

SA19 + SA20 - Index by ID Number

ID	Respondent	Organisation	BehalfOf	Respondent Category	Participate
534	Mrs P Slatter	Felbridge Parish Council		Town & Parish Council	<input type="checkbox"/>
582	Mr & Mrs R & T Tullett		East Grinstead and District Cycle Forum	Resident	<input type="checkbox"/>
625	Mrs J Nagy	Worth Parish Council		Town & Parish Council	<input checked="" type="checkbox"/>
730	Mr J Farrelly	Genesis	Wates - Park Road Handcross	Developer	<input checked="" type="checkbox"/>
910	Ms V Riddle	Tandridge District Council		Local Authority	<input type="checkbox"/>
1378	Mrs E Grub			Resident	<input type="checkbox"/>
1392	Mr F Berry			Resident	<input type="checkbox"/>
1472	Mr D Burke			Resident	<input type="checkbox"/>
1569	Mr P Acutt			Resident	<input type="checkbox"/>
1575	Ms J Atwell			Resident	<input type="checkbox"/>
1577	Mr and Mrs A+K Corsie			Resident	<input type="checkbox"/>
1669	Mr & Mrs Pavier			Resident	<input type="checkbox"/>
1695	Mr K Eason		Furpine Residents Association	Resident	<input type="checkbox"/>
1735	Mr D Parkes			Resident	<input type="checkbox"/>
1754	Mr J BensteAD			Resident	<input type="checkbox"/>
1808	Mr M Mitchell			Resident	<input type="checkbox"/>
1809	Mrs V Mitchell			Resident	<input type="checkbox"/>
1823	Mrs M Burke			Resident	<input type="checkbox"/>
1877	Mr A Jordan			Resident	<input type="checkbox"/>
1907	Mr F Osborne	East Grinstead Town Councillor (Imberhorne)		Resident	<input type="checkbox"/>
1930	Ms A Rijndorp			Resident	<input type="checkbox"/>
1936	Mr L Slatter			Resident	<input type="checkbox"/>
2057	Mrs S Fowler			Resident	<input type="checkbox"/>
2058	Mr P Brooks			Resident	<input type="checkbox"/>
2069	Mr J Gibbs			Resident	<input type="checkbox"/>
2111	Mr D Hunt			Resident	<input type="checkbox"/>
2164	Lord J Lytton	Lawerence Foote	Crabbet Landowners	Promoter	<input checked="" type="checkbox"/>
2184	Mrs M Davis			Resident	<input type="checkbox"/>
2201	Mrs H Brunsdon	MSDC and WSCC Councillor		District Councillor	<input checked="" type="checkbox"/>
2239	Ms M-J Johnson			Resident	<input type="checkbox"/>
2356	Mr & Mrs D & S Coldwell			Resident	<input type="checkbox"/>
2381	Ms N Crabb			Resident	<input type="checkbox"/>
2382	Ms C Boughton-Tucker			Resident	<input checked="" type="checkbox"/>
2383	Mr P Tucker	Infrastructure First	Infrastructure First	Organisation	<input checked="" type="checkbox"/>
2386	Ms S Paterson			Resident	<input type="checkbox"/>
2414	Ms A Zaffina			Resident	<input type="checkbox"/>

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 534

Response Ref: Reg19/534/2

Respondent: Mrs P Slatter

Organisation: Felbridge Parish Council

On Behalf Of:

Category: Town & Parish Council

Appear at Examination? x

FELBRIDGE PARISH COUNCIL | RESPONSE TO MSDC DPD SITE ALLOCATIONS 2020

Part A – Your Details

1. Personal Details

Title	MRS.
First Name	PATRICIA
Last Name	SLATTER
Job Title (where relevant)	PARISH CLERK
Organisation (where relevant)	FELBRIDGE PARISH COUNCIL
Respondent Ref. No. (if known)	
On behalf of (where relevant)	
Address Line 1	FELBRIDGE VILLAGE HALL
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Part B Representation 1

Name or Organisation:

Felbridge Parish Council

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 checked="" type="checkbox"/>	Equalities Impact Assessment	<input type="checkbox"/>	Draft Policies Maps	<input type="checkbox"/>

3b. To which part does this representation relate?

Paragraph	<input type="text"/>	Policy SA	<input type="text"/>	Draft Policies Map	<input type="text"/>
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4. Do you consider the Site Allocations DPD is:

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

4b. Sound Yes ☐ No ☐

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

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

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.

We believe that the Draft DPD has **not** been prepared in accordance with the legal and procedural requirements; including the duty to cooperate.

MSDC states that Town and Parish Councils were contacted during the formative stages of the DPD. The Statement of Community Involvement states “the community should be involved as early as possible in the decision making process when there is more potential to make a difference”. Felbridge Parish Council was not contacted at any point during the development of the DPD despite site SA19 being variously described in the DPD and supporting documents as ‘a sympathetic extension to Felbridge’, ‘sympathetic to the landscape setting and character of Felbridge’ and ‘maximises connectivity with the existing settlement of Felbridge’.

The Regulation 18 consultation communications were severely restricted limiting the number of local residents aware of the consultation and thus the number of responses was low. The Council failed to publicise this stage of consultation in its own publication *Mid Sussex Matters* which goes to every resident in the District. The Summer 2019 edition was published in July but contains no mention of the forthcoming consultation. This lack of communication continued with the Regulation 19 consultation not being included in the July 2020 edition of *Mid Sussex Matters* despite the Press Release for the consultation being issued only 17 days later.

Even the MSDC consultations website fails to notify the public that there is an ongoing Regulation 19 consultation (see screen shot of 20/9/20 below).



Tandridge District Council have confirmed that they were not informed of the Regulation 19 consultation and have sought an extension to enable them to prepare a response. This is despite there being a Statement of Common Ground between MSDC and TDC.

Felbridge Parish Council feels strongly that residents have not been properly consulted as part of this process. Additionally it seems clear that the Duty to Co-operate has not been met given the fact that the adjacent authority of Tandridge was not consulted. This would also lead us to questions if sufficient co-operation has been undertaken with other authorities adjacent to Mid Sussex.

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.

We request that the following action is taken with respect to the draft Site Allocations DPD and associated documents:

The DPD should be withdrawn as it is not legally compliant - the consultation was not carried out in line with national policy or the MSDC Statement of Community Involvement.

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

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

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

☒

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

☐

Yes, I wish to participate at the oral examination

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

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

10. Please notify me when:

(i) The Plan has been submitted for Examination

☐

(ii) The publication of the recommendations from the Examination

☐

(iii) The Site Allocations DPD is adopted

☐

24th September 2020

Part B Representation 2

Name or Organisation:

Felbridge Parish Council

3a. Does your comment relate to:

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

3b. To which part does this representation relate?

Paragraph	<input type="text"/>	Policy SA	19	Draft Policies Map	<input type="text"/>
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4. Do you consider the Site Allocations DPD is:

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

4b. Sound Yes ☐ No ☒

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

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

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.

We believe the Site Allocations DPD is **Unsound** as the inclusion of site SA19 is **not Justified**

Site SA19 is variously described in the DPD and supporting documents as ‘a sympathetic extension to Felbridge’, ‘sympathetic to the landscape setting and character of Felbridge’ and ‘maximises connectivity with the existing settlement of Felbridge’. Tandridge District Council have confirmed that they did not allocate sites in Felbridge as it is a tier 3 settlement and therefore not as sustainable as others. The site sits at the end of a thin strip of the East Grinstead built up area and is not connected to East Grinstead Town Centre with future residents having to travel through Surrey to get to East Grinstead.

The DPD repeatedly states that East Grinstead is a Category 1 settlement, however the sustainability assessment fails to account for the fact that site SA19 lies outside the settlement of East Grinstead. Felbridge is a rural village in Tandridge District, Surrey. It is defined as a rural settlement in the Green Belt with 532 dwellings within the built-up area of the Village Boundary. As a rural village, Felbridge has no doctor surgeries, pharmacy, dentist, opticians or any other such infrastructure. Due to the County and District Council process for handling infrastructure contributions resulting from development, not a single pound of funding has been contributed to any Surrey facilities or to fund any infrastructure improvements within Felbridge Village from the 120 Mid Sussex houses recently granted consent on the south of the village or any previous approvals.

The site has a significant area within the non-climate change EA flood zone 3, reducing the developable land area such that a housing density of 31dph would be required to achieve the 200 units allocated. This density is totally inappropriate for this location on the edge of the Village where the existing density is 14dph, and does not comply with DG34 of the Mid Sussex Design Guide.

Whilst we have submitted objections to Site SA20, we believe that site SA20 is a far more sustainable proposal than SA19 as it is located much closer to East Grinstead town centre and is of a scale that can deliver significant infrastructure within the site further reducing the need to car journeys. As there is additional land within the SA20 site and the proposed housing density for that site is only 8.5dph, **MSDC have failed in their sustainability assessment to consider the alternative of increasing the SA20 site to 750 dwellings to avoid the inclusion of the unsustainable SA19 site.**

Furthermore, in June 2020 (since the draft DPD was issued), Mid Sussex gave permission to turn the last remaining large office block, Grinstead House in Wood Street, into 253 residential apartments. This site was not previously allocated and thus counts towards the objectively assessed housing need. **Thus the allocation of Site SA19 is no longer required to deliver the housing allocation for East Grinstead.**

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.

We request that the following action is taken with respect to the draft Site Allocations DPD and associated documents:

Site SA19 should be withdrawn as it is not justified

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

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

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

☒

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

☐

Yes, I wish to participate at the oral examination

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

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

10. Please notify me when:

- (i) The Plan has been submitted for Examination
- (ii) The publication of the recommendations from the Examination
- (iii) The Site Allocations DPD is adopted

☐☐☐

Signature:



Date:

24th September 2020

Part B Representation 3

Name or Organisation:

Felbridge Parish Council

3a. Does your comment relate to:

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

3b. To which part does this representation relate?

Paragraph	<input type="text"/>	Policy SA	<input type="text" value="19 & 20"/>	Draft Policies Map	<input type="text"/>
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4. Do you consider the Site Allocations DPD is:

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

4b. Sound Yes ☐ No ☒

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

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

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.

We believe the Site Allocations DPD is **Unsound** as the inclusion of sites SA19 and SA20 is **not Justified** as it relies upon **unsound** transport assessments (failure to use proportionate data) and the site assessments provide no evidence that acknowledged highways constraints were considered when weighing these sites against others.

The existing severity at the Star (A22/A264) junction is massively understated in the DPD transport assessment which shows the A264 arm of the junction was at 65% capacity in 2017 and will increase to 105% by 2031 without any of the sites within the DPD being developed.

Mid Sussex Baseline data

	2017							
	AM Dem (Veh)	AM RFC (%)	AM Delay (s)	AM AvgQ (pcu)	PM Dem (Veh)	PM RFC (%)	PM Delay (s)	PM AvgQ (pcu)
A264 Copthorne Road (W)	676	61	15	2	609	65	21	3
A22 Eastbourne Road (N)	384	68	28	2	504	65	20	2
A22 London Road (S)	1326	73	70	14	1112	68	47	4

The MSDC model has produced RFC (Ratio of Flow Capacity) figures for the junction, these model outputs are only for priority junction (junctions without traffic lights). This junction is signalised and therefore the correct model to use is LinSig which would have produced DoS (Degree of Saturation) which is the measure for signalised junctions. Thus, the baseline data and any analysis using it is **unsound**.

Mid Sussex did have access to a more recent (2018) transport assessment that they jointly commissioned with Tandridge District Council. The data from that assessment was used to support the Tandridge Local Plan that is currently in examination. The Star junction baseline data from the TDC Plan is:-

Tandridge¹

Table 1-1 – Baseline Assessment 2018 Baseline Scenario

2018 Baseline Assessment	AM Peak Period			PM Peak Period		
	Degree of Saturation	Mean Max Queue	Delay per PCU (secs)	Degree of Saturation	Mean Max Queue	Delay per PCU (secs)
A22 South	82.7%	16	16	83.6%	16	17
A264	106.6%	48	182	101.4%	33	115
A22 North	56.0%	9	31	96.0%	22	76

This shows the junction was already above 106% capacity in 2018.

The junction severity was also evidenced by the Inspector for APP/M3645/W/18/3198090 who included in his decision (Para 34) data that demonstrates that the queue length of eastbound traffic on the A264 increases by 168 vehicles in the 2 hour period 4:15pm to 6:15pm. The throughput of the junction in the PM peak averages 719 vehicles per hour², thus the Inspector is recording that the junction was already operating at 112% of its capacity based upon 2018 traffic data. Since then 120 additional dwellings have been approved within 500m of this junction.

The severity of the Star junction is also being challenged by the Examination Inspector for the Tandridge District Plan as the junction is impacted by the proposed South Godstone Garden Community of 4,000 dwellings. The emerging Tandridge District Plan included mitigation of the impact by the proposal to create two lanes turning south from the A264 into the A22. This proposal has already been identified for implementation as mitigation for the 200 houses approved at Hill Place Farm [APP/D3830/W/16/3142487] and the 121 dwellings approved along Crawley Down Road and Copthorne Road [APP/M3645/W/18/3205537, APP/M3645/W/18/3198090 & TA2019/1453]. However, the funding for the works is identified in the Tandridge District Infrastructure Delivery Plan 2019 (examination document INF1) as being from a Housing Infrastructure Fund (HIF) bid. That bid was unsuccessful and the Examination Inspector has now requested further information on how the transport mitigation will be delivered [ID13].

The Barratt Transport Model submitted in support of site SA19 states the Star junction was operating at 84% in 2019, this is far below the Inspector's observation and the Tandridge District Plan data and further calls into question the validity of the transport models being used to support the inclusion of Site SA19.

MSDC have failed to use the latest transport assessment that they commissioned, even though that data is being used to support the latest Tandridge Local Plan.

The Statement of Common Ground between TDC and MSDC confirms that the parties agree mitigation is required at the Star junction, yet the transport assessment used to support the DPD shows it operating well below its capacity.

