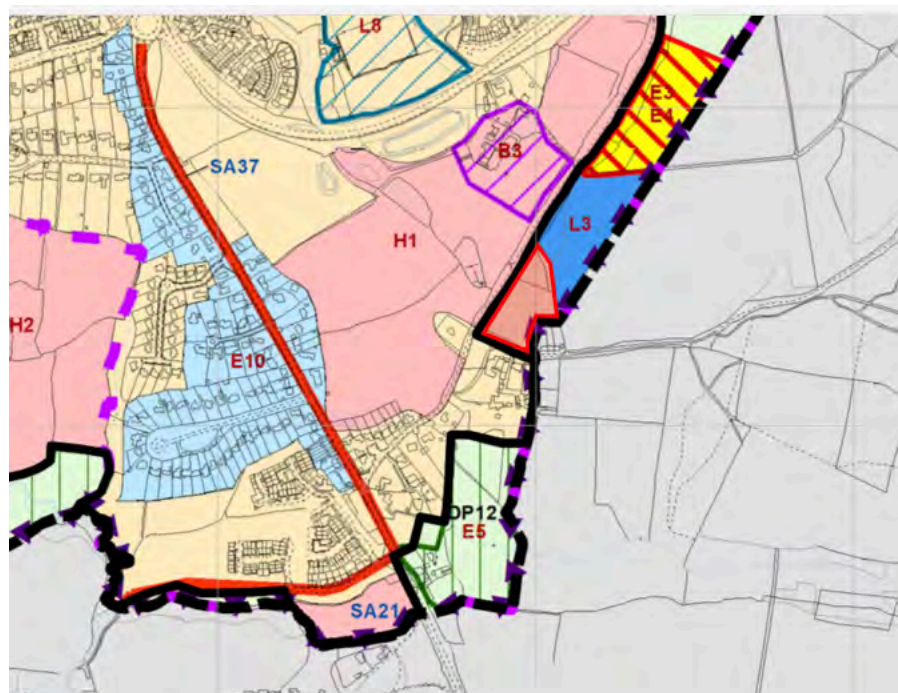


Figure 3 – Proposed Site Allocations Proposals Map

- 2.9 Specific representations are made against each of the allocated sites in subsequent sections of these representations. However, of specific focus is the allocation of Rogers Farm on Fox Hill in Haywards Heath. Significant concerns are raised as part of these representations as to why the Rogers Farm site has been allocated instead of the more obvious site under the control of Vanderbilt Homes at Hurstwood Lane.

SA 21 Rogers Farm, Fox Hill, Haywards Heath

- 2.10 This site is significantly constrained by the presence of heritage assets. This is referenced in the SA which states that:

Site option (b) is constrained in terms of impact upon a listed building; it would have a less than substantial harm (medium) on Cleavewater (Grade II listed) and The Old Cottage (Grade II listed).

- 2.11 Appendix B of the reg 18 SADPD also references these heritage assets together with an assessment of the likely impact as follows:

*Cleavewaters, Fox Hill there would be a fundamental impact not only on views from the building and associated farmstead but on the context and manner in which the farmhouse and farmstead are appreciated by those travelling along the road which runs between the farmstead and the site. **NPPF: LSH, MID***

*Olde Cottage, there would be some potential impact on views from the Cottage and its garden setting. The belt of woodland between the asset and the site is relatively narrow and development on the site is likely to be visible, particularly in winter. There would also be an impact on the setting in which the Cottage is appreciated by those approaching along the access drive from Ditchling Road. **NPPF: LSH, MID***

- 2.12 The impact on heritage assets and character of the area has been assessed in an appeal decision on the site (APP/D3830/W/17/3187318) issued in January 2019 following an application for up to 37 dwellings on the site (DM/16/3998).

15 The combination of the buffer and local topography would mean that any development would be clearly visible on the approach down Lunce's Hill and perceived as a separate and distinct residential development. I am not persuaded that it would be seen within the context of an urban fringe setting as the appellant suggests. On the contrary it would be a harmful encroachment into the countryside and the rural character of the approach into the settlement would be irrevocably changed and harmed through the loss of this open land.

16 Overall, the proposal would result in an unacceptable suburbanisation of the appeal site that would fundamentally change the character and appearance of the rural setting of the settlement. The effects would also be exacerbated somewhat by the loss of part of the existing mature hedgerow for the access. Proposed mitigation, in the form of additional landscaping would restrict the visibility of the proposal from a number of viewpoints. However, it would take a substantial amount of time to mature and be dependent on a number of factors to be successful. Moreover, I am not persuaded that it would fully mitigate the visual impacts.

17 For these reasons, the proposal would not be a suitable site for housing in terms of location and would cause significant harm to the character and appearance of the area. It would therefore conflict with Policy C1 of the LP and Policies E5 and E9 of the HHNP. In addition to the requirements set out above, these policies also require new development to be

permitted where it would protect, reinforce and not unduly erode the landscape character of the area. There would also be some conflict with Policies DP10 and DP24 which, seek to protect the countryside in recognition of its intrinsic character and beauty and promote well located and designed development.

- 2.13 In addition to consideration of heritage matters it would appear that the consideration of Sustainability / Access to Services is inconsistent between the Site Selection Paper (SSP3) and the Sustainability Appraisal.
- 2.14 In the Site Selection Paper (SSP3) the Sustainability / Access to Services of Rogers Farm is assessed as follows:

Part 3 - Sustainability / Access to Services	
14 - Education	More than 20 Minute Walk
15 - Health	15-20 Minute Walk
16 - Services	15-20 Minute Walk
17 - Public Transport	Fair

- 2.15 However, this differs from the assessment of these matters within the Sustainability Appraisal where the following conclusions are reached.

Objective	A - Oaklands	B - Rogers Farm	C - HH Golf Course	D - N. Old Wickham	Assessment
1 - Housing	+	+	++	+	All site options have demonstrated their deliverability; options (a), (b) and (d) make a contribution to the residual housing need, while (c) makes a significant contribution to the need.
2 - Health	++	0	++	-	Site options (a) and (c) are located a 10-15 minute walk from the nearest GP surgery, while option (b) is a 15-20 minute walk. Option (d) is more than a 20 minute walk.
3 - Education	+	-	++	+	Site option (c) is located less than a 10 minute walk from the nearest primary school, options (a) and (d) are a 10-15 minute walk, while option (b) is more than a 20 minute walk.
4 - Retail	++	+	++	+	Site options (a) and (c) is located less than a 10 minute walk from the nearest convenience store, while options (b) and (d) are a 10-15 minute walk.

- 2.16 The site is assessed positively for its access to retail and it is stated that they are a 10-15 minute walk when the SA correctly identifies that they are a 15-20 minute walk.
- 2.17 The Site Selection Paper (SSP3) for the Land at Hurstwood Lane makes it clear that whilst connectivity is currently poor, facilities will be provided at the Hurst Farm development and it is therefore considered that the SA would rate these as positive.
- 2.18 It is therefore clear that the Hurstwood Lane site has been overlooked in favour of the less suitable site at Rogers Farm.
- 2.19 It is apparent that the heritage constraints and poor sustainability for Rogers Farm weigh heavily against the allocation of the site and this should be readdressed within the final version of the SADPD.

3. Housing Site Allocation Process

- 3.1 The District Plan 2014-2031 sets out the housing requirement for the district for the plan period of 16,390 dwellings. 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.
- 3.2 The District Plan 2014-2031 established a ‘stepped’ trajectory for housing delivery with an average of 876 dwellings per annum (dpa) between 2014/15 and 2023/24 and thereafter an average of 1,090 dpa between 2024/25 and 2030/31. This represents a significant increase in housing supply compared with historical rates within the district.
- 3.3 The latest data on completions from MSDC was published in *MSDC Housing Land Supply Position Statement* was published in August 2020 (Document H1) and shows a significant shortfall in delivery against the housing requirement since the start of the plan:

Category		Number of Dwellings
Housing Requirement for the full plan period (April 2014 to March 2031)		16,390
Housing Completions (April 2014 to March 2020)		4,917
Completions 2014/15		630
Completions 2015/16		868
Completions 2016/17		912
Completions 2017/18		843
Completions 2018/19		661
Completions 2019/20		1003
Housing Supply (April 2014 to March 2031)	Commitments (including District Plan Allocations)	9,689
	Site Allocations DPD - Allocations	1,764
	Windfalls	504
Total Supply (at 1 April 2019)		16,874

Figure 4 – Extract from MSDC Housing Land Supply Position Statement

- 3.4 The Housing Delivery Test was introduced in the July 2018 update to the NPPF. The Housing Delivery Test is an annual measurement of housing delivery for each local authority and the first results were published in February 2019 by the Ministry of Housing, Communities and Local Government (MHCLG). Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority’s housing requirement over the previous 3 years then it is required to prepare an action plan. Where delivery has fallen below 85% of the housing requirement a 20% buffer should be added to the five year supply of deliverable sites.
- 3.5 The result for Mid Sussex produced in February 2020 was 95%. This result is based on monitoring years 2016-17, 2017-18 and 2018-19. Mid Sussex is therefore not required to add 20% buffer for significant under delivery, or prepare an Action Plan. However, it is clear that under current performance the council will struggle when the housing target steps up to 1,090 in 2024.
- 3.6 Para 4.10 of the previous MSDC Housing Land Supply Position Statement (2019) sets out the five year supply requirement for the district as follows:

Annual Requirement As set out in District Plan	876 x 5 years =	4,380
Shortfall spread over remaining plan period	466 divided by 12 remaining years x 5 years	194
Total		4,574
Buffer (see paras 2.4,4.9 above)	10%	457
Total five year supply requirement		5,032

*Figure 5 – Total Five Year Housing Requirement taken from MSDC Housing Land Supply
Position Statement*

- 3.7 MSDC is seeking to confirm the five year housing land supply under the terms of paragraph 74 of the NPPF through submission of the annual position statement to the secretary of state. Paragraph 74 of the framework states:

A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which:

- a) has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State; and*
- b) incorporates the recommendation of the Secretary of State, where the position on specific sites could not be agreed during the engagement process.*

- 3.8 The report on the Annual Position Statement was issued by the Planning Inspectorate on 13 January 2020. It was confirmed that as the council did not have a recently adopted plan in conformity with the definition of the NPPF then the correct process had not been followed and the inspector was unable to confirm that the council had a five year housing land supply.
- 3.9 It is therefore clear that the council does not currently have a five year housing land supply and the demonstration of sufficiently deliverable sites within the SADPD is of critical importance for MSDC.

Deliverability of Sites

- 3.10 Any sites that have been included in the final Sites DPD will need to pass the tests of deliverability as set out in the NPPF. This is defined within the glossary of the framework as follows:

Deliverable: *To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.*

- 3.11 The Planning Practice Guidance provides a further explanation on how the deliverability of sites should be considered:

A site can be considered available for development, when, on the best information available (confirmed by the call for sites and information from land owners and legal searches where appropriate), there is confidence that there are no legal or ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available.

The existence of planning permission can be a good indication of the availability of sites. Sites meeting the definition of deliverable should be considered available unless evidence indicates otherwise. Sites without permission can be considered available within the first five years, further guidance to this is contained in the 5 year housing land supply guidance. Consideration can also be given to the delivery record of the developers or landowners putting forward sites, and whether the planning background of a site shows a history of unimplemented permissions.

Paragraph: 019 Reference ID: 3-019-20190722

Revision date: 22 07 2019

- 3.12 It is with this in mind that the proposed sites within the Sites DPD are scrutinised within subsequent sections of this document. It is considered that many of the proposed sites do not fully accord with the definition of delivery and consideration of alternative sites is required.

Area of Outstanding Natural Beauty

- 3.13 A significant number of the proposed sites are located within, or close to, the High Weald AONB. Paragraph 172 sets out the significant protection which should be afforded to the AONB in planning terms and states that:

Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife

and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

- 3.14 It is part b of paragraph 172 that is of particular importance in this instance. It is not considered that MSDC has considered sites outside of the AONB which could be used to meet the identified residual housing requirement. It would appear that sites have been selected because of their conformity to the spatial strategy and hierarchy without the proper application of the ‘great weight’ required to protect the AONB.
- 3.15 The approach of allocating sites within the AONB as opposed to ‘outside the designated area’ should have been tested through a robust analysis of reasonable alternatives within the Sustainability Appraisal. The failure to do this adequately is a matter of soundness and it is considered that the Sites DPD fails the tests within the NPPF on this basis alone.

Historic Environment

- 3.16 Several of the allocations within the DPD are in close proximity to heritage assets. Paragraph 193 of the framework sets out the approach to heritage assets as follows:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- 3.17 In many instances the council themselves suggest that the development of housing on the sites is likely to have ‘less than significant harm’ on the heritage assets in question. Paragraph 196 of the framework sets out the approach which should be taken in this instance:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the

- 3.18 It is not considered that the harm caused to heritage assets has been adequately assessed within the Sustainability Appraisal for many of the proposed sites and further consideration is required of the sites in this regard. This would include assessing sites which would not have an impact on heritage assets through a robust application of reasonable alternatives within the Sustainability Appraisal.

4. Sustainability Appraisal

- 4.1 The SADPD is accompanied by a Sustainability Appraisal (SA) report which is a legal requirement derived from the Planning and Compulsory Purchase Act 2004 (Section 19). Section 39 of the Act requires documents such as the SADPD to be prepared with a view to contributing to the achievement of sustainable development.
- 4.2 The requirement for Strategic Environmental Assessment, in addition to the SA, is set out in the European Directive 2001/42/EC adopted into UK law as the “Environmental Assessment of Plans or Programmes Regulations 2004”.
- 4.3 In line with best practice the SEA has been incorporated into the SA of the SADPD.
- 4.4 The planning practice guidance sets out detailed consideration as to how any sustainability should assess alternatives and identify likely significant effects:

The sustainability appraisal needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic and social characteristics of the area and the likely situation if the plan were not to be adopted. In doing so it is important to:

- *outline the reasons the alternatives were selected, and identify, describe and evaluate their likely significant effects on environmental, economic and social factors using the evidence base (employing the same level of detail for each alternative option). Criteria for determining the likely significance of effects on the environment are set out in [schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004](#);*
- *as part of this, identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them;*
- *provide conclusions on the reasons the rejected options are not being taken forward and the reasons for selecting the preferred approach in light of the alternatives.*

Any assumptions used in assessing the significance of the effects of the plan will need to be documented. Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in the plan. They need to be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made.

The development and appraisal of proposals in plans needs to be an iterative process, with the proposals being revised to take account of the appraisal findings.

Paragraph: 018 Reference ID: 11-018-20140306

Revision date: 06 03 2014

- 4.5 In response to this guidance and requirement, paragraph 6.16 of the Sustainability Appraisal states that:

The Site Selection Paper 2 (paras 6.2 - 6.3) also recognises that, in order to meet the District Plan strategy, conclusions will be compared on a settlement-by-settlement basis with the most suitable sites at each settlement chosen in order to meet the residual needs of that settlement. This may result in some sites being chosen for allocation which have higher negative impact across all the objectives because this will be on the basis that the aim is to distribute allocations according to the District Plan strategy in the first instance; as opposed to simply selecting only

the most sustainable sites in the district (as this may not accord with the spatial strategy and would lead to an unequal distribution of sites across settlements). 20 sites that perform well individually and on a settlement basis, the residual housing need of 1,507 would be met with a small over-supply of 112 units.

- 4.6 Paragraph 6.45 recognises that this small over-supply *may not be a sufficient buffer should sites fall out of the allocations process between now and adoption (for example, due to delivery issues, reduction in yield, or any other reasons identified during consultation or the evidence base).*

- 4.7 The SA therefore considers reasonable alternatives of option A, B and C as follows:

Option A – 20 'Constant Sites' – 1,619 dwellings

Option B – 20 'Constant Sites' + Folders Lane, Burgess Hill (x3 sites) – 1,962 dwellings.

Option C – 20 'Constant Sites' + Haywards Heath Golf Court – 2,249 dwellings

- 4.8 Paragraph 6.52 of the SA concludes that:

Following the assessment of all reasonable alternative options for site selection, the preferred option is option B. Although option A would meet residual housing need, option B proposes a sufficient buffer to allow for non-delivery, therefore provides more certainty that the housing need could be met. Whilst option C also proposes a sufficient buffer, it is at the expense of negative impacts arising on environmental objectives. The level of development within option C is approximately 50% above the residual housing need, the positives of delivering an excess of this amount within the Site Allocations DPD is outweighed by the negative environmental impacts associated with it.

- 4.9 It is not considered that this assessment of Option A, B and C is a sufficient enough assessment of reasonable alternatives as required by guidance and legislation. All of the options contain the '20 Constant Sites' with no derivation of alternative options such as those which seek to divert housing growth away from the AONB or designated heritage assets.

- 4.10 It is apparent that other sites other than the 20 Constant Sites will need to be assessed if the council is to adequately demonstrate that reasonable alternatives have been considered as required.

5. Assessment of Proposed Sites.

- 5.1 This section analyses each of the proposed allocations against the tests of deliverability as set out in the NPPF and the potential shortcomings of several of the sites which require significant consideration. The findings of *Appendix B: Housing Site Proformas* of the *Site Selection Paper 3* (Appendix B) and the conclusions of the Sustainability Appraisal (SA) are considered in detail.

SA 12 Land South of 96 Folders Lane, Burgess Hill

- 5.2 Appendix B of the reg 18 SADPD set out that this site has *moderate landscape sensitivity and moderate landscape value. This site could be visible from the South Downs National Park*. The SA states that an LVIA is required to determine any impact on the national park. Given the weight that the NPPF requires to be placed on the protection of the national park, any impact must be measured prior to allocation. If it is deemed that mitigation would not minimise the harm caused, then the proposed allocation must fall away.
- 5.3 Appendix B of the reg 18 SADPD also set out that a TPO area lines the norther border and potential access route. It should be noted that an application was submitted in 2019 for the *erection of 43 dwellings and associated works* (DM/19/0276) but was withdrawn in September 2019 due to concerns over highways. The deliverability of this site is therefore not considered to be in accordance with the guidance set out in the framework.
- 5.4 Finally, whilst the priority for sites higher in the settlement hierarchy is acknowledged, this is site is very remote from the services offered by Burgess Hill. This is highlighted within the sustainability appraisal for the site which states that it is more than a 20 minute walk from the site to schools, GP and shops.

SA 13 Land East of Keymer Road and South of Folders Lane, Burgess Hill.

- 5.5 As with SA12, this site is in close proximity to the national park and the conclusions as set out above apply equally to this site.
- 5.6 The SA sets out that this is the only site within Burgess Hill to have any impact on listed buildings where it is stated that development of this site would cause *less than substantial harm (medium) on High Chimneys (Grade II listed)*. This is not mentioned within appendix B and this therefore calls into question the consistency of assessment of the sites in this regard.
- 5.7 Given that site SA12 and SA13 are in close proximity to one another it is notable that the cumulative impact of the development of both of these sites has not been assessed for a number of ‘in-combination’ impacts such as highways and landscape impact.

SA 14 Land to the south of Selby Close, Hammonds Ridge, Burgess Hill

- 5.8 There is a TPO at the front of this site which is potentially why access is proposed through the CALA Homes site (DM/17/0205). No evidence is submitted to suggest that this form of access is agreed or available. The section relating to Highways and Access within the SADPD simply states that this access *will need to be investigated further*.
- 5.9 The SA and appendix B both point towards the Southern Water Infrastructure which crosses the site. The wording in the DPD recommends that the layout of the development is considered to *ensure future access for maintenance and/or improvement work, unless diversion of the sewer is possible*. Given that the site is only 0.16ha it is therefore questionable whether there would be adequate space to develop the site for housing and provide accommodation for the sewage infrastructure crossing the site. The deliverability of this site has therefore not been adequately demonstrated.

- 5.10 As with SA12 and SA13 there are questions of the sustainability of the site given that the SA notes that it is more than a 20 minute walk to the school and GP.

SA 15 Land South of Southway, Burgess Hill

- 5.11 The SADPD describes the site as *overgrown and inaccessible land designated as a Local Green Space in the Burgess Hill Neighbourhood Plan*. It is unclear whether this site was ever previously in use as playing pitches and whether re-provision of this space would be required under Sport England policies.
- 5.12 Appendix B of the reg 18 SADPD points towards issues with relocation of existing parking on the site and states that:

Private parking areas would need to be removed to provide a suitable access point with sufficient visibility. The parking spaces are visitor spaces over which the owners/developers of the subject land have rights to access it to serve new development onto Linnet Lane. Accordingly, a new access into the site can be provided any new development would include two visitor spaces as close as reasonably possible to the existing visitor spaces.

- 5.13 It is clear that there are substantial issues with deliverability and availability of this site given these constraints and the site should be deleted as a proposed allocation until this can be adequately demonstrated.

SA 16 St. Wilfrids Catholic Primary School, School Close, Burgess Hill

- 5.14 The SADPD sets out that the satisfactory relocation of St Wilfrid's Primary School to St Paul's Catholic College site is required before development can commence on the school part of the site. There is also a requirement to re-provide the emergency services accommodation in a new emergency service centre either on this site or elsewhere in the town.
- 5.15 Given that the allocation is for 300 dwellings and requires this relocation first, it is considered that there is insufficient evidence to justify delivery of development of this site in the 6-10 year time period as set out.

SA 17 Woodfield House, Isaacs Lane, Burgess Hill

- 5.16 The SADPD sets out some significant landscape features on site which require retention and it is stated that:

There is a group Tree Preservation Order in the southern and western areas of the site. High quality substantial new planting of native trees is required, should these be lost to provide access from Isaac's Lane. All other TPO trees on the site are to be retained.

Retain and enhance important landscape features, mature trees, hedgerows and the pond at the south of the site and incorporate these into the landscape structure and Green Infrastructure proposals for the development. Open space is to be provided as an integral part of this landscape structure and should be prominent and accessible within the scheme.

- 5.17 Given that the site is only 1.4 hectares in size it is questionable whether there is adequate space on the site for 30 dwellings after retention of these landscape features.
- 5.18 It is clear from the Sites DPD that access to site is envisaged to be from the Northern Arc where it is stated that:

Integrated access with the Northern Arc Development is strongly preferred, the details of which will need to be investigated further.

- 5.19 This is also set out in appendix B of the reg 18 SADPD where it is stated that:

Entrance drive to house. Access on bend with limited visibility. 50 mph road. Would involve removal of trees that are subject to TPO. Objection for tree officer. However, future access is anticipated to be provided via the Northern Arc. Whilst the specific details of this remain uncertain on the basis that the enabling development is still at an early stage, it is considered that the identified constraints will no longer apply.

- 5.20 Given the uncertainty of the deliverability of the land immediately adjoining the site as part of the Northern Arc it is considered that the deliverability of this site is not clear enough to justify allocation within the sites DPD. The uncertainty of this deliverability also has an implication of the sustainability of the site and proximity to adequate services. This is highlighted within the SA where it is stated that:

The impact of option (h) on these objectives (Health/Retail/Education) is uncertain; currently the site is a long distance from local services, however, this will change once the Northern Arc is built out.

- 5.21 Overall it is not considered that this site is suitable for allocation and should be removed from the Sites DPD

SA 18 East Grinstead Police Station, College Lane, East Grinstead

- 5.22 We have no comments to make in relation to this allocation.

SA 19 Land south of Crawley Down Road, Felbridge

- 5.23 As set out, this allocation is directly to the west of the land under the control of Vanderbilt Homes which is also adjoined to the east by land with the benefit of planning permission for 63 dwellings.

- 5.24 Given that the entire area will be included within the revised Built Up Area Boundary, then it is considered logical that the adjoining sites are also identified for allocation within the SADPD.

SA 20 Land south and west of Imberhorne Upper School, Imberhorne Lane, East Grinstead

- 5.25 There is a requirement in the SADPD for this site to provide a detailed phasing plan with agreement from key stakeholders to secure:

- Land for early years and primary school (2FE) provision – 2.2 ha
- A land exchange agreement between WSCC and the developer to secure 6 ha (gross) land to create new playing field facilities in association with Imberhorne Secondary School (c.4 ha net - excluding land for provision of a new vehicular access onto Imberhorne Lane).

- 5.26 It is unclear when these requirements are to be provided by within the development of any site and whether it is considered that the site would be suitable for allocation should these uses not come forward.

- 5.27 There are clear concerns over the suitability of this site in terms of ecology as set out in appendix B of the reg 18 SADPD which states:

Natural England have concerns over the high density of housing south of Felbridge. Hedgecourt SSSI is accessible from the proposed site allocations via a network of Public Rights of Way. In

line with paragraph 175 of the NPPF, Mid Sussex District Council should determine if allocations are likely to have an adverse effect (either individually or in combination) on SSSI's. The NPPF states that "if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused." We would be happy to provide further advice if requested, although this may need to be on a cost recovery basis. The LWS adjacent to the site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. We are unable to advise you on specific impacts as we have no details of the scale or type of proposed development consider further impacts of disturbance of the LWS and Ancient woodland arising from people and domestic pets, connectivity, light and noise pollution, appropriate buffer and cumulative impact. This site is adjacent to the Worth Way. The SHELAA should be redrawn to remove the section of LWS. The site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. Further consideration be given to impacts of disturbance on LWS and Ancient Woodland from people and pets, impacts on connectivity, impacts of light and noise pollution, need for Ancient Woodland buffer. Cumulative impact with SHELAA 686 and 561.

- 5.28 It is clear that the impacts upon ecology and the SSSI have not been adequately addressed.
- 5.29 As with other sites there is potential for impact upon local heritage assets of Gullege Farm, Imberhorne Farm and Imberhorne Cottages as set out below. The harm in terms of less than strategic harm is inappropriately weighted in the assessment as a means for justification of allocation.

APPENDIX B : Gullege Farm, Imberhorne Lane

This isolated farmstead has historically had a rural setting and continues to do so today. The introduction of a substantial housing development to the north, east and south of the listed manor house would have a fundamental impact on the character of that setting and would detract from the way in which the special interest of this Grade II listed rural manor house and the of the historic farmstead is appreciated.

NPPF: LSH, high

Imberhorne Farm and Imberhorne Cottages

In its original incarnation Imberhorne Cottages was probably constructed as a dwelling providing accommodation between London and Lewes, on Lewes Priory lands. It may have acted as the manor house to the substantial manor of Imberhorne, which was owned by the Priory. It seems likely that the building became farm cottages when the new farmhouse (Imberhorne) was constructed in the early 19th century. The currently rural setting of both buildings within the Imberhorne farmstead informs an understanding of their past function and therefore contributes positively to their special interest.

The proposed development site would engulf the farmstead to the west, north and east and would have a fundamental impact on the character of the greater part of its existing of rural setting and on views from both listed buildings. It would adversely affect the manner in which the special interest of the two listed buildings within their rural setting is appreciated, including by those passing along the PROW to the north of the farmstead.

NPPF: LSH, high

- 5.30 The potential harm to heritage is also referred to in the SA which states that:

option (e) which is not constrained by a conservation area, but would have a less than substantial harm (high) on Gullege Farm (Grade II listed) and Imberhorne Farm and Imberhorne Cottages (Grade II listed). As this is a large site, there is potential to still achieve the yield whilst providing necessary mitigation to lower the impact on these heritage assets.*

- 5.31 Notwithstanding the significant constraints to delivery from this site it is notable that the delivery of 550 in 6-10 years as set out in the SADPD is particularly optimistic and would need to be revised in order to be realistic on the constraints to delivery including the requirement for provision of education on the site.

SA 22 Land north of Burleigh Lane, Crawley Down

- 5.32 No comments.

SA 23 Land at Hanlye Lane to the east of Ardingly Road, Cuckfield

- 5.33 The site is within close proximity to the High Weald AONB. Previous comments made in relation to the requirements of the NPPF in relation to AONB for other allocations apply equally to this site.

SA 24 Land to the north of Shepherds Walk, Hassocks

- 5.34 The access for this site is through an adjacent parcel of land which has a ransom strip over this land. The deliverability of this site is therefore in doubt unless a right of access can be confirmed by the site owners.

SA 25 Land west of Selsfield Road, Ardingly

- 5.35 This site is located within the AONB and comments made in this regard to other proposed allocations apply to this site. The SA references this impact as follows:

There is a 'Very Negative' impact against objective (9) due to its location within the High Weald AONB, however the AONB unit have concluded that there is Moderate Impact as opposed to High Impact

- 5.36 The conclusions of the AONB unit have not been provided as part of the evidence base and requires further scrutiny in order to assess the impact of development of this site in this regard.

SA 26 Land south of Hammerwood Road, Ashurst Wood

- 5.37 The site is within the AONB and it is considered it is inappropriate to allocate this site for development without thorough appraisal of reasonable alternatives as previously set out.

SA 27 Land at St. Martin Close, Handcross

- 5.38 No comments.

SA28 Land South of The Old Police House, Birchgrove Road, Horsted Keynes

- 5.39 No comments.

SA 29 Land south of St. Stephens Church, Hamsland, Horsted Keynes

- 5.40 The site is within the AONB and it is considered it is inappropriate to allocate this site for development without thorough appraisal of reasonable alternatives as previously set out.

SA 30 Land to the north Lydon, Reeds Lane, Sayers Common

- 5.41 The sustainability of this site has been considered in the SA which sets out that the site is more than 20 minutes away from services such as GP and the School. It is therefore not considered that the development of this site would be justified in sustainability terms.
- 5.42 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 31 Land to the rear Firlands, Church Road, Scaynes Hill

- 5.43 The site is located within the Building Stone (Cuckfield) Mineral safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 32 Withypitts Farm, Selsfield Road, Turners Hill

- 5.44 The site is within the AONB and it is considered it is inappropriate to allocate this site for development without thorough appraisal of reasonable alternatives as previously set out.
- 5.45 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 33 Ansty Cross Garage, Cuckfield Road, Ansty


- 5.46 This site is not considered to be a sustainable location. A total of four separate sites were considered within Ansty with this being the only one accepted. The only difference between this and the other sites was that this scored slightly higher in the SA due to it being PDL. Whilst this is correct it is not considered that the PDL nature of this site makes it appropriate for allocation within the Sites DPD.

6. Conclusions


- 6.1 Detailed consideration of the sites identified for allocation within the SADPD show that there are some significant technical constraints and policy issues with many of the sites. These are matters which have been previously raised as part of regulation 18 representations and the council has done nothing to address these matters.
- 6.2 The analysis of the proposed allocations demonstrates there are some significant failings in the deliverability of the sites which requires reconsideration of the appropriateness of these allocations and selection of alternative sites.
- 6.3 The selection of sites with significant heritage constraints and also location within the AONB is not considered to be a sound approach. The assessment of reasonable alternatives is significantly lacking and requires further retesting which would logically include this site. As a result, it is not considered that the SADPD is positively prepared or justified and therefore fails the test as set out in the NPPF as a result.
- 6.4 It is clear that the adoption of the SADPD is of significance importance to Mid Sussex in demonstrating a robust and deliverable five year housing land supply. It is therefore suggested that consideration is given to the allocation of the site as set out within these representations which can deliver much needed housing in the early part of the plan period.

7. Appendix 1 – SHELAA Extract – February 2020

Stage 1 Site Pro-Forma – All Sites

SHELAA Ref	508	Parish	Haywards Heath
Site Location	Land at Junction of Hurstwood Lane and Colwell Lane, Haywards Heath		
			
Site uses	Agriculture		
Gross Site Area (ha)	1		
Potential Yield	30		
Site History			
Absolute Constraint	Flood Zone 2 or 3	x	
	Site of Special Scientific Interest	x	
Other Constraints	Ancient Woodland	x	
	Area of Outstanding Natural Beauty	x	
	Local Nature Reserve	x	
	Conservation Area	Development would not have a negative impact on Conservation Area and Areas of Townscape Character	
	Scheduled Monument	x	
	Listed Buildings	Development will not affect listed building/s	
	Access	Safe access to site already exists	
Suitable	No known constraints - assessed as Suitable at Stage 1, progress to Stage 2 assessment		
Availability	Controller of site has expressed intention to make the site available		
Achievability	There is a reasonable prospect that site could be developed within the Plan period		
Timescale	Medium-Long Term		

8. Appendix 2 – Site Selection Paper 3: Housing (SSP3) Extract

Site Selection - Housing		
Haywards Heath		
ID	508	Land at Junction of Hurstwood Lane and Colwell Lane, Haywards Heath
		
Site Details		
Units:	25	Site Area (ha): 0.85
Part 1 - Planning Constraints		
1 - AONB	N/A	The site is remote from the High Weald AONB
2 - Flood Risk	None	The site lies entirely within Flood Zone 1, the area of lowest fluvial flood risk.
3 - Ancient Woodland	None	The site is not affected by Ancient Woodland
4 - SSSI/SNCI/LNR	None	This site is not adjacent to any Sites of Special Scientific Interest or Local Wildlife Site
5 - Listed Buildings	None	There are no listed buildings within or adjacent to the site
6 - Conservation Area	None	There are no conservation areas within or adjacent to the site
7 - Archaeology	None	
8 - Landscape	Low/Medium	Development would have a significant and detrimental effect on the character of the landscape as a whole
9 - Trees/TPOs	None	Site is not affected by trees
Part 2 - Deliverability Considerations		
10 - Highways		
11 - Local Road/Access	None	Safe access to site already exists
12 - Deliverability	Reasonable prospect developability	No householder in control of site. Advanced discussions with potential developers/Contractors. Pre application submission within a couple of months.
13 - Infrastructure	Infrastructure capacity	Developer Questionnaire - normal contributions apply.

Site Selection - Housing

Part 3 - Sustainability / Access to Services

14 - Education	More than 20 Minute Walk	Note: facilities are likely to be provided at Hurst Farm
15 - Health	More than 20 Minute Walk	
16 - Services	15-20 Minute Walk	
17 - Public Transport	Poor	

Part 4 - Other Considerations

Neighbourhood Plan

None

Minerals

Minerals considerations unnecessary as site does not progress past detailed assessment stage.

Waste

Water and wastewater considerations unnecessary as site does not progress past detailed assessment stage.

Environmental Health

Environmental health considerations unnecessary as site does not progress past detailed assessment stage.

Sustainability Appraisal

Assessment indicates site is not a reasonable alternative and is therefore not tested through the SA.

Notes

Part 5 - Conclusion

Summary The assessment finds that the site is not suitable for allocation.

Recommendation Site is not proposed for allocation.

2080

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA21

ID: 2080

Response Ref: Reg19/2080/14

Respondent: Mr A Black

Organisation: Andrew Black consulting

On Behalf Of: Vanderbilt homes - CDR

Category: Promoter

Appear at Examination? x



Mid Sussex District Council

Draft Site Allocations DPD (Regulation 19)
Consultation

Representation on behalf of Vanderbilt Homes –
Land South of 61 Crawley Down Road, Felbridge

September 2020

Project MSDC Draft Site Allocations DPD

ABC Reference ABC/0072/07

Local Authority Mid Sussex District Council

Client Vanderbilt Homes

Issue Final

Author Andrew Black

Date September 2020

Disclaimer: This report has been prepared for the above named client for the purpose agreed in Andrew Black Consulting's (ABC) terms of engagement. Whilst every effort has been made to ensure the accuracy and suitability of the information contained in this report, the results and recommendations presented should not be used as the basis of design, management or implementation of decisions unless the client has first discussed with ABC their suitability for these purposes and ABC has confirmed their suitability in writing to the client. ABC does not warrant, in any way whatsoever, the use of information contained in this report by parties other than the above named client.

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1. Introduction

- 1.1 These representations for the Draft Site Allocations DPD (Regulation 19) Consultation (Herein referred to as the ‘SADPD’) are submitted by Andrew Black Consulting on behalf of Vanderbilt Homes regarding a site within their control at Crawley Down Road in Felbridge.
- 1.2 The site under the control of Vanderbilt Homes is known as Land South of 61 Crawley Down Road, Felbridge and was previously considered in the SHELAA as Available, Achievable and Deliverable.
- 1.3 It is understood that the SADPD has been produced in accordance with the Planning and Compulsory Purchase Act 2004, and other relevant regulations.
- 1.4 The NPPF states that Development Plan Documents should be prepared in accordance with the legal and procedural requirements. To be found to be ‘sound’, plans must be:
 - a) *positively prepared*
 - b) *justified*
 - c) *effective, and*
 - d) *consistent with national policy.*
- 1.5 It is with this in mind that these representations are made.
- 1.6 The draft SADPD has been prepared using an extensive and legally compliant evidence base including a Sustainability Appraisal, Habitat Regulations Assessment, Community Involvement Plan, Equalities Impact Assessment, and various technical reports and studies. Of particular note is the Built Up Area Boundary and Policies Map Topic Paper (TP1) produced in August 2020.
- 1.7 The Site Allocations DPD proposes to allocate 22 sites to meet this residual necessary to meet the overall agreed housing requirement for the plan period as reflected in the ‘stepped trajectory’ and in accordance with the District Plan.
- 1.8 These representations set out the detail of the Site and Surroundings and a response to the detailed parts of the SADPD.

2. Site and Surroundings

- 2.1 The Site is located to the South of Crawley Down Road and is in an area that has experienced significant housing growth in recent years.



Figure 1 – SHELAA Extract

- 2.2 The site was assessed in the most recent SHELAA (Ref 676) as Suitable, Available and Achievable in the Medium to Long Term (The full extract of the SHELAA is set out in Appendix 1). Each of the constraints within the SHELAA for are taken in turn below:

Flood Risk

- 2.3 Whilst the location of the site in flood zone 2/3 is noted within the SHELAA Proforma, the extract from the Environment Agency Flood Risk Map shows this to be negligible. It is only the very southern extent of the site that is potentially within an area of flood risk. In any event, the site can clearly demonstrate the ability to provide a safe access and egress to any housing on site which can equally be located well outside of any areas prone to flooding.

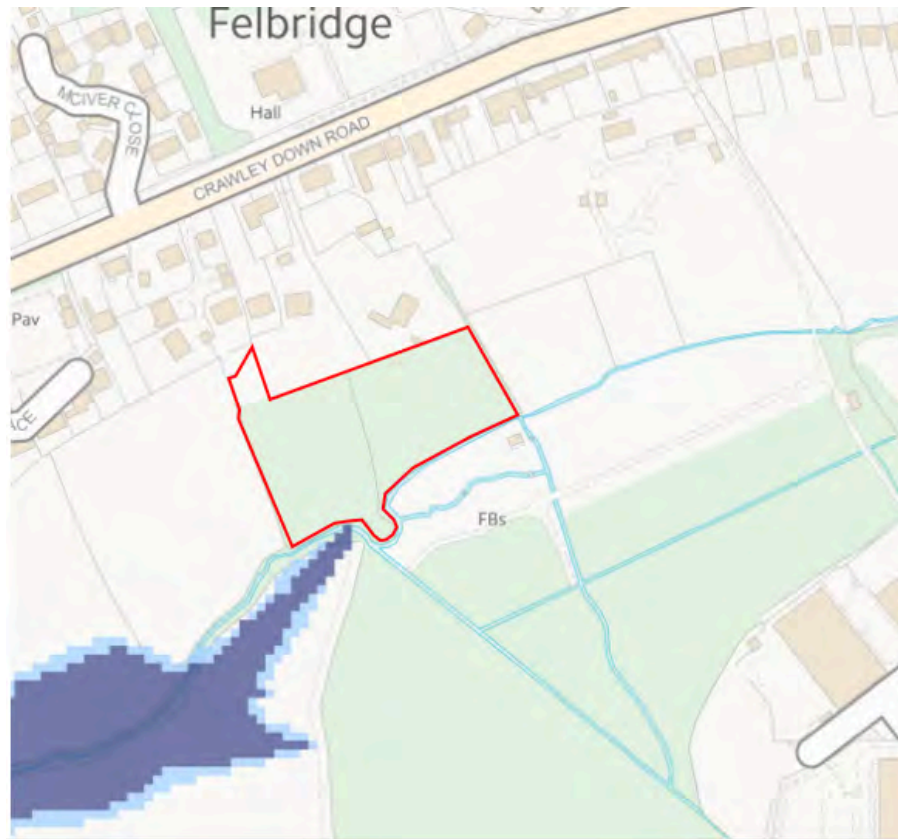


Figure 2 – Extract from Environment Agency Flood Risk Map

Ancient Woodland

- 2.4 The SHELAA report also makes reference to proximity to Ancient Woodland. The map below shows the extent of the nearby ancient woodland which is to the south of the existing site.

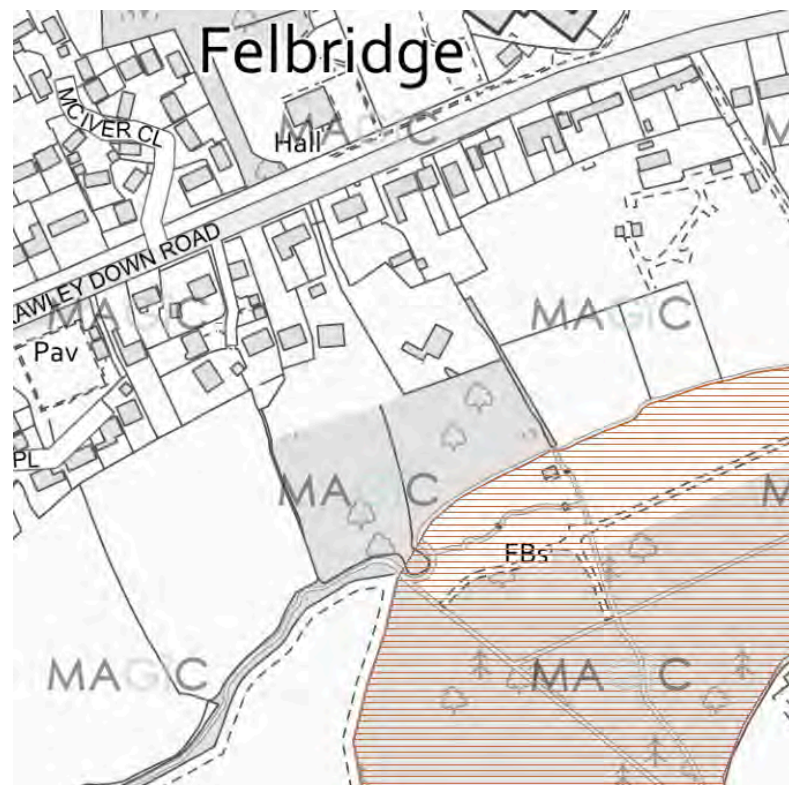


Figure 3 – Location of Ancient Woodland

- 2.5 It is evident that development could be incorporated on the site without any impact on the Ancient Woodland and that an adequate buffer could be provided between any proposed houses and the ancient woodland to the south.

Site of Special Scientific Interest

- 2.6 The site is not within, nor in proximity to, a SSSI

Area of Outstanding Natural Beauty

- 2.7 The site is not within, nor in proximity to, an AONB

Local Nature Reserve

- 2.8 The site is not within, nor in proximity to, a Local Nature Reserve

Conservation Area

- 2.9 The SHELAA specifically states that *development would not have a negative impact on Conservation area and /or Area of Townscape*

Scheduled Monument

- 2.10 There are no scheduled monuments in proximity to the site.

Listed Buildings

- 2.11 The SHELAA confirms that *development will not affect listed buildings*.

Access

- 2.12 The SHELAA sets out that *safe access to the site already exists*.
- 2.13 As set out the site directly adjoins the land to the east which has the benefit of outline planning permission for residential development. This land is also in the control of Vanderbilt Homes and it is possible that access could be provided through this land into this site as indicated below:



Figure 4 – Potential Access.

- 2.14 If the site was assessed against the criteria for Reasonable Alternatives as set out in the Sustainability Appraisal then it would perform identically to the adjoining allocated site. Furthermore it performs better against each of the criteria than the sites at ‘Land south and west of Imberhorne Upper School, Imberhorne Lane’ for 550 dwellings and ‘East Grinstead Police Station, College Lane’ for 12 dwellings. It is therefore entirely logically that this site should be allocated for development within the Site Allocations DPD.

Planning History

- 2.15 The site itself has been subject to a number of previous applications which are set out below:

App Ref	App Date	Description of Development	Decision
12/02577	Jul 2012	Residential development comprising 7 dwellings (3 detached properties and 2 pairs of semi-detached houses) with associated garaging, new road layout and landscaping.	Refused / Appeal Withdrawn
13/02528	Jul 2013	Residential development comprising 5 detached dwellings with associated garaging, new road layout and landscaping	Refused / Appeal Dismissed
16/5662	Dec 2016	Residential development comprising 4 no. detached dwellings.	Refused / Appeal Dismissed.

- 2.16 The previous applications were refused on the basis of the site being outside of the settlement boundary and therefore any development would have been considered to be in direct conflict with the adopted District Plan at the time of determination. The outcome of these applications would clearly have been different had the sites been within the Built Up Area Boundary
- 2.17 No other issues were identified which would warrant refusal of an application if the site was within the Built Up Area Boundary as proposed within the draft SADPD.

Surrounding Developments and Proposed Allocations

- 2.18 The site located directly to the east has the benefit of an outline planning permission for the *erection of 63 dwellings and new vehicular access onto Crawley Down Road required [sic] the demolition of existing buildings and structures at no's 15 and 39 Crawley Down Road (DM/17/2570)*
- 2.19 The access to the site is located within Tandridge District Council which was granted under application TA/2017/1290.



Figure 5 – Approved Parameters Plan of adjoining site – Outline Planning Application

- 2.20 Reserved matters applications have been made against both of the outline applications. The reserved matters application for the access was approved by Tandridge Council in July 2020 (TA/2020/555).
- 2.21 At the time of submission of these representations, the reserved matters application for the housing within the Mid Sussex element of the site for the housing is still under determination (DM/20/1078).
- 2.22 It is therefore highly likely that the development of the land directly adjoining the site subject to these representations will come forward in the immediate short term.



Figure 6 – Reserved Matters Plan for adjoining site.

- 2.23 The site (yellow) is therefore directly between the allocated site SA19 for 196 dwellings to the east (pink) and the site subject to approval for 63 dwellings (blue).

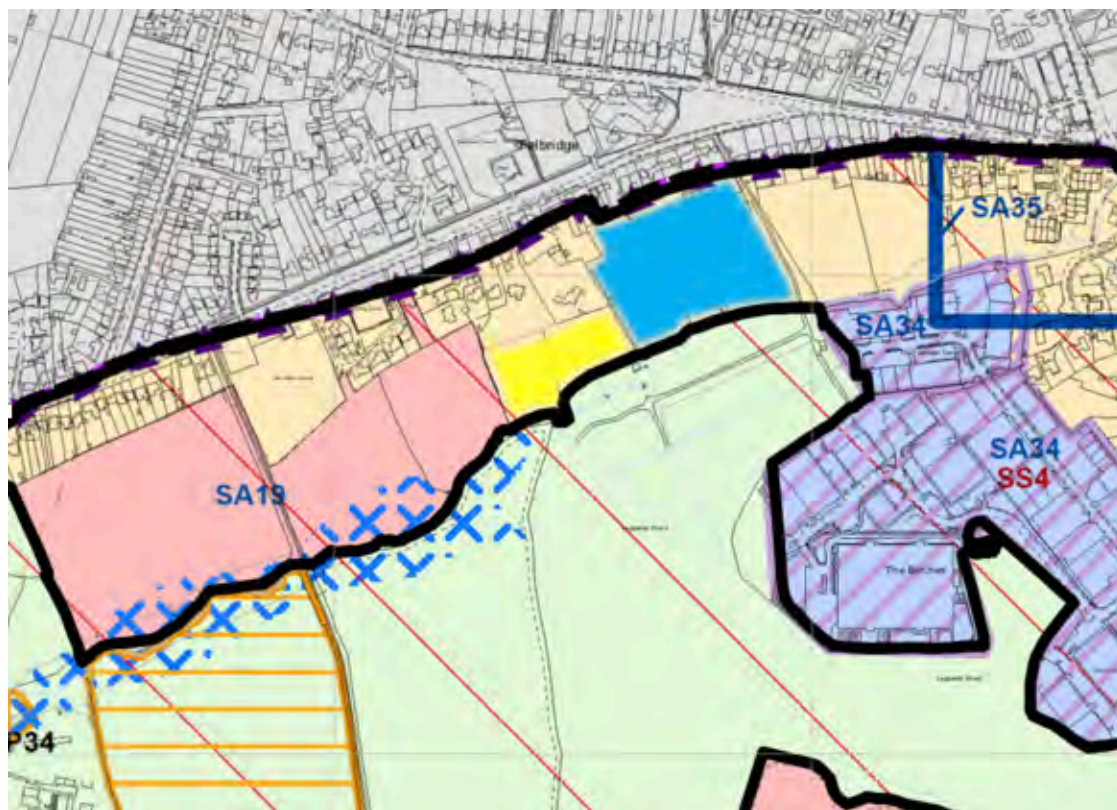


Figure 7 – Map of proposed allocation SA19, BUAB, Consented Land and Proposed Site

- 2.24 Overall, it is considered that the immediate context of this site makes it highly appropriate for allocations within the SADPD.

3. Built up Area Boundary Review

- 3.1 In addition to the allocation of sites for development the SADPD seeks to make changes to the existing Built Up Area Boundary (BUAB) as established under the District Plan Process. The Built Up Area Boundary and Policies Map Topic Paper (TP1) produced in August 2020 forms a vital part of the evidence base for the SADPD.
- 3.2 Paragraph 2.4 of TP1 sets out that the purpose of the review as part of the SADPD is to:
- *Assess areas that have been built since the last review, which logically could be included within the BUA.*
 - *Assess areas that have planning permission which have not yet commenced/completed, which logically could be included within the BUA.*
- 3.3 TP1 goes on to set out the criteria for consideration of changes to the boundary.
- 3.4 Within the adopted District Plan proposals map, the site is outside of the Built Up Area Boundary as illustrated in the extract below:



Figure 8 – Existing District Plan Proposals Map

- 3.5 Within the draft SADPD, it is proposed that the site, and all adjoining land will be now set within the BUAB as highlighted below.

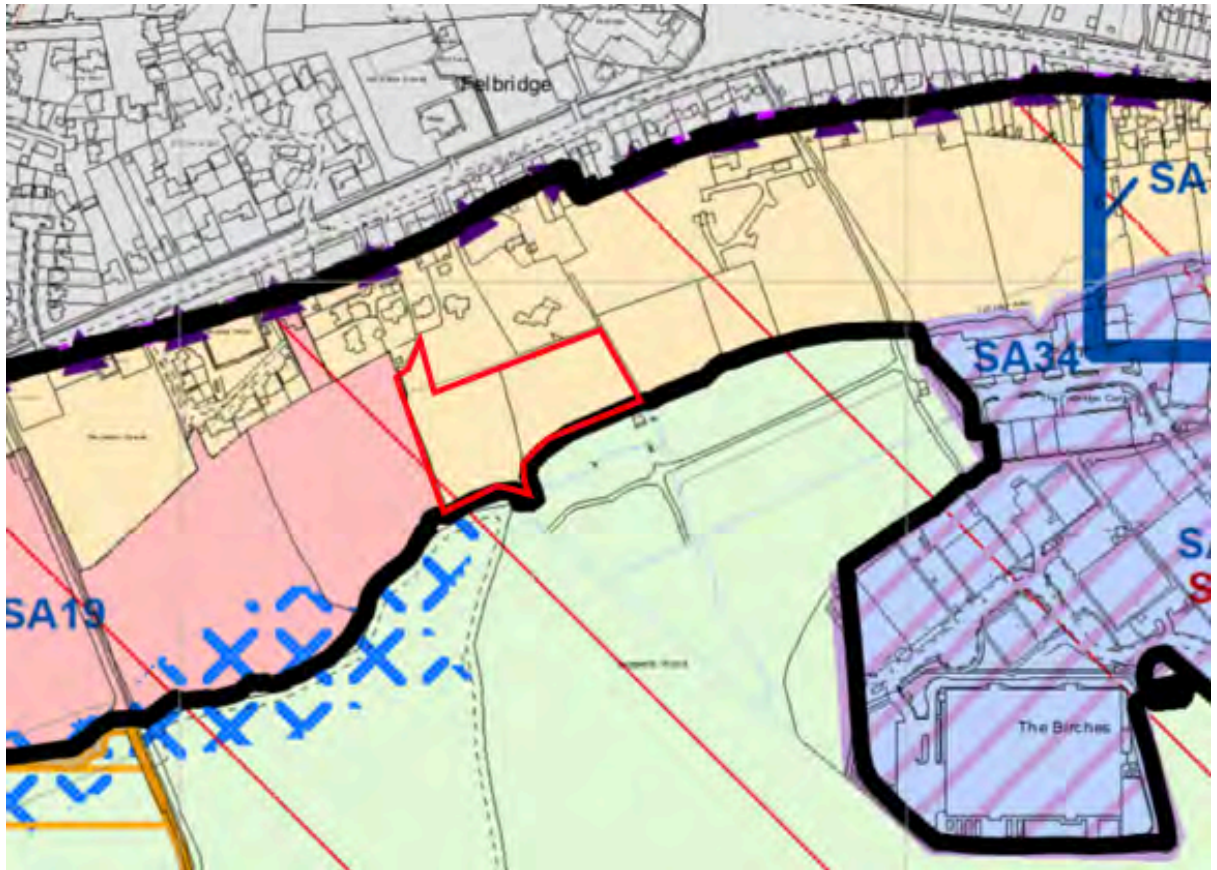


Figure 9 – Proposed BUAB

- 3.6 The principle of including this site within the BUAB is logical and supported. However, for reasons as set out in subsequent sections of these representations, it is considered that it would be appropriate for the site to be allocated for development.

4. Housing Site Allocation Process

- 4.1 The District Plan 2014-2031 sets out the housing requirement for the district for the plan period of 16,390 dwellings. 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.
- 4.2 The District Plan 2014-2031 established a ‘stepped’ trajectory for housing delivery with an average of 876 dwellings per annum (dpa) between 2014/15 and 2023/24 and thereafter an average of 1,090 dpa between 2024/25 and 2030/31. This represents a significant increase in housing supply compared with historical rates within the district.
- 4.3 The latest data on completions from MSDC was published in *MSDC Housing Land Supply Position Statement* was published in August 2020 (Document H1) and shows a significant shortfall in delivery against the housing requirement since the start of the plan:

Category		Number of Dwellings
Housing Requirement for the full plan period (April 2014 to March 2031)		16,390
Housing Completions (April 2014 to March 2020)		4,917
Completions 2014/15		630
Completions 2015/16		868
Completions 2016/17		912
Completions 2017/18		843
Completions 2018/19		661
Completions 2019/20		1003
Housing Supply (April 2014 to March 2031)	Commitments (including District Plan Allocations)	9,689
	Site Allocations DPD - Allocations	1,764
	Windfalls	504
Total Supply (at 1 April 2019)		16,874

Figure 10 – Extract from MSDC Housing Land Supply Position Statement

- 4.4 The Housing Delivery Test was introduced in the July 2018 update to the NPPF. The Housing Delivery Test is an annual measurement of housing delivery for each local authority and the first results were published in February 2019 by the Ministry of Housing, Communities and Local Government (MHCLG). Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority’s housing requirement over the previous 3 years then it is required to prepare an action plan. Where delivery has fallen below 85% of the housing requirement a 20% buffer should be added to the five year supply of deliverable sites.
- 4.5 The result for Mid Sussex produced in February 2020 was 95%. This result is based on monitoring years 2016-17, 2017-18 and 2018-19. Mid Sussex is therefore not required to add 20% buffer for significant under delivery, or prepare an Action Plan. However, it is clear that under current performance the council will struggle when the housing target steps up to 1,090 in 2024.
- 4.6 Para 4.10 of the previous MSDC Housing Land Supply Position Statement (2019) sets out the five year supply requirement for the district as follows:

Annual Requirement As set out in District Plan	876 x 5 years =	4,380
Shortfall spread over remaining plan period	466 divided by 12 remaining years x 5 years	194
Total		4,574
Buffer (see paras 2.4,4.9 above)	10%	457
Total five year supply requirement		5,032

Figure 11 – Total Five Year Housing Requirement taken from MSDC Housing Land Supply Position Statement

- 4.7 MSDC is seeking to confirm the five year housing land supply under the terms of paragraph 74 of the NPPF through submission of the annual position statement to the secretary of state. Paragraph 74 of the framework states:

A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which:

- a) has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State; and*
- b) incorporates the recommendation of the Secretary of State, where the position on specific sites could not be agreed during the engagement process.*

- 4.8 The report on the Annual Position Statement was issued by the Planning Inspectorate on 13 January 2020. It was confirmed that as the council did not have a recently adopted plan in conformity with the definition of the NPPF then the correct process had not been followed and the inspector was unable to confirm that the council had a five year housing land supply.
- 4.9 It is therefore clear that the council does not currently have a five year housing land supply and the demonstration of sufficiently deliverable sites within the SADPD is of critical importance for MSDC.

Deliverability of Sites

- 4.10 Any sites that have been included in the final Sites DPD will need to pass the tests of deliverability as set out in the NPPF. This is defined within the glossary of the framework as follows:

Deliverable: *To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.*

- 4.11 The Planning Practice Guidance provides a further explanation on how the deliverability of sites should be considered:

A site can be considered available for development, when, on the best information available (confirmed by the call for sites and information from land owners and legal searches where appropriate), there is confidence that there are no legal or ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available.

The existence of planning permission can be a good indication of the availability of sites. Sites meeting the definition of deliverable should be considered available unless evidence indicates otherwise. Sites without permission can be considered available within the first five years, further guidance to this is contained in the 5 year housing land supply guidance. Consideration can also be given to the delivery record of the developers or landowners putting forward sites, and whether the planning background of a site shows a history of unimplemented permissions.

Paragraph: 019 Reference ID: 3-019-20190722

Revision date: 22 07 2019

- 4.12 It is with this in mind that the proposed sites within the Sites DPD are scrutinised within subsequent sections of this document. It is considered that many of the proposed sites do not fully accord with the definition of delivery and consideration of alternative sites is required.

Area of Outstanding Natural Beauty

- 4.13 A significant number of the proposed sites are located within, or close to, the High Weald AONB. Paragraph 172 sets out the significant protection which should be afforded to the AONB in planning terms and states that:

Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife

and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

4.14 It is part b of paragraph 172 that is of particular importance in this instance. It is not considered that MSDC has considered sites outside of the AONB should be used to meet the identified residual housing requirement. It would appear that sites have been selected because of their conformity to the spatial strategy and hierarchy without the proper application of the ‘great weight’ required to protect the AONB.

4.15 The approach of allocating sites within the AONB as opposed to ‘outside the designated area’ should have been tested through a robust analysis of reasonable alternatives within the Sustainability Appraisal. The failure to do this adequately is a matter of soundness and it is considered that the Sites DPD fails the tests within the NPPF on this basis alone.

Historic Environment

4.16 Several of the allocations within the DPD are in close proximity to heritage assets. Paragraph 193 of the framework sets out the approach to heritage assets as follows:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

4.17 In many instances the council themselves suggest that the development of housing on the sites is likely to have ‘less than significant harm’ on the heritage assets in question. Paragraph 196 of the framework sets out the approach which should be taken in this instance:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable

4.18 It is not considered that the harm caused to heritage assets has been adequately assessed within the Sustainability Appraisal for many of the proposed sites and further consideration is required of the sites in this regard. This would include assessing sites which would not have an impact on heritage assets through a robust application of reasonable alternatives within the Sustainability Appraisal.

5. Sustainability Appraisal

- 5.1 The SADPD is accompanied by a Sustainability Appraisal (SA) report which is a legal requirement derived from the Planning and Compulsory Purchase Act 2004 (Section 19). Section 39 of the Act requires documents such as the SADPD to be prepared with a view to contributing to the achievement of sustainable development.
- 5.2 The requirement for Strategic Environmental Assessment, in addition to the SA, is set out in the European Directive 2001/42/EC adopted into UK law as the “Environmental Assessment of Plans or Programmes Regulations 2004”.
- 5.3 In line with best practice the SEA has been incorporated into the SA of the SADPD.
- 5.4 The planning practice guidance sets out detailed consideration as to how any sustainability should assess alternatives and identify likely significant effects:

The sustainability appraisal needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic and social characteristics of the area and the likely situation if the plan were not to be adopted. In doing so it is important to:

- *outline the reasons the alternatives were selected, and identify, describe and evaluate their likely significant effects on environmental, economic and social factors using the evidence base (employing the same level of detail for each alternative option). Criteria for determining the likely significance of effects on the environment are set out in [schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004](#);*
- *as part of this, identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them;*
- *provide conclusions on the reasons the rejected options are not being taken forward and the reasons for selecting the preferred approach in light of the alternatives.*

Any assumptions used in assessing the significance of the effects of the plan will need to be documented. Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in the plan. They need to be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made.

The development and appraisal of proposals in plans needs to be an iterative process, with the proposals being revised to take account of the appraisal findings.

Paragraph: 018 Reference ID: 11-018-20140306

Revision date: 06 03 2014

- 5.5 In response to this guidance and requirement, paragraph 6.16 of the Sustainability Appraisal states that:

The Site Selection Paper 2 (paras 6.2 - 6.3) also recognises that, in order to meet the District Plan strategy, conclusions will be compared on a settlement-by-settlement basis with the most suitable sites at each settlement chosen in order to meet the residual needs of that settlement. This may result in some sites being chosen for allocation which have higher negative impact across all the objectives because this will be on the basis that the aim is to distribute allocations according to the District Plan strategy in the first instance; as opposed to simply selecting only

the most sustainable sites in the district (as this may not accord with the spatial strategy and would lead to an unequal distribution of sites across settlements). 20 sites that perform well individually and on a settlement basis, the residual housing need of 1,507 would be met with a small over-supply of 112 units.

- 5.6 Paragraph 6.45 recognises that this small over-supply *may not be a sufficient buffer should sites fall out of the allocations process between now and adoption (for example, due to delivery issues, reduction in yield, or any other reasons identified during consultation or the evidence base).*

- 5.7 The SA therefore considers reasonable alternatives of option A, B and C as follows:

Option A – 20 'Constant Sites' – 1,619 dwellings

Option B – 20 'Constant Sites' + Folders Lane, Burgess Hill (x3 sites) – 1,962 dwellings.

Option C – 20 'Constant Sites' + Haywards Heath Golf Court – 2,249 dwellings

- 5.8 Paragraph 6.52 of the SA concludes that:

Following the assessment of all reasonable alternative options for site selection, the preferred option is option B. Although option A would meet residual housing need, option B proposes a sufficient buffer to allow for non-delivery, therefore provides more certainty that the housing need could be met. Whilst option C also proposes a sufficient buffer, it is at the expense of negative impacts arising on environmental objectives. The level of development within option C is approximately 50% above the residual housing need, the positives of delivering an excess of this amount within the Site Allocations DPD is outweighed by the negative environmental impacts associated with it.

- 5.9 It is not considered that this assessment of Option A, B and C is a sufficient enough assessment of reasonable alternatives as required by guidance and legislation. All of the options contain the '20 Constant Sites' with no derivation of alternative options such as those which seek to divert housing growth away from the AONB or designated heritage assets.

- 5.10 It is apparent that other sites other than the 20 Constant Sites will need to be assessed if the council is to adequately demonstrate that reasonable alternatives have been considered as required.

6. Assessment of Proposed Sites.

- 6.1 This section analyses each of the proposed allocations against the tests of deliverability as set out in the NPPF and the potential shortcomings of several of the sites which require significant consideration. The findings of *Appendix B: Housing Site Proformas* of the *Site Selection Paper 3* (Appendix B) and the conclusions of the Sustainability Appraisal (SA) are considered in detail.

SA 12 Land South of 96 Folders Lane, Burgess Hill

- 6.2 Appendix B of the reg 18 SADPD set out that this site has *moderate landscape sensitivity and moderate landscape value. This site could be visible from the South Downs National Park*. The SA states that an LVIA is required to determine any impact on the national park. Given the weight that the NPPF requires to be placed on the protection of the national park, any impact must be measured prior to allocation. If it is deemed that mitigation would not minimise the harm caused, then the proposed allocation must fall away.
- 6.3 Appendix B of the reg 18 SADPD also set out that a TPO area lines the norther border and potential access route. It should be noted that an application was submitted in 2019 for the *erection of 43 dwellings and associated works* (DM/19/0276) but was withdrawn in September 2019 due to concerns over highways. The deliverability of this site is therefore not considered to be in accordance with the guidance set out in the framework.
- 6.4 Finally, whilst the priority for sites higher in the settlement hierarchy is acknowledged, this is site is very remote from the services offered by Burgess Hill. This is highlighted within the sustainability appraisal for the site which states that it is more than a 20 minute walk from the site to schools, GP and shops.

SA 13 Land East of Keymer Road and South of Folders Lane, Burgess Hill.

- 6.5 As with SA12, this site is in close proximity to the national park and the conclusions as set out above apply equally to this site.
- 6.6 The SA sets out that this is the only site within Burgess Hill to have any impact on listed buildings where it is stated that development of this site would cause *less than substantial harm (medium) on High Chimneys (Grade II listed)*. This is not mentioned within appendix B and this therefore calls into question the consistency of assessment of the sites in this regard.
- 6.7 Given that site SA12 and SA13 are in close proximity to one another it is notable that the cumulative impact of the development of both of these sites has not been assessed for a number of ‘in-combination’ impacts such as highways and landscape impact.

SA 14 Land to the south of Selby Close, Hammonds Ridge, Burgess Hill

- 6.8 There is a TPO at the front of this site which is potentially why access is proposed through the CALA Homes site (DM/17/0205). No evidence is submitted to suggest that this form of access is agreed or available. The section relating to Highways and Access within the SADPD simply states that this access *will need to be investigated further*.
- 6.9 The SA and appendix B both point towards the Southern Water Infrastructure which crosses the site. The wording in the DPD recommends that the layout of the development is considered to *ensure future access for maintenance and/or improvement work, unless diversion of the sewer is possible*. Given that the site is only 0.16ha it is therefore questionable whether there would be adequate space to develop the site for housing and provide accommodation for the sewage infrastructure crossing the site. The deliverability of this site has therefore not been adequately demonstrated.

- 6.10 As with SA12 and SA13 there are questions of the sustainability of the site given that the SA notes that it is more than a 20 minute walk to the school and GP.

SA 15 Land South of Southway, Burgess Hill

- 6.11 The SADPD describes the site as *overgrown and inaccessible land designated as a Local Green Space in the Burgess Hill Neighbourhood Plan*. It is unclear whether this site was ever previously in use as playing pitches and whether re-provision of this space would be required under Sport England policies.
- 6.12 Appendix B of the reg 18 SADPD points towards issues with relocation of existing parking on the site and states that:

Private parking areas would need to be removed to provide a suitable access point with sufficient visibility. The parking spaces are visitor spaces over which the owners/developers of the subject land have rights to access it to serve new development onto Linnet Lane. Accordingly, a new access into the site can be provided any new development would include two visitor spaces as close as reasonably possible to the existing visitor spaces.

- 6.13 It is clear that there are substantial issues with deliverability and availability of this site given these constraints and the site should be deleted as a proposed allocation until this can be adequately demonstrated.

SA 16 St. Wilfrids Catholic Primary School, School Close, Burgess Hill

- 6.14 The SADPD sets out that the satisfactory relocation of St Wilfrid's Primary School to St Paul's Catholic College site is required before development can commence on the school part of the site. There is also a requirement to re-provide the emergency services accommodation in a new emergency service centre either on this site or elsewhere in the town.
- 6.15 Given that the allocation is for 300 dwellings and requires this relocation first, it is considered that there is insufficient evidence to justify delivery of development of this site in the 6-10 year time period as set out.

SA 17 Woodfield House, Isaacs Lane, Burgess Hill

- 6.16 The SADPD sets out some significant landscape features on site which require retention and it is stated that:

There is a group Tree Preservation Order in the southern and western areas of the site. High quality substantial new planting of native trees is required, should these be lost to provide access from Isaac's Lane. All other TPO trees on the site are to be retained.

Retain and enhance important landscape features, mature trees, hedgerows and the pond at the south of the site and incorporate these into the landscape structure and Green Infrastructure proposals for the development. Open space is to be provided as an integral part of this landscape structure and should be prominent and accessible within the scheme.

- 6.17 Given that the site is only 1.4 hectares in size it is questionable whether there is adequate space on the site for 30 dwellings after retention of these landscape features.
- 6.18 It is clear from the Sites DPD that access to site is envisaged to be from the Northern Arc where it is stated that:

Integrated access with the Northern Arc Development is strongly preferred, the details of which will need to be investigated further.

- 6.19 This is also set out in appendix B of the reg 18 SADPD where it is stated that:

Entrance drive to house. Access on bend with limited visibility. 50 mph road. Would involve removal of trees that are subject to TPO. Objection for tree officer. However, future access is anticipated to be provided via the Northern Arc. Whilst the specific details of this remain uncertain on the basis that the enabling development is still at an early stage, it is considered that the identified constraints will no longer apply.

- 6.20 Given the uncertainty of the deliverability of the land immediately adjoining the site as part of the Northern Arc it is considered that the deliverability of this site is not clear enough to justify allocation within the sites DPD. The uncertainty of this deliverability also has an implication of the sustainability of the site and proximity to adequate services. This is highlighted within the SA where it is stated that:

The impact of option (h) on these objectives (Health/Retail/Education) is uncertain; currently the site is a long distance from local services, however, this will change once the Northern Arc is built out.

- 6.21 Overall it is not considered that this site is suitable for allocation and should be removed from the Sites DPD

SA 18 East Grinstead Police Station, College Lane, East Grinstead

- 6.22 We have no comments to make in relation to this allocation.

SA 19 Land south of Crawley Down Road, Felbridge

- 6.23 As set out, this allocation is directly to the west of the land under the control of Vanderbilt Homes which is also adjoined to the east by land with the benefit of planning permission for 63 dwellings.

- 6.24 Given that the entire area will be included within the revised Built Up Area Boundary, then it is considered logical that the adjoining sites are also identified for allocation within the SADPD.

SA 20 Land south and west of Imberhorne Upper School, Imberhorne Lane, East Grinstead

- 6.25 There is a requirement in the SADPD for this site to provide a detailed phasing plan with agreement from key stakeholders to secure:

- Land for early years and primary school (2FE) provision – 2.2 ha
- A land exchange agreement between WSCC and the developer to secure 6 ha (gross) land to create new playing field facilities in association with Imberhorne Secondary School (c.4 ha net - excluding land for provision of a new vehicular access onto Imberhorne Lane).

- 6.26 It is unclear when these requirements are to be provided by within the development of any site and whether it is considered that the site would be suitable for allocation should these uses not come forward.

- 6.27 There are clear concerns over the suitability of this site in terms of ecology as set out in appendix B of the reg 18 SADPD which states:

Natural England have concerns over the high density of housing south of Felbridge. Hedgecourt SSSI is accessible from the proposed site allocations via a network of Public Rights of Way. In

line with paragraph 175 of the NPPF, Mid Sussex District Council should determine if allocations are likely to have an adverse effect (either individually or in combination) on SSSI's. The NPPF states that "if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused." We would be happy to provide further advice if requested, although this may need to be on a cost recovery basis. The LWS adjacent to the site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. We are unable to advise you on specific impacts as we have no details of the scale or type of proposed development consider further impacts of disturbance of the LWS and Ancient woodland arising from people and domestic pets, connectivity, light and noise pollution, appropriate buffer and cumulative impact. This site is adjacent to the Worth Way. The SHELAA should be redrawn to remove the section of LWS. The site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. Further consideration be given to impacts of disturbance on LWS and Ancient Woodland from people and pets, impacts on connectivity, impacts of light and noise pollution, need for Ancient Woodland buffer. Cumulative impact with SHELAA 686 and 561.

- 6.28 It is clear that the impacts upon ecology and the SSSI have not been adequately addressed.
- 6.29 As with other sites there is potential for impact upon local heritage assets of Gullege Farm, Imberhorne Farm and Imberhorne Cottages as set out below. The harm in terms of less than strategic harm is inappropriately weighted in the assessment as a means for justification of allocation.

APPENDIX B : Gullege Farm, Imberhorne Lane

This isolated farmstead has historically had a rural setting and continues to do so today. The introduction of a substantial housing development to the north, east and south of the listed manor house would have a fundamental impact on the character of that setting and would detract from the way in which the special interest of this Grade II listed rural manor house and the of the historic farmstead is appreciated.

NPPF: LSH, high

Imberhorne Farm and Imberhorne Cottages

In its original incarnation Imberhorne Cottages was probably constructed as a dwelling providing accommodation between London and Lewes, on Lewes Priory lands. It may have acted as the manor house to the substantial manor of Imberhorne, which was owned by the Priory. It seems likely that the building became farm cottages when the new farmhouse (Imberhorne) was constructed in the early 19th century. The currently rural setting of both buildings within the Imberhorne farmstead informs an understanding of their past function and therefore contributes positively to their special interest.

The proposed development site would engulf the farmstead to the west, north and east and would have a fundamental impact on the character of the greater part of its existing of rural setting and on views from both listed buildings. It would adversely affect the manner in which the special interest of the two listed buildings within their rural setting is appreciated, including by those passing along the PROW to the north of the farmstead.

NPPF: LSH, high

- 6.30 The potential harm to heritage is also referred to in the SA which states that:

option (e) which is not constrained by a conservation area, but would have a less than substantial harm (high) on Gullege Farm (Grade II listed) and Imberhorne Farm and Imberhorne Cottages (Grade II listed). As this is a large site, there is potential to still achieve the yield whilst providing necessary mitigation to lower the impact on these heritage assets.*

- 6.31 Notwithstanding the significant constraints to delivery from this site it is notable that the delivery of 550 in 6-10 years as set out in the SADPD is particularly optimistic and would need to be revised in order to be realistic on the constraints to delivery including the requirement for provision of education on the site.

SA 21 Rogers Farm, Fox Hill, Haywards Heath

- 6.32 This site is also significantly constrained by the presence of heritage assets. This is referenced in the SA which states that:

Site option (b) is constrained in terms of impact upon a listed building; it would have a less than substantial harm (medium) on Cleavewater (Grade II listed) and The Old Cottage (Grade II listed).

- 6.33 Appendix B also references these heritage assets together with an assessment of the likely impact as follows:

*Cleavewaters, Fox Hill there would be a fundamental impact not only on views from the building and associated farmstead but on the context and manner in which the farmhouse and farmstead are appreciated by those travelling along the road which runs between the farmstead and the site. **NPPF: LSH, MID***

*Olde Cottage, there would be some potential impact on views from the Cottage and its garden setting. The belt of woodland between the asset and the site is relatively narrow and development on the site is likely to be visible, particularly in winter. There would also be an impact on the setting in which the Cottage is appreciated by those approaching along the access drive from Ditchling Road. **NPPF: LSH, MID***

- 6.34 The impact on heritage assets and character of the area has been assessed in an appeal decision on the site (APP/D3830/W/17/3187318) issued in January 2019 following an application for up to 37 dwellings on the site (DM/16/3998).

15 The combination of the buffer and local topography would mean that any development would be clearly visible on the approach down Lunce's Hill and perceived as a separate and distinct residential development. I am not persuaded that it would be seen within the context of an urban fringe setting as the appellant suggests. On the contrary it would be a harmful encroachment into the countryside and the rural character of the approach into the settlement would be irrevocably changed and harmed through the loss of this open land.

16 Overall, the proposal would result in an unacceptable suburbanisation of the appeal site that would fundamentally change the character and appearance of the rural setting of the settlement. The effects would also be exacerbated somewhat by the loss of part of the existing mature hedgerow for the access. Proposed mitigation, in the form of additional landscaping would restrict the visibility of the proposal from a number of viewpoints. However, it would take a substantial amount of time to mature and be dependent on a number of factors to be successful. Moreover, I am not persuaded that it would fully mitigate the visual impacts.

17 For these reasons, the proposal would not be a suitable site for housing in terms of location and would cause significant harm to the character and appearance of the area. It would therefore conflict with Policy C1 of the LP and Policies E5 and E9 of the HHNP. In addition to the requirements set out above, these policies also require new development to be permitted where it would protect, reinforce and not unduly erode the landscape character of the area. There would also be some conflict with Policies DP10 and DP24 which, seek to protect the countryside in recognition of its intrinsic character and beauty and promote well located and designed development.

- 6.35 Overall it is not considered that the site represents a logical, justified or deliverable site and should not be considered for allocation within the Sites DPD.

SA 22 Land north of Burleigh Lane, Crawley Down

- 6.36 No comments.

SA 23 Land at Hanlye Lane to the east of Ardingly Road, Cuckfield

- 6.37 The site is within close proximity to the High Weald AONB. Previous comments made in relation to the requirements of the NPPF in relation to AONB for other allocations apply equally to this site.

SA 24 Land to the north of Shepherds Walk, Hassocks

- 6.38 The access for this site is through an adjacent parcel of land which has a ransom strip over this land. The deliverability of this site is therefore in doubt unless a right of access can be confirmed by the site owners.

SA 25 Land west of Selsfield Road, Ardingly

- 6.39 This site is located within the AONB and comments made in this regard to other proposed allocations apply to this site. The SA references this impact as follows:

There is a 'Very Negative' impact against objective (9) due to its location within the High Weald AONB, however the AONB unit have concluded that there is Moderate Impact as opposed to High Impact

- 6.40 The conclusions of the AONB unit have not been provided as part of the evidence base and requires further scrutiny in order to assess the impact of development of this site in this regard.

SA 26 Land south of Hammerwood Road, Ashurst Wood

- 6.41 The site is within the AONB and it is considered it is inappropriate to allocate this site for development without thorough appraisal of reasonable alternatives as previously set out.

SA 27 Land at St. Martin Close, Handcross

- 6.42 No comments.

SA28 Land South of The Old Police House, Birchgrove Road, Horsted Keynes

- 6.43 No comments.

SA 29 Land south of St. Stephens Church, Hamsland, Horsted Keynes

- 6.44 The site is within the AONB and it is considered it is inappropriate to allocate this site for development without thorough appraisal of reasonable alternatives as previously set out.

SA 30 Land to the north Lyndon, Reeds Lane, Sayers Common

- 6.45 The sustainability of this site has been considered in the SA which sets out that the site is more than 20 minutes away from services such as GP and the School. It is therefore not considered that the development of this site would be justified in sustainability terms.
- 6.46 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 31 Land to the rear Firlands, Church Road, Scaynes Hill

- 6.47 The site is located within the Building Stone (Cuckfield) Mineral safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 32 Withypitts Farm, Selsfield Road, Turners Hill

- 6.48 The site is within the AONB and it is considered it is inappropriate to allocate this site for development without thorough appraisal of reasonable alternatives as previously set out.
- 6.49 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 33 Ansty Cross Garage, Cuckfield Road, Ansty


- 6.50 This site is not considered to be a sustainable location. A total of four separate sites were considered within Ansty with this being the only one accepted. The only difference between this and the other sites was that this scored slightly higher in the SA due to it being PDL. Whilst this is correct it is not considered that the PDL nature of this site makes it appropriate for allocation within the Sites DPD.

7. Conclusions

- 7.1 Overall, the principle of extending the Built Up Area Boundary to the south of Crawley Down Road to include the site within the control of Vanderbilt Homes is logical and supported.
- 7.2 The site has been identified within the SHELAA as being Suitable, Available and Achievable. However, given that the site is adjoined on one side by an allocated site and on another side by a site with the benefit of planning permission, it is considered that it would be entirely appropriate for the site to be allocated for development.
- 7.3 Detailed consideration of the sites identified for allocation within the SADPD show that there are some significant technical constraints and policy issues with many of the sites. These are matters which have been previously raised as part of regulation 18 representations and the council has done nothing to address these matters.
- 7.4 The analysis of the proposed allocations demonstrates there are some significant failings in the deliverability of the sites which requires reconsideration of the appropriateness of these allocations and selection of alternative sites.
- 7.5 The selection of sites with significant heritage constraints and also location within the AONB is not considered to be a sound approach. The assessment of reasonable alternatives is significantly lacking and requires further retesting which would logically include this site. As a result, it is not considered that the SADPD is positively prepared or justified and therefore fails the test as set out in the NPPF as a result.
- 7.6 It is clear that the adoption of the SADPD is of significance importance to Mid Sussex in demonstrating a robust and deliverable five year housing land supply. It is therefore suggested that consideration is given to the allocation of the site as set out within these representations which can deliver much needed housing in the early part of the plan period.

8. Appendix 1 – SHELAA Extract – February 2020

Stage 1 Site Pro-Forma – All Sites

SHELAA Ref	676	Parish	East Grinstead
Site Location	Land south of 61 Crawley Down Road, Felbridge		
			
Site uses	Dwellings		
Gross Site Area (ha)	1.6		
Potential Yield	6		
Site History	Planning Application - Refused		
Absolute Constraint	Flood Zone 2 or 3	✓	
	Site of Special Scientific Interest	✗	
Other Constraints	Ancient Woodland	✓	
	Area of Outstanding Natural Beauty	✗	
	Local Nature Reserve	✗	
	Conservation Area	Development would not have a negative impact on Conservation area and/or Area of Townscape Character	
	Scheduled Monument	✗	
	Listed Buildings	Development will not affect listed building/s	
	Access	Safe access to site already exists	
Suitable	Relatively unconstrained - assessed as Suitable at Stage 1, progress to Stage 2 assessment		
Availability	Recent relevant planning history shows the site is considered available		
Achievability	There is a reasonable prospect that site could be developed within the Plan period		
Timescale	Medium-Long Term		

2140

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA21

ID: 2140

Response Ref: Reg19/2140/6

Respondent: Mr C Hough

Organisation: Sigma Planning Services

On Behalf Of: Rydon Homes Ltd

Category: Promoter

Appear at Examination? ✓



MID SUSSEX DISTRICT COUNCIL
SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT

REGULATION 19
SUBMISSION DRAFT
SEPTEMBER 2020

REPRESENTATIONS
ON BEHALF OF
RYDON HOMES LTD

September 2020



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1.0 Housing Numbers and Distribution

1.1 The Plan states that the remaining residual requirement from 2019 is 1280 units following updated completions, commitments and windfall figures. However, the total allocations in the plan amount to 1764 dwellings – an additional 484 units. This confirms that the Plan is positively prepared and compliant with the Framework because :-

- the remaining residual requirement will include some housing that is already delivered.
- the District Plan housing target is a minimum figure and Government policy seeks to boost rather than cap housing provision.
- the allocation need to compensate for slow delivery from strategic allocations which may be delayed towards the latter end of the plan period to 2031, or even beyond
- the windfall figure has been increased but there is no compelling evidence that the level will continue to prevail. Also the increased figure is simply a statistical adjustment to include sites of 1-9 units rather than 1-5 units.
- adjoining local authorities at Brighton, Crawley and Tandridge are under-delivering on their housing requirements and will increasingly need assistance in meeting their housing requirements. Mid-Sussex is comparatively less constrained and should be anticipating being able to assist in addressing unmet need from adjoining authorities.

1.2 The overall supply from Table 2.3 is 16,874 which aims to exceed the District Housing requirement by 484 dwellings by the end of the plan period, but there is bound to be slippage and the flexibility of a 2.7% over-provision is supported in principle. However, the figures are not precise and it is considered that this is still a fragile margin to compensate for non-delivery – particularly in the strategic housing allocations. The margin should be greater and a 10% non-delivery margin is standard practice. An over provision of 1639 dwellings is therefore justified and can be achieved by further allocations of sites that do not raise serious adverse impacts and are able to be confidently expected to deliver housing in the plan period to compensate for non-delivery elsewhere.

1.3 The identification of further allocations to increase the Plan's robustness and flexibility would still be within reasonable parameters of consistency with the District Plan housing targets, which were in any event not fully meeting objectively assessed needs, particularly for affordable housing.

1.4 In terms of distribution the substantial majority of new housing is focussed on the three main towns of Burgess Hill, East Grinstead and Haywards Heath (80% of the minimum District Plan requirement) with the 2nd tier settlements of Copthorne, Crawley Down, Cuckfield, Hassocks and Keymer, Hurstpierpoint and Lindfield contributing a further 18%). This emphasis should be maintained in order to conform with the District Plan and deliver new housing in the most sustainable locations. The

proposed DPD allocations however only propose 6% of the housing is directed to 2nd tier settlements and 13.5% is directed to 3rd tier settlements, many of which are located in the AONB where great weight should be given to conserving landscape and scenic beauty. There are a number of 2nd tier settlements, including Cuckfield and Hurstpierpoint where there are “limited” or no DPD allocations. Such settlements do have the capacity to deliver more housing in the current Local Plan and would be suitable candidates to accommodate any additional provision or provide sites to compensate for less suitable and more constrained sites that are currently proposed allocations but should be deleted from the Plan.

- 1.5 The SADPD allocates a total of 238 new dwellings to Category 3 villages, 183 of these are in the AONB which should be afforded the highest level of protection. Sites should only be released in the AONB in settlements that have a residual requirement to meet, i.e. Horsted Keynes, to recognise the need to sustain and maintain the vitality of these settlements and meet the demand and need for housing, especially affordable housing in these locations. However, in villages that have already met their target, the Council should not be releasing further AONB sites before exhausting non AONB sites, even if it is ‘passed up’ to Cat 2 settlements (Para. 2.4.5 Site selection paper) such as Hurstpierpoint.

2.0 Proposed Allocations that are supported

2.1 Policy SA24 Land north of Shepherds Walk, Hassocks (support with conditions)

This proposed housing allocation is supported. It enjoys outline planning permission for 130 dwellings and it has been demonstrated that the criteria set out in the policy can be fully met.

However, the following comments are made concerning the criteria set out in the Policy:-

1. The wording of the criteria in relation to Biodiversity and Green Infrastructure requires clarification/amendment. It is not clear what is meant by the term “net gain” to biodiversity and it is not possible to avoid any loss of biodiversity. The following alternative wording is therefore proposed.

“ Ensure that there is an overall gain to biodiversity and that any loss is mitigated or, as a last resort, compensated”.

A separate SPD is necessary to format and identify any bio-metric approach to the calculation of net gains to biodiversity.

The criteria in this policy go beyond what is required of Strategic Sites allocated in the District Plan and such an inconsistency is not justified.

The proposed development will be delivered within the five year period to 2025/2026. Rydon would welcome the opportunity of meeting with Officers to discuss how the criteria might be improved.

2. The Brick Clay Resource Mineral Safeguarding Area covers a very extensive area from Petersfield in the west to Burgess Hill in the east and includes most of the northern part of the County of West Sussex. Policy M9 of the West Sussex Joint Minerals Local Plan (2018) seeks to prevent non-mineral development throughout the whole of this very wide area unless minerals are extracted pre-development or there is an overriding need for the development that outweighs the safeguarding of the mineral. Compliance with Policy M9 is a common requirement for most, if not all, housing allocations in the SADPD. It must be assumed that the allocation of a site for housing in the Plan demonstrates an overriding need that achieves compliance with the Policy. It should not be left to be considered as a criteria post-allocation. There is no special suitability for mineral extraction demonstrated by the land north of Shepherds Walk. Therefore the Minerals Criterion should be omitted from Policy SA24, and all other allocations covered by the widespread generic safeguarding area, unless there is a local/known special requirement for safeguarding.

3. Archaeological evaluation has already been carried out on this site and the criterion for evaluation should be changed to “pre-commencement” to allow for the grant of outline consent subject to conditions without a policy requirement to repeat the exercise with associated wasted costs.
4. The Landscape Considerations criteria are too onerous in requiring that all mature trees, as well as protected trees, shall be retained. The TPOs will protect important trees and the landscaping scheme will reflect Policy DP37 Trees, Woodland and Hedgerows of the adopted District Plan in order to be approved. A further policy provision is therefore superfluous and unnecessary, proscriptive and onerous in requiring the retention of all existing hedgerows and mature trees.
5. The criteria are generally unnecessarily detailed for a policy of the adopted development plan and stifle the scope for high quality design and creativity. The criteria need to be re-visited in order to be less proscriptive in detail and concentrate only on the main, more important, planning considerations. This point includes criteria related to drainage strategy.

2.2 Policy SA29 Land South of St Stephens Church, Hamsland, Horsted Keynes (support with conditions)

- 2.2.1 This proposed housing allocation is supported conditionally. The site could be optimised to provide 30 two storey dwellings, internal open space, playspace, surface water attenuation, ecological considerations together with landscaping to soften the external edge of the built area. The site could sit comfortably into the existing pattern of development and align with adjoining residential curtilages.
- 2.2.2 Subject to appropriate conditions, the landscape impact from the development of this site would be low, as recognised by the High Weald AONB Unit in their October 2018 report which assessed the landscape impact from thirteen respective SHEELA sites considered by Mid Sussex District Council. The High Weald AONB Unit concludes that this Site is one of only two sites (out of the thirteen considered) that has the potential to be developed with only low impact on the AONB (as opposed to moderate or high impact).
- 2.2.3 West Sussex Highways Authority have confirmed at the pre application scoping stage, that the site can achieve a safe and suitable means of access for all modes of transport and the development would not materially impact on the operation of the local highway network. Support is also given to the proposed allocation requirement for the improving of local traffic conditions by setting back the existing on-street parking spaces in Hamsland Road into the verge, opposite the site.
- 2.2.4 Support is given to the proposed allocation requirement to enhance important landscape features, including the existing mature hedgerows and trees bordering the adjacent fields. The site is deliverable comfortably within a five year period.

However, there are some concerns with regard to the proposed criteria within the policy.

1. The wording of the criteria in relation to Biodiversity and Green Infrastructure requires clarification/amendment. It is not clear what is meant by the term "net gain" to biodiversity and it is not possible to avoid any loss of biodiversity. The following alternative wording is therefore proposed:-

"... ensure that there is an overall gain to biodiversity and that any loss is mitigated or, as a last resort, compensated".

A separate SPD is necessary to format and identify any bio-metric approach to the calculation of net gains to biodiversity.

The criteria in this policy go beyond what is required of Strategic Sites allocated in the District Plan and such an inconsistency is not justified.

This is a small site with less potential for conflict with NPPF but greater potential for viability to be compromised.

2. The requirement under the heading of Flood Risk and Drainage to provide SUDS in the southern part of the site is too prescriptive and unnecessary. It is also an unnecessary duplication of the Biodiversity criteria elsewhere in the draft policy. Flexibility is required to enable a surface water drainage solution to be tailored to site conditions to provide the optimum drainage solution. This is not a development brief and it is too prescriptive at this stage. The detail can be addressed at the application stage.

Rydon would welcome the opportunity of meeting with Officers to discuss how the criteria might be improved.

3.0 Proposed allocations the subject of objection.

3.1 Policy SA15 Land south of Southway, Burgess Hill

This site is allocated as a Local Green Space in the adopted Burgess Hill NP. Para. 101 of the NPPF states that Policies for managing development within a Local Green Space should be consistent with those for Green Belts. SA does not assess the loss of LGS when determining the sustainability of the site.

3.2 Policy SA16 Land at St Wilfred's School

The SA has not assessed the impact of the loss of the school in a town centre location, sustainable location, close proximity, walking distance to catchment area. Policy DP25 of the LP states that "Where proposals involve the loss of a community facility (including those facilities where the loss would reduce the community's ability to meet its day-to-day needs locally) evidence will need to be provided that demonstrates:-

- that the use is no longer viable; or
- that there is an existing duplicate facility in the locality which can accommodate the impact of the loss of the facility; or
- that a replacement facility will be provided in the locality

The delivery of this site is uncertain. The relocation of a number of public and community facilities has not been settled and the number of residential units may have to be adjusted. At best the site is likely to be delayed and potentially may not come forward at all.

3.3 Policy SA18 East Grinstead Police Station

There are deliverability issues, restrictions on title/covenants that could prevent development of this site. There are heritage assets in the vicinity that will be adversely affected and apartments are not in character with the local area. Numbers of dwellings that can be delivered may reduce as a result. No clear timescale for delivery.

3.4 Policy SA20 Land south and west of Imberhorne Upper School

3.4.1 This site has a long history of non-delivery. The West Sussex Structure Plan 2001-2016 (now revoked) allocated a wider area of land to the west and south-west of East Grinstead for circa 2,500 homes.

3.4.2 The South East Plan 2006-2026 (now revoked) noted that land west and south-west of East Grinstead should be brought forward for circa 2,500 homes.

3.4.3 The East Grinstead Strategic Development Area Action Plan 2006 (which would have formed part of the Local Development Framework if it had been adopted – it was later abolished) set out the detail for the allocation of land west and south-west of East Grinstead.

- 3.4.4 East Grinstead has suffered from large volumes of traffic for many years, with persistent calls for a bypass to be provided from as far south as Forest Row all the way to the north and west of the town since 1988. However, these proposals have not come to fruition and the town remains as a significant location along the A22 between the coast and London.
- 3.4.5 Previous traffic study reports have advised that the existing highway network at the junctions of the A22/A264 and the Imberhorne junction is over capacity during the morning and evening peak periods on a typical weekday and that scope for physical improvements at key junctions is constrained.
- 3.4.6 The site is located immediately adjacent to these two junctions and, given its distance from the town centre, it is considered likely that most day to day retail, community, leisure and commuter trip generation (e.g. Doctors, leisure facilities and access to the main line railway station) will involve vehicular trips movements adding increased volumes of traffic into East Grinstead.
- 3.4.7 The Sustainability Appraisal that accompanied the District Plan concluded that *“there are severe transport constraints within East Grinstead which is likely to limit the amount of strategic development that would be appropriate within the town unless significant mitigation is proposed.”*
- 3.4.8 Any capacity improvements have been exhausted at the two key junctions and further improvements require third party land. The policy is not clear on how the impact on the local highway network will be mitigated and merely states the following :-
- “Provide any necessary capacity and safety improvements to junctions impacted upon by the development in the vicinity of the site after all relevant sustainable travel interventions have been fully explored and their mitigation accounted for.”*
- 3.4.9 At this stage of the process, the deliverability of the sites allocated need to have been fully investigated. The SAD document fails to do this, appendix one refers to Safeguarding of Land for Strategic Highway Improvements, but only includes a picture of the junctions with a red box but no clear strategy for improvements.
- 3.4.10 Mid-Sussex has updated its Transport Study to test the impact of proposed development on the strategic and local transport network and upon significant routes in Ashdown Forest (adjacent to but outside of Mid-Sussex District).

The report concludes the following:-

“Felbridge junctions The A264/A22 junction is not identified as having severe impacts in the Scenarios. However, it should be noted that this junction is flagged as severe in the Reference Case and operates over capacity; the Scenarios generate slightly more traffic passing through the junction, which increases these impacts further, but not enough to result in severe impacts for the Scenarios”.

3.4.11 This suggests that improvements to these junctions will not be required as the impacts from additional traffic will not result in severe impacts but this is a contrived and unreliable conclusion that runs contrary to Paragraph 109 of the NPPF.

3.5 Policy SA21 Land at Rogers Farm, Fox Hill, Haywards Heath

3.5.1 The Policy states that this site is open space. It is a peripheral location with significant landscape and heritage constraints, together with Flood Risk considerations. The site should only be allocated if the constraints have been fully investigated and can be appropriately mitigated.

3.6 Policy SA25 land West of Selsfield Road, Ardingly

3.6.1 Ardingly is environmentally constrained due to its location wholly within the AONB. The remaining residual requirement for the settlement is 22 dwellings. In reaching the overall requirement in the Local Plan DPD the Council, in its Sustainability Appraisal that accompanied the DPD, has had regard to the advice in the NPPF. The Council has examined the evidence to identify the point at which the adverse impacts would significantly and demonstrably outweigh the benefits, particularly when considering numbers to settlements constrained due to the AONB which indicated that development in these locations should be restricted. In the accompanying Settlement Sustainability Review May 2015 the Council concluded that future development in Ardingly should therefore be primarily to meet local needs. However, the SADPD proposes a site for 70 units, which is a major allocation in the AONB. A balance needs to be struck to ensure the positive benefits (social/economic) of allocating a major site within the AONB are not markedly outweighed by the negative impacts (particularly environmental), great weight should be afforded to protect the AONB and the scale and extent of development within these designated areas should be limited, Para. 172 NPPF).

3.6.2 Furthermore the site forms part of the South of England Show Ground and offers cultural and recreational facilities, the loss of which has not been assessed in the SA. This allocation should be fully assessed against the District Plan Policy.

3.6.3 Policy DP24 which refers to proposals that involve the loss of cultural facilities, open space, sports and recreational buildings and land, including playing fields, will not be supported unless :-

- an assessment has been undertaken which has clearly shown the cultural facility, open space, sports land or recreational building to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss

3.7 Policy SA26 Land South of Hammerwood Road, Ashurst Wood.

- 3.7.1 The settlement of Ashurst Wood is environmentally constrained due to the settlement being washed over with the AONB. There is no remaining residual requirement from the District Plan for additional dwellings for the settlement. In reaching the overall requirement in the Local Plan DPD the Council (in its Sustainability Appraisal that accompanied the DPD), has had regard to the advice in the NPPF. The Council has examined the evidence to identify the point at which the adverse impacts would significantly and demonstrably outweigh the benefits, particularly when considering dwelling numbers to settlements constrained due to the AONB, which indicates that development in these locations should be restricted. In the accompanying Settlement Sustainability Review (May 2015), the Council concluded that future development in Ashurst Wood should be primarily to meet local needs. However, the SADPD proposes a site for 12 units. A balance needs to be struck to ensure the positive benefits (social/economic) of allocating a site within the AONB is not markedly outweighed by the negative impacts (particularly environmental). Great weight should be afforded to protecting the AONB and the scale and extent of development within these designated areas should be limited. (Para. 172 NPPF).

4.0 Sites omitted from the Draft Plan that justify being allocated for housing.

4.1 Land south of Edinburgh Way, East Grinstead

- 4.1.1 Rydon have an option over the land as identified in Appendix (A). The site SHELAA reference 598 was considered as suitable in the SHELAA stage 1 as suitable for 60 units, in the medium to long term. Following further detailed site assessment, through the Site Selection Paper 3, the site has subsequently been found to be unsuitable for allocation in the SA DPD. The assessment concluded that the site will have high impact on the AONB.
- 4.1.2 This site is located on the south eastern edge of East Grinstead, adjoining existing residential development that was built in the 1970s and 1980s. The site forms a small triangular parcel of open countryside comprising a single horse paddock which is contained by a tall hedgerow, tree and a post and rail/wire fence. The site is approximately 1.8 hectares in total.
- 4.1.3 The site is located to the east of Harwoods Lane which extends alongside the western site boundary and is defined by a hedgerow. The north and western boundary of the site also contains a line of mature trees. Harwoods Lane currently connects the site to residential development to the north. Beyond the boundary to the west and north of the site is residential development on Chesterton Close, Collingwood Close and Edinburgh Drive.
- 4.1.4 The site is located in the AONB, the land slopes generally southwards and the undulating topography together with the existing strong hedgerows, belts of trees and blocks of woodland in the immediate area surrounding the site provides enclosure and containment to views within the landscape.
- 4.1.5 The site has the potential to be delivered as a standalone site, subject to access or as part of the Great Harwoods Farm development that has been promoted by Thakeham Homes during previous District Plan consultations.
- 4.1.6 The Site Selection Paper 3 : Housing Sites October 2019, concludes that the site is not suitable for further consideration due to its location within the AONB. As such the site has not been assessed in the Sustainability Appraisal accompanying the Site Allocation DPD. With regard to the site's AONB location, it should be acknowledged that, as set out in the LUC document entitled " Capacity of Mid Sussex District to accommodate development", Mid Sussex District is heavily constrained by environmental designations such as Area of Outstanding Natural Beauty (AONB) and the South Downs National Park as well as other constraints. As a result, a balance needs to be struck between locating development in the most sustainable locations and those which have the least environmental constraints. Whilst constraints may apply, there is no reason why such constraints could not be overcome and addressed, as they have elsewhere, particularly if there is no other reasonable alternative.
- 4.1.7 Subject to appropriate mitigation, there are no constraints to development at the wider site, including Great Harwoods. The site is well contained within its surroundings and will therefore not result in an adverse landscape impact. The proposal by Thakeham

Homes includes up to circa 300 dwellings and the provision of a significant area of public open space in the form of a SANG therefore respecting the site's location within the AONB. The proposal will therefore result in significant environmental and social benefits without resulting in unacceptable impacts on the wider landscape.

- 4.1.8 East Grinstead is one of the three main towns in Mid Sussex and offers a range of services and facilities and a mainline railway station, all within a reasonable walking distance from the site, approximately 1 kilometre. As such, the development will be less car dependant than that at Imberhorne Lane to reach day today facilities and consequently less likely to impact on the problematic junctions along the A22. The SHELAA assesses the site as relatively unconstrained, development will not have a negative impact on the Conservation Area or Area of Townscape Character and it is not subject to the risk of flooding. It lies in the AONB but impact to the wider landscape can be mitigated. It has been identified as suitable in the SHELAA and therefore the site should be assessed in the SA and considered to be a reasonable alternative to meet housing need in the town.

4.2 Land south of Chalkers Lane, Hurstpierpoint

- 4.2.1 Rydon have an option over the land as identified on the enclosed plan. The site, SHELAA Ref. 575, was identified in the Council's SHELAA stage 1 as suitable for 200 units, in the medium to long term. Following further detailed site assessment through the Site Selection Paper 3, the site has subsequently been found to be unsuitable for allocations in the SA DPD. The assessment concluded that the site is 'large' and the proposals will result in harm to the Listed building of the college and harm to the special character of the Conservation Area.
- 4.2.2. The site has an area of 27 ha (67 acres) but a large proportion of this will be left undeveloped providing the strategic buffer of open land separating the development from Hurstpierpoint College and Hurst Wickham to the east. This land offers the opportunity to extend the area of Country Open Space which formed part of the package accompanying the delivery of the residential development that is now being carried out by Bovis and indeed Rydon's small development to the south. The capacity of the site taking account of these buffer areas would be 220/260 units based on 30/35 dpa. There is the potential for land ownership to be transferred to the Parish Council so that this mitigation will endure in the long term. There is potential to extend the Country Park.
- 4.2.3 The attached plan prepared by Richards Urban Design drawing 1263.02 shows the full extent of the land by red edging. Also attached is an Opportunities and Constraints plan drawing 1263.03 which shows how the above concept could be put into practice. The attached photographs on drawing 1263.01 will give some idea of the physical characteristics of the land concerned.
- 4.2.4 The opportunity to extend the Country Open Space Area needs to be taken into account in relation to this Assessment. The current Assessment of impact upon both Hurstpierpoint College and Hurst Wickham Conservation Area is classified as being less than substantial harm. With mitigation as described above there would be no material impact. The open space will preserve the countryside setting to

Hurstpierpoint College to the east and this is already despoiled by buildings and sports pitches within the grounds. Hurst Wickham Conservation Area is a considerable distance away and there will be no material impact. A High Level Heritage Setting Statement prepared by Orion Heritage Ltd is attached which assesses the impacts and confirms that they would be nugatory.

- 4.2.5. There are no landscape quality designations on the site or in the immediate vicinity. The National Park boundary lies some 3km away to the south and distant views towards the site encompass the whole of the existing settlement of Hurstpierpoint, with which this development would appear in context. There is also potential for provision of strategic landscape buffers to the east and south of the site as part of the sensitive design of the Country Park and this will provide mitigation. Whilst the countryside is not unattractive, it is certainly not special and the site is relatively flat, featureless and not prominent in the wider landscape.
- 4.2.6. Trees/TPOs – the existing trees are located within boundary hedgerows and will be retained and enhanced. A suitable buffer to small areas of adjoining ancient woodland will be incorporated within any layout. There will be extensive new tree planting as part of the strategic landscaping proposals described above. This is a positive scenario for trees and the assessment should reflect that.
- 4.2.7 This is a sustainable, deliverable and developable development opportunity which should be included as a site allocation to meet strategic housing needs across the District. The original SHELAA assessment was not fair or accurate in a number of ways. The latest, February 2020, Assessment which is included in the Site Selection paper 3: Housing Sites Update does not take account of the representations made by Rydon at the Regulation 18 Consultation stage. The representations explained how the Country Park could be extended to the east to protect the wider gap between Hurstpierpoint and Hurst Wickham and the setting of the Hurst Wickham Conservation Area and that land at the northern end of the site could be left open to protect the setting of Hurstpierpoint College. The land is believed to be Grade 3b and therefore is not best and most versatile. The SHELAA correctly concludes that the site accords with the overall development strategy but the Detailed Site Assessment has not fully taken into account the evidence base, which shows how matters of separation of settlements and setting of heritage assets can be suitably addressed whilst still providing a net developable area to provide up to 200 sustainably located dwellings in accordance with the development strategy. The site assessed is for 540 dwellings and this does not take account of the Rydon masterplan which shows a smaller net developable area (around 200 dwellings) together with extensive open space areas to ensure the separation of settlements and protect the setting of heritage assets. This site should be considered in the SA in this context and would prove to be a suitable candidate as one of the additional allocations required to be provided in the Plan.

**REGULATION 19 SUBMISSION DRAFT
SEPTEMBER 2020**

**LIST OF APPENDICES ACCOMPANYING REPRESENTATIONS
OF BEHALF OF RYDON HOMES LTD**

- APPENDIX A** - Land under control of Rydon Homes Ltd
 South of Edinburgh Way, East Grinstead
-
- APPENDIX B** - Little Park Farm, Hurstpierpoint
 1263.01 – Site photos
 1263.02 – Site Location and land under control of
 Rydon Homes Ltd
 1263.03 – Opportunities and Constraints Plan

 High Level Heritage Setting Statement - Orion

APPENDIX A

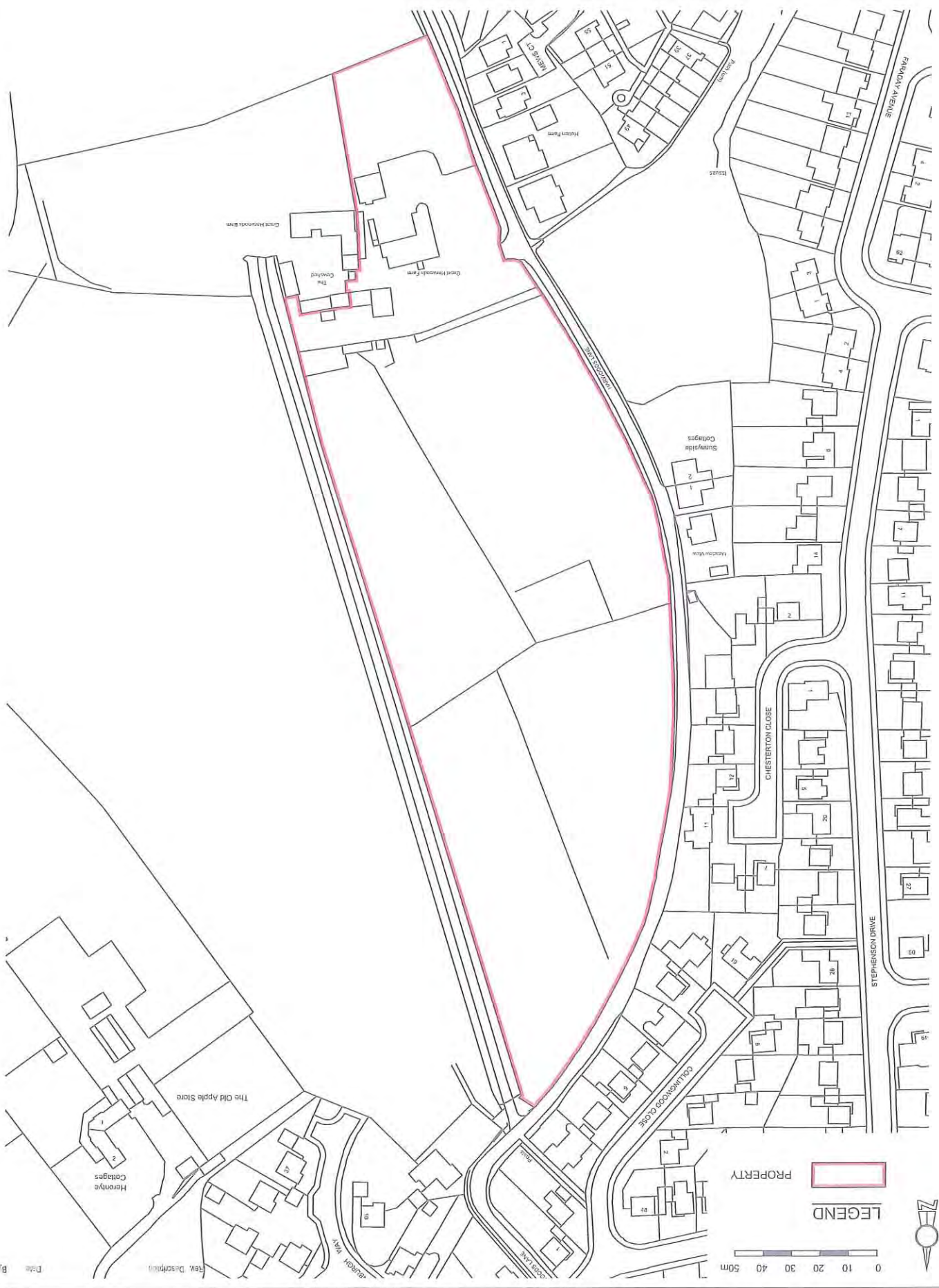


Rydon Homes Ltd
Station Road
Forest Row
East Sussex
RH18 5DV
T 01323 825151
E-mail: design@rydon.co.uk

Drawing No: 10597-L-01

Date: October 2018
Drawn by: MMH
Scale: 1:1250 @ A3
Rev:

Great Harwoods
East Grinstead
Option Plan



LEGEND

PROPERTY

0 10 20 30 40 50m

Rev. Description Date By

APPENDIX B

Total	
NTS	
Date	03.05.19
	standing at 1263.01



1. View looking north from the centre of the site with new housing south of Chalkers Lane on the left and Hurstpierpoint College on the right



2. View looking south east from the centre of the site with the new housing development at Bramble Park (left) and Tilley's Copse (right) in the background



3. View looking south with Bramble Park in the distance on the right.

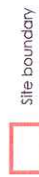
LITTLE PARK FARM, HURSTPIERPOINT

Drawing
Site location and context

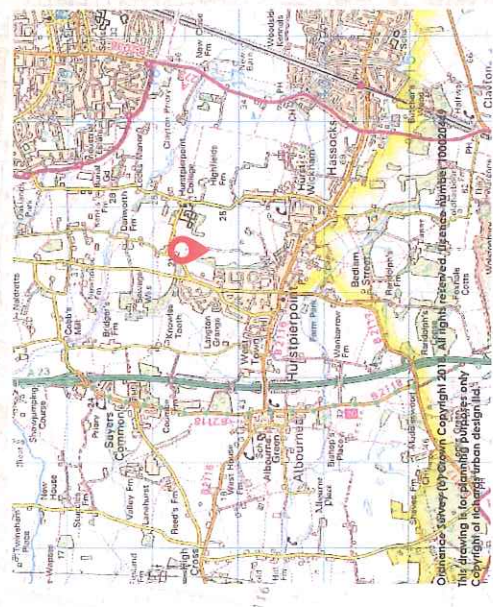
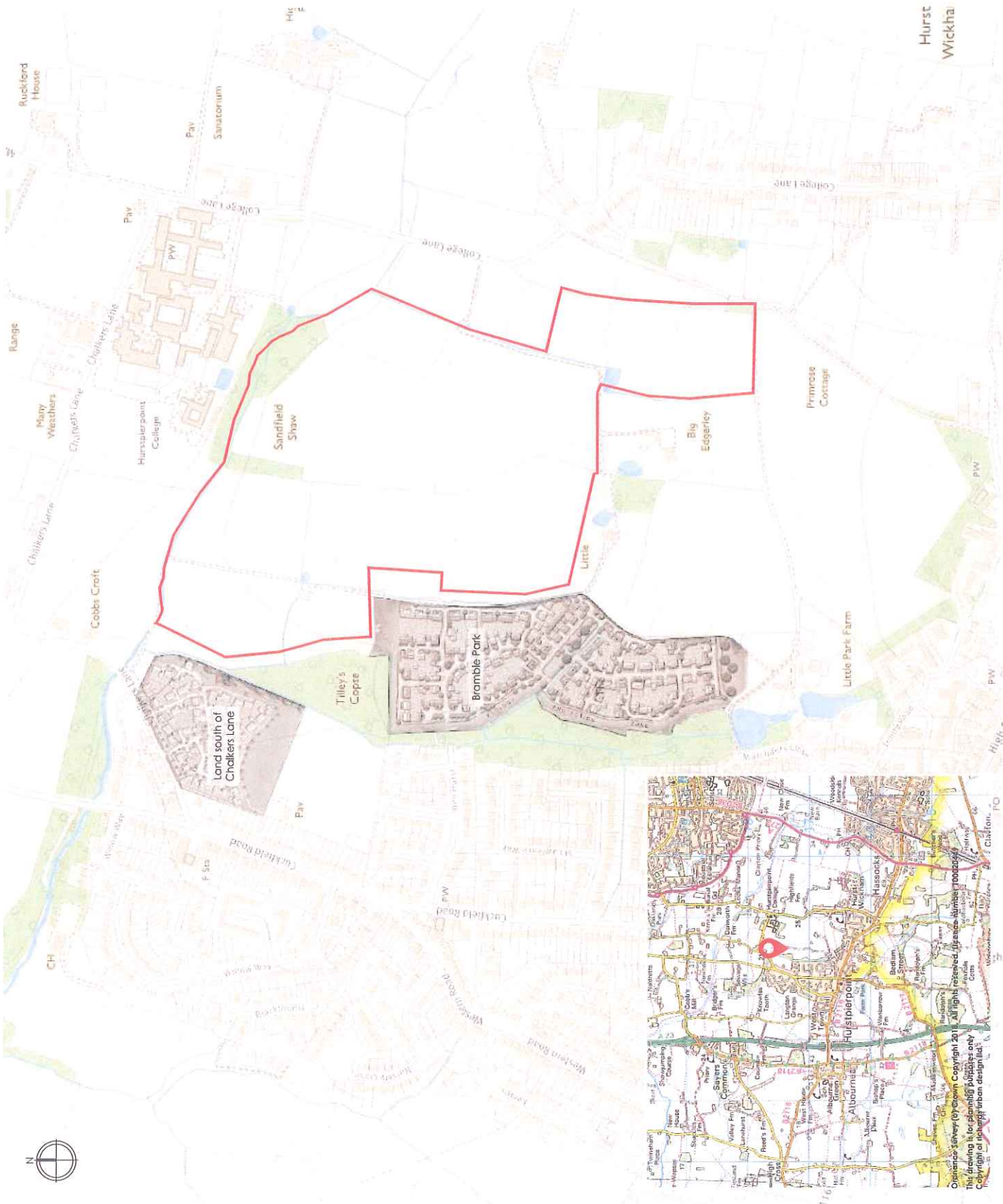
Scale
NTS

Date
03.05.19

Drawing no
1263.02



Site boundary



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LITTLE PARK FARM, HURSTPIERPONT

Drawing
Opportunities and constraints plan

Scale
NTS

Date
03.05.19

Drawing no
1263.03

KEY

Site boundary

Hurst Country Open Space

Existing Public Right of Way

Potential access to site

Contour

Existing mature tree/hedge boundaries enclosing land parcels to be retained, reinforced where appropriate & periodically traditionally lobl.

No development zone associated with Tiley's Copse to protect Ancient Woodland

Listed Building

Hurst Wickham Conservation Area

Potential extension to Hurst Country Space

Potential area for residential development

Potential new public open space / play area

Potential new loopath routes

Potential link to college

Potential childrens play area

Low density landscaped edge

Potential location for subs drainage feature



Little Park Farm, Hurstpierpoint
High Level Heritage Setting Statement
May 2019

Little Park Farm, Hurstpierpoint
High Level Heritage Setting Statement
May 2019

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Report

Little Park Farm, Hurstpierpoint

Site

High Level Heritage Setting Statement

Client

Rydon Homes

Date

May 2019

Planning Authority

Mid-Sussex District Council

Prepared By

Rob Bourn BA MA MCIfA

Approved By

Dr Rob Smith MCIfA

Report Status

Final

Orion Ref

PN2213/1

1.0 Introduction

- 1.1** The purpose of this report is to present a high level assessment of the potential effect on the setting and significance designated heritage assets of residential development on land to the south west/south of Hurstpierpoint College. This is to support the promotion of residential housing in the western area of study site. It is not a full statement of significance report or a heritage statement.
- 1.2** The site is located to the south east of Chalkers Lane, to the east/north east of Bramble Park housing scheme that is currently under construction and to the south west/south of Hurstpierpoint College at grid ref at grid reference TQ 28529 17530 (Fig. 1).
- 1.3** The development of the study site has the potential to affect the settings and significance of two grade II listed buildings (Hurstpierpoint College and Star House at Hurstpierpoint College) and to the north west of the Hurst Wickham part of Hurstpierpoint Conservation Area (Fig. 2).

2.0 Planning Policy Framework

- 2.1** The Mid Sussex District Plan 2014 – 2031 contains two relevant policies relating to listed buildings and Conservation Areas.

DP34: Listed Buildings and Other Heritage Assets

Listed Buildings Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- *A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*
- *Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;*
- *Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- *Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;*
- *Special regard is given to protecting the setting of a listed building;*
- *Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.*

Other Heritage Assets

Development that retains buildings which are not listed but are of architectural or historic merit, or which make a significant and positive contribution to the street scene will be permitted in preference to their demolition and redevelopment.

The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic.

Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.

DP35: Conservation Areas

Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:

- New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials;
- Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character;
- Traditional shop fronts that are a key feature of the conservation area are protected. Any alterations to shopfronts in a conservation area will only be permitted where they do not result in the loss of a traditional shopfront and the new design is sympathetic to the character of the existing building and street scene in which it is located;
- Existing buildings that contribute to the character of the conservation area are protected. Where demolition is permitted, the replacement buildings are of a design that reflects the special characteristics of the area;
- Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;
- New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area.

Development will also protect the setting of the conservation area and in particular views into and out of the area.

New buildings of outstanding or innovative design may be acceptable in conservation areas provided that their impact would not cause material harm to the area.

3.0 Designated Heritage Assets

Hurstpierpoint College (grade II List number 1194726)

- 3.1 The Hurstpierpoint College complex is located immediately to the north east of the study site (Fig. 2). The main college building is grade II listed. The listing describes it as follows:

St John's College, Hurstpierpoint, was the second school established by Nathaniel Woodard, founded in 1849. In 1850 it was established in The Mansion House Hurstpierpoint and in 1853 moved into its permanent buildings. These were designed by R.C.Carpenter but largely built after his death by his partner, William Slater, and his son, R.H. Carpenter. They are in Gothic style and built of flints with tiled roofs. They form 2 quadrangles, the southern one open on the south side, with narrow pointer or trefoil-headed ws. The chapel and Hall form the north side of the north quadrangle. The Chapel at the east end has 7 bays, 4 of them projecting beyond the east side of the quadrangle. Pointed w. of Decorated type flanked by buttresses. At the west end of the Chapel are short transepts which form an ante-chapel, lit by a larger similar w. and above a tower added in 1929. The interior has very beautiful intern stalls. To the west again is a small covered passage, also added in 1929 to join the Chapel to the Ball. the latter is on the first floor with the dining room beneath it. These have 5 bays flanked by buttresses. The ws. on the first floor have flatter pointed heads, those on the ground floor consist of pairs of trefoil-headed lancets.

- 3.2 The significance of the college resides in its architectural, historical and artistic (i.e. aesthetic) interest. It forms the both the main building and core of the college complex and has group value with the immediately adjacent Star House. The setting of

the listed college building will be considered in brief below along with Star House as they form part of the setting of each other and share the same setting.

Star House (grade II List Number 1025664)

- 3.3 Star House is located on the east side of the main college building fronting College Lane. The listing describes the building as follows:

Built in 1873 in matching style to the College and probably designed by R.H. Carpenter. Three storeys. Three windows. Faced with flints with stone dressings and quoins. Tiled roof. Two gables and gabled dormer between casement windows. Two bays on ground and first floors, each with 5 trefoil-headed lights. Wide porch between with 7 similar lights.

- 3.4 As with the college building, the significance of the house resides in its architectural, historical and artistic (i.e. aesthetic) interest. It has group value with the immediately adjacent listed college building. The setting of the Star House will be considered in brief below along with the main college building as they form part of the setting of each other and share the same setting.

Setting of Hurstpierpoint College & Star House

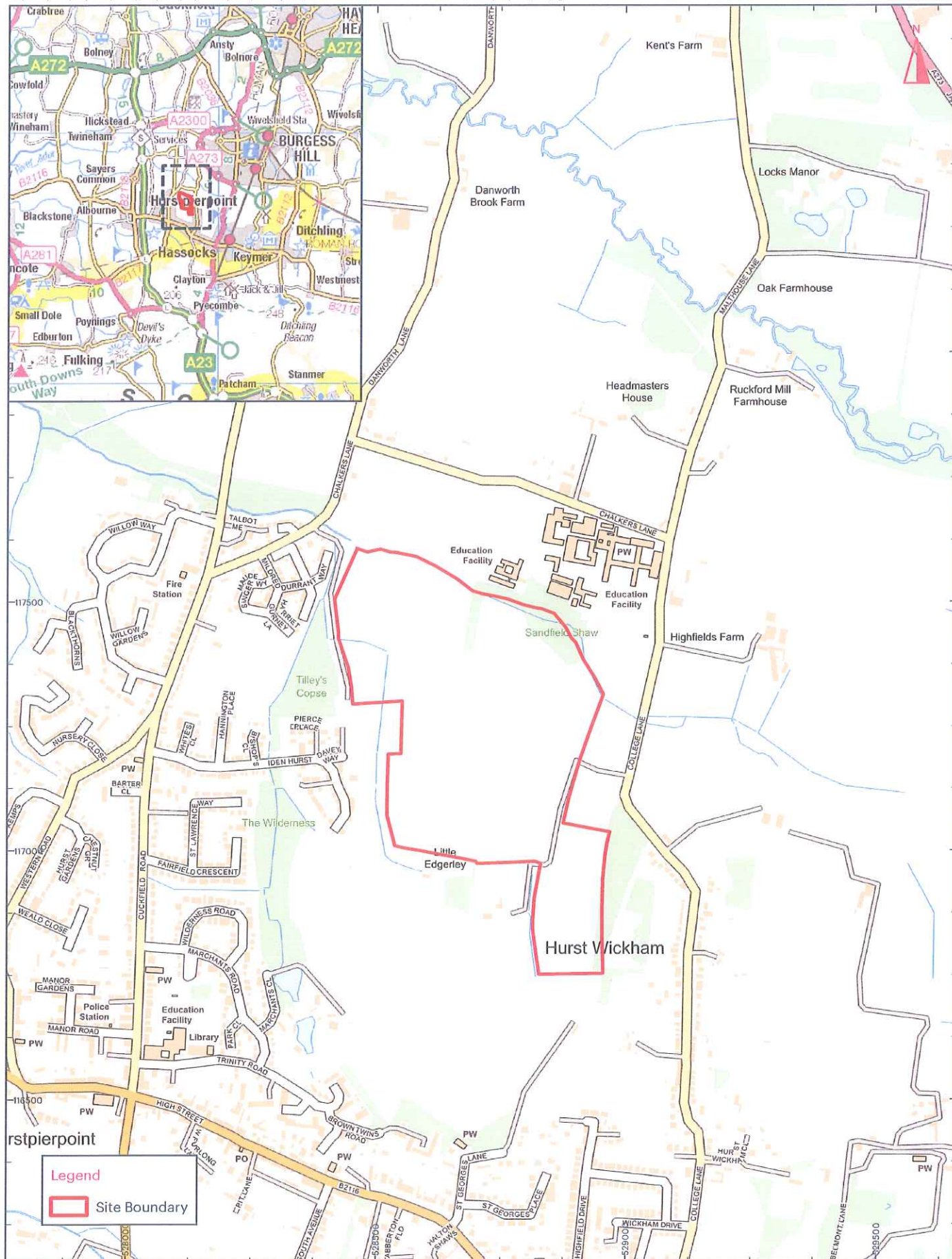
- 3.5 The two listed buildings occupy the main central and eastern area of the college complex. They dominate the grass sports pitches and facilities immediately to the north the buildings and the artificial grass sports pitches immediately to the south of the buildings. There are a series of pre-WWII, 1970s and later school buildings immediately to the west and south west of the main listed college building, with car parking and further artificial surface sports facilities to the west of the school buildings. It is within this area that the setting has a very strong positive contribution to the significance of the two listed buildings in functional, visual and historic terms. The later buildings, while not of the same architectural quality as the listed buildings, are sympathetic and subservient to the main building and the mix of style and date adds a very perceivable time depth to the experience of the school setting. The car parks and artificial sports pitches on the western side of the school complex contain a number of visually prominent lighting stands and fencing with a line of overhead electricity cables and wooden pylons cutting north south immediately to the west of the school grounds. The car parks, lighting stands, fencing and electricity cables detract from the experience of the listed buildings and have a slight negative contribution to their significance.
- 3.6 The College and Star House also have a wider landscape setting beyond the college complex. It is located on a relatively high spot on the landscape and so can be seen from and has at least partial views out over the lower land to the east and the south/south east. This aspect has a mildly positive contribution to the significance of the college as it places it within its wider rural context and enables it to be appreciated in various glimpsed and full views from within the wider area.
- 3.7 The setting to the west/south west of the school is more limited in extent and in its contribution to the significance of the main listed college building. The later school buildings block clear views in to and out from the listed buildings. The tower on the chapel can still be seen in many views due to its height but the main body of the listed buildings cannot be experienced, even at close quarters to the school boundaries, from the west and south west. Consequently, the land to the west/south west does not contribute visually to the significance of the college buildings. The land has historically been fields and so it does have a slight positive contribution to the historic interest significance of the listed buildings. The two new and under construction housing schemes (Land South of Chalkers Lane & Bramble Park) are recent visible changes within this aspect of the setting on the west side of the college which have introduced modern residential form.

Impact Assessment

- 3.8** The study site is being promoted for up to c. 260 residential units located in western and south western area of the site and a substantial area of open space. The layout on the constraints and opportunities plan (Fig. 3). The development parameters have been designed to preserve and enhance the setting of the college to the south west and west of the listed buildings. The layout has been designed to respond to the setting of the college and its contribution to the significance of the listed buildings. The main bulk of the proposed housing area will be screened from view from the college behind existing mature tall hedges and trees and so will have no effect on the setting college as they will not be experienced from college and vice versa.
- 3.1** The north western field of the study site is currently a field which forms a small part of the wider rural context within which the college is experienced. This field is currently an arable field split into two by a north-south orientated footpath. The eastern 2/3 of the field will be retained as public open space with high quality housing in the area of the field to the west of the footpath. By bringing the edge of the built form c. 140m closer to the college complex than it currently is, there will be a slight visual change within this part of the setting. The recently constructed Chalkers Lane residential scheme has already introduced modern houses into this aspect of the setting. Consequently, the proposed high quality housing within this area of the study site will not change the character of the setting. The eastern half of the north western field of the site will be retained as public open space. This will ensure that the views of the tower of the college chapel that are currently possible from the site will be retained. There are no views of the site currently from the listed buildings anyway, as described above. Consequently, views from the listed buildings will be unaffected. The later school buildings to the west of the listed college buildings block all views of the site from within the core of the setting of the college. Therefore, the experience of the listed buildings as they are now, will be unaffected.
- 3.2** The area of the site to the south of college will be retained as an extension to the Hurst Country Space. This will ensure that the setting to the south of the college will be protected and conserved.
- 3.3** In conclusion, the development of the site as proposed in the illustrative concept masterplan, will result in the loss of about 1/3 of a field that has a slight contribution to the significance of the listed college buildings. This will primarily be a slight visual change. The college will still be separated from the edge of the built area of Hurstpierpoint by open space. The aspects of the setting of the college that have a clear and strong positive contribution to significance of the listed buildings will be unaffected. Consequently, the development of the study along the parameters as outlined in the constraints and opportunities plan (Fig. 3) will not result in harm to the significance of Hurstpierpoint College or Star House.

Hurst Wickham Conservation Area

- 3.4** The area of the proposed housing is considered to lie beyond the setting of all three blocks of the Hurstpierpoint Conservation Area. There is one vista point identified on the significant views map of the Hurstpierpoint Conservation Area from just north of St Georges Lane that is toward the study site. However, the proposed developable area of the site is 0.5km to the north and is screened from the view by intervening hedges, trees and other vegetation. Consequently, there will be no effects on this view. The southern part of the proposed potential extension Country Space would be within this view but there will be no effect on this view. Consequently, the development of the study along the parameters as outlined in the illustrative masterplan will not result in harm to the significance of any of the three blocks of Hurstpierpoint Conservation Area.



Title:
Figure 1: Site Location
Address:
Little Park Farm, Hurstpierpoint

Scale at A4: 1:10,000

0 300m

orion.

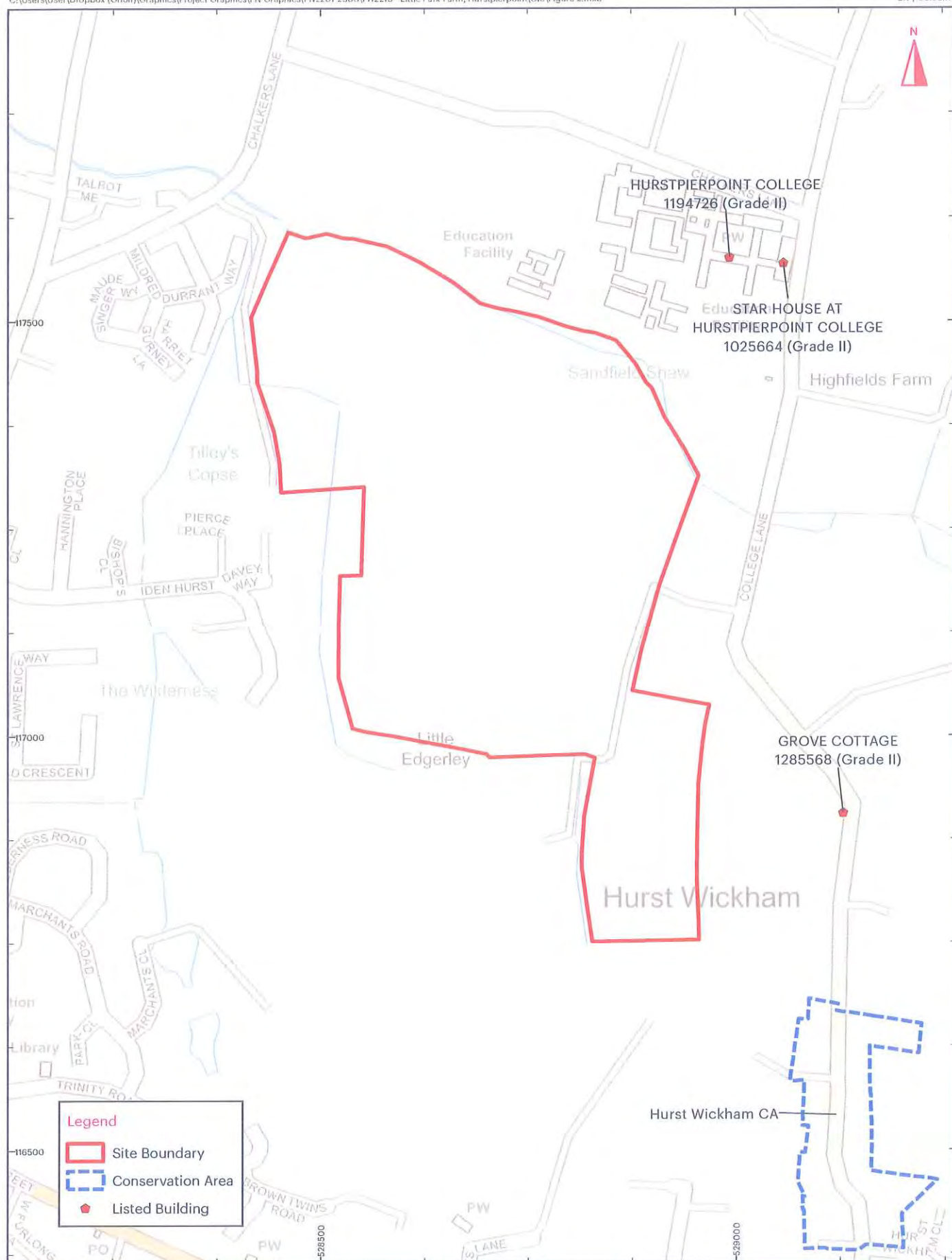
**Title:**

Figure 2: Location of Designated Assets

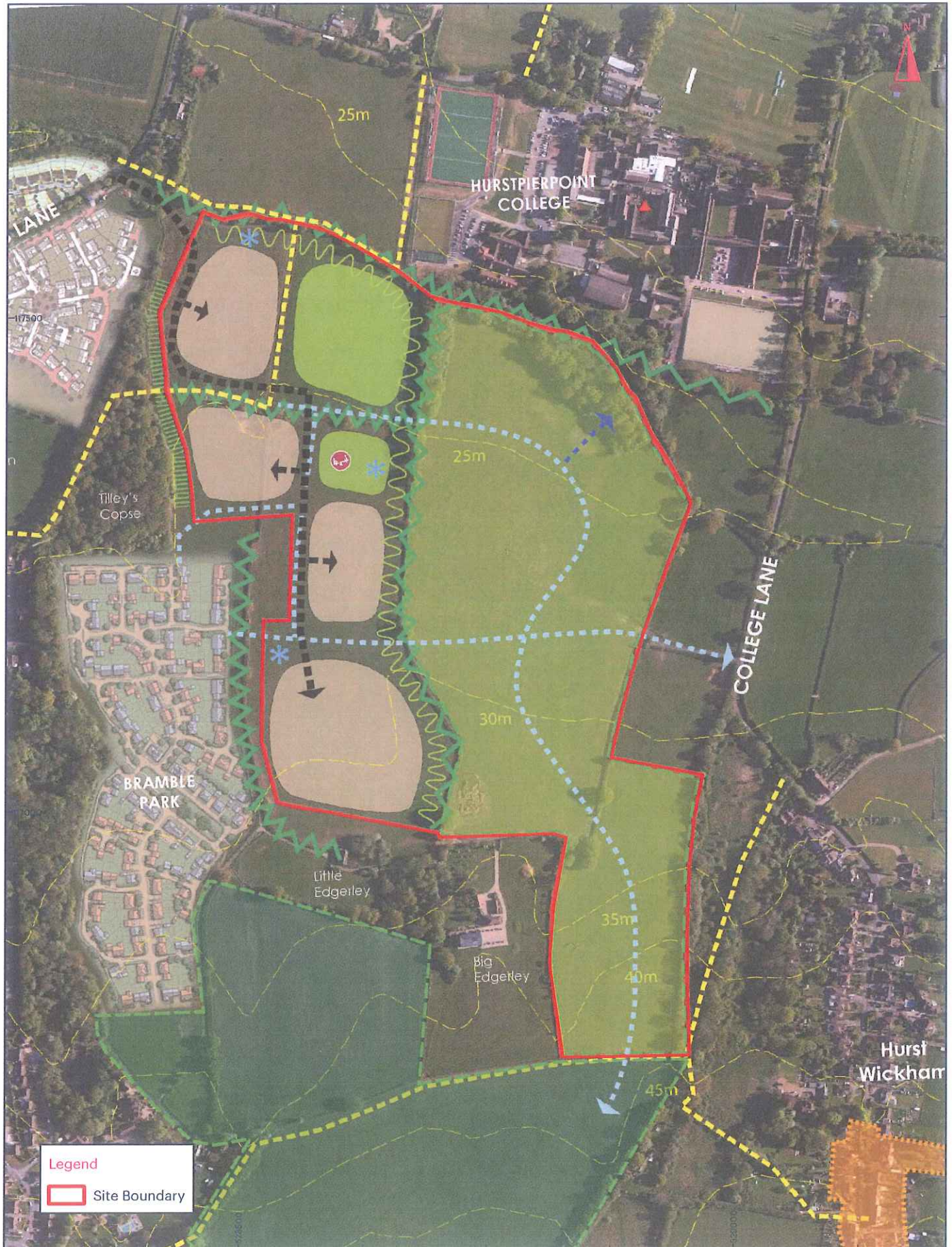
Address:

Little Park Farm, Hurstpierpoint

Scale at A4: 1:6,000

0 180m

orion.



Title:
Figure 3: Opportunities and constraints plan
Address:
Little Park Farm, Hurstpierpoint

Scale at A4: 1:5,000



orion.