

Diagrams / Maps - Index by ID Number

ID	Respondent	Organisation	BehalfOf	Respondent Category	Participate
654	Mr S Molnar	Terence O'Rourke	St Modwen Developments	<input type="text" value="Promoter"/>	<input type="checkbox"/>
761	Ms F Goodson	DMH Stallard	BUA	<input type="text" value="Developer"/>	<input type="checkbox"/>
761	Ms F Goodson	DMH Stallard	BUA	<input type="text" value="Developer"/>	<input type="checkbox"/>
761	Ms F Goodson	DMH Stallard	BUA	<input type="text" value="Developer"/>	<input type="checkbox"/>
761	Ms F Goodson	DMH Stallard	BUA	<input type="text" value="Developer"/>	<input type="checkbox"/>
761	Ms F Goodson	DMH Stallard	BUA	<input type="text" value="Developer"/>	<input type="checkbox"/>
761	Ms F Goodson	DMH Stallard	BUA	<input type="text" value="Developer"/>	<input type="checkbox"/>
762	Mr P Rainier	DMH Stallard	Mr Simon Dougall	<input type="text" value="Developer"/>	<input type="checkbox"/>
1454	Mr S Brown	Woolf Bond Planning	Fairfax Acquisition Ltd - Land east of Borde Hill Lane, HH	<input type="text" value="Developer"/>	<input checked="" type="checkbox"/>
1458	Mr M Taylor	Chilmark Consulting	Ms E Beckford	<input type="text" value="Promoter"/>	<input checked="" type="checkbox"/>
1781	Mrs L Jackson	Jackson Planning Ltd	Hartmires Investment Ltd	<input type="text" value="Promoter"/>	<input type="checkbox"/>
2001	Mr H Lindley-Clapp	Nexus Planning	Frontier Estates _Hassocks	<input type="text" value="Promoter"/>	<input type="checkbox"/>
2080	Mr A Black	Andrew Black consulting	Vanderbilt homes - CDR	<input type="text" value="Promoter"/>	<input type="checkbox"/>

Site Allocations DPD: Regulation 19 Consultation Response**Code:** 1f**ID:** 654**Response Ref:** Reg19/654/1**Respondent:** Mr S Molnar**Organisation:** Terence O'Rourke**On Behalf Of:** St Modwen Developments**Category:** Promoter**Appear at Examination?** x

[REDACTED]

From: Steve Molnar [REDACTED]
Sent: 23 September 2020 16:04
To: ldfconsultation
Cc: Dinny Shaw
Subject: Site Allocations DPD Regulation 19 Submission version: Consultation Response on behalf of St Modwen Developments
Attachments: SMD policies maps BUAB comments.pdf; SMD Reg 19 Policy SA1 new employment site.pdf; SMD reg 19 Policy SA11 additional site.pdf; SMD Reg 19 Policy SA1 re site SA4.pdf

Dear Sir/Madam

Please find attached a consultation response regarding the Mid Sussex Site Allocations DPD Submission version. The response is submitted on behalf of St Modwen Developments (SMD) and includes a response on the altered Built up Area Boundary on the Policies Map as well as responses to policies SA1, SA4 and SA11 in the Submission DPD itself.

SMD is currently developing land to the west of Copthorne to provide new homes and employment uses, along with generous open space areas, and the comments relate to aspects of the DPD that are compatible with the current development, including the welcome allocation of additional employment land at site SA4.

SMD supports the Submission DPD, and considers that it is sound.

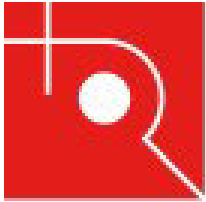
However, there are opportunities to support further employment and the development of additional new homes on land to the west of Copthorne, if MSDC or the Inspector are minded to be more flexible in providing additional headroom in meeting the District's identified needs, including those of neighbouring areas. These opportunities are highlighted in the comments attached.

Please don't hesitate to contact me if you wish to discuss the content of the attached or related matters.

Yours sincerely

Steve Molnar BA(Hons) MPhil Dip UP MRTPI
Technical Director
[REDACTED]
[REDACTED]





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Mid Sussex Site Allocations Development Plan Document Regulation 19 Submission Draft July 2020

Representations on behalf of St Modwen Developments

Built up area boundary

Inset 8a Copthorne

SMD have an interest in land in this location, west of Copthorne, and there is an extant outline planning permission that is currently being implemented (13/04127/OUTES). A range of reserved matters approvals and a full planning permission are in place, and the first phases of new homes and employment buildings are under construction.

It is noted that the built-up area boundary (BUAB) at Copthorne shown on Inset 8a includes the majority of the area covered by the outline permission.

SMD welcomes the inclusion of this land within the BUAB, reflecting the extent of development at the site and its identity as part of Copthorne.

761

Site Allocations DPD: Regulation 19 Consultation Response

Code: 1f

ID: 761

Response Ref: Reg19/761/6

Respondent: Ms F Goodson

Organisation: DMH Stallard

On Behalf Of: BUA

Category: Developer

Appear at Examination? x

From: Stevenson, Holly <Holly.Stevenson@dmhstallard.com>
Sent: 28 September 2020 18:47
To: ldfconsultation
Cc: Rainier, Peter
Subject: Representations - Mid Sussex Site Allocations DPD Regulation 19 Consultation
Attachments: LTR Built Up Area Boundaries.pdf; SA12 additions.pdf; SA23 additions.pdf; SA25 additions.pdf; SA26 additions.pdf; SA31 additions.pdf; SA32 additions.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs

Please find herewith, our representations in relation to the Mid Sussex Site Allocations DPD Regulation 19 consultation.

Regards

Holly Stevenson | Paralegal | Tel: +44 1293 663521
For and on behalf of DMH Stallard LLP
3rd Floor, Origin One, 108 High Street, Crawley, West Sussex, RH10 1BD



IMPORTANT MESSAGE:

Our approach to client service continuity during the COVID-19 outbreak

Our people are now working from home and you can email us and call us with all our usual contact details and we will continue to deliver our client service standards. Remote working and flexibility are very much at the core of DMH Stallard's culture and the way we work. Our offices are currently closed however, so please do not send us any documents by post or try to visit us. Your usual DMH Stallard contact will be able to advise you how best to deal with your specific needs and situation.

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

Date 28 September 2020
Your ref
Our ref 547

Dear Sir / Madam

Built-Up Area Boundaries

Representations to the MSDC Site Allocations DPD (Regulation 19)

DMH Stallard Planning have assessed the proposed revisions to the Built-Up Area (BUA) Boundaries as proposed in the vicinity of envisaged allocations for residential development.

For the reasons stated below we find the DPD 'unsound' and seek to reserve the right to appear at the examination.

The assessment of the precise location of the BUA boundary is important for a number of policy reasons, not least due to the presumption against (most forms of) development on land outside the BUA and the presumption in favour for sites within the BUA.

The decision upon where a BUA boundary is to be located should generally be one of planning judgement based on the character of the locality and is normally drawn at a point where the character of the area changes from rural to urban.

Whilst the LPA indicated that they would reassess the Built-Up Area boundaries following the Reg 18 stage, there appears to be no published documentation on this process.

Having objectively assessed the proposed 'Built-up Area Additions' as shown on the proposal maps we consider the following revisions are necessary to provide a consistent approach (please see plans enclosed);

3rd Floor, Origin One 108 High Street Crawley West Sussex RH10 1BD **DX** 57102 Crawley
Main line 01293 605000 **Direct line** +44 129366 3521 **Fax** 01293 605080 **Email** Holly.Stevenson@dmhstallard.com

Offices in London, Gatwick, Guildford, Brighton and Horsham. Website www.dmhstallard.com

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- SA12 Land north-east of allocation
- SA 23 Land north-east of allocation
- SA 25 Land east/south-east of allocation
- SA 26 Land north- east of allocation
- SA 31 Land North and west of allocation
- SA 32 Land south-east of allocation

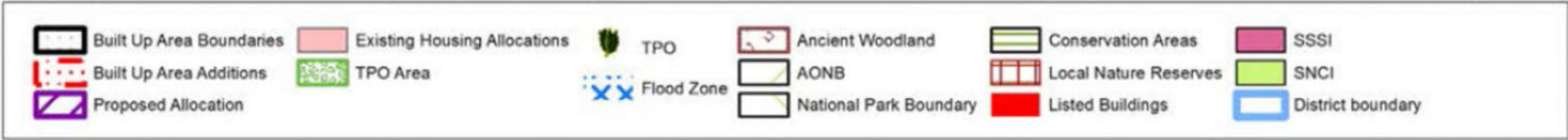
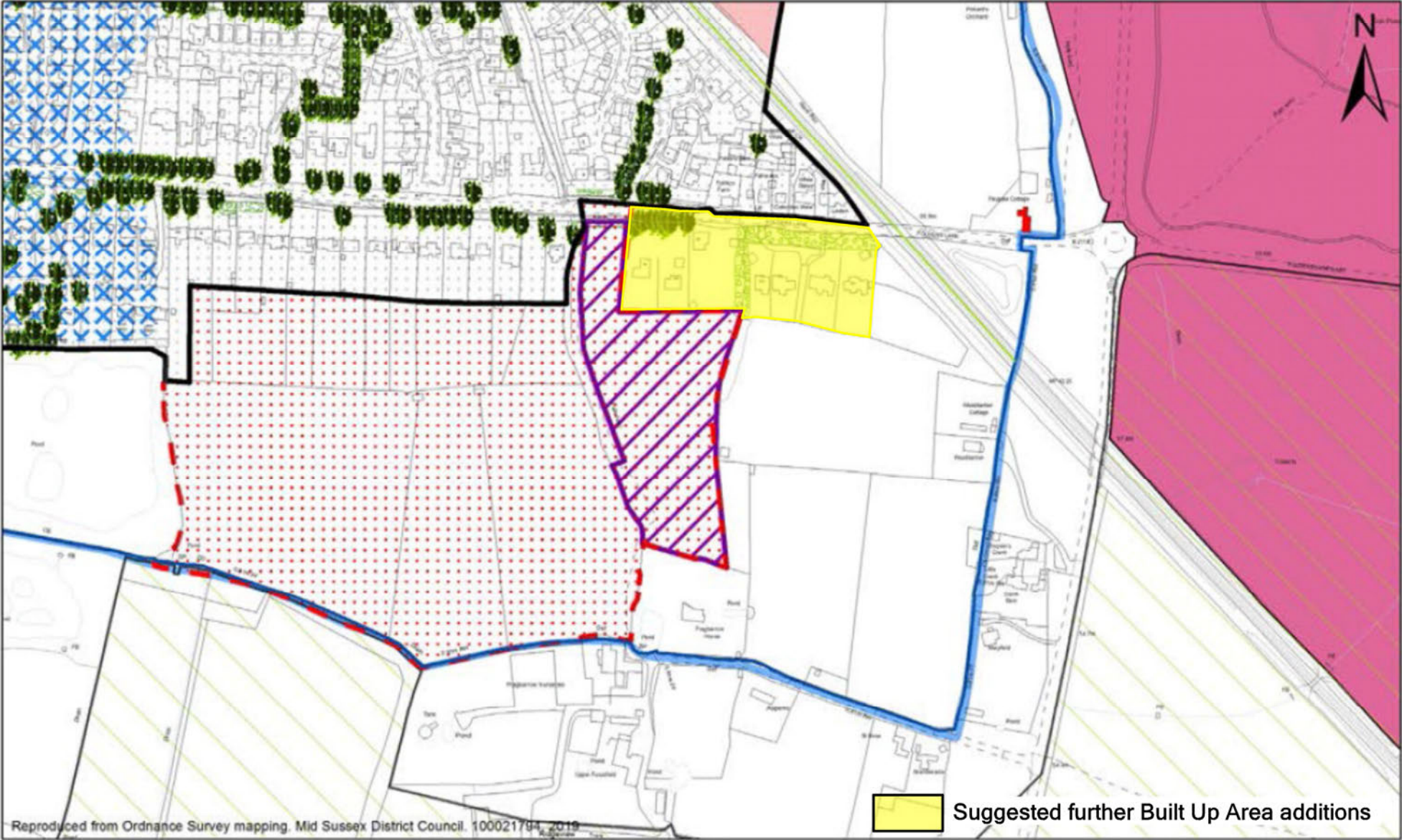
Conclusion

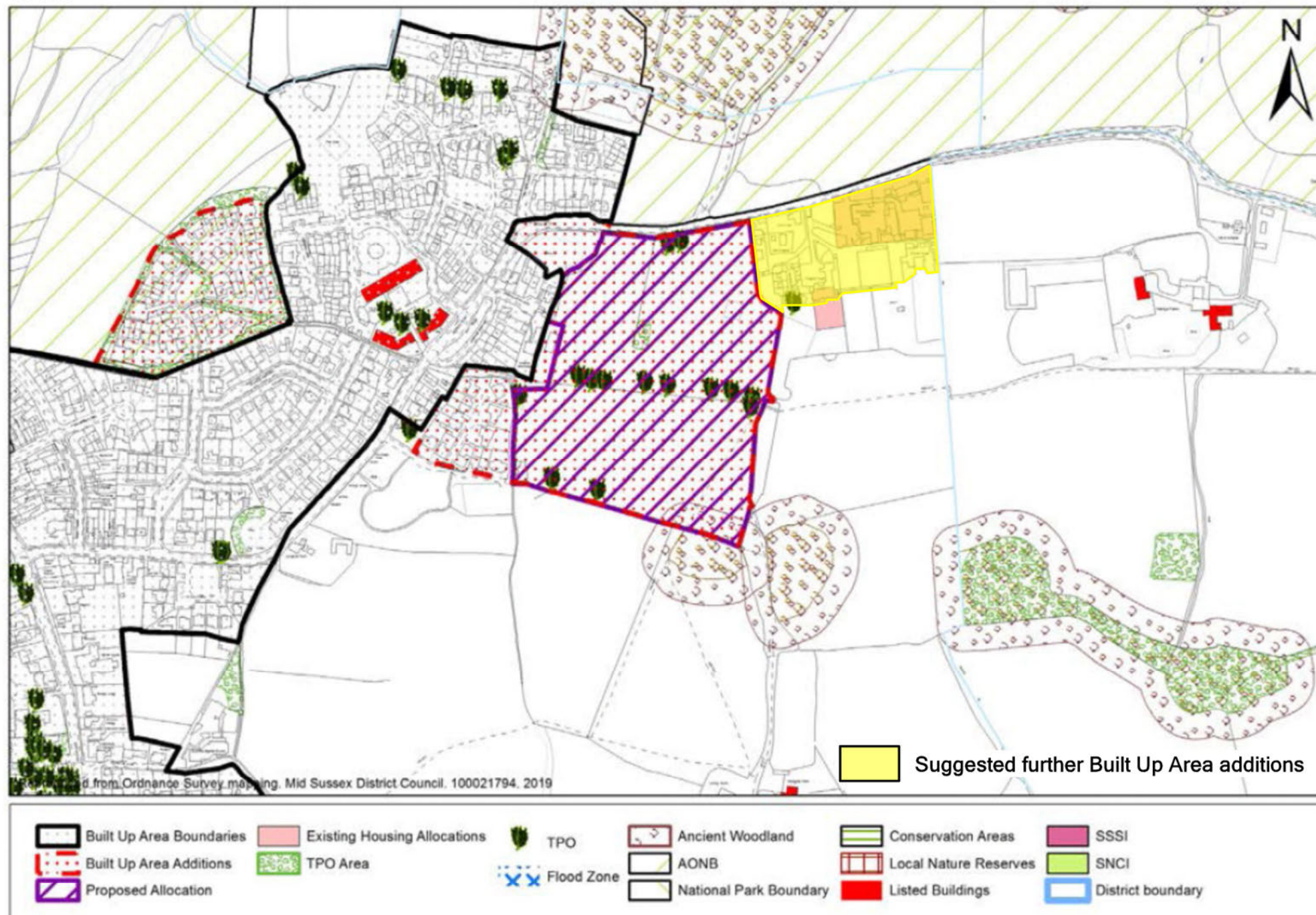
To ensure a consistent approach to the location of BUA boundaries revisions should be made as set out above and on the enclosed plans.

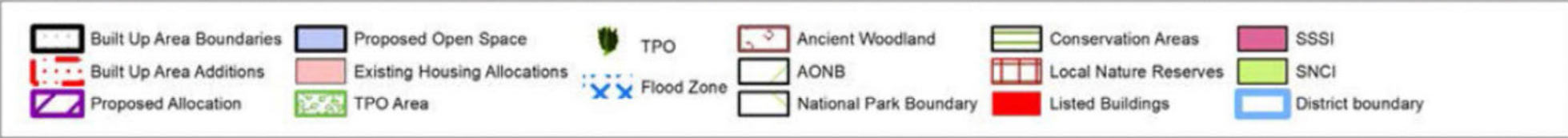
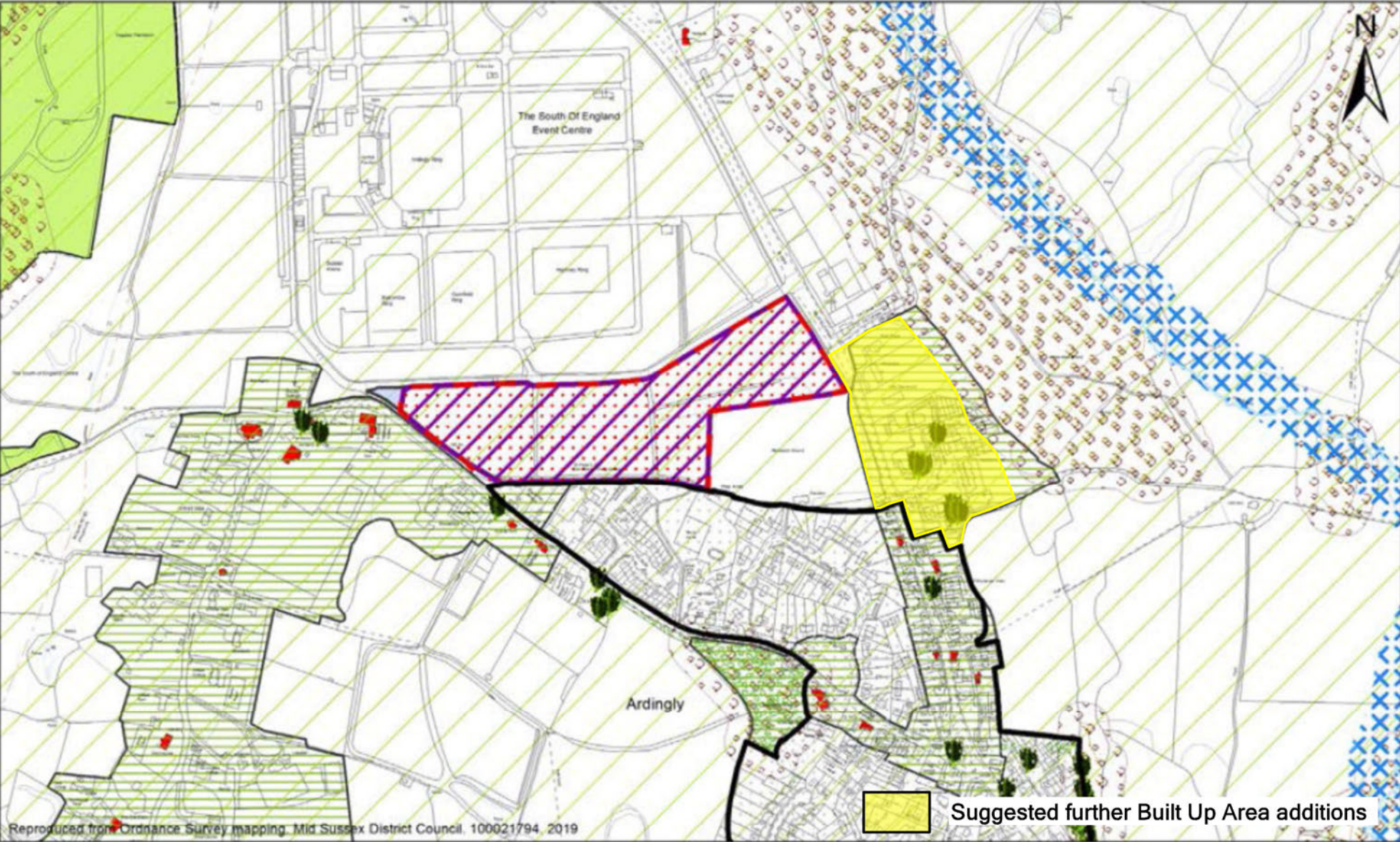
Yours faithfully

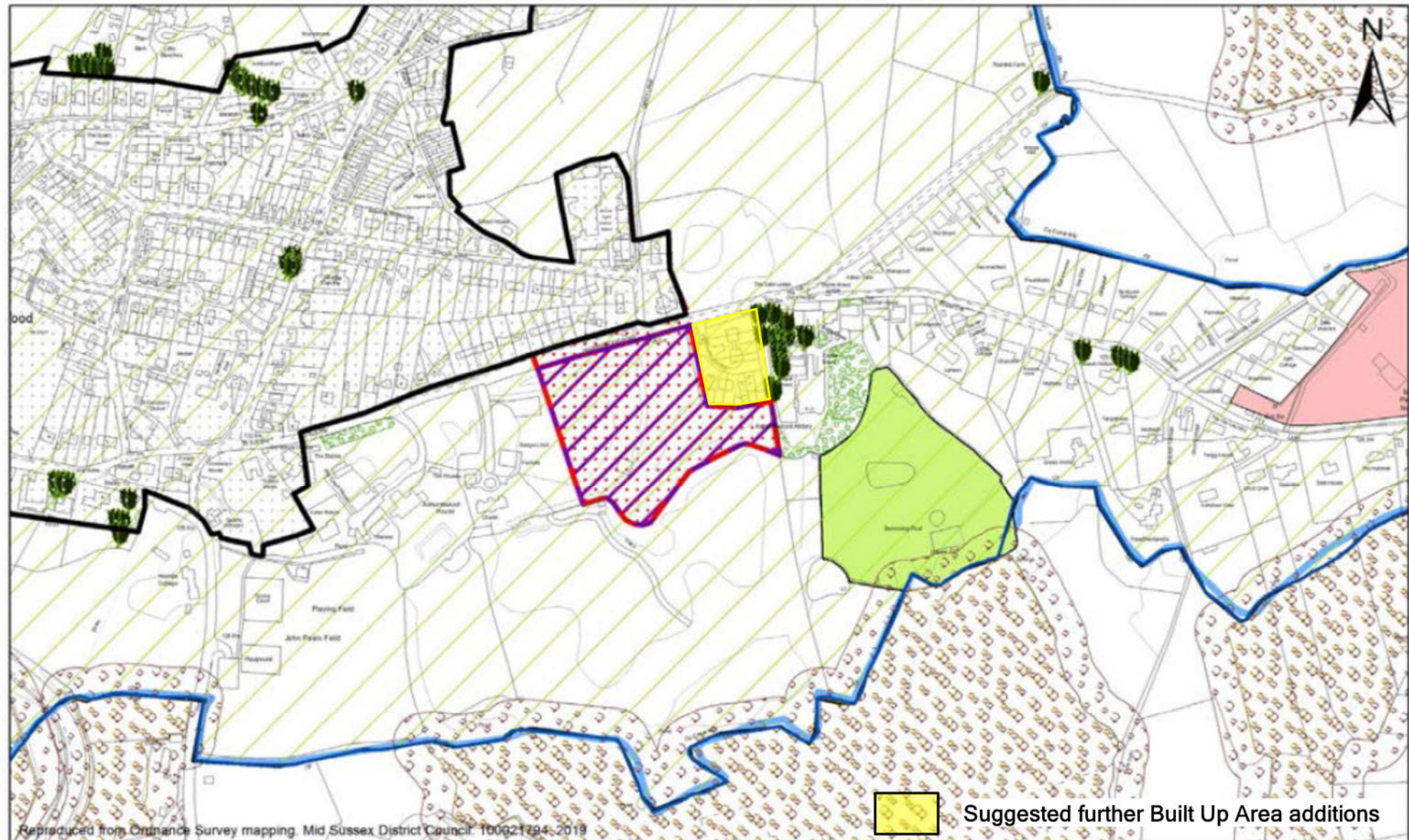
A handwritten signature in black ink that reads 'DMH Stallard LLP'.

DMH Stallard LLP

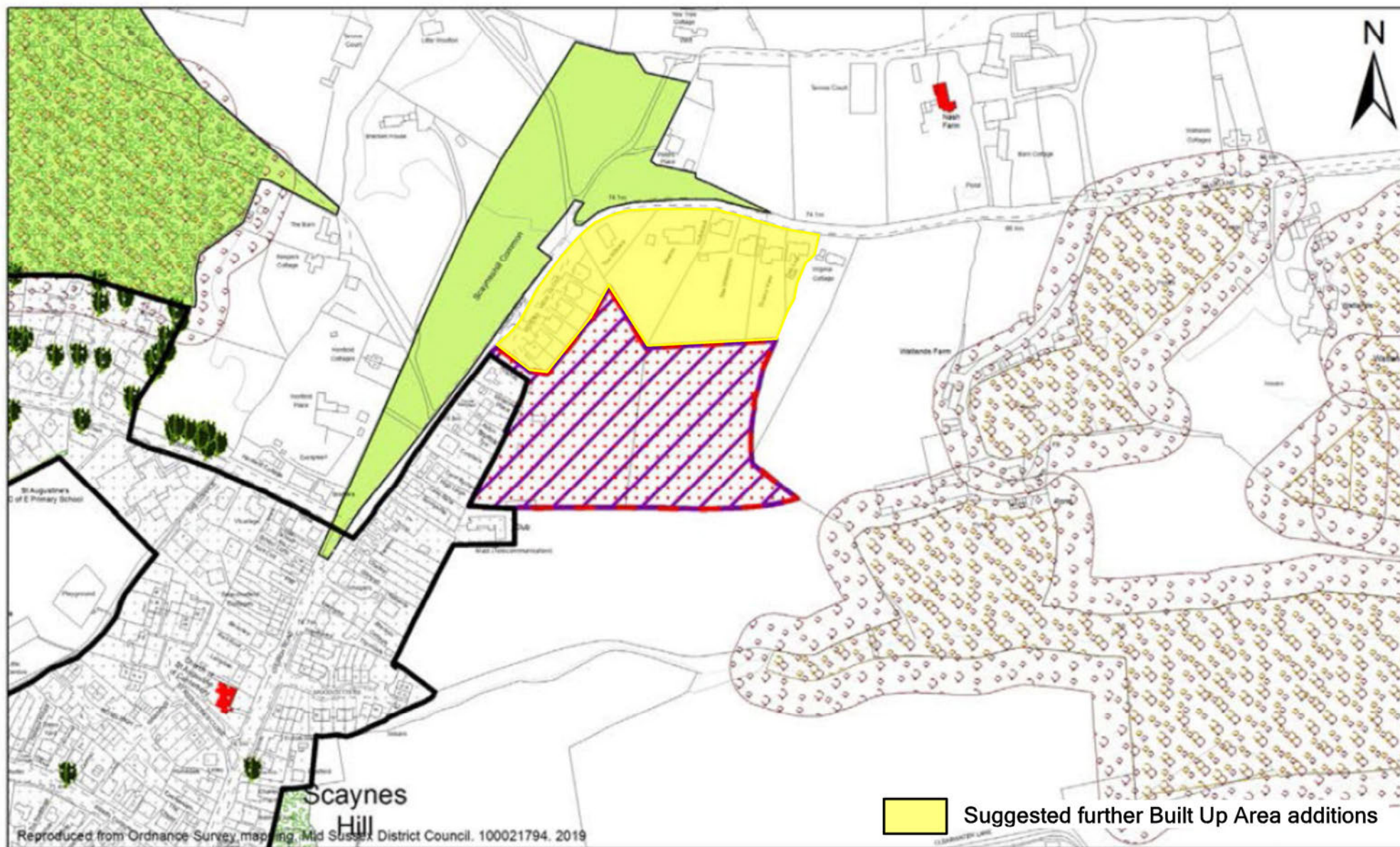


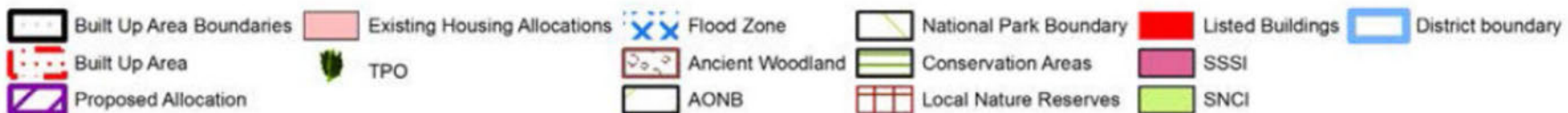
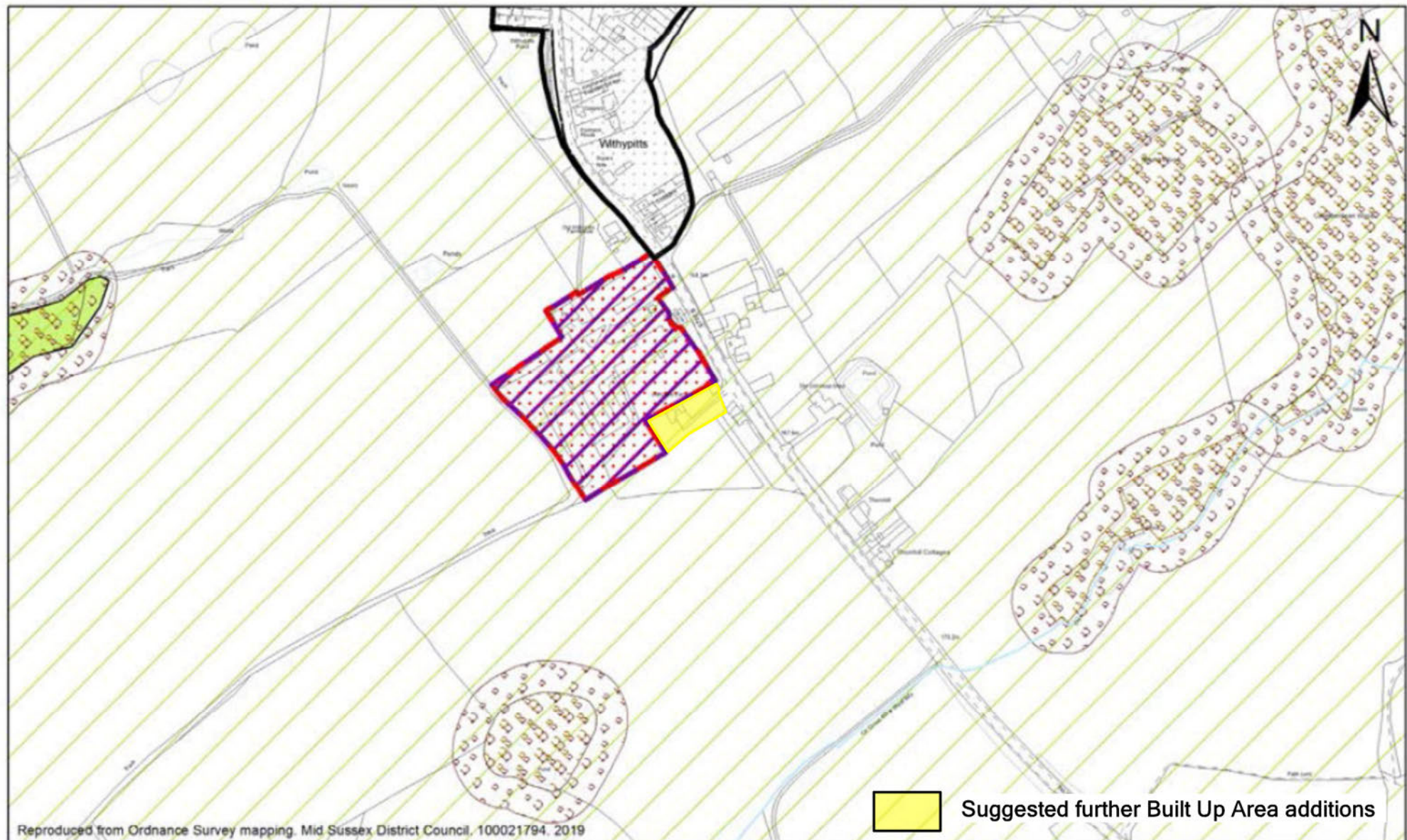






- | | | | | |
|---|------------------------------|------------------------|-----------------------|-------------------|
| Built Up Area Boundaries | Existing Housing Allocations | Flood Zone | Conservation Areas | SNCI |
| Built Up Area | TPO Area | Ancient Woodland | Local Nature Reserves | District boundary |
| Proposed Allocation | TPO | AONB | Listed Buildings | |
| BHNP Policy G4 (Local Green Space Area 2) | | National Park Boundary | SSSI | |





Site Allocations DPD: Regulation 19 Consultation Response**Code:** 1f**ID:** 762**Response Ref:** Reg19/762/1**Respondent:** Mr P Rainier**Organisation:** DMH Stallard**On Behalf Of:** Mr Simon Dougall**Category:** Developer**Appear at Examination?** x

From: Stevenson, Holly <Holly.Stevenson@dmhstallard.com>
Sent: 28 September 2020 17:06
To: ldfconsultation
Cc: Rainier, Peter
Subject: Representations - Mid Sussex Site Allocations DPD Regulation 19 Consultation (DMH Stallard Ref:218279-19)
Attachments: 22700559.pdf; SA31 additions.pdf

Dear Sirs,

**Land west of Nash Farm, Church Lane, Scaynes Hill.
Representations to the MSDC Site Allocations DPD (Regulation 19)
On behalf of Mr Simon Dougall / Greenplan Designer Homes**

Please find herewith, our representations in relation to the Mid Sussex Site Allocations DPD Regulation 19 consultation.

Regards

Holly Stevenson | Paralegal | Tel: +44 1293 663521
For and on behalf of DMH Stallard LLP
3rd Floor, Origin One, 108 High Street, Crawley, West Sussex, RH10 1BD



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Our approach to client service continuity during the COVID-19 outbreak

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

Date 28 September 2020
Your ref
Our ref 547

Dear Sirs

**Land west of Nash Farm, Church Lane, Scaynes Hill.
Representations to the MSDC Site Allocations DPD (Regulation 19)
On behalf of Mr Simon Dougall / Greenplan Designer Homes**

Built- up Area Boundary

For the reasons stated below we find the DPD 'unsound' and seek to reserve the right to appear at the examination.

The decision upon where a BUA boundary is to be located should generally be one of planning judgement based on the character of the locality and is normally drawn at a point where the character of the area changes from rural to urban. The proposed allocation to the south (Firlands) and the intervening residential development between the Nash Farm site and Firlands is one of established built form which should, therefore be included within the BUA of the village (as shown on the enclosed plan). Having objectively assessed the proposed 'Built-up Area Additions' as shown on the proposal map for Scaynes Hill we consider that a revision should be made to include the land to the north of Firlands to provide a consistent approach (please see plan enclosed).

Whilst the LPA indicated that they would reassess the Built-Up Area boundaries following the Reg 18 stage, there appears to be no published documentation on this process.

Yours sincerely

DMH Stallard LLP

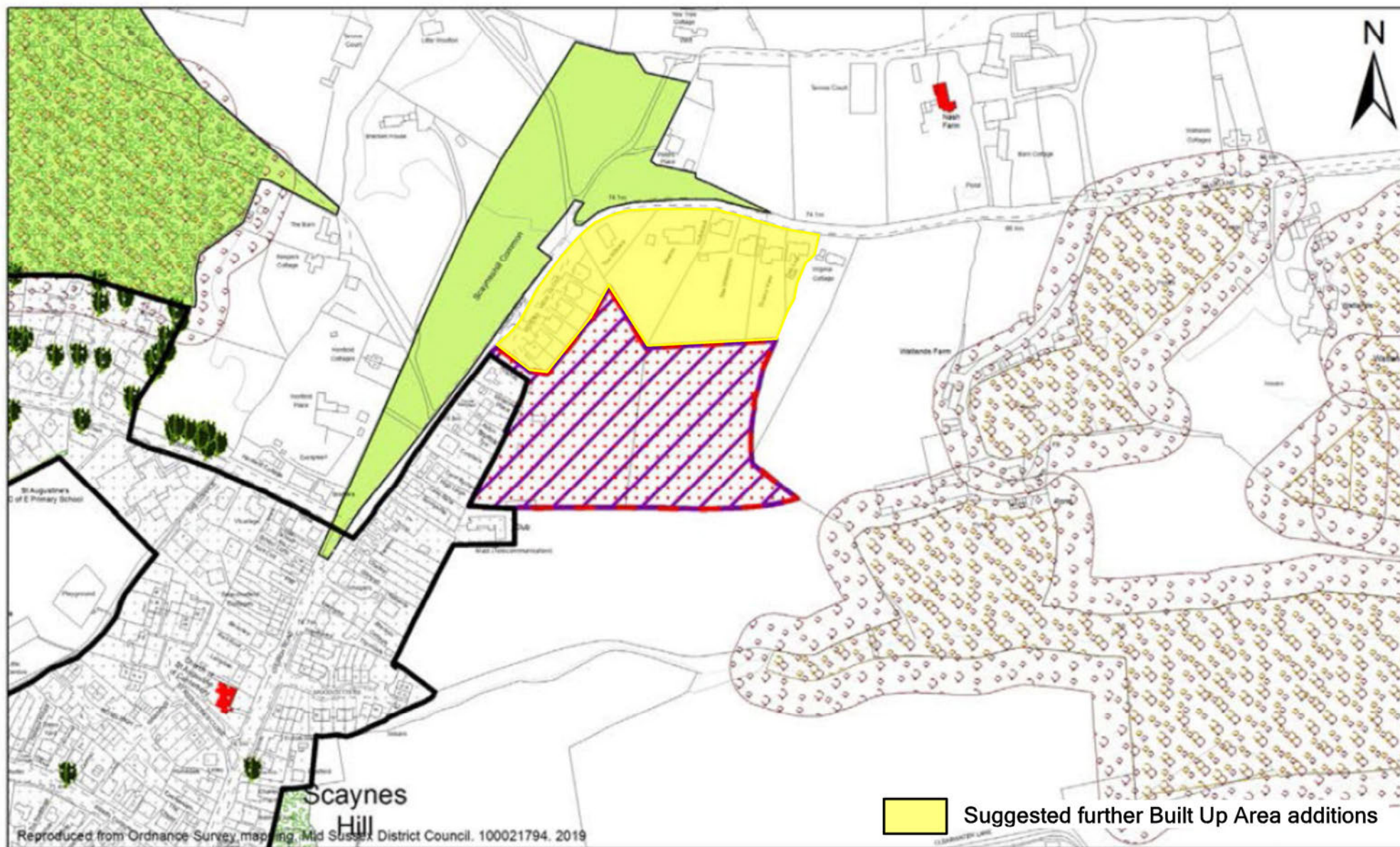
DMH Stallard

3rd Floor, Origin One 108 High Street Crawley West Sussex RH10 1BD **DX** 57102 Crawley
Main line 01293 605000 **Direct line** +44 129366 3521 **Fax** 01293 605080 **Email** Holly.Stevenson@dmhstallard.com

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1454

Site Allocations DPD: Regulation 19 Consultation Response

Code: 1f

ID: 1454

Response Ref: Reg19/1454/4

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? ✓

From: Steven Brown <S.brown@woolfbond.co.uk>
Sent: 11 September 2020 11:33
To: ldfconsultation
Subject: SADPD REPS - FAIRFAX ACQUISITION LTD
Attachments: SADPD Reps - WBP for Fairfax - Sugworth - 10 Sept 2020.pdf; SADP Form - WBP for Fairfax Acquisitions Ltd .doc

Sirs,

I refer to the above and attach a set of representations and a completed response form on behalf of our client, **Fairfax Acquisition Ltd.**

The supporting plans and particulars set out on page 2 of our representations are included in the below dropbox link and comprise as follows:

- 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)

https://www.dropbox.com/sh/j0irka2bpf9taa9/AACx09JVrr9d_2uYr7GKydeea?dl=0

I trust the above is clear welcome confirmation of registration of our representations by reply.

Yours faithfully,

Best wishes

Steven Brown BSc Hons DipTP MRTPI

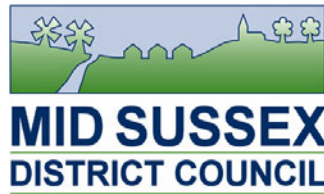
Woolf Bond Planning
The Mitfords
Basingstoke Road
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Reading
RG7 1AT

Tel: 01189 884923

Mobile: 07909 532675



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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



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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:

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

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

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:

	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.

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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

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

21

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.

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Allocations
DPD

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Policy SA

☐

Draft Policies Map

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No ☐

4b. Sound

Yes ☐

No ☒

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(4) Consistent with national policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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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.

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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.

1458

Site Allocations DPD: Regulation 19 Consultation Response

Code: 1f

ID: 1458

Response Ref: Reg19/1458/1

Respondent: Mr M Taylor

Organisation: Chilmark Consulting

On Behalf Of: Ms E Beckford

Category: Promoter

Appear at Examination? ✓

From: MJ Taylor - Chilmark <mike.taylor@chilmarkconsulting.co.uk>
Sent: 14 September 2020 15:36
To: ldfconsultation
Subject: Mid Sussex Site Allocations Development Plan Submission Draft - Representation on Behalf of E Beckford
Attachments: MSDC Site Allocations DPD - E Beckford Response F140920.pdf; Site-allocations-consultation-form - Ms Beckford 140920.pdf

Dear Sirs,

We are instructed by and write on behalf of Ms E. Beckford with respect to the current Mid Sussex Site Allocations Development Plan Document - Regulation 19 Submission Draft consultation.

Please find the attached representation letter and covering response form concerned with the Policies Map 19 and the designation of the 'Strategic Gap' shown in that map.

We would be grateful if you can confirm safe receipt of this representation and that it has been duly made. Please do contact us if you have any queries or would like clarification on this representation.

Regards,

MIKE TAYLOR

BsocSc (Hons) MSc MRTPI MIED
Managing Director



SHAPING OUR SUSTAINABLE FUTURE

M: 07961 735 235 T: 0330 223 1510
Cambridge House, Henry Street, Bath BA1 1BT

mike.taylor@chilmarkconsulting.co.uk chilmarkconsulting.co.uk



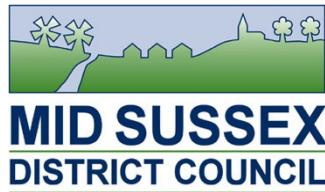
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 Think before you print.



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;
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- 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.

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Please return to Mid Sussex District Council by midnight on 28th September 2020

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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="Mr"/>
First Name	<input type="text" value="Mike"/>
Last Name	<input type="text" value="Taylor"/>
Job Title (where relevant)	<input type="text" value="Director"/>
Organisation (where relevant)	<input type="text" value="Chilmark Consulting Ltd"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text" value="Ms E. Beckford"/>
Address Line 1	<input type="text" value="Cambridge House"/>
Line 2	<input type="text" value="Henry Street"/>
Line 3	<input type="text" value="Bath"/>
Line 4	<input type="text"/>
Post Code	<input type="text" value="BA1 1BT"/>
Telephone Number	<input type="text" value="0330 223 1510"/>
E-mail Address	<input type="text" value="planning@chilmarkconsulting.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.

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Part B – Your Comments

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

Name or Organisation:

Ms E. Beckford

3a. Does your comment relate to:

Site Allocations DPD	<input type="checkbox"/>	Sustainability Appraisal	<input type="checkbox"/>	Habitats Regulations Assessment	<input type="checkbox"/>
Community Involvement Plan	<input type="checkbox"/>	Equalities Impact Assessment	<input type="checkbox"/>	Draft Policies Maps	Map 19

3b. To which part does this representation relate?

Paragraph	<input type="checkbox"/>	Policy SA	<input type="checkbox"/>	Draft Policies Map	Map 19 - Turners Hill
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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 ☐ 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 **6b**.

Please see attached representation

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

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.

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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.

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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 set out details for the benefit of the Inspector and to have the opportunity to discuss matters with the District Council concerning the defined Strategic Gap policy designation as it is shown in Policy Map 19 (Turners Hill).

The representor will wish to ensure that their views are comprehensively set out and discussed by way of oral evidence to the Examination.

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:



Date:

14th September 2020

Thank you for taking time to respond to this consultation



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

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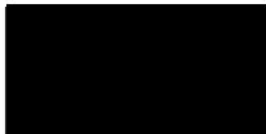
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☒

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☒

Signature:



Date:

14th September 2020

Thank you for taking time to respond to this consultation

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Dear Sirs

**MID SUSSEX DISTRICT SITE ALLOCATIONS DEVELOPMENT PLAN (JULY 2020) SUBMISSION
DRAFT: REPRESENTATION ON BEHALF OF MS. E BECKFORD**

We are instructed by and write on behalf of Ms E. Beckford with respect to the *Mid Sussex District Site Allocations Development Plan Document: Regulation 19 Submission Draft* (July 2020).

Thank you for the opportunity to review and comment on the Submission Draft Plan.

Matters of Concern

This representation is made with respect to **Policy Map 19 (Turners Hill)**.

The Policy Map includes a 'Strategic Gap' designation covering a large portion of the area around Turners Hill including land with which our client has an interest at Turners Hill Road.

The broad basis for the designation of the Crawley – East Grinstead Strategic Gap shown in Map 19 was through (now a former) policy CH3 (b) of the *West Sussex County Structure Plan 2001 - 2016*. That Plan was adopted in 2004, prior to the NPPF and operated in the period up to 2016. Its policies are out of date and therefore no longer form any material part of the relevant Development Plan for Mid Sussex District. Former policy CH3 does not, in any event accord with the national policies set out in the NPPF.

The designated Crawley – East Grinstead Strategic Gap area shown in Map 19 relates to the former *Mid Sussex Local Plan* (2004) (MSLP). Former policy C2 of the MSLP (see Chapter 3) established that Strategic Gaps had been defined and safeguarded as shown on the Development Plan Proposals Map for a number of locations, including Crawley and East Grinstead. The policy set out a highly restrictive approach to development in designated areas subject to criteria.

The evidence base for the identification and definition of the Crawley - East Grinstead Strategic Gap was set out in a 'Technical Report' as part of the preparation of the MSLP. Paragraph 3.28 of the MSLP

confirmed that the 'Technical Report' identified assessment criteria and boundaries for the Strategic Gap. That Technical Report is however no longer available as part of the planning policy evidence base for the District. The Report pre-dates the completion of the MSLP and the assessment set out within it is therefore at least some 16-18 years old now. There has been no systematic or comprehensive update of the supporting evidence since then despite evident changes to development requirements, spatial strategy and both national and local planning policies relevant to Mid Sussex.

Ms Beckford therefore objects to the continued designation of the Crawley – East Grinstead Strategic Gap as:

1. former Policy C2 was not 'saved' when the new *Mid Sussex District Plan 2014 – 2031* was adopted in 2018 as Appendix 3 of the Plan sets out (page 115). The Strategic Gap designation is not referenced or set out anywhere in the policies or supporting text of the District Plan. It therefore follows that MSLP Policy C2 no longer forms any part of the extant Development Plan for the District.
2. the evidence base that underpinned the definition of the extent of the Crawley – East Grinstead Strategic Gap designation was not reviewed, updated or evaluated as part of the preparation of the current District Plan. Furthermore the evidence and justification for the Strategic Gap has not been reviewed or updated during the preparation of the *Submission Draft Site Allocations Development Plan*.

Soundness of the Draft Plan and Policies Map

There is no justified policy basis or current evidence that supports the continued designation of the Crawley – East Grinstead Strategic Gap as designated on Map 19 of the Site Allocations DPD Policies Map.

The *Site Allocations Development Plan Document* Policy Map 19 is unsound as the Strategic Gap designation is not:

- **Positively prepared** – the Strategic Gap designation represents a highly restrictive policy that has not been positively or proactively assessed in relation to the District's evident current or future development needs and is simply a roll-forward of a previous policy related wholly to the withdrawn/out-dated West Sussex County Structure Plan and MSLP;
- **Justified** - in relation to up-to-date analysis, assessment and review of the landscape evidence to support the designation of the Strategic Gap;

- **Effective** – as the Strategic Gap designation does not represent a justified and evidenced approach to the best use and optimisation of land and sites in the Crawley – East Grinstead area, including the future use of land at and adjacent to Turners Hill;
- **Positively prepared** – there is no extant national or local policy basis for the continued designation of the Strategic Gap and it is inconsistent with the District's own policies for protection and enhancement of the countryside (policy DP12). Furthermore, the former policy C2 is not saved and did not, in any event, set express criteria to be used in measuring whether or not harm would occur or the methods and credentials for assessing any such harm and the mitigation necessary. There has been no up-to-date assessment of the Strategic Gap areas set out in former policy C2.

Changes Necessary to Make the Draft Plan Sound

It is concluded that the nature and extent of the deficiency in the Draft Site Allocations DPD concerning Map 19 (Turners Hill) and the inclusion of the Strategic Gap designation are significant.

The approach taken by MSDC to continue this designation is plainly flawed, but this situation is capable of correction through modification of the Policies Map 19 (and other Policies Maps showing the same Strategic Gap designation) as follows:

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Ms Beckford reserves the right to make further submissions on this matter in due course as necessary. We would be grateful if you will confirm safe receipt of this representation and the matters set out herein.

Yours sincerely,



MIKE TAYLOR BsocSc (Hons) MSc MRTPI MIED
Director, Chilmark Consulting Ltd.

For and on behalf of Ms E. Beckford

14th September 2020

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1781

Site Allocations DPD: Regulation 19 Consultation Response

Code: 1f

ID: 1781

Response Ref: Reg19/1781/1

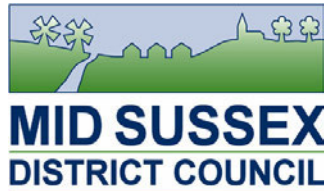
Respondent: Mrs L Jackson

Organisation: Jackson Planning Ltd

On Behalf Of: Hartmires Investment Ltd

Category: Promoter

Appear at Examination? x



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Job Title (where re evant)	<input type="text"/>
Organisation (where re evant)	<input type="text" value="Jackson Planning Ltd"/>
Respondent Ref. No. (f known)	<input type="text"/>
On behalf of (where re evant)	<input type="text" value="Hartmires Investment Ltd"/>
Address Line 1	<input type="text" value="C/o Jackson Planning Ltd"/>
Line 2	<input type="text" value="Fox Barn"/>
Line 3	<input type="text" value="Lower Chute"/>
Line 4	<input type="text" value="Andover, Hants"/>
Post Code	<input type="text" value="SP11 9DU"/>
Telephone Number	<input type="text" value="0755 400 6494"/>
E-mail Address	<input type="text" value="lisa@jacksonplanning.com"/>



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:

Hartmires Investments Ltd

3a. Does your comment relate to:

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

3b. To which part does this representation relate?

Paragraph	<input type="checkbox"/>	Policy SA	<input type="checkbox"/>	Draft Policies Map	<input checked="" type="checkbox"/>
-----------	--------------------------	-----------	--------------------------	--------------------	-------------------------------------

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 6b.

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

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.

The site allocations DPD includes on the proposals map the annotation of 'strategic gap' on Map 19 for Turners Hill. This is unsound because the policy underlying the annotation has been superseded and is out of date and is inconsistent with the NPPF.

The allocation of a strategic gap needs to be consistent with the National Planning Policy Framework (NPPF20) a strategic policy should set out an overall strategy for the pattern, scale and quality of development.

Therefore, strategic policies of restraint can only be consistent with this aim if they set out an overall strategy for the pattern, scale and quality of development. The Sites Allocation DPD is not the strategic plan and therefore cannot set out a policy of restraint. There is no policy in the regulation 19 consultation draft of the DPD that deals with the policy justification for either strategic or local gaps.

There is further confusion as the 'Key Diagram' plan on page 13 of the document does not contain the strategic gap so it is inconsistent with the inset plan 19 which contains the error.

The DPD that set out the overall strategy for the pattern, scale and quality of development is the District Plan adopted in March 2018. This contains the spatial strategy for the District. The proposals map for the adopted District Plan contains policy DPI3 'Preventing Coalescence' and annotations for strategic gaps, however when examined in detail these are referenced to Policy D13 as 'local gaps'.

There is an inconsistency in policy DPI3 as the plan does not allocate strategic gaps, as it incorrectly rolls forward the former strategic gaps of the Local Plan 2004 and refers to local gaps being allocated in NDPs or in the Sites Allocation DPD when certain conditions are met. The former policy C2 of 2004 Local plan entitled 'Strategic Gaps' was superseded by Policy DPI3 'Preventing Coalescence'.

The mistake on the 2018 Local Plan annotated maps must not be repeated in the sites' allocation DPD. The gaps shown on the proposal maps are not strategic gaps as that policy was superseded.

The conditions attached to identifying local gaps are set out in policy DPI3 as follows:

Local Gaps can be identified in Neighbourhood Plans or a Site Allocations Development Plan Document, produced by the District Council, where there is robust evidence that development within the Gap would individually or cumulatively result in coalescence and the loss of the separate identity and amenity of nearby settlements. Evidence must demonstrate that existing local and national policies cannot provide the necessary protection.

The Turners Hill Neighbourhood Plan does not include any evidence that development within the gap would result in coalescence. The policy protection under DPI2 and the NPPF provide the necessary protection.

The strategic gap annotation on inset Map 19 is not positively prepared as it adds an unnecessary and unjustified constraint to development.

The strategic gap annotation on inset Map 19 is not justified by an up to date policy or robust evidence.

The strategic gap annotation on inset Map 19 is not effective – as it has no relevant policy base, and has no robust evidence.

The strategic gap annotation on inset Map 19 is not consistent with National Policy as NPPF20 requires that a strategic policy should set out an overall strategy for the pattern, scale and quality of development and none are provided in the DPD that support a strategic gap at Turners Hill

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.

In order to make the DPD sound Map 19 Turners Hill must be revised to remove the strategic gap annotation as this policy has been superseded.

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)

☒ x

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 | <input checked="checked" type="checkbox"/> |
| (ii) The publication of the recommendations from the Examination | <input checked="checked" type="checkbox"/> |
| (iii) The Site Allocations DPD is adopted | <input checked="checked" type="checkbox"/> |

Signature:



Date:

25 September 2020

Thank you for taking time to respond to this consultation

2001

Site Allocations DPD: Regulation 19 Consultation Response

Code: 1f

ID: 2001

Response Ref: Reg19/2001/3

Respondent: Mr H Lindley-Clapp

Organisation: Nexus Planning

On Behalf Of: Frontier Estates _Hassocks

Category: Promoter

Appear at Examination? x

From: Heather Lindley-Clapp <h.lindley-clapp@nexusplanning.co.uk>
Sent: 28 September 2020 18:43
To: Idfconsultation
Cc: Sophie Bleasdale; Peter Tooher
Subject: Site Allocations DPD - Submission of Representations on Behalf of Frontier
Attachments: 200928_Site Allocations DPD_Frontier Reps.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam

Please find attached representations made on behalf of Frontier Estates in respect of the Site Allocations DPD Consultation Draft.

I would be grateful if you could confirm receipt of this email and the attached representations.

We look forward to discussing the matters further with the Council.

Kind regards

Heather

Heather Lindley-Clapp
Associate Director

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28th September 2020

By Email: LDFconsultation@midsussex.gov.uk

Dear Sir/Madam

**Mid Sussex District Council Site Allocations Development Plan Document
Representation to Site Allocations Development Plan Document (Regulation 19) Submission Draft
Consultation on behalf of Frontier Estates.**

Introduction

We write on behalf of Frontier Estates to make formal representations to Mid Sussex District Council in respect of the consultation on the Site Allocations and Development Plan Document (DPD) (Regulation 19) Submission Draft.

The District Plan sets out the housing and employment needs for the district for the period to 2031 and committed the Council to preparing a Site Allocations DPD in order to find sufficient housing and employment sites to meet the remaining need. As such, the Submission Draft Site Allocations DPD recommends allocation of 22 housing sites; seven employment sites; and a Science and Technology Park.

The purpose of this representations is to provide information on a site that is currently omitted from the Site Allocations DPD as suitable for development. The site of relevance is the land at Byanda, Brighton Road, Hassocks (suitable for both residential and Class C2 Uses). The site already benefits from an extant permission for substantial intensification of uses for residential development (permission reference DM/16/4514).

A location plan of the site is provided at Appendix A and proforma setting out the sites' deliverability and suitability for Class C2 and C3 uses is provided at Appendix B.

We note that the Council is also recommending to alter the defined settlement boundary in order to accommodate one of the suggested residential allocations. As such, we also seek to provide additional

commentary in respect of the Council's approach and propose an amendment to the settlement boundary at Hassocks to reflect the urban form of the settlement and include the Byanda site.

At the outset, it is important to note that Frontier Estates support Mid Sussex Council's decision to produce a new Local Plan Site Allocations DPD to ensure that there are sufficient sites to meet the identified housing need for the district up to 2031 as this will ensure that planning policy remains effective in addressing the physical constraints of the borough and approaching the projected demographic change that will occur during the New Local Plan period.

Representations

We provide below a summary in respect of the site of relevance to these representations.

Land at Byanda, off Brighton Road, Hassocks

The site is located to the south-west of Hassocks on the east side of the A273 Brighton Road, south of Stone Pound cross-roads, South Bank and Pound Gate, and to the North of the South Downs Garden Centre.

The site comprises approximately 0.4 hectares of land to the east of Brighton Road, Hassocks. The site is currently occupied by one detached dwelling, a dome, landscaping and areas of hardstanding used for driveway access. The site forms a dwelling and its residential curtilage surrounded by hedging, vegetation and matures trees to the boundaries, at a level lower than adjoining land.

The site holds extant permission for the intensification of the site's development, in the form of Planning permission ref. DM/16/4514. This application for the demolition of the detached dwelling and the erection of four detached dwellings, two garages and landscaping was granted for on the site in December 2016 and confirms the principle of redeveloping the site for residential use and making more effective use of the land.

Separating the land from Brighton Road to the west are a pair of two-storey, detached dwellings. To the east, an additional three dwellings separate the land from The Weald Tennis and Squash Club. Immediately south of the site, across a dirt track road, is the South Downs Nurseries. Pound Gate cul-de-sac is located to the north of the site. The existing access is via a driveway from Brighton Road located to the north west corner of the site and shared with the adjoining property to the east, Faerie Glen.

More broadly, the site is located approximately 650m south-west of Hassocks Village Centre where a number of amenities including grocery stores, a post office, and several eating and drinking establishments are located. Hassocks Health Centre is located less than 1km east of the site and is approximately five minutes away by car. The site is located 0.4 miles from Hassocks Train Station which provides two services every hour to Cambridge, Brighton, and London Victoria via Gatwick Airport. In addition, there are two bus stops within 200m of the site that provide access to Brighton, Kemp Town, Crawley, Haywards Heath and East Grinstead.

A bus stop situated less than 100m north of the site at Stonepound Crossroads provides hourly services to Brighton and Kemp Town, whilst a bus stop to the south, opposite the South Downs Garden Centre, benefits from services to Crawley every 30 minutes, and East Grinstead/Haywards Heath every two hours.

The South Downs Garden Centre is located immediately south of the site and is the largest of the Tate's of Sussex Garden Centre facilities. Together with the South Downs Heritage Centre, also run by the Tate's of Sussex, the facility comprises approximately 14,000 square metres of floorspace to the south of the site off Brighton Road. An application in November 2013 granted permission for the replacement of the greenhouse café with taller oak barns to accommodate a café, the heritage centre, classroom space and kitchens. This redevelopment

of the garden centre opened in 2016 enabling the centre to hold a number of sewing and craft workshops as well as a popular food hall and Gardening Museum.

As such, it is clear that site is located within a sustainable area that benefits from several local amenities and attractions within a suitable distance from the site, making this a prime location on the edge of the parish for older persons to enjoy the convenience of services whilst also enjoying the views and location adjacent to the countryside. Furthermore, the presence of the South Downs Garden and Heritage Centre to the immediate south of the site shields the site from impacting upon the South Downs National Park. A site location plan is appended to this representation at Appendix A.

Allocation of Sites

The Site Allocations DPD allocates just one site for C2 Uses – Site SA20, known as land south and west of Imberhorne Upper School, East Grinstead. It is our client's view that just one single allocation for a Class C2 care home across the plan period in the authority area does not suitably meet the identified requirements within Mid Sussex, particularly in light of the uncertainty of the deliverability of the site including wider land ownership issues.

In this regard, the Mid Sussex Council's Strategic Housing Market Assessment (SHMA) of housing needs in 2009, and the subsequent update in 2013, demonstrates a need for improved provision for the elderly population, with paragraph 8.99 stating that: **'The projected growth of single person households is a significant national trend driven by a range of factors such as increasing older age single person households'**

Paragraph 8.103 goes on to state that: **'Providing a choice of appropriate housing for older people is essential to help encourage opportunities for downsizing or move into accommodation more appropriate for their needs (the Lifetime Homes Standard will assist in this respect). This will assist in releasing a supply of existing housing for younger households to occupy and thereby make better use of the existing stock supply.'**

Given the identified demand for additional care home bedspaces within Mid Sussex, we request that the Council revisits its Class C2 allocations within the Site Allocations DPD and seeks to appropriately allocate sites within the adopted plan for such uses.

It is important to also refer to the very recent appeal decision relating to the site of the former Hazeldens Nursery on London Road, Albourne for the erection of a Class C2 extra care development (appeal reference APP/D3830/W/19/3241644). The appeal was allowed by the Inspector Christina Downes on 11 September 2020.

The appeal relates to an outline application for up to 84 extra care units, with associated communal facilities and highways works. As the Council is aware, there is a key matter of relevance in respect of the allocation of the site at Brighton Road, Hassocks, in that it refers specifically to the identified need and demand for additional Class C2 developments within Mid Sussex.

In terms of meeting the need for extra care living, the Inspector is very clear in her conclusions in respect of the need within Mid Sussex for additional Class C2 beds, along with the requirement for the Council to allocate appropriate sites within the development plan for such uses. In this regard, Inspector Downes states at paragraphs 92 and 93 that:

'Whilst there is no requirement in national policy or guidance to specifically allocate sites for specialist housing for older people, the *Planning Practice Guidance* does indicate that this may be appropriate where there is an unmet need. The response in Mid Sussex is to apply a flexible approach through policy DP30 and the Council pointed out that the strategic allocations include provision for a range of housing, including for older people. Policy DP30 also indicates that further allocations may be made in the SA DPD if a shortfall is identified. Policy DP25 has a similar

provision to meet local needs for community facilities, which include care homes and specialist housing. In the SA DPD there is a single residential allocation in East Grinstead that includes a “care community”. There is though no detail as to the number or type of units and, in any event, the emerging status of the document means that very little weight can be given to it at the present time.

In the circumstances I consider that the evidence indicates a significant level of current unmet need, in particular for extra care leasehold housing, whichever provision rate is adopted. Furthermore, this will significantly increase over the local plan period. This situation has not been helped by the slow progress on the SA DPD and the failure to recognise an unmet need that is clearly evident. The Council’s riposte that it is not being inundated by enquiries or applications for this type of development does not seem to me to be a very robust or objective yardstick on which to rely. For all of these reasons I consider that the provision of extra care units by the appeal development to be a matter of substantial weight. (our emphasis added).

There is a clear established need for additional C2 developments within Mid Sussex as evidenced by the appellant within their appeal documentation, which was accepted by the Inspector in her decision. In this regard, it is also recognised by the Inspector that allocating sites within the development plan would be appropriate and necessary given this substantial requirement within the authority area. Indeed, our client has made it very clear that there is a genuine requirement for such uses within Mid Sussex as a whole, and Hassocks.

It is clear that the Byanda site in Hassocks is a suitable, achievable and sustainable location for the provision of C2 uses. This is reflected in pre-application responses from the Council and the design review panel on an emerging application for the site. The site is suitably located and available for development to meet the needs of the ageing population. Particularly, in light of recent health crises, the importance of the identification of sites within the development plan to deliver high quality, modern and dedicated facilities is considered by Frontier Estates to be of the utmost importance. Further details in respect of the sites suitability and deliverability for Class C2 Uses are provided at Appendix B.

We therefore formally request that the Council updates the Site Allocations DPD to allocate the Byanda site to meet the identified need for additional care home facilities within Mid Sussex. The current Class C2 allocation at Imberhorne Upper School is insufficient to meet this identified demand, and therefore the Plan as currently drafted has not identified sufficient allocations to respond directly to residents’ needs.

In light of the above and the additional evidence provided at Appendix B, we request that the Council includes the land at Byanda, Hassocks, measuring 0.4ha for Class C3 and Class C2 Uses within the Site Allocations DPD.

Built Up Area Boundary

It is noted that the defined Built Up Area Boundaries for both Haywards Heath and Hassocks are proposed to be extended to include the site allocations SA21 and SA24. Therefore, it is clear that when appropriate and to accommodate suitable sites, the Council will extend the defined Built Up Area Boundary.

In this regard, the Mid Sussex District Plan Core Strategy Policy DP12 regarding the protection and enhancement of Countryside states that Built-Up Area boundaries are subject to review through a Site Allocations Development Plan Document and that landscape evidence such as the Mid Sussex Landscape Capacity Study (2007) which forms part of the evidence base for the Core Strategy, will be used to assess the impact of development on proposals on the quality of rural and landscape character.

Given the representations made above in respect of the site at Byanda, Hassocks, we also consider it necessary for the Council to amend the defined Built Up Area Boundary to appropriately include the site in Hassocks within the defined boundary, and in doing so, ensure a consistent approach is being applied across the authority

area. Indeed, it would be appropriate and logical for the Council to review the Built Up Area Boundary as a whole around Hassocks to take account of all built form and areas which are evidently urban in character.

The site at Byanda in Hassocks is surrounded by built development and already naturally forms part of the built up area of the settlement. In this regard, on the south side in particular by the South Downs Garden Centre where the proposed SAPD's designation of the Garden Centre to the immediate south of the site under SA34 for Existing Employment Sites supports the potential expansion of the commercial site. The site also benefits from extant permission for intensified residential uses.

It is considered that the site is not important visually, historically or with regard to biodiversity. It does not serve the purposes of Countryside with regard to views protection from the South Downs National Park. The site is entirely surrounded by urbanised area and is a previously developed site itself. It does not prevent coalescence and is not designated as a local gap.

This is evidenced further by the lack of assessment of the site within the Mid Sussex Landscape Capacity Study (2007), which assesses all landscape areas outside of the built development boundaries within Mid Sussex. Importantly, the Byanda site was not included in this study.

As such, as the site at Brighton Road has not been assessed within the landscape capacity study, cited by Policy DP12, and is therefore not of notable landscape quality, it is concluded that the development of the site upon the quality of the rural and landscape character will not be significant. It can only be concluded that the site has limited capacity as a valued landscape with visual or biodiversity qualities worthy of protection under this designation. It is considered that a failure to extend the built up area boundary for Hassocks to include an established built up area would be contradictory to the purpose of the boundary which is to reflect the line which forms the edge of the settlement.

As a consequence, we request that the Council amends the built up area boundary as to ensure that DP12 designates areas worthy of visual, historic and biodiversity qualities as to not undermine a core strategic policies.

Summary

It is the opinion of Frontier Estates that careful consideration needs to be given to the site allocations that will form the basis for growth to address unmet housing need across the Borough and support the future growth of Mid Sussex.

In this regard, we formally request that the Council:

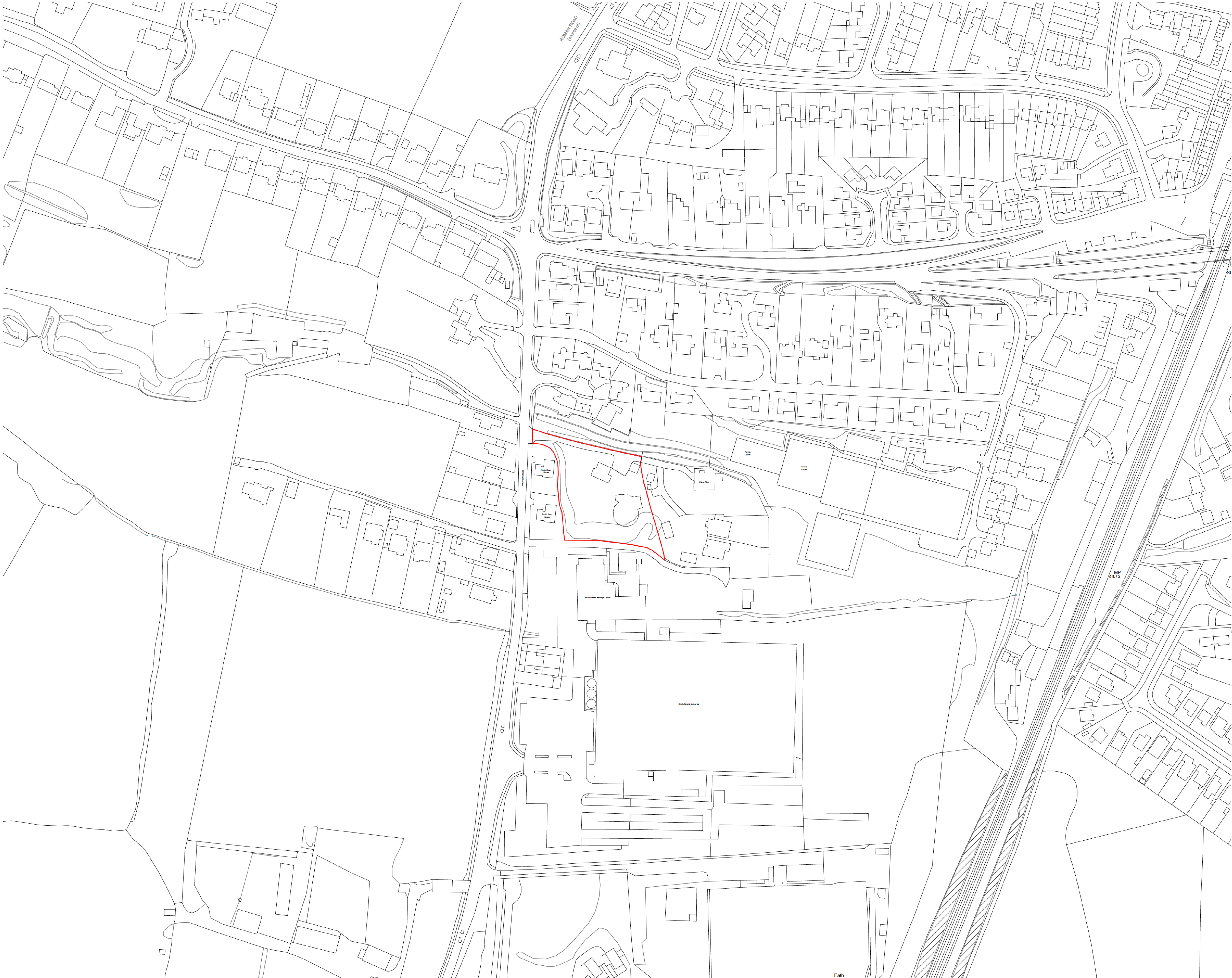
1. Allocates the site at Byanda, Brighton Road, Hassocks for Class C3 and Class C2 Uses; and
2. Amends the Built Up Area Boundary to the south of Hassocks to include the land at Byanda.

We trust these representations will be taken into account during the review of the consultation during the examination of the Site Allocations DPD. Should you have any queries or require any additional information, please do not hesitate to contact us.

Yours sincerely

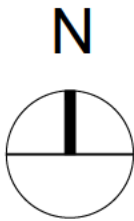
Nexus Planning

Appendix A: Site Location Plan



Contractors and consultants are not to scale dimensions from this drawing

The mapping data was prepared by a third party and Broadway Malyan Limited does not accept responsibility for the accuracy or completeness of the data or any information contained therein.



Site boundary

Revision	Date	Description
----------	------	-------------

BroadwayMalyan^{BM}

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E: bm@broadwaymalyan.com

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Client
Fronteir Estates
Project
**Hassocks
Byanda**
Description
Location Plan

Status Planning	Drawn By RS	Date May 2020
Scale 1:1250@A1	Drawing Number A-01-001	Revision /
Job Number 34484		

Original size 100mm @ A1 Copyright Broadway Malyan Limited

Appendix B: Site Proforma

Appendix B – Byanda, Brighton Road, Hassocks
Site Proforma

Byanda, Brighton Road, Hassocks	
	
Description	Proposed Housing Allocation (inclusive of C2 and C3 Use)
Site Size	0.4ha
Current Use	The site is currently occupied by one detached dwelling, a dome, landscaping and areas of hardstanding used for driveway access
Relevant Planning History	Planning permission for the demolition of the detached dwelling and the erection of four detached dwellings, two garages and landscaping was granted for on the site in December 2016 (DM/16/4514).
Proposed Use	The development of a specialist Care Home Facility (C2 use) managed by a healthcare provider.
Environmental Considerations	A preliminary Ecological Appraisal has been undertaken and considers that the site is only considered to have moderate ecological value. The appraisal identifies a number of mitigation options which will ensure that adverse impacts are avoided and that any unavoidable residual impacts can be compensated for.
Highways Considerations	A Transport Assessment has been undertaken for the site and confirms that the site is well located for trips to day-to-day facilities and that the proposed care home would generate low numbers of vehicle movements in any event. As such, it is considered that the development proposals are not likely to lead to a material impact on the operation of the local highway network. Overall the proposal is considered acceptable in highways and transport terms.
Ground Contamination	No issues with regard to ground contamination.
Heritage	The site does not comprise a heritage asset and there are no listed buildings on or within the immediate vicinity of the site. The site is not within a conservation area.
Summary and Conclusion	It is clear that site is located within a sustainable area that benefits from several local amenities and attractions, and would not raise any concern from highways, ecology or heritage perspectives. As such, the site is concluded to be both Deliverable and Developable.

2080

Site Allocations DPD: Regulation 19 Consultation Response

Code: 1f

ID: 2080

Response Ref: Reg19/2080/2

Respondent: Mr A Black

Organisation: Andrew Black consulting

On Behalf Of: Vanderbilt homes - CDR

Category: Promoter

Appear at Examination? x

From: Andrew Black <andrew@andrewblackconsulting.co.uk>
Sent: 28 September 2020 14:24
To: Idfconsultation
Subject: Site Allocations DPD (Regulation 19) Consultation
Attachments: Draft Site Allocations DPD (Reg 19) Consultation - Land at Hurstwood Lane - ABC obo Vanderbilt Homes.pdf; Draft Site Allocations DPD (Reg 19) Consultation - Land South of 61 CDR - ABC obo Vanderbilt Homes.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: TBC

Dear Sir / Madam

I attach two separate representations on behalf of my client, Vanderbilt Homes, in respect of the Site Allocations DPD (Regulation 19) Consultation.

With thanks

Andrew Black

Andrew Black

07775 912 653

www.andrewblackconsulting.co.uk





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.

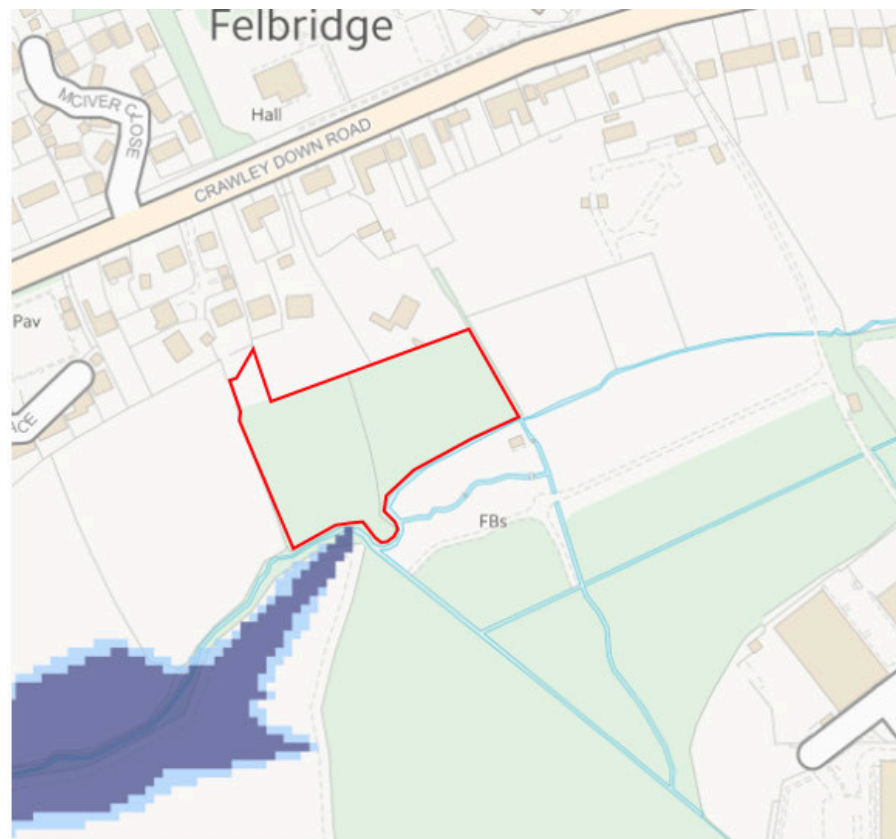


Figure 2 Extract from Environment Agency Flood Risk Map

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.

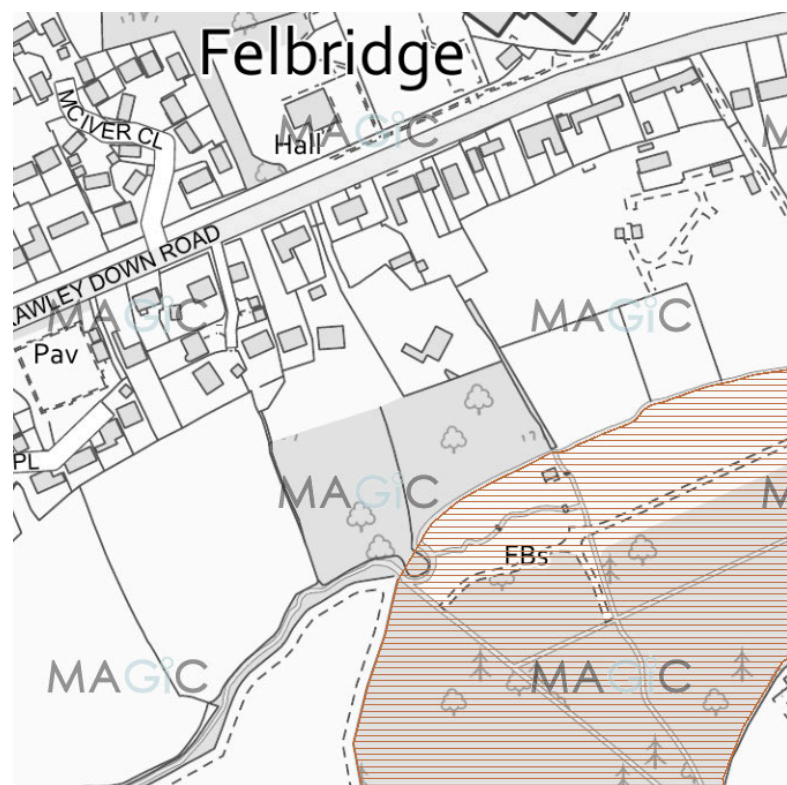


Figure 3 Location of Ancient Woodland

- 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).

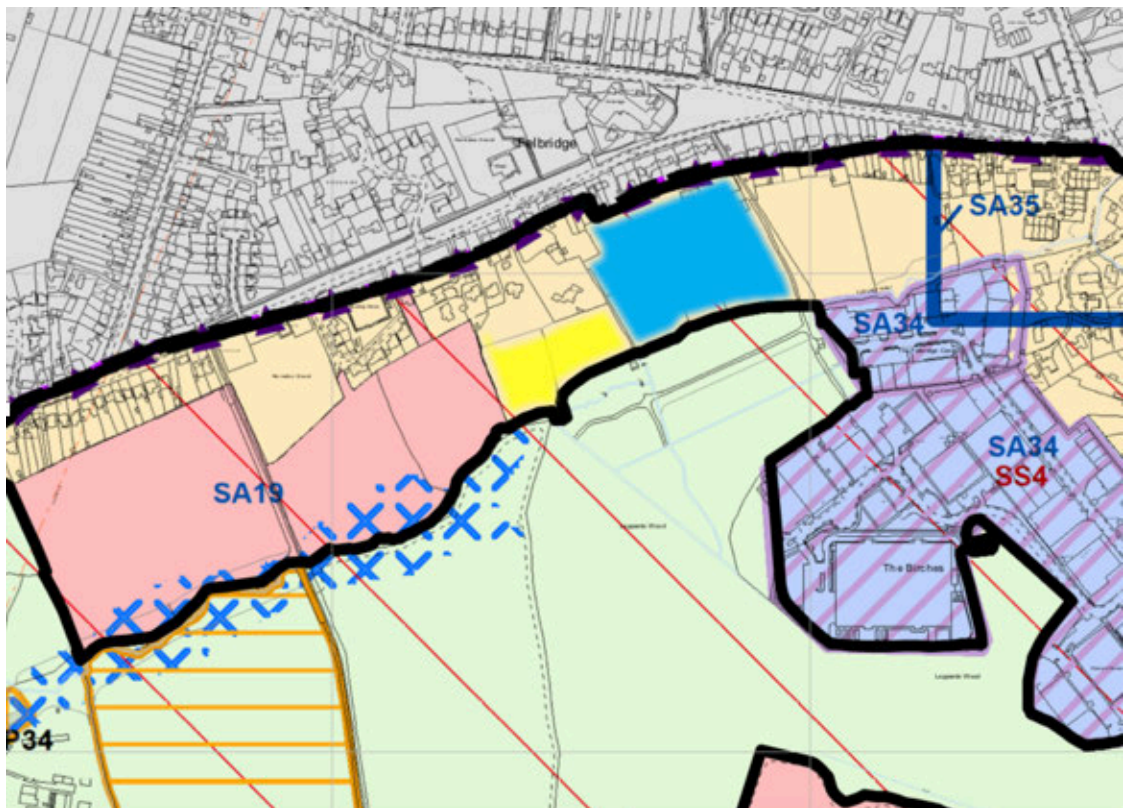


Figure 7 Map of proposed allocation SA19, BUAB, Consented Land and Proposed Site

- 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.

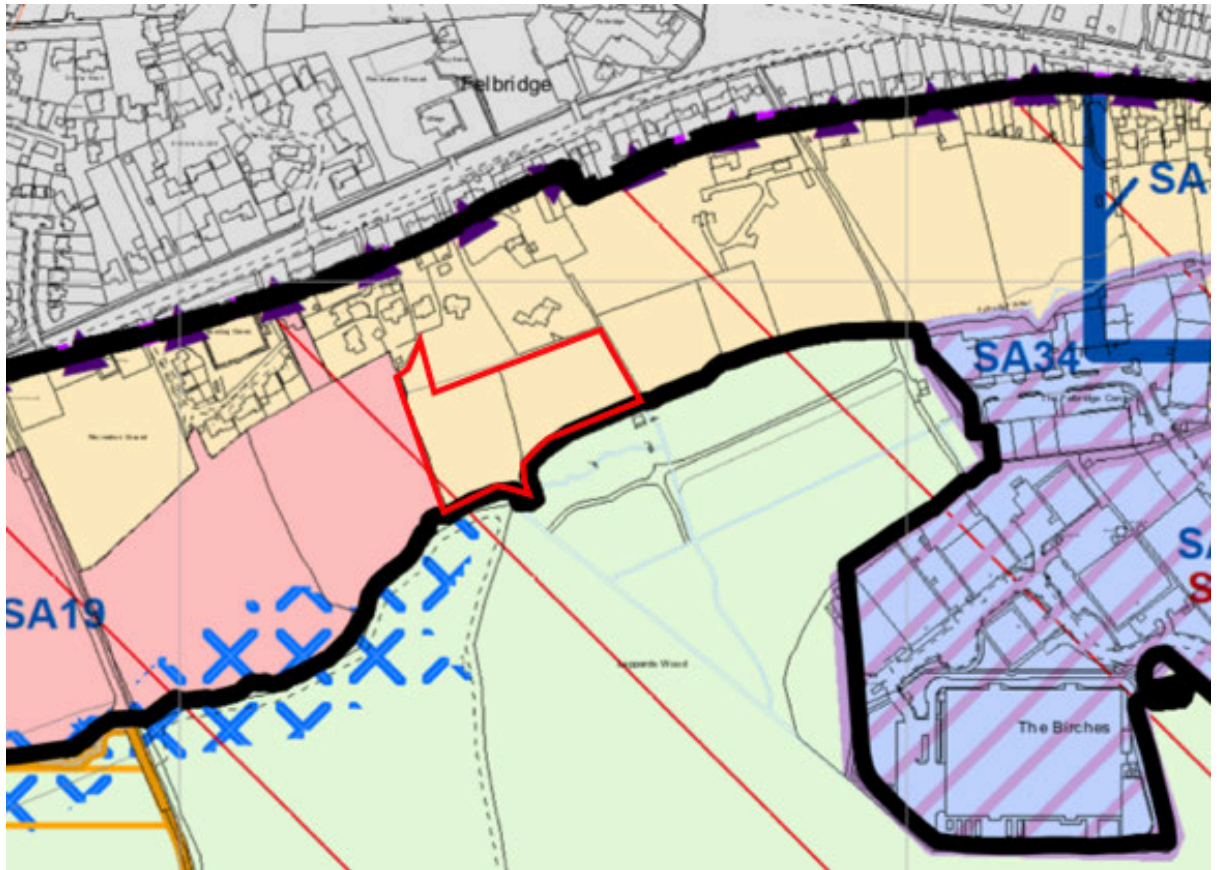


Figure 9 Proposed BUAB

- 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		