Both sites SA19 and SA20 were evaluated as 'high performing sites'. The site assessment section on *highways* was left blank despite the acknowledgement in the SoCG of the highways constraints in this area. Thus, no evidence has been presented to show that the acknowledged highways constraints were considered when weighing these sites against others.

The inclusion of Sites SA19 and SA20 is Unsound as proportionate data has not been used to justify them.

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.

² iTransport data submitted as evidence for this appeal.

We request that the following action is taken with respect to the draft Site Allocations DPD and associated documents:

Sites SA19 and SA20 should be withdrawn as proportionate data has not been used to justify them.

The latest Transport Study by WSP commissioned by MSDC & TDC should be published in full and its content used to inform the DPD.

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

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

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

☒

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

☐

Yes, I wish to participate at the oral examination

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

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

10. Please notify me when:

- (i) The Plan has been submitted for Examination
- (ii) The publication of the recommendations from the Examination
- (iii) The Site Allocations DPD is adopted

☐☐☐

24th September 2020

Part B Representation 4

Name or Organisation:

Felbridge Parish Council

3a. Does your comment relate to:

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

3b. To which part does this representation relate?

Paragraph Policy SA 19 Draft Policies Map

4. Do you consider the Site Allocations DPD is:

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

4b. Sound Yes ☐ No ☒

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

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

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.

We believe the Site Allocations DPD is **Unsound** as the inclusion of sites SA19 is **not Justified** as it does not comply with the Spatial Strategy and Settlement Hierarchy DP6.

DP6 defines the settlement hierarchy as;

Category	Settlement characteristics and function	Settlements
Category 1	Settlement with a comprehensive range of employment, retail, health, education leisure services and facilities. These settlements will also benefit from Heath good public transport provision and will act as a main service centre for the smaller settlements.	Burgess Hill, East Grinstead, Haywards
Category 2	Larger villages acting as Local Service Centres providing key services in the rural area of Mid Sussex. These settlements serve the wider hinterland and benefit from a good range of services and facilities, including employment opportunities and access to public transport.	Copthorne, Crawley Down, Cuckfield, Hassocks and Keymer, Hurstpierpoint and Lindfield
Category 3	Medium sized villages providing essential services for the needs of their own residents and immediate surrounding communities. Whilst more limited, these can include key services such as primary schools, shops, recreation and community facilities, often shared with neighbouring settlements.	Albourne, Ardingly, Ashurst Wood, Balcombe, Bolney, Handcross, Horsted Keynes, Pease Pottage, Sayers Common, Scaynes Hill, Sharpthorne, Turners Hill and West Hoathly
Category 4	Small villages with limited services often only serving the settlement itself.	Ansty, Staplefield, Slaugham, Twineham and Warninglid
Category 5	These small settlements have very limited or no services.	Hamlets such as Birch Grove, Brook Street, Hickstead, Highbrook and Walstead.

Felbridge is a rural village in Surrey with a small strip along its southern boundary falling within Mid Sussex District. Felbridge is separated from East Grinstead and Policy DP13 prevents the coalescence of Felbridge with East Grinstead.

Tandridge District Settlement Hierarchy Addendum 2018 states that “although the proximity of East Grinstead plays a role in Felbridge’s sustainability, the settlement itself can only demonstrate a basic level of provision and as such is categorised as a Tier 3 (rural settlement)”.

Felbridge village would therefore be defined as a Category 3 Settlement in accordance with DP6. As a category 3 settlement, Felbridge should not have been allocated 200 houses as the total allocation for all the category 3 settlements in Mid Sussex is only 238.

Site SA19 is variously described in the DPD and supporting documents as ‘a sympathetic extension to Felbridge’, ‘sympathetic to the landscape setting and character of Felbridge’ and ‘maximises connectivity with the existing settlement of Felbridge’. It is clear that this site is intended to be an addition to the category 3 Village of Felbridge rather than to the category 1 town of East Grinstead to which the allocation belongs.

The inclusion of Site SA19 is Unsound as it is not justified in compliance with DP6.

We believe the Sustainability Appraisal for Site SA19 is **Unsound** as it has not been based upon an appropriate assessment. The inclusion of the site in the DPD is therefore **not Justified**.

Analysis of the Sustainability Assessment Criteria as applied to SA19

Social Sustainability Objective No. 3

Objective: To maintain and improve the opportunities for everyone to acquire the skills needed to find and remain in work and improve access to educational facilities

Indicators

Percentage of population of working age qualified to at least NVQ level 3 (or equivalent)

Percentage of adults with poor literacy and numeracy skills

Number of households within a 15 minute walk (approx. 1.2km) from a Primary School

Stated Impact for SA19: Significant positive impact

The selection criteria for housing sites in the ‘Site Selection Paper 2 - Methodology for Site Selection’ measures the sustainability objective solely on the distance between the proposed site and the nearest primary school.

NPPF (2018) paragraph 94 is quoted in support of this objective “It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should... give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications”.

The location of site SA19, is correctly assessed as being a 10 minute walk from the village school. However, the NPPF paragraph highlights the importance of sufficient school places being available.

Other than proximity there is no evidence to indicate that MSDC have assessed the school’s ability to provide sufficient places. The school is already oversubscribed. With a capacity of 214 pupils, the school website is advertising only 4 year 5 places on 16/09/2020.

MSDC have already permitted 120 new homes still to be built within a 5 minute walk of the school and now propose to allocate a further 200.

The school has limited capacity for expansion and lies over the border in Tandridge. Even if sufficient capacity could be accommodated Surrey County Council are unlikely to fund an expansion as there is no unmet education need in southern part of Tandridge. A ‘significant positive’ impact **cannot be justified**.

Social Sustainability Objective No. 4

Objective: To improve access to retail and community facilities

Indicators

Number of households within a 15 minute walk (approx. 1.2km) from a superstore/town centre/high street shopping facilities)

Number of households within a 15 minute walk (approx. 1.2km) from a convenience store
Number of households within a 15 minute walk (approx. 1.2km) from community facilities (e.g. community hall, place of worship, library)
Number of applications resulting in a loss of community facilities (e.g. shop, pub, place of worship, etc)
Stated Impact for SA19: Significant positive impact

The Sustainability Appraisal conclusions state that “All site allocations make a positive contribution towards the sustainability objective to improve access to retail and community facilities; all sites are within a 15 minute walk of the nearest convenience store.”

There is a small convenience store within a 15 minute walk (approx. 1.2km) of the site; also a ladies hairdressers, a village hall and a pub. However, town centre shopping facilities, restaurants, library and superstore are considerably further away being a 45 minute walk (approx. 3.6km).

This compares very poorly with allocated site SA18 (Former East Grinstead Police Station) located on the edge of the town. This site benefits from nearby town centre shopping facilities; community facilities including a theatre, library and place of worship; a selection of restaurants and a large superstore all within 15 minute walk. Site SA18 could justifiably be assessed at the highest level against the sustainability objective but for some reason falls short and is only rated as a ‘Positive’ impact.

Contrast this with the assessment of Site SA19 which has no town centre or superstore facilities but is given the top ‘Significant Positive’ rating. **This cannot be correct.**

Environmental Sustainability Objective No. 11

Objective: To reduce road congestion and pollution levels by improving travel choice, and reducing the need for travel by car, thereby reducing the level of greenhouse gases from private cars and their impact on climate change. (SEA)

Indicators

Number of households within a 5 minute walk (approx. 400m) of a bus stop with frequent service (3+ an hour)

Number of households within a 10 minute walk (approx. 800m) of a bus stop with less frequent service (less than 3 an hour)

Number of households within a 15 minute walk (approx. 1.2km) of a train station

Proportion of journeys to work by public transport

Percentage of residents living and working within Mid Sussex

Monetary investment in sustainable transport schemes (value of s.106 agreements)

Number of Air Quality Management Areas (AQMAs) within the District

Stated Impact for SA19: Significant positive impact

The site selection criteria for housing sites in the ‘Site Selection Paper 2 - Methodology for Site Selection’ refers to NPPF (2018 Paragraph 103) in support of the Sustainability Objective; “Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health”

However, as with other sites, SA19 doesn’t appear to have been assessed against the Sustainability Objective at all, despite the widely acknowledged highways constraint in East Grinstead.

In October 2019, MSDC's jointly commissioned WSP traffic study reported that "The Felbridge junction has been identified as a constraint to development coming forward in Tandridge and the Felbridge/East Grinstead area. The junction currently operates above capacity leading to congestion during peak periods and at other times of the day"

The declining employment space taken together with the significant levels of committed development will result in further out-commuting. Allocating an additional 722 new homes in East Grinstead will serve only to exacerbate the problem

The nearest train station is a 45minute walk (3.6km) and there is no direct line to Crawley and MSDC rely on census data from 2011 to show that less than 15% of people travel to work by public transport.

Based on available evidence, the proposed allocations for East Grinstead will lead to significant increases in car travel using heavily congested roads. This indicates that the impact of these sites on the Sustainability Objective will be negative NOT 'Unknown'.

Economic Sustainability Objective No. 14

Objective: To encourage the regeneration and prosperity of the District's existing Town Centres and support the viability and vitality of village and neighbourhood centres

Indicators

Total amount of floorspace for "Town Centre Uses" (A1, A2, B1a, D2)

Number of households within a 15 minute walk (approx. 1.2km) from a town centre superstore/town centre/high street shopping facilities)

Stated Impact for SA19: Significant positive impact

Site SA19 is located outside the built-up boundary on the edge of the rural village in Felbridge. MSDC regard Felbridge as an extension to East Grinstead and as such does not exist as a separate entity in their settlement hierarchy.

TDC classify Felbridge as a tier 3 medium sized village as it can only demonstrate a basic level of provision. The proposed site location for the 200 new homes is a 45 minute walk (3.5km) from the town centre facilities in East Grinstead. The nearest superstore and high street shopping facilities are equally distant.

There are no proposals in the Infrastructure Delivery Plan to improve the meagre facilities in the village and any CIL funding will go Mid Sussex and not to Tandridge.

There is no evidence provided to show how 200 houses on the edge of Felbridge will provide a positive sustainability impact but just rely on the general statement that they will "encourage the regeneration and prosperity of the District's existing Town Centres and support the viability and vitality of village and neighbourhood centres."

Without evidence to the contrary 200 more homes (in addition to the 120 already committed homes south of the Crawley Down Road in Felbridge) can only have a negative effect on the function and character of the village and therefore it **cannot be justified** to assess the site as having a 'significant positive impact'.

Economic Sustainability Objective No. 15

Objective: To ensure high and stable levels of employment so everyone can benefit from the economic growth of the District

Indicators

Percentage of Mid Sussex residents who are employed

Percentage of Mid Sussex residents who are economically active

Average weekly income (gross) for those who are employed in the District

Percentage of residents living and working within Mid Sussex

Job density (ratio of jobs to working age population)

Stated Impact for SA19: Positive impact

MSDC have recommended the allocation of 3 sites in East Grinstead and Felbridge for a total of 722 homes with no proposals for additional employment space.

MSDC's latest monitoring of housing supply to April 2020 shows that a further 984 homes (714 with permission) are already committed for East Grinstead. There has been a considerable loss of office space to residential development since the start of the plan period. The MSDC 2018 Economic Profile Study reported the stock of commercial office space to be less than 20,000m².

In July 2020, MSDC allowed the last remaining office block in East Grinstead to be converted into residential apartments. 254 new homes and 12,000m² (or 60%) of the remaining stock of office space was removed. Not only were 1,000 workers displaced from the town centre but the conversion will result in 500 or so extra residents who will struggle to find jobs locally.

When asked, MSDC said that they do not monitor the amount of office space lost to residential conversions. Therefore, they cannot know how much office space is currently available in East Grinstead in order to inform planning decisions.

All 3 sites in East Grinstead have been assessed to have a 'positive impact' on the Economic Sustainability Objective.

In the Sustainability Appraisal conclusion it states that "All site allocations have a positive impact on the sustainability objective to ensure high and stable levels of employment so everyone can benefit from the economic growth of the District".

No evidence is presented to support this general statement. On the contrary, there is evidence to suggest that allocating yet more sites to East Grinstead without more employment provision will have a negative impact.

Economic Sustainability Objective No. 16

Objective: To sustain economic growth and competitiveness across the District, protect existing employment space, and to provide opportunities for people to live and work within their communities therefore reducing the need for out-commuting

Indicators

Net increase/decrease in commercial (Use Classes B1(b,c), B2, B8) and office (B1(a) and A2) floorspace

Number of businesses within the District

Number of new businesses setting up in the District

Stated Impact for SA19: Positive impact

In its key findings, the MSDC 2018 Economic Profile Study says that “There has been a significant loss of office floor space to residential conversions particularly in East Grinstead”. No new employment space was allocated to East Grinstead in the local plan and none is proposed in the Site Allocations DPD. Therefore, the evidence indicates that East Grinstead has suffered a net decrease in employment space and yet, as a tier 1 settlement, expected to take a significant proportion of the district’s housing need. 782 homes have already been delivered in East Grinstead since the start of the plan period with 968 more homes with permission still to come, plus a further 270 allocated in the local plan. The Site Allocations DPD is now proposing to allocate a further 772 homes to contribute towards the shortfall of homes for Crawley workers.

The Sustainability Appraisal conclusions state “All site allocations have a positive impact on the sustainability objective to sustain economic growth and competitiveness across the District, protect existing employment space, and to provide opportunities for people to live and work within their communities therefore reducing the need for out-commuting.”

With a lack of new employment space in East Grinstead and a significant increase in the number of new homes and displaced office workers more out-commuting is inevitable. Despite this all the East Grinstead sites [SA18, 19 & 20] are rated as a ‘Positive Impact’ with no evidence to support their assessment. The decline in employment space and the rise of out-commuting is contrary to the stated Sustainability Objective so the sites proposed for East Grinstead must qualify for a ‘Significant Negative Impact’.

We therefore believe that the Sustainability Appraisal for site SA19 is **unsound** as it has **not used proportionate data to justify** its ratings for the sites against the stated indicators, and in comparison to other sites.

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.

We request that the following action is taken with respect to the draft Site Allocations DPD and associated documents:

Site SA19 should be withdrawn as a significant housing allocation to a Tier 3/Category 3 settlement is not justified.

Site SA19 should be withdrawn until a justified Sustainability Appraisal has been completed using

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

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

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

☒

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

☐

Yes, I wish to participate at the oral examination

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

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

10. Please notify me when:

(i) The Plan has been submitted for Examination

☐

(ii) The publication of the recommendations from the Examination

☐

(iii) The Site Allocations DPD is adopted

☐

Signature:



Date:

24th September 2020

Part B Representation 5

Name or Organisation:

Felbridge Parish Council

3a. Does your comment relate to:

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

3b. To which part does this representation relate?

Paragraph	<input type="text"/>	Policy SA	<input type="text" value="19 & 20"/>	Draft Policies Map	<input type="text"/>
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4. Do you consider the Site Allocations DPD is:

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

4b. Sound Yes ☐ No ☒

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

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

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.

We believe the Site Allocations DPD is **Unsound** as the inclusion of site SA19 is **not Effective**

SA19 has an allocation of 200 houses within a gross area of 8.5 hectares, thus an average density of 23.5 dph. However, approximately 2 hectares of the site lies within the EA non-climate change flood zone 3, this reduces the developable area and therefore increases the density on the available part of the site to 31 dph. The SA19 Policy states that it is 'to ensure all development avoids the flood extent for the 1 in 100 year event including climate change allowances', this is likely to further restrict the developable extent.

The Site Selection Criteria states the developable area of the site to only be 6 hectares, thus the density of development would be 33 dph.

Site SA19 is described as being 'sympathetic to the landscape setting and character of Felbridge' yet the existing density in this area of Felbridge is 14 dph and a density of 31-33 dph would be inappropriate for this location on the edge of the Village where the existing density is 14 dph, and would not comply with DG34 of the Mid Sussex Design Guide.

Additionally, the Site Selection Criteria conclusion states the 'potential to avoid adverse effects through reducing the density of the final scheme'. At a lower density this site would not deliver the allocated 200 houses and at a higher density would have significant adverse effects on Felbridge Village, local residents and amenity

At a density of 14 dph the 'developable 6 hectares' would only deliver 84 units.

The combination of the flood zone and the maximum appropriate housing density at the edge of the village would significantly reduce the deliverable units at this Site. Thus it is **not Effective** at delivering the 200 units allocated to it.

We believe the Site Allocations DPD is **Unsound** as the inclusion of site SA20 is **not Effective**

The Heritage England response to the Regulation 18 consultation was (our emphasis);

We are particularly concerned about Policy SA20 Land south and west of Imberhorne Upper School, Imberhorne Lane, East Grinstead. In this case we are concerned that the effects on the setting of the adjacent GII Listed Buildings, Gullledge Farmhouse and Imberhorne Farm Cottages, The latter, in particular, has highly significant associations with the surrounding fields and agricultural landscape which were part of the medieval Lewes Priory holdings. The historical connection nor the visual interaction of buildings and landscape appear not to have not been fully assessed or taken account of in allocating the site. The scale and extent of the proposed housing and associated development in this area is likely to significantly impact on this relationship and the contribution it makes to the significance of the heritage assets. **We recommend that a Heritage Impact Assessment is undertaken prior to the finalisation of the draft DPD to determine the capacity of site** having taken into account the historic importance of the landscape to the setting of the listed buildings.*

Paragraph 194 of the NPPF states (our emphasis);

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and **II* listed buildings**, grade I and II* registered parks and gardens, and World Heritage Sites, **should be wholly exceptional**.

Both Imberhorne Farm and Gullege were important medieval rural farmsteads and Heritage England has clearly identified that development is likely to significantly impact upon these heritage assets. There is no evidence that the recommended Heritage Impact Assessment has been completed since the Regulation 18 consultation, thus it is not known how much of the proposed site is developable without significant harm upon the rural, historically open setting of these Grade II* listed buildings.

Considering Heritage England's views regarding the potential harm, and in the absence of a Heritage Impact Assessment it is impossible to determine the extent of the proposed site that is developable. As such it is not proven that Site SA20 could deliver 550 housing units, it is therefore **not Effective**.

We believe the Site Allocations DPD is **Unsound** as the cross-boundary strategic matters identified in the statement of common ground (SoCG) have been deferred rather than dealt with, it is therefore **not Effective**.

The TDC-MSDC SoCG confirms that both parties confirm the necessity to implement highways improvements at four junctions on the A264 and A22. This project is called the 'A22/A264 corridor project'. Whilst financial contributions are sought from SA19 and SA20 towards the corridor project, the delivery of that project is not included within the Plan's infrastructure deliverables. The transport assessment does not include the benefits of the project and the source of the funding to complete the scheme has not been identified.

West Sussex Highways response to the consultation was '*The DPD should acknowledge the possibility that improvements may not be deliverable at the Felbridge junction.*' So even the Highway Authority is questioning the viability of delivering the junction improvements.

By excluding the 'corridor project' from the DPD and the transport assessments, the development of sites SA19 and SA20 could proceed, whilst Sussex and Surrey Highways may decide in the future that no viable scheme exists to really mitigate the already severe road network. This would lead to even more development burdening an already severe road network. Therefore the identified cross-boundary strategic matters have been deferred rather than dealt with, rendering the DPD **not Effective**.

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.

We request that the following action is taken with respect to the draft Site Allocations DPD and associated documents:

Sites SA19 and SA20 should be withdrawn as there are sufficient reasons to believe they would be unable to deliver their allocations within the plan period.

In the event that the Inspector decides the DPD should progress to Examination then any allocations at East Grinstead or Felbridge should be made contingent on delivering a viable and meaningful set of junction improvements to mitigate the cumulative impact of local development since 2017.

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

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

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

☒

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

☐

Yes, I wish to participate at the oral examination

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

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

10. Please notify me when:

- (i) The Plan has been submitted for Examination
- (ii) The publication of the recommendations from the Examination
- (iii) The Site Allocations DPD is adopted

☐☐☐

24th September 2020

Part B Representation 6

Name or Organisation:

Felbridge Parish Council

3a. Does your comment relate to:

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

3b. To which part does this representation relate?

Paragraph	<input type="text"/>	Policy SA	<input type="text" value="19 & 20"/>	Draft Policies Map	<input type="text"/>
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4. Do you consider the Site Allocations DPD is:

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

4b. Sound Yes ☐ No ☒

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

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

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.

We believe the Site Allocations DPD is **Unsound** as sites SA19 and SA20 do not deliver sustainable development in accordance with the policies in the NPPF and are therefore **Inconsistent with National Policy**.

Non-Sustainable Transport Impacts

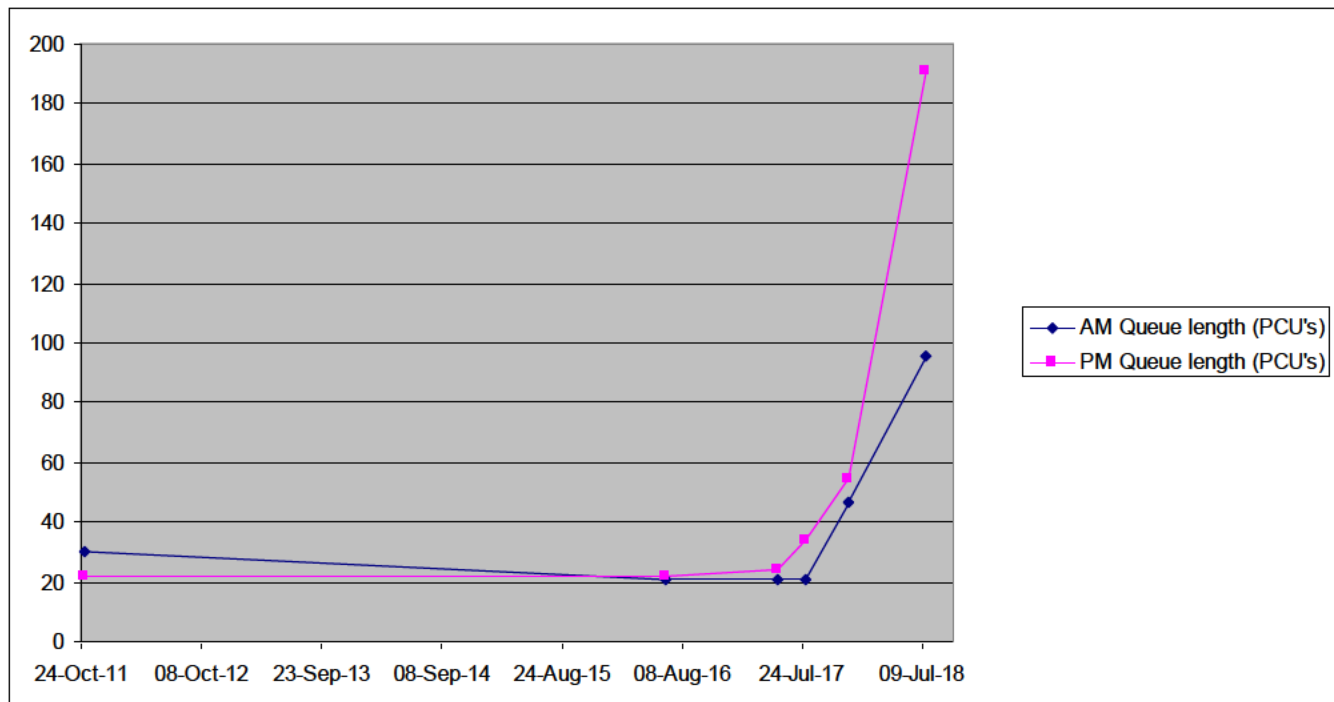
The local road network is already severe, and the impact of both sites (SA19 & SA20) will have a negative impact upon the junctions at The Star (A264/A22) and Imberhorne Lane/A22. The latest transport study jointly commissioned by MSDC and TDC identified that the A264/A22 junction is already operating at 107%. [see 'Part B Representation 3' above for the data].

The design criteria for signalised junctions is 90% saturation in the future year case. Yet here we have a junction that is already 17% above the design criteria in the base case with no transport mitigation proposed within the DPD. The junction has not always been severe, this is evidenced by the exponential growth in queue length observed by the transport studies since the middle of 2017.

Using a number of queue length surveys for the A264/A22 junction since 2011 up to 2018 it is possible to see the impact of increased traffic upon the Copthorne Road, the surveys are tabulated and graphed below.

Survey Date	Reference	AM Peak		PM Peak		Limit of visibility (LoV)	% of Peak hour readings where LoV was exceeded?
		Mean Queue length (PCU's)	DoS	Mean Queue length (PCU's)	DoS		
01-Nov-11	Atkins3	30	96	22	91		
22-Jun-16	Vectos	21	81	22	83.1	27	AM 17% PM 0%
10-May-17	iTransport	21	97.5	24	97.2	24	AM 10% PM 85%
03-Aug-17	BdR	21	90.2	34	85.2	35	AM 17% PM 75%
05-Dec-17	Hydrock	46.6	107	54.3	110	290m (~54 PCU's)	AM 58% PM 100%
17-Jul-18	TDC	95		191		1002m (~200 PCU's)	AM 19% PM 72%

Queue lengths in metres have been converted to PCU's assuming an average length of 5m/PCU.



The referenced surveys are;

Atkins³ baseline survey adopted by WSCC and SCC.

Vectos⁴ TA supporting the Hill Place Farm appeal APP/D3830/W/16/3142487.

iTransport⁵ (paragraph 7.12.6) supporting TDC planning application TA/2017/1290

BdR queue length survey provided to SCC for TDC planning application TA/2016/2319.

Hydrock⁶ survey supporting Gibbshaven Farm Application MSDC DM/18/0157

TDC survey 17-19th July 2018.

All of the surveys were conducted over a single day, except for the TDC survey which was over 3 consecutive days and therefore the average of all 3 days has been used above.

The December 2011 Technical Note⁷ (Section 5.1) attached to the Atkins3 study provides the following background information regarding junction analysis of the A22 junctions with the A264 and Imberhorne Lane;

The LinSig models were developed to evaluate the queue lengths, delays, and Degree of Saturation (DoS) at both junctions. Degree of Saturation (DoS) is a quantitative analysis of the level of congestion on the network and is used as the primary indicator of the operational performance of the junction. Generally, when a junction reaches 90 percent DoS it is considered to be at practical capacity and when it reaches 100 percent, at theoretical capacity.

The relationship between queues and DoS is such that queues begin to increase exponentially at high DoS (>85%). At junctions operating close to the zero practical reserve capacity, even small reductions in capacity can result in a significant increase in queuing and delay.

³ <https://www.eastgrinstead.gov.uk/i/uploads/2012/07/east-grinstead-traffic-management-study-stage-3-final-report.pdf>

⁴ <http://194.165.12.101/AniteIM.WebSearch/Download.aspx?ID=456239>

⁵ <http://194.165.12.101/AniteIM.WebSearch/Download.aspx?ID=515251>

⁶ <http://194.165.12.101/AniteIM.WebSearch/Download.aspx?ID=554996>

⁷ <http://www.eastgrinstead.gov.uk/i/uploads/2012/07/east-grinstead-traffic-management-study-stage-3-final-report-appendix-b.pdf>

The queue length results presented in the tables above show a good comparison between the observed and the modelled queues at both junctions. The modelled queue on Copthorne Road appears higher than the observed queue for both peak periods; however it was apparent from site visits that this queue extended quite far back and the surveyor was not able to count vehicles stretching this far (i.e. beyond 100 metres).

The Peak Hour manual car counts for all of the 2017/18 surveys vary within only a 5% range despite significant differences in the observed queue lengths. This lack of variation demonstrates the junction is already operating at/over capacity and as such it is impossible for an increased number of vehicles to pass through it within the hour.

The behaviour of the queue and the increasing Degree of Saturation (DoS) is exactly as expected, the junction was already identified as being over 107% saturation in December 2017, thus with additional traffic flow the junction cannot cope and the queue length increases exponentially.

The limit of visibility has a significant impact upon the results of the queue length studies. This limit is the maximum queue that can be observed using the method employed; if the queue is longer, then only the maximum length will be recorded as the surveyor is unable to see the end of the queue. This was discussed at the Hill Place Farm inquiry where it was identified that the Vectos survey had a limit of visibility of 27 vehicles. As seen in the table above, the Vectos survey queue length is likely to have been very close to the actual queue length as the limit of visibility was only reached 17% of the time in the AM peak, and not at all in the PM peak.

The subsequent surveys in 2017 all failed to see the back of the PM queue for the vast majority of the peak hour, even though these surveys are increasing their visibility limits. For the BdR survey supporting this application with a visibility limit of 35 vehicles, this visibility limit was exceeded for 75% of the readings in the PM peak hour. The rapid increase in congestion and thus queue length is demonstrated by the Hydrock survey in December 2017, even with a visibility limit of 54 vehicles it never saw the end of the queue for the whole of the PM peak hour, thus the queue must always have been longer than 54 vehicles, but it is not known by how far.

The TDC survey in July 2018 extended the visibility limit much further to 1002m (approximately 200 vehicles) and over the three consecutive days it still failed to see the back of the queue 72% of the PM peak hour, and 19% of the AM peak hour.

The TDC survey also shows that the congestion is not only for short periods of the day, with queues on the Copthorne Road exceeding 100m for 90% of the whole survey period 0700-1000 & 1500-1900, and on most days it was above 100m for the first and last reading of each AM/PM period indicating that this level of congestion probably extends beyond the 7 hours per day that were being recorded.

The DPD strategic transport assessment for Regulation 19 [T7] discusses the A22/A264 junction [para 6.1.3-6.1.6];

The highway model allows travellers to change their route due to congestion to achieve the most cost-effective journey possible. It can be seen in the Reference Case that significant rerouting is occurring away from the A264/A22 in both the AM and PM peak, and this continues in the Scenarios. The alternative route favoured by the model is via the B2028 and B2110 through Turners Hill. It is mostly trips going to East Grinstead area south of the A22, including Imberhorne Lane that do this.

Once the model reaches capacity at a location, delay will increase significantly and extensive rerouting will occur if alternative faster routes are available. Traffic heading to the Imberhorne Lane development from the west will, according to the model, route via the B2110 through Turners Hill, rather than experience the delays on the A264 particularly at the junction with the A22 at Felbridge. Online journey planners suggest this is perhaps already the quicker route in the PM peak for Imberhorne and other destinations south of the A22 in the East Grinstead area. It is apparent that in the PM peak, for journeys from the west to the Imberhorne Lane development, most of the scenario traffic is rerouting from the A264. It is difficult to put an exact figure on this because it varies depending on origin and journey length.

The PM peak model shows increases of up to around 150 vehicles on the B2028 through Crawley Down towards Turner's Hill and about 100 additional vehicles travelling east on the B2110 at Turner's Hill towards Imberhorne Lane. This is a mix of traffic relating to the Imberhorne site, the smaller sites in the north of the District and re-routed traffic from the Reference Case avoiding the A264.

It is clear from these statements that 'rat running' through rural roads and residential streets is already occurring due to the severe congestion at the Star junction, and that the DPD predicts this will increase as a result of the Imberhorne Lane site (SA20). It is not a sustainable transport strategy to rely upon unsuitable rural roads and residential streets to handle the additional traffic resulting from a proposed site just because the A-road network has exceeded its capacity.

The DPD Transport Assessment attributes the severe capacity issues to houses already allocated by the 2018 District Plan and argues that the impact of the proposed DPD allocations taken separately is not sufficient to trigger the National Policy 'residual cumulative impact' test.

NPPF paragraph 109 states that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

We contest that the impact of traffic from sites proposed in the Site Allocations DPD cannot be treated independently from the impact of other sites allocated in the Local Development Plan. MSDC argue that traffic generated by the Local Development Plan is an 'existing situation' and can be ignored when applying the 'residual cumulative' test. This cannot be the intended interpretation of NPPF Paragraph 109.

NPPF paragraph 108 states that "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."

There are no confirmed viable proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites SA19 and SA20, either alone or in combination with sites already committed in the Local Development Plan. **This Site Allocation DPD is therefore in conflict with NPPF Paragraphs 108 and 109.**

High reliance upon car based transport

The DPD repeatedly states that East Grinstead is a Category 1 settlement, however the sustainability assessment fails to account for the fact that site SA19 lies outside the settlement of East Grinstead and

the SA19 Housing Allocation Policy states that the objective of this site is ‘to deliver a sympathetic extension to Felbridge’, ‘sympathetic to the landscape setting and character of Felbridge’ and ‘maximises connectivity with the existing settlement of Felbridge’.

Felbridge is a Tier 3 rural village in Tandridge District, Surrey it is defined as a rural settlement in the Green Belt with 532 dwellings within the built-up area of the Village Boundary. As a rural village, Felbridge has no doctor surgeries, pharmacy, dentist, opticians or any other such infrastructure. Due to the County and District Council process for handling infrastructure contributions resulting from development, not a single pound of funding has been contributed to any Surrey facilities or to fund any infrastructure improvements within Felbridge Village from the 120 Mid Sussex houses recently granted consent or any previous approvals.

Thus, whilst proposed site SA19 will provide a significant financial contribution it will not provide any improvement in infrastructure within the village that it states is being extended by the proposal, and without local infrastructure within a walkable distance the proposed dwellings will be highly reliant upon vehicular transport.

We therefore believe that **Site SA19** does not minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities and is therefore **in conflict with NPPF Paragraph 104(a)**

Lack of associated Employment space

The Sustainability reviews of the proposed sites in East Grinstead (SA18, SA19 and SA20) fail to consider the employment opportunities and the process is therefore flawed as it has not considered how these sites will comply with Policy DP1.

DP1: Sustainable Economic Development Strategic Objectives:

7) To promote a place which is attractive to a full range of businesses, and where local enterprise thrives

8) **To provide opportunities for people to live and work within their communities, reducing the need for commuting.**

The DPD has provided no new employment allocations within Felbridge or East Grinstead associated with the 772 dwellings proposed within that area. Further to the absence of new employment allocations, there has also been significant loss of local employment space following the conversion of many office buildings within East Grinstead into dwellings.

A key finding of the Mid Sussex Economic Profile Study (2018) is “There has been a significant loss of floor space to residential conversions particularly in East Grinstead.” This study reports 19,440m² of commercial office space in East Grinstead. Since then East Grinstead’s stock of office space has continued to decline, with 12,000m² (62%) being lost as a result of a single planning permission for the conversion of East Grinstead House in July 2020 [DM/20/2520]. The East Grinstead Business Association objected to the conversion “we have lost seven existing, long standing, large and well known successful local businesses that have live leases and in combination employ around 1,000 people”. The conversion will yield another 253 homes, with potentially double the number of new residents needing to commute out of East Grinstead for work

Without additional local employment opportunities, these sites in East Grinstead will all lead to an increased need for commuting contrary to District Policy DP1. We therefore believe that both **Sites**

SA19 and SA20 do not minimise the number and length of journeys needed for employment and are therefore **in conflict with NPPF Paragraph 104(a)**.

In addition, the lack of additional local employment opportunities fails to support a sustainable community, with sufficient access to services and employment opportunities ... in larger towns to which there is good access **in conflict with NPPF Paragraph 72(b)**.

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.

We request that the following action is taken with respect to the draft Site Allocations DPD and associated documents:

Site SA19 should be withdrawn as it is in conflict with NPPF Paras 72b, 104a, 108 & 109

Site SA20 should be withdrawn as it is in conflict with NPPF Paras 72b, 108 & 109

By excluding the 'corridor project' from the DPD and the transport assessments, the possibility exists that Sussex and Surrey Highways may decide in the future that no viable scheme exists to really mitigate the already severe road network but the development of sites SA19 and SA20 could still proceed. This would lead to even more development burdening an already severe road network. Therefore, the identified cross-boundary strategic matters have been deferred rather than dealt with, rendering the DPD **not Effective**.

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

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

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

☒

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

☐

Yes, I wish to participate at the oral examination

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

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

10. Please notify me when:

- (i) The Plan has been submitted for Examination
- (ii) The publication of the recommendations from the Examination
- (iii) The Site Allocations DPD is adopted

☐☐☐

Signature:



Date:

24th September 2020

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 582

Response Ref: Reg19/582/1

Respondent: Mr & Mrs R & T Tullett

Organisation:

On Behalf Of: East Grinstead and District Cycle Forum

Category: Resident

Appear at Examination? x

East Grinstead and District Cycle Forum

Objection to Mid Sussex DC Regulation 19 Site Allocations DPD

September 2020

This draft Site Allocations DPD proposes an extra c800 dwellings to be added to the District Plan target for the East Grinstead area - this would bring the total number of homes to be provided in the East Grinstead area during the District Plan period (2014 to 2031) to around 2500 - thus adding around 25% to the population of East Grinstead. **Our comments below relate to the Housing Sites SA18, SA19, SA20.**

The East Grinstead and District Cycle Forum is supportive of sustainable development, but there is nothing in these proposals that gives us any confidence that the necessary investment in sustainable transport infrastructure and services (Cycling, Walking and Public Transport) will be made. If these plans take away the open countryside we enjoy for our physical and mental wellbeing, and add 25% to the number of car journeys undertaken in the area, the health, economic and environmental damage will be enormous.

Paragraph 110 of the National Planning Policy Framework 2019 (NPPF) states that development applications should "give priority first to pedestrian and cycle movements both within the scheme and within neighbouring areas". Neither the various developer's proposals for these sites, nor the Systra Transport study, have been carried out with the focus required by the NPPF, a focus now reinforced by the publication of Local Transport Note 1/20.

Very little is proposed for sustainable transport measures in this DPD – bus priority lanes on the A264 to Crawley, a bus stop on the Imberhorne Farm development, a new cycling/walking link to the Worth Way. The Systra Transport study states these measures might deliver a 2 or 3% reduction in the additional car journeys that another 750 homes, GP surgery, new primary school, care home etc. might generate. A completely inadequate response to the challenge.

The highway improvements to A264/A22 junctions, as proposed in the Atkins 2012 study, are referenced in the draft DPD at SA35, and the junctions shown in Appendix E. However, it is acknowledged that these were designed to address existing congestion and will not provide capacity for significant additional journeys. There seems to be an acceptance of permanent rush hour gridlock on the A22/A264 London Road in East Grinstead, and a suggestion that new traffic generated from Imberhorne Farmlands (SA20) can be allowed to use routes B2028/B2110 via Turners Hill until they are also gridlocked. Only then would people be forced to use sustainable transport options. No specific transport measures are proposed to support 200 new homes on Crawley Down Road (SA19), beyond the minor improvements included in Surrey CC investment plans.

The East Grinstead and District Cycle Forum **objects** to this Site Allocations DPD as the following issues raised at Regulation 18 stage have not been addressed:-

- We need to see a fully funded Local Cycling and Walking Infrastructure Plan (LCWIP) for the whole of East Grinstead, to work out how we can achieve the modal shift to cycling/walking journeys in the town, through safer roads and new purpose-built cycle routes. We are ready and willing to contribute to the execution of an LCWIP in East Grinstead. This is a required first step under Local transport Note 1/20, and planning this scale of development in advance of an LCWIP does not meet national or local sustainable transport objectives.

- MSDC should provide much greater clarity on the level of private car usage that is predicted on the A22/A264 and other routes to the west of East Grinstead, and how this is forecast to change over the next 5, 10 and 15 years.
- Upgrade the surface of all existing Bridleways and Restricted ByWays in the East Grinstead area to provide conditions suitable for commuter and everyday cycling.
- Develop plans for a step change in investment in local buses, to ensure that bus services are much more frequent, reliable, quicker and more competitive on price. Honestly address the problem of how this can be delivered and maintained in the long term, given the current deregulated bus services in West Sussex, and the history of subsidy cuts to rural buses in this area.

In order to illustrate the real-world impact that well-designed safe cycling infrastructure can have please take note of the following:

1. The East Grinstead Strategic Development Transport Advice Report states that 7,346 car journeys are carried out every morning rush hour.
2. A recent survey by the Brake road safety charity stated that "35% of people would switch to cycling for commuting if the roads were less dangerous"
3. 66% of all British journeys are under 5 miles - a distance easily cycled in less than 30 minutes.

Using the above data, it is clear that good quality cycling infrastructure has the potential to take nearly **1,700 car journeys off the road every morning rush hour**. The positive impact of this on congestion, air quality, public health and well-being as well as parking, road maintenance, road policing and road safety is too significant to ignore any longer.

Since we made these points in 2019 in response to the Reg 18 consultation, there has been a significant national increase in cycling levels during the Covid 19 pandemic which adds weight to all our arguments.

In conclusion, the East Grinstead and District Cycle Forum doesn't believe that the proposed additional development for East Grinstead will be "sustainable", as defined in the 2019 NPPF, without clear and realistic transport strategies to avoid ever increasing reliance on the private car. These proposals in their current form merely lock in car dependency for another generation.

East Grinstead and District Cycle Forum response to Site Allocations DPD consultation

September 2020 – Contact Roger Tullett, e mail [REDACTED]

End

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 625

Response Ref: Reg19/625/2

Respondent: Mrs J Nagy

Organisation: Worth Parish Council

On Behalf Of:

Category: Town & Parish Council

Appear at Examination? ✓



WORTH PARISH COUNCIL

Clerk: Mrs Jennifer Nagy
CiLCA; PLCC

24th September 2020

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

Dear Sirs,

Draft Site Allocations DPD (Regulation 19) Consultation

Following a thorough review of the above DPD and the associated documents, Worth Parish Council has the following comments.

Employment

Site SA4 – Land north of the A264 at Junction 10 of the M23

In the original application for development of this area (13/04127/OUTES refers), this site was designated as informal open space. It was to be used as landfill with spoil from the site – “the landfill site will provide an interesting sculptured landform which will be retained as informal open space. The landform will also help screen the development from potential views from the A264”.

Despite the existing permission for industrial units on the site specifying B1/B8 use, only B8 units have been approved under reserved matters applications. The landscaping originally proposed for this area is now more than justified, in order to screen the large mass and height of the B8 units already in situ.

The amenity space also serves to avoid perceived coalescence with Crawley.

Removal of this 2.7-hectare site can be justified, given its current designation as protection for an existing development, whilst still leaving sufficient residual employment land to meet the revised economic development targets.

Should the site be allocated despite these objections, the Council asks that only B1 smaller business units be permitted, with the provision for any B8 units to be removed. This would give a wider range of industrial development, providing more opportunities for local businesses and thus meeting sustainability and economic objectives.

Given the location right on the junction, smaller low rise B1 units would be more suitable to mitigate the impact on the area. The landscaping screen should be of sufficient mass and depth as to provide protection both against perception of coalescence and against traffic noise and pollution from the M23 and Junction 10 itself.

As land levels have been heightened as part of the landfill operations, this should be taken into account to ensure that buildings are low rise from the A264 road level, and that screening is of sufficient depth and height to fulfil its purpose.

Site Specific Housing

Site SA19 – Land South of Crawley Down Rd, East Grinstead; 200 dwellings.

Site SA20 – Land South and West of Imberhorne Upper School; 550 dwellings.

The proximity of these developments means that their impact on local infrastructure should be assessed as a single development and should be undertaken in the context of existing permissions to the South of SA20 for 200 new homes and East of SA19 for 100 new homes (approx.).

Both Worth Parish Council and Surrey County Council have expressed concerns over capacity along the A22/A264 corridor. The associated local road network at the Turners Hill crossroads and the Sandy Lane, Vicarage Road and Wallage Lane junctions with the Turners Hill Road through Crawley Down should also be considered– see comments on Transport below.

Site SA22 – Land north of Burleigh Lane, Crawley Down; 50 dwellings

Worth Parish Council commented as part of Regulation 18 consultation that the location of the access is not clear. MSDC has responded by including reference to possible access via Sycamore Lane or Woodlands Close.

The Parish Council reiterates its concerns over access to this site. Both Sycamore Lane and Woodlands Close lead to the junction of Kiln Rd and Woodlands Close, a junction which has already been highlighted to WSCC Highways as being dangerous due to lack of clarity with regard to priority, and due to problems with obstructive parking.

An alternative access to the site via Burleigh Lane has obviously been discounted as it is a private, single track lane.

Therefore, this site should be removed on highways grounds

Housing Numbers

It was noted that during the various iterations of the Site Selection Paper, the wording as to supply across settlement categories has changed. SPP2 refers to unmet residual need being passed down i.e. unmet need to be passed from Category 2 to Category 3 (para 2.10 refers). However, SSP3 refers to unmet need to be passed up (para 2.4.5 refers) This should be clarified.

The DPD allows for 1764 homes, when the residual need is 1280, which is an over- provision of 484. Whilst this figure seems reasonable, it should be noted that it is an over-provision of 37.8% which could be deemed excessive.

In the DPD itself, the residual requirements are tabled by Category and not by individual settlement. The figures are as follows

Category	Minimum Requirement	Minimum Residual	Allocated	Difference
1	10653	706	1409	+703
2	3005	198	105	-93
3	2200	371	238	-133
4	82	5	12	+7
Total	16390	1280	1764	+484

Category 2 settlements have been successful in achieving 93.41% of their target, whilst Category 3 settlements have only achieved 83.1% of their target. The Council argues that more effort could have been made to see what could have been done to mitigate the sites discounted for consideration in the Category 3 settlements.

The Parish Council considers that the methodology used by MSDC to calculate Minimum residual requirements penalises those settlements who have already met their DP6 minimum requirement targets by ignoring the completions and commitments in excess of the DP6 figure for each

settlement. If the excess above the DP6 minimum requirement was included, then the six Category 2 settlements have already met 102% of their over DP6 minimum requirement of 3005.

DP6 Settlement Hierarchy states that “the amount of development planned for in each settlement will need to have regard to the settlement hierarchy, and also take into account of existing delivery, local development needs including significant local infrastructure, and other constraints to development”

1005 of the 1764 additional houses are on sites in the northern half of the district. Worth Parish Council believes that the district would be best served by an equitable distribution of housing throughout the area. The Council recognises the need to concentrate housing around the three district towns which are best placed to support the increased demand on infrastructure; two of these towns are in the south.

Worth Parish will also be adversely impacted by significant development on its border with East Grinstead, with an additional 750 homes being proposed. (See comments on Transport below)

Windfall Sites

In responding to the Draft DPD in 2019, the Parish Council said that the windfall contribution of 588 dwellings was underestimated, and that evidence would justify 972 from small windfall sites and 500 from large windfall sites.

In the final version of the DPD, the windfall contribution has been reduced to 504 dwellings. This presumably is due to updated empirical evidence.

Para 70 of the NPPF requires compelling evidence that windfall sites will provide a reliable source of supply.

PPG Housing and Economic Land Availability Assessment states that Local Planning Authorities have the ability to identify broad locations in years 6-15, which could include a Windfall allowance.

However, other LPAs such as East Hampshire, have recorded a constant supply of Windfall numbers, so have justified including figures from Year 3 onwards, rather than Year 6.

The District Plan adopted March 2018 allowed for 450 windfall dwellings. With allowances for 450 in 2018, 588 in 2019 and 504 in 2020. Using the East Hampshire model, these figures could be re-visited to see if the 504 figure is realistic or has been under-estimated.

Worth Parish Council has noted Cuckfield Parish Council’s comments relating to Windfall Sites, in that Cuckfield PC is of the opinion that “the allowance for windfall sites within the plan period has been underestimated by 168 dwellings (through the use of inconsistent methodology); 128 dwellings from small windfall sites (up to 9 dwellings) and 480 windfall sites over 9 dwellings.”

Worth Parish Council concurs with this view that contribution from windfall sites have been incorrectly assessed, further evidence that the calculation needs to be re-visited.

Neighbourhood Plans

The DPD allows for known commitments of 9689, which includes allocations made in Neighbourhood Plans. The majority of parishes have made Plans, which should now be due for review. Some reviewed Plans may incorporate additional allocations, but no reference has been made to these.

Therefore, the Council believes that there is little justification to allocate an additional 50 homes to Crawley Down given that

- The parish has fulfilled its housing allocation
- Category 2 settlements have performed well in the delivery of previous allocations
- The distribution of additional sites has been unfairly biased to the north of the district
- This in turn has put unacceptable strain on the local road network, especially the A264 between East Grinstead and M23 J10.

- The over-provision of 484 dwellings/37.8% is too great, and that the windfall contribution of 504 is too small.
- No consideration has been given to future allocations via revised Neighbourhood Plans within the district.

It is noted that provision of supporting infrastructure is more site specific for strategic sites. Smaller allocations generate lower levels of contributions that are insufficient to fund improvement projects; little consideration is given to the cumulative impact of piecemeal development. It could be argued that larger strategic site allocations provide necessary infrastructure more efficiently and cohesively than smaller sites.

Transport

MSDC last carried out a Transport Study in November 2015 in preparation for the District Plan in 2018. DP21 of the District Plan makes reference to the West Sussex Transport Plan 2011 to 2026. The WSCC Plan only cites areas around the three towns – East Grinstead, Burgess Hill and Haywards Heath as being in need of improvement. It is noted that East Grinstead is affected by the A264 and the A22, but no reference is made to the impact of traffic on these roads as they travel away from the town.

Completion (almost) of the M23 Smart Motorway and Gatwick Airport's progression of a second runway have taken place since the date of the study; it should be updated as a matter of urgency.

Both Worth Parish Council and Surrey County Council has commented on the impacts of increased levels of housing in East Grinstead upon the A22/A264 network.

DP25 Transport requires any development scheme to "avoid traffic congestion, individually or cumulatively, taking account of any proposed mitigation"; any additional housing sites should be compliant with this policy.

SA35 in the DPD only identifies three transport schemes – A22 corridor upgrades at Felbridge, Imberhorne Lane and Lingfield Rd junctions, A264 upgrades at Copthorne Hotel roundabout, and A23 upgrade at Hickstead.

Junction improvements at all three East Grinstead locations will channel traffic more easily onto the A264.

Worth Parish Council argues that the Dukes Head roundabout should be considered for inclusion in SA35. The B2028 Turners Hill Rd joins this roundabout bringing traffic from the south to head on westwards on the A264 to access local employment centres at Gatwick and Crawley, and also to access the M23 itself for onward journeys.

Capacity studies should take place on all major junctions from M23 J10 eastbound on the A264 until its junction with the A22. This is particularly important given that the 772 homes proposed for East Grinstead are all on the eastern border of Worth Parish, so would have significant impact on the local road infrastructure.

Air quality assessments and modelling should take place to analyse the impact of increased traffic along this corridor to ensure compliancy with SA 38 Air Quality.

In addition, junction capacity on the associated local road network at the Turners Hill crossroads and the Sandy Lane, Vicarage Road and Wallage Lane junctions with the Turners Hill Road through Crawley Down needs to be considered.

Indeed, the Plan would benefit from a District Transport Strategy to promote sustainable development.

NB: There is an error in SA35 in that the maps for "A264 corridor upgrades at Copthorne Hotel Junction" and for A23 Junction upgrades at Hickstead" have been transposed.

Utilities

It is of concern that Southern Water has indicated that the local sewerage network within the parish has limited capacity.

Indeed, evidence was supplied to the Secretary of State in relation to the Call In of two sites in Crawley Down in 2017 that Copthorne pumping station was at capacity. Whilst developers can fund improvements, piecemeal contributions will not be adequate to address the wider issue of lack of local capacity

There have been very recent issues with water supply in Mid Sussex, in that the processing plants could not purify enough water to meet demand, leaving some household without water for days.

Summer heatwaves seem be the norm, leading to increase in overall demand.

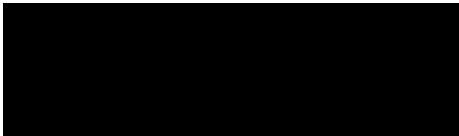
Provision of an adequate water supply must be an inherent part of any Local Plan.

Digital infrastructure has historically been left up to commercial providers. However, recent Covid-19 events have highlighted the need to have access to efficient broadband speeds in order to support the local and national economy.

Oral Representation at the Examination

Worth Parish Council would like to send representation to the Examination hearing to argue the case for a District Transport Strategy to assess the impact of cumulative development along the A264 corridor, to include capacity and air quality studies. This should encompass feeder routes onto this corridor, such as the A22, the B2028 Turners Hill Rd, and the B2220 Copthorne Rd.

Yours faithfully,



Jennifer Nagy
Clerk to the Council

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 730

Response Ref: Reg19/730/5

Respondent: Mr J Farrelly

Organisation: Genesis

On Behalf Of: Wates - Park Road Handcross

Category: Developer

Appear at Examination? ✓

LAND AT PARK ROAD, HANDCROSS

Mid Sussex District Council

Site Allocations

Development Plan Document

Regulation 19 Submission Draft Consultation

Representations on behalf of:

Wates Developments Limited and the
Blind Veterans UK Charity

September 2020



RTPI
Chartered Town Planners



LAND AT PARK ROAD, HANDCROSS

CONTENTS

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APPENDICES

Appendix 1	Illustrative Concept Layout (Drawing No. 19013(AF)00.01 P07)
Appendix 2	Slaugham Neighbourhood Plan Examiners Report
Appendix 3	Preliminary Tree Survey Schedule and Preliminary Tree Constraints Plan
Appendix 4	Proposed Site Access (Drawing No. ITB14511-GA-003A)

1.0 INTRODUCTION AND SCOPE OF REPRESENTATIONS

Introduction

- 1.1 These representations have been prepared on behalf of Wates Developments Limited and the Blind Veterans UK Charity who have an interest in approximately 5.45 hectares (13.4 acres) of land located to the west of Park Road, Handcross.
- 1.2 The land is edged red on the plan below:



- 1.3 As part of these representations Wates Developments Ltd has appointed the SLR Group and Simon Jones Associates to assess Landscape and Arboricultural matters, respectively. Their assessments have been taken into account in these representations and respond directly to the Council's previous assessment of the Site.
- 1.4 Wates has prepared an updated Illustrative Concept Layout Plan (Drawing No. 19013(AF)00.01 P07) which forms Appendix 1 of these representations. This shows how the promotion site could be developed.

Scope of Representations

- 1.5 These representations confirm that there is a deficit of 133 dwellings in the context of the “Updated Minimum Residual Housing Figure” for the Category 3 Settlements (Medium Sized Villages) of which Handcross is one of 12 Category 3 settlements. To compensate for this deficit the Site Allocations Development Plan Document (SA DPD) seeks to increase the amount of development taking place at the three Category 1 Settlements (Burgess Hill, East Grinstead and Haywards Heath) instead. This approach will not help meet the development needs of the Category 3 Settlements and does not reflect the principles of sustainable development or the Council’s own spatial distribution.
- 1.6 Wates and the Blind Veterans UK Charity are of the opinion that there are opportunities to provide for additional development at some Category 3 Settlements to help address the overall need for the category. One such settlement is Handcross and in particular land to the west of Park Road.
- 1.7 It is notable that the Major Development in the High Weald AONB Topic Paper sets out that 6 of the 22 housing sites fall within the AONB, all of which are in category 3 settlements. Accordingly, the principle of doing so is accepted by the Council and well-established and therefore should not preclude the allocation of sites such as these.
- 1.8 My clients are concerned about the latest Windfall site supply estimate which has increased from 450 dwellings in the adopted Mid Sussex District Plan to 504 dwellings in draft SA DPD. This increase is based on only two years of monitoring on sites granted planning permission for between 6 and 9 dwellings which is insufficient to provide a reliable Windfall forecast from this type of site. As a result, the windfall allowance should revert to 450 dwellings and a revised estimate from this source should be left to next District Plan Review when increased monitoring has taken place.
- 1.9 Concern is also expressed about the inclusion of draft Policy SA27 - Land at St Martin Close (West) for up to 30 dwellings when this site is also allocated a reserve housing site under Policy 10 of the ‘made’ Slaugham Neighbourhood Plan Allocation. As result, this amounts to double counting and should be excluded from the SA DPD. Instead, my clients land should be allocated for a mix of housing, community hall and public open space.
- 1.10 In summary, the SA DPD under provides against the housing requirement for the Category 3 Settlements as set out in the adopted Mid Sussex District Plan which does not reflect the principles of sustainable development. There is doubt about the accuracy of the revised windfall figure and the proposed Policy SA27 – Land at St Martin Close (West) allocation which amounts to double counting. As result the draft SA DPD is ***not consistent with national policy or justified*** which is contrary to the tests of soundness as set out in the National Planning Policy Framework.

- 1.11 To remedy this situation the SA DPD should allocate additional land at Handcross for housing and in particular my client's land to the west of Park Lane, Handcross for mix of housing, a community hall and public open space. This would contribute towards reducing the current shortfall of housing across the Category 3 Settlements and help them to meet their own development needs.

2.0 PLANNING HISTORY CONTEXT

- 2.1 The land to the west of Park Road, Handcross (excluding the part of the site owned by the Blind Veterans UK) was promoted by Wates for a mix of residential and public open space at the Regulation 18 stage of the SA DPD and at the Regulation 16 Stage of the Slaugham Neighbourhood Plan.
- 2.2 Appendix 2 of these representations contains the Slaugham Neighbourhood Plan Examiner's Report which was published in May 2019. The Examiner acknowledged in his report that planning permission had recently been granted for 600 homes at Pease Pottage which is one of four settlements in Slaugham Parish and on that basis the other settlements within the Parish (Handcross, Slaugham and Warninglid) would not be required to identify further growth in the Neighbourhood Plan (NP). He did, however, acknowledge that the NP could make additional allocations in order to boost the supply of housing. On that basis the Examiner accepted the Parish Council's provision for some modest new housing provision at Handcross in order to boost the supply of housing as it would reflect the pro-growth national growth agenda.
- 2.3 In his report the Examiner agreed with the two draft housing allocations at Handcross. These included:
- Land at St Martin Close (East) for up to 30 houses
 - Land at St Martin Close (West) as a reserve site for up to 35 houses
- 2.4 In terms of these two site allocations, the Examiner felt that they would be modest in scale and well related to the existing built up area of the village (para 7.69 of the Examiners Report). In addition, they would be seen within the wider landscape as a logical and natural rounding off of the existing village (para 7.84). As set previously it is important to note that my client's land has similar characteristics to the two allocated sites and is located immediately to the east of the existing St Martin Close development. It therefore has recognised characteristics as a location suitable for development. In terms of proximity to the rest of the settlement my client's land is also closer to the village centre and its associated facilities when compared to the two Neighbourhood Plan allocations.
- 2.5 Whilst the Examiner did not propose any additional housing allocations (other than those proposed) in the Neighbourhood Plan he acknowledged that Handcross is the most sustainable settlement within the neighbourhood plan area and ***"it has a critical mass of community services and an attractive and vibrant village centre"*** (para 7.70). He was also satisfied that the Plan sought to concentrate additional housing development in Handcross which is an appropriate location for residential development in principle (para 7.71); and, that ***"there was no practical option other than to allocate sites for any new residential development within the High Weald AONB"*** (para 7.84).

- 2.6 The Neighbourhood Plan was the subject of a Referendum and was ‘made’ on 25th September 2019. The two sites at St. Martin Close were allocated for housing. These included St. Martin Close (east) which is allocated for up to 30 dwellings (under Policy 9); and St. Martin Close (west) which is allocated as a ‘reserve’ site for up to 35 dwellings under Policy 10. The reserve site requires the development of St Martin Close (east) first and its release for development could be triggered by one or more of the following:
- The review of the Neighbourhood Plan itself
 - The adoption of the emerging Mid Sussex Allocations DPD
 - The adoption of any review of the Mid Sussex District Local Plan
 - A material delay in the delivery of the Pease Pottage strategic allocation in the adopted Mid Sussex District Local Plan
- 2.7 In addition to the Neighbourhood Plan promotion, the land to the west of Park Road, Handcross (excluding the part of the site owned by the Blind Veterans UK Charity) was promoted in January 2019 for a mix of housing and public open space in the rolling ‘Call for Site’s process of the Strategic Housing and Employment Land Availability Assessment (SHELAA); and the Regulation 18 SA DPD Consultation in November 2019. These sought the allocation of the land to the West of Park Road for the provision of between 65 to 80 dwellings plus public open space. In response to the representations the Strategic Policy section of MSDC sought clarification on various matters including the size of the site, the developable area and the nature of the mixed use proposed i.e. was it just housing and open space, and was there a more detailed plan showing the disposition of the proposed uses. This information was requested to assist MSDC’s consideration of the site.
- 2.8 In December Genesis Town Planning (GTP) responded to MSDC confirming that it might be possible to provide a community building on the site or on adjacent land and that this was being discussed with adjoining landowners and that a more detailed layout plan would also be prepared following the preparation of a Landscape Visual Appraisal.
- 2.9 In February 2020 MSDC sought further information about the deliverability of the promotion site and sought comments on its initial site appraisal for the site. GTP responded to this request on 13th February and also suggested increasing the size of the promotion site so that it included additional land in the ownership of the Blind Veterans UK Charity. This additional land could be used to provide a community hall plus additional residential accommodation. It also confirmed that the Tree Consultant acting on behalf of Wates was seeking to meet the MSDC Tree Officer on-site to assess the trees, particularly their status under the National Forest Inventory which was referred to in the initial site appraisal by MSDC. This meeting took place on 4th March during which it was agreed that there was no arboricultural reason that might prevent the allocation of the main body of the site for housing, or its development at a later date. The Tree Officer identified the groups of trees that she felt should be retained which included the row of conifers on the southern part of the western boundary and the trees located in the triangle of land at the northern end of the site as shown in the Preliminary Tree Retention Plan (Drawing No. SJA TRP 20124 – 051) forming part of Appendix 3.

- 2.10 It is important to note that the background documents for the Regulation 19 version of the Plan including ***“SSP3 Site Selection Paper: Housing Sites and Appendix B: Housing Site Proformas (February 2020)”*** and topic paper TP1 ***“Major Development in the High Weald AONB Topic Paper (July 2020)”*** assessed under ID Ref 987 - Land West of Park Road do not assess the larger site which now includes the Blind Veteran UK Charity land.

3.0 COMMENTS ON THE SOUNDNESS OF THE DRAFT PLAN

3.1 The Introduction section of the draft SA DPD sets out how the DPD has been prepared. Paragraphs 1.12 to 1.26 refer to the National Planning Policy Framework (NPPF) which requires DPDs to be prepared in accordance with the legal and procedural requirements. To be found ‘sound’ plans must be:

- **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the areas objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, taking into account the reasonable alternatives based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with policies of the framework.

Windfall Allowance

3.2 Table 2.3: District Plan Housing Requirement of the Regulation 19 SA DPD sets a windfall requirement of 504 dwellings. This amounts to an increase of 54 dwellings compared to the windfall estimate of 450 homes in Policy DP4 of the adopted Mid Sussex District Plan (March 2018).

3.3 The updated contribution from windful sites is assessed in the Housing Topic Paper H1 **“Windfall Study Update (July 2020)”** which forms part of the evidence base for the emerging SA DPD. The main reason for this increase appears to be that the windfall allowance now includes sites of 6 to 9 units. This type of site was previously excluded from the District Plan windfall calculation because at that time there was no data available to make an evidenced calculation on the potential supply from this source. Since then there have been two further monitoring years (i.e. 2018/19 and 2019/20). Based on this additional monitoring information the District Council has increased the windfall allowance to 504 dwellings. It is important to note that the additional monitoring is only over a two year period. This is a relatively short time period in terms of monitoring, and it would be prudent to use a longer monitoring period in assessing the windfall allowance for the SA DPD. As set out in paragraph 2.3 of the Windfall Study **“It will be for the District Plan Review to explore if there is further justification for amending the windfall allowance, including the approach taken to a potential windfall supply for large sites”**. As a result, the lower windfall allowance of 450 dwellings of the District Plan should continue to be used for the preparation of the SA DPD.

District Plan Housing Requirement (updated) and Spatial Distribution of Housing

- 3.4 Paragraph 1.20 of the draft Plan confirms that SA DPD should complement the adopted District Plan 2014-2031 and additional housing should be consistent with the Strategic Policies set out in the District Plan, including the Settlement Hierarchy.
- 3.5 Draft Policy SA10: Housing of the SA DPD updates the District Plan Housing Requirement as set out in Policy DP4 of the adopted District Plan of March 2018. Table 2.3 updates the position on District Plan Housing Requirement which includes the number of completions between 2018/19 and 2019/20; the total number of Housing Commitments (including sites with planning permission and allocations in made Neighbourhood Plans); and, an updated Windfall estimate. Table 2.4: sets out the Spatial Distribution of Housing Requirement for each settlement category in the Settlement Hierarchy. This is reproduced below:

SA10: Housing (continued)

Table 2.4: Spatial Distribution of Housing Requirement

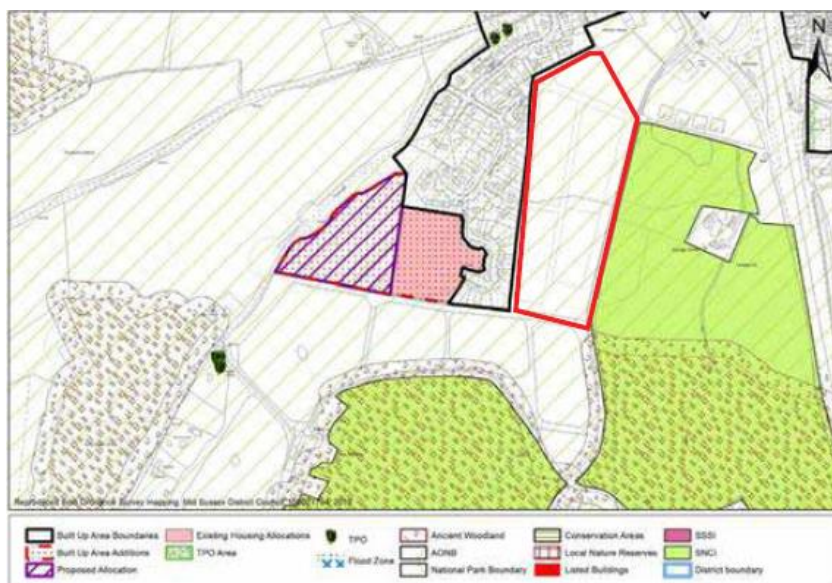
Settlement category	Settlements	Minimum Required over Plan Period	Updated Minimum Residual Housing Figure	Site Allocations – Housing Supply
1 – Town	Burgess Hill East Grinstead Hayward's Heath	10,653	706	1,409
2 – Larger Village (Local Service Centre)	Copthorne Crawley Down Cuckfield Hassocks and Keymer Hurstpierpoint Lindfield	3,005	198	105
3 – Medium Sized Village	Albourne Ardingly Balcombe Bolney Handcross Horsted Keynes Pease Pottage Sayers Common Scaynes Hill Sharpthorne Turners Hill West Hoathly	2,200	371	238
4 – Smaller Village	Ansty Staplefield Slaugham Twineham Warminglid	82	5	12
5 – Hamlets	Hamlets such as: Birch Grove Brook Street Hickstead Highbrook Walsted	N/A *	N/A *	N/A *
Total		16,390**	1,280	1,764

- 3.6 Analysis of the above table indicates that the **Site Allocations – Housing Supply** for the Category 1 Settlements (Burgess Hill, East Grinstead and Haywards Heath) is 1,409 dwellings. This exceeds the **Updated Minimum Residual Housing Figure** of 706 dwellings by an additional 703 dwellings. With regard to the Category 3 Settlements – Medium Sized Villages (which includes Handcross) there is a shortfall of 133 dwellings in this category (a Minimum Residual Housing Figure of 371 dwellings minus the Site Allocations Housing Supply of 238 dwellings).
- 3.7 This situation is also confirmed in **Table 16 – Supply from 20 ‘constant sites’ Sites** forming part of paragraph 6.42 of the Sustainability Appraisal (Incorporating Strategic Environmental Assessment) Regulation 19 - July 2020 (SA). Paragraph 6.43 of the SA confirms that **“Whilst there is a shortfall at Category 3, this can be met by an over-supply at Category 1. As Category 1 is the most sustainable category, and under-supply should be met in categories higher up in the settlement hierarchy, this is acceptable”**.
- 3.8 Whilst it is acknowledged that the above approach would result in more development taking place at the most sustainable settlements in the District i.e. at the three Category 1 Settlements (Burgess Hill, East Grinstead and Haywards Heath) it will not help meet the development needs of the Category 3 Settlements and does not, therefore, reflect the principles of sustainable development. The approach now set out in the SA DPD and the SA is also inconsistent with the final sentence of the second paragraph on page 38 of the adopted District Plan (which forms part of the explanatory text to Policy DP6). This states **“Similarly, further sites may be allocated in the future to ensure that the minimum residual for each settlement category (set out in DP4: Housing) is met, based on monitoring”**. This implies that any shortfall should be met within the same settlement category.
- 3.9 Based on the above, it is evident that there will be an undersupply of 133 dwellings across the Category 3 Settlements. This does not accord with the development strategy of the adopted District Plan. In addition, the current allocation strategy of the draft SA DPD will create an imbalance in the existing settlement hierarchy. Overall, it will not result in well planned sustainable development which is required by the NPPF. On this basis the draft SA DPD is not **consistent with national policy**.
- 3.10 In addition to the above, whilst not objecting the allocations in principle, there is no evidence to justify the delivery of the large scale allocations including the proposed allocations at East Grinstead i.e. SA19 – Land South of Crawley Down Road (200 dwellings) and Land South and West of Imberhorne Upper School (550 dwellings) which will require significant upgrades to the highway network, particularly the A264/A22 Felbridge junction which has known capacity issues and recently lost funding which was being pursued in relation to the South Godstone allocation. This is considered in paragraphs 6.1.1 to 6.1.7 of the **Strategic Transport Assessment: Reg 19 (Background Paper T7)**. This confirms in paragraph 6.1.1 that this junction is currently regarded as a

'hotspot' where delays are experienced, and it would be reasonable to expect 'severe' conditions in future year scenarios. Paragraph 6.1.7 confirms that significant mitigation of the A264/A22 would be required and to be fully effective this could involve land outside of the WSCC highway boundary, subject to the outcome of more detailed study work. The approved scheme and timing of these junction improvements has yet to be confirmed which could influence the timing and deliverability of these two proposed allocations. As such the approach of increasing the amount of development at Category 1 Settlements, and particularly at East Grinstead, is not the most appropriate strategy taking account of the reasonable alternatives which includes allocating additional housing sites at Category 2 and 3 Settlements both of which are currently underproviding in the context of the Minimum Residual Housing Figures for each Category. This approach is not **justified** and therefore does not accord with the soundness test for the preparation of DPDs.

Policy SA27 – Land at St Martin Close (West)

- 3.11 As previously stated in paragraph 2.6 of these representations the 'made' Slaugham Neighbourhood Plan allocates two housing sites at St. Martin Close. These include St. Martin Close (east) which is allocated for up to 30 dwellings (under Policy 9); and St. Martin Close (west) which is allocated as a 'reserve' site for up to 35 dwellings under Policy 10. As a result, both of these sites are already development plan allocations and as such my client questions why the Land at St Martin Close (West) - Policy SA27 - is also allocated in the Regulation 19 draft SA DPD. This amounts to double counting and should not be allocated again in the SA DPD. As the principle of additional housing at Handcross in this location is clearly supported by the SA DPD and the made Slaugham Neighbourhood Plan additional land should be allocated at the settlement in addition to the two Neighbourhood Plan allocations. The below plan highlights the context of my client's land in relation to the current allocations and the Sites (outlined in red) closer proximity to the village.



Site in context with proposed allocation SA27

- 3.12 To remedy the above 'soundness' inadequacies the SA DPD should make additional housing allocations at the most sustainable and suitable Category 3 settlements including Handcross. This would overcome the existing 133 dwelling shortfall across the Category 3 settlements helping them to meet their own development needs and reduce the risk of some of the proposed housing allocations at East Grinstead not being developed or slow delivery because of highway congestion concerns.
- 3.13 As set out in the next section of these representations my client's land to the west of Park Road, Handcross should be allocated for a mix of housing, a new community hall and public open space. The merits of allocating this site are set out in the next section.

4.0 PROPOSED ALLOCATION ON LAND TO THE WEST OF PARK ROAD, HANDCROSS

The Site and Surrounding Area

- 4.1 The site is approximately 5.45 hectares (13.4 acres) in size and is located to the south-west of Handcross, west of Park Road and the A23 London to Brighton Trunk Road. At present the northern and central parts of the site comprise juvenile woodland which forms part of a commercial plantation. This was planted by the Slaugham Estate after the Great Storm of October 1987. The central and south eastern part of the site is currently partially cleared of trees and is open as can be seen from the photographs below.



Picture of southern part of the Site



Picture of northern part of the Site

- 4.2 The north-western and western boundaries abut the existing built up area boundary of Handcross. The immediate surrounding area mainly comprises established residential development to the north (Covert Mead) and to the west (West Park Road and St Martin Close). A mix of woodland/scrub and a sewage works are located to the east and agricultural fields to the south beyond which there is more woodland. The eastern boundary abuts Park Road which is also an historic Public Right of Way (PRoW) - Bridleway S7. This road has a junction onto the B2110 which is a slip road from/to the A23. Park Road is a private road and bridleway which provides an alternative vehicular route to Slaugham village located to the south.
- 4.3 There is also another PRoW (public footpath S3) which abuts the northern edge of the site and adjacent allotments which are accessed from Horsham Road to the north.

Comments on Site Assessment in Background Paper SSP3 - Site Selection Paper 3: Housing – Appendix B: Housing Site Proformas

- 4.4 The promotion site (excluding the Blind Veterans UK Charity land) is assessed under ID 987 – Land to the west of Park Road, Handcross in **Appendix B of the Site Selection Paper 3** (last updated 03/08/20). The assessment has various parts (Parts 1 to 4). Overall, the site assessment shows that there are significantly more positive/neutral impacts than negative impacts.
- 4.5 There are eight ‘Very Positive’ impacts including:
- Flood Risk
 - Ancient Woodland
 - SSSI/SNCI/LNR
 - Listed Buildings
 - Conservation Area
 - Deliverability
 - Infrastructure
 - Access to Services
- 4.6 There are five ‘Neutral’ Impacts including:
- Archaeology
 - Local Road/Access
 - Access to Education
 - Access to Health
 - Access to Public Transport
- 4.7 There is only one ‘Negative’ impact which relates to Trees/ TPOs; and only one ‘Very High Negative’ impact which relates to the High Weald AONB. As these negative impacts are in part related to each other, the response of Wates and the Blind Veterans UK Charity to these two assessment entries are set out below:

Impact on High Weald Area of Outstanding Natural Beauty (AONB)

- 4.8 The Site Selection Paper 3 assessment of “*High impact on AONB*” that would result from the of the proposed development on the promotion site is largely based on the anticipated “*loss of woodland*”. The assessment also notes that the site has “*modern residential development to west and north*” and that there is “*more substantial woodland to the east up to A23 and fields to the south*”.

- 4.9 As part of the investigative work carried out to date, Wates instructed SLR Consulting to carry out an initial landscape appraisal. A review of published AONB assessments confirms that one of the key components which helps to create the character of the AONB is its *“abundant, interconnected ancient woods and hedges”* and dense, broadleaved woodland. Wates also appointed Simon Jones Associates (Arboricultural Consultants) to assess the trees on-site. Their assessment confirmed that whilst large parts of the site currently contain trees these are, either, young or semi-mature self seeded with a maximum trunk diameter of 450mm and form part of a commercial crop which is periodically felled to create fuel for the Slaugham Estate.
- 4.10 Simon Jones Associates met with the Tree Officer earlier this year and it was agreed that trees within a large part of the site are suitable for removal. The assessment in Appendix B of the Site Selection Paper notes that *“most of the site comprises woodland”* and defines various types of woodland. It is important to note that it is likely that this will not continue to be the baseline in the longer term, subject to agreed felling, independent of any proposed development. The anticipated loss of woodland as a result of the development and the corresponding *“High impact on AONB”* assessed in Appendix B may not, therefore, be the reality.
- 4.11 Any development of the site would be designed to create a woodland character in line with the AONB Management Plan to avoid significant effects on the designation and on the character of the local landscape. It has been agreed that it would be important not just to create a ‘wall’ of trees along the edges of the site to screen views, but, also to integrate trees throughout the site along verges and within areas of public open space to provide high-quality, mixed native woodland to enhance and reinforce the key elements of the local landscape character.
- 4.12 The assessment notes that there is a *“historic PROW (Park Road) on the eastern boundary”* and that there *“will be views of site from PROW”*. The initial assessment carried out by SLR noted that there is also a Public Footpath (S3) to the north of the site connecting to allotments and the settlement.
- 4.13 It is noted that part of Public Bridleway 7S (*“historic PROW”*) is on land at a lower elevation than the site (see photograph below) and, as such, the views of walkers are partially contained. Potential views from the Public Bridleway 7S (*“historic PROW”*) could be further reduced with sensitive design including the reinforcement of the trees and shrubs along the eastern boundary with proposed built form set back from this boundary.



View to north from Historic PROW S7

- 4.14 In addition views from Public Footpath S3 to the north are currently limited by existing vegetation to either side of the path. This is shown in the photograph below.



View to south east towards Park Road from Public Footpath S3

- 4.15 In addition to the above comments, it is important to note that approximately 50% of Mid Sussex District falls within the High Weald AONB and eight of the Category 3 Settlements are located within the AONB. As set out above six of the 22 proposed housing allocations in the SA DPD fall within the AONB in category 3 settlements therefore the principle of doing so through the DPD is well established and should be increased in order to meet the housing needs of these settlements.

- 4.16 Although the whole of Handcross and surrounding land including the neighbouring settlement of Pease Pottage fall within the High Weald AONB the principle of allowing new housing development within the AONB in these locations has also been accepted in the recent past. This is demonstrated by the grant of planning permission for up to 600 homes on land east of Pease Pottage (DM/15/4711) and the planning permission for 90 dwellings on land to the south of Handcross Primary School (12/04033/OUT).
- 4.17 It is considered that the promotion site is more sustainable than the current allocations in the SNP. It is served by better footpath connections and is a shorter walking distance from the village. As a result, the Site serves as an obvious alternative for the Council to allocate which could come forward in a sensitive manner to mitigate any impact on the wider AONB whilst helping to meet the needs of smaller settlements in the district.

Impact on Trees/Tree Preservation Orders

- 4.18 As mentioned above, most of the trees and woodland within the site comprises a commercial plantation of young trees which are periodically felled. Notwithstanding this, Wates Developments appointed Simon Jones Associates (Arboricultural Consultants) to assess on-site trees. An initial appraisal of the site confirmed that there are very few trees of high quality within the site. There are no veteran trees within or overhanging the site. None of the trees are covered by a Tree Preservation Order (TPO) and the site is not within a conservation area. Consequently, there are no constraints on trees in this regard.
- 4.19 On 4th March 2020 Simon Jones met the District Council Tree Officer to discuss on-site trees and potential development on the site. During the meeting it was agreed that there were no arboricultural reasons that would prevent the allocation of the main body of the site for housing, or its development at a later date. The Tree Officer identified the groups of trees that she felt should be retained which included the row of conifers on the southern part of the western boundary and some of the trees located in the triangle of land at the northern end of the site. As a result of this site meeting, Simon Jones Associates has produced a Preliminary Tree Survey Schedule and a Preliminary Tree Constraints Plan. These are contained in Appendix 3 of these representations. The tree assessment has informed the Concept Layout Plan (Appendix 1) for the promotion site which shows the broad disposition of development, the extent of retained woodland/trees and new tree planting and greenspace areas across the site. This demonstrates that significant parts of the site could be developed for housing whilst retaining various areas of woodland and tree belts worthy of retention. It also incorporates significant amounts of new tree planting which will help soften the appearance of the new development reducing the harm to the AONB to acceptable levels. As a result, the site would retain a high degree of biodiversity.

Local Road/Access

- 4.20 According to the SSP3 Appendix B Assessment for the site the Local Road/ Access category is given a neutral score. It comments that significant improvements will be required to the Local Roads and Access. At an early stage in the consideration of the site, Wates appointed i-Transport (Specialist Transport Planning Consultancy) to consider how a development of about 65 to 80 new homes could be accessed and its potential traffic impact.
- 4.21 In terms of site **Vehicular Access**, the principle vehicular access would be via Park Road. This is shown on Drawing No. ITB14511-GA-003A – Proposed Access Arrangement which is contained in Appendix 4. This involves upgrading the Park Road junction with the A23 slip road and the construction of a new 5.5m wide carriageway generally on the same alignment as the current Park Road alignment on land which Wates has an interest. The new carriageway would then enter the site at its north-eastern point.
- 4.22 Initial discussions have been held with Highways England regarding re-using and improving the existing access to the B2110. Highways England have no objection in principle but would need to see the access proved in technical terms, particularly in terms of visibility. Speed surveys have been undertaken, and these demonstrate a design speed of 40mph for traffic approaching from the south. Drawing ITB14511-GA-003A shows a commensurate visibility splay of 9m x 120m. Even if the design speed is 60mph (which it is not), a visibility splay of 9m x 215m is achievable. Visibility all the way to the mini-roundabout is achievable to the left. Wates has secured the necessary land to provide the access and visibility splays without the need for any 3rd party land contrary to the Council's assessment. Therefore, access from the B2100 is fully deliverable and achievable. The site access arrangements shown on Drawing ITB14511-GA-003A will provide an achievable, safe and suitable access to the development which is acceptable to Highways England.
- 4.23 **Cycle and Pedestrian Facilities** - A new segregated 2.0m wide footway along the western side of the B2110 would be provided in the vicinity of the upgraded Park Road junction. This would link into the existing pedestrian facilities on the southern side of the B2110 to the north of the mini roundabout junction. There are existing pedestrian crossing facilities across each arm of the mini-roundabout junction. In addition, there are continuous pedestrian facilities through Handcross which provide access to services in the village centre and onwards to the GP surgery and Handcross Primary School. The north western part of the promotion site abuts the footways on the existing Covert Mead cul-de-sac, (located to the north-west) which are part of the public highway. Whilst no vehicular access is proposed or needed via Covert Mead, pedestrian/cyclist access can be provided to create a pedestrian link to this part of the settlement. There is also the opportunity to bring forward cycling improvements within Handcross (e.g. on carriageway cycle lanes) and Wates would be keen to discuss this with the District Council and West Sussex County Council at the appropriate time.

- 4.24 With regard to **Traffic Impact** the development will result in no more than about 20 movements through the centre of Handcross during peak hours, i.e. around one vehicle movement every three minutes. The design of the site access in drawing no. ITB14511-GA-003A includes widening of the access and the provision of a right-turn lane. This will be more than adequate to accommodate the very modest traffic generation of an 80 dwelling scheme. On this basis traffic impact is not an issue.
- 4.25 With regard to **Sustainability/Access to Services** the site has a mix of 'very positive' and 'neutral' impacts. Handcross provides a good range of facilities and services and the site is well located for journeys to be made by walking and cycling. Public footpath (3S) abuts the northern boundary and bridleway (7S) is adjacent to the eastern boundary (Park Road). Bus stops are within easy walking distance and these are served by frequent buses which provide a realistic opportunity for non-car travel further afield. These aspects are shown on Table 1: Local Services and Facilities and Figure 1: Local Facilities Plan below:

Table 1: Local Services and Facilities

Purpose	Destination	Distance (m)	Walking Journey Time	Cycle Journey Time
Employment	Brighton Road Industrial Estate	600	7	2
	Angleton Ltd	1600	19	6
Education	Handcross Primary School	1400	17	5
	Handcross Park School	1600	19	6
Retail	Handcross Butchers	550	7	2
	SPAR (with Post Office)	650	8	2
	Handcross Newsagents	700	8	3
Leisure	The Royal Oak Inn	400	5	2
	The Red Lion Public House	550	7	2
	Handcross Village Hall	900	11	3
	Handcross Recreation Ground and Pavilion	1000	12	4
	Nymans – National Trust	1000	12	4
Healthcare	Ouse Valley Medical Practice	1200	14	5
	Dumbledore Dental Centre	1200	14	5

Source: Consultants Estimates

Notes:

	'Easy' walking distance, i.e. less than 800m (ref: <i>Manual for Streets</i>)
	'Comfortable' walking distance, i.e. within 1600m which the National Travel Survey identifies as being the distance up to which circa 75% of people will walk

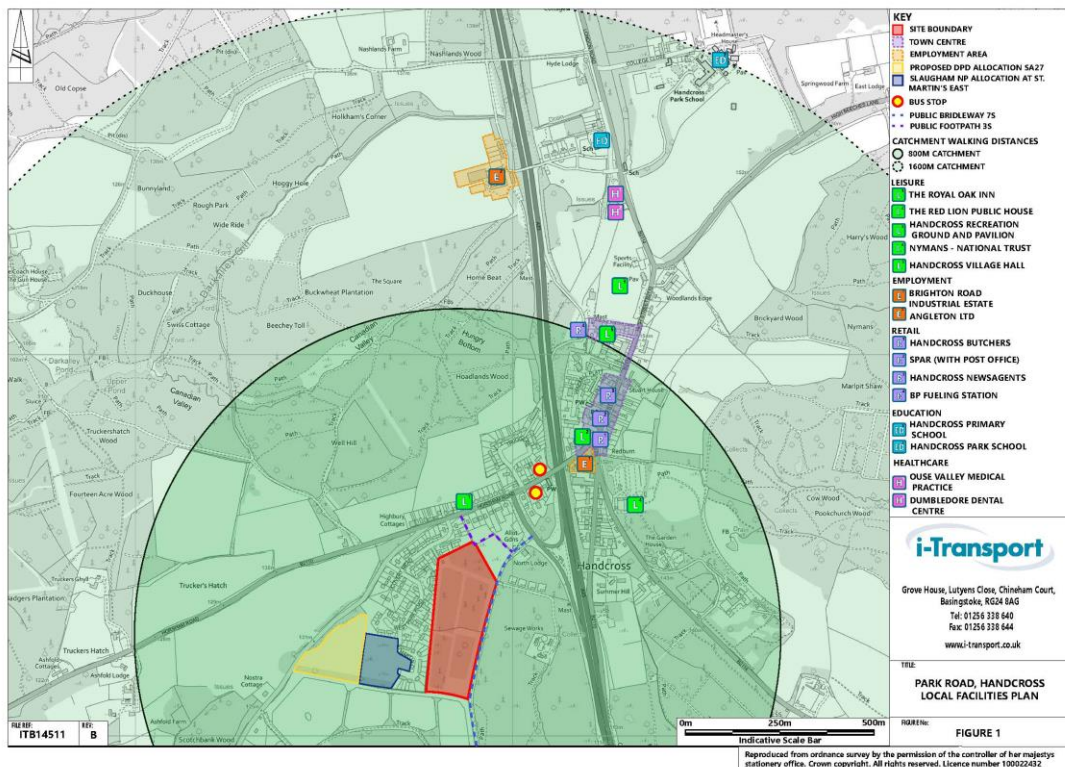


Figure 1: Local Facilities Plan

- 4.26 The above table and figure confirms that the promotion site is within easy and comfortable walking and cycling distances of the key services at Handcross and is therefore in a sustainable location.

Community Facilities

- 4.27 As set out above Handcross has a good range of local services and community facilities. Paragraph 5.7 of the made Slaugham Neighbourhood Plan states ***“Public feedback has highlighted residents support for improvement and/or replacement to/of Handcross Village Hall. In light of local support, SPC will support proposals which seek to enhance and/or in the longer-term replace the existing facility”***. Owing to the relative size of the promotion site and its close proximity to the main part of the settlement there is scope to provide a new purpose built community hall, that meets modern day needs, as part of the development package.

5.0 SUMMARY AND RECOMMENDATION

- 5.1 These representations confirm that there is a deficit of 133 dwellings in the context of the “Updated Minimum Residual Housing Figure” for the Category 3 Settlements (Medium Sized Villages) of which Handcross is one of 12 Category 3 settlements. To compensate for this deficit the SA DPD seeks to increase the amount of development taking place at the three Category 1 Settlements (Burgess Hill, East Grinstead and Haywards Heath) instead. This approach will not help meet the development needs of the Category 3 Settlements and does not reflect the principles of sustainable development.
- 5.2 My clients are concerned about the latest Windfall site supply estimate which has increased from 450 dwellings in the adopted Mid Sussex District Plan to 504 dwellings in draft SA DPD. This increase is based on only two years of monitoring on sites of between 6 and 9 dwellings granted planning permission between 2018 and 2020. This new data is insufficient to provide a reliable Windfall forecast from this type of site. As a result, the windfall allowance should revert to 450 dwellings and a revised estimate from this source should be left to next District Plan Review when increased monitoring has taken place.
- 5.3 Concern is also expressed about the inclusion of draft Policy SA27 - Land at St Martin Close (West) for up to 35 dwellings when this site is also allocated a reserve housing site under Policy 10 of the ‘made’ Slaugham Neighbourhood Plan Allocation. As result, this amounts to double counting.
- 5.4 As the Reg 19 SA DPD under provides against the housing requirement for the Category 3 Settlements as set out in the adopted Mid Sussex District Plan it does not reflect the principles of sustainable development. There is also doubt about the accuracy of the revised windfall figure and the proposed Policy SA27 – Land at St Martin Close (West) allocation which amounts to double counting. As result the draft SA DPD is ***not consistent with national policy or justified*** which is contrary to the tests of soundness as set out in the National Planning Policy Framework.
- 5.5 There are opportunities to provide for additional development at a number of Category 3 Settlements in order to meet the shortfall across the district which could result in an imbalance between large and small settlements. One such settlement is Handcross where the principle of development is accepted locally by the Slaugham Neighbourhood Plan and draft Policy SA 27 of the Regulation 19 SA DPD which allocates the land at St Martin Close (West) for up to 35 dwellings. As such Handcross is a sustainable location well suited for the provision of additional residential development. To remedy this situation the SA DPD should allocate my client’s land to the west of Park Lane, Handcross for a mix of housing, a new community hall and public open space.

- 5.6 Land to west of Park Road is well related to existing settlement of Handcross. It abuts the existing built up area boundary to the north and west and established residential development. It is well contained in the wider landscape by virtue of the existing woodland to the east and the existing housing to the north and west. In terms of proximity to the main services and facilities at Handcross this site is highly sustainable and is closer to these facilities than both recent St Martin Close housing allocations in the 'made' Slaughtam Neighbourhood Plan.
- 5.7 Based on investigations carried out to date the site can be developed without causing unacceptable harm to the High Weald AONB. It is available for development and provides the opportunity to deliver a new mixed-use development for between 65-80 dwellings (including much needed affordable homes), a new community hall plus formal and informal public open space. A mixed-use development of this type would provide additional public open space on the western side of Handcross which would be more easily accessed by residents living in this part of the settlement.
- 5.8 It is therefore recommended that my client's land to the west of Park Road, Handcross is allocated for between 65 and 80 dwellings, community hall and public open space in the adopted Site Allocations DPD.

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 910

Response Ref: Reg19/910/2

Respondent: Ms V Riddle

Organisation: Tandridge District Council

On Behalf Of:

Category: Local Authority

Appear at Examination? x

Planning Policy Team
Mid Sussex District Council
(via email)

If calling please ask for *Vivienne Riddle*
on 01883 732883

E-mail: LocalPlan@tandridge.gov.uk

Date: 30 September 2020

Dear Planning Policy Team,

Thank you for providing us with the opportunity to comment on the Draft Site Allocations DPD (Regulation 19).

Under the Duty to Cooperate, as set out within the most up-to-date Statement of Common Ground, Tandridge and Mid Sussex have engaged on an ongoing basis throughout the preparation of the Sites DPD.

However, and as highlighted in our Reg 18 response, we are aware that there are two schemes which are of a scale and proximity to our district such that they have the potential to impact on our residents. They are SA19: Land south of Crawley Down Road, Felbridge (200 units) and SA20: Land south and west of Imberhorne Upper School, Imberhorne lane, East Grinstead (550).

Highways

One of the main issues in this locality is that of highway capacity at various locations. As set out in the most up-to-date Statement of Common Ground it is agreed that transport schemes are required at various locations, including the A22/A264 junction, and that we will continue to work together, along with the respective county councils, to investigate potential mitigation options. It is recognised that the preferred option may require cross boundary land and policy SA35: Safeguarding of Land for and Delivery of Strategic Highway Improvements, which sets out a requirement to identify, secure and protect any land needed for this purpose, is supported. We would expect that a mitigation option to have been agreed by all parties before the commencement of any development in the vicinity, so that we can be ensured that the impact will be mitigated and contributions towards the highways improvements are sought. As such, that wording to this effect is included within the policies (SA19 and SA20) as a main modification.

Site Allocations

It is noted that the site allocation policies for each sets out detailed requirements, including a requirement to work collaboratively with Surrey and West Sussex County Council Highway Authorities to mitigate development impacts by maximising sustainable transport enhancements, and where additional impacts remain, consider highway mitigation measures. Furthermore, they also seek to secure contributions towards necessary capacity and safety improvements to junctions impacted by the development in the vicinity of the site along the A22/A264 corridor, having taken account of any sustainable transport interventions. Tandridge supports the detailed requirements given the known capacity issues but as above would like to see more commitment in having an agreed mitigation scheme that the sites contribute towards before the developments commence.

customerservices@tandridge.gov.uk www.tandridge.gov.uk

Settlement Hierarchy

Tandridge notes that site SA19 has been identified as being within the proposed built-up boundary of East Grinstead and as such has the same settlement category (Category 1). However, it is also being described as an extension to Felbridge, with its vehicular access off Crawley Down Road and policy requirements setting out that the any proposals maximise connectivity with Felbridge. It is also noted that, at present, the built-up boundary narrows to a thin line between the main built up area of East Grinstead and development to the south of Crawley Down Road but this boundary is being amended to include an area of land located between this site allocation and the main built-up area of East Grinstead. Notwithstanding this it is noted that policy DP13 of the Mid Sussex Development Plan 2014-2031 seeks to prevent the coalescence of settlements which harms the separate identity and amenity of settlements and the maintenance of this undeveloped gap reinforces the fact that they are separate settlements.

Our Settlement Hierarchy (2015 and 2018 Addendum) identifies Felbridge as a Tier 3 Rural Settlement which demonstrates a basic level of provision. However, it also recognises the relationship with out-of-district settlements, noting that residents rely on East Grinstead for services such as healthcare facilities, secondary schools and a train station. In arriving at our Preferred Strategy we considered a number of different approaches, including an approach with development focused on our Tier 3 settlements. Our Sustainability Appraisal concluded that such an approach would be unsustainable, with limited gains when compared to the impact on the environment and the settlements themselves. Tandridge's approach therefore does not include directing development towards this settlement.

Health

Tandridge supports the proposed approach of either on-site provision or contributions for off-site expansion of GP surgeries. (SA20) These requirements are welcomed as they will help mitigate the impact on GP surgeries within our administrative area.

SANG

The provision of SANG to the west of SA20 is supported. As set out in the Statement of Common Ground we agree to continue to engage positively on an ongoing basis to ensure the proposed SANG provision is appropriately defined and designed and makes best use of opportunity for strategic provision if this is shown to be appropriate. We would like to continue discussions about whether Tandridge District Council could utilise the SANG to offset the impact on Ashdown Forest from development on our border.

Education

The provision of land and financial contribution for early years and primary school (2FE) provision with Early Years pre-school and facilities for Special Educational Needs (2.2ha) on SA20 is noted. This coupled with the proposed measures to protect and improve the PROW which would provide linkages between SA19 and SA20 are welcomed in terms of the additional provision and providing the potential opportunity to access the education provision on SA20 by non-car means thereby lessening the potential impact on education provision within Tandridge.

Flooding

It is noted that part of site allocation SA19 contains Flood Zone 3. The site allocation policy wording sets out that, informed by a Flood Risk Assessment, a sequential approach shall be applied to ensure all development avoids the flood extent for the 1 in 100 year event, including a climate change allowance and Tandridge supports this.

Yours sincerely,

Sarah Thompson
Head of Strategy

customerservices@tandridge.gov.uk www.tandridge.gov.uk

Tandridge District Council, Council Offices, 8 Station Road East, Oxted, Surrey RH8 0BT
Tel: 01883 722000 - Monday-Thursday 8.30-5pm, Friday 8.30-4.30pm - Dx: 39359 OXTED

1378

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1378

Response Ref: Reg19/1378/1

Respondent: Mrs E Grub

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Elizabeth Grub [REDACTED]
Sent: 20 September 2020 15:46
To: ldfconsultation
Subject: Proposed Planning Objection

This email serves as my objection to the following allocation sites:

550 Imberhorne Farm
200 Felbridge
50 Crawley Down

Collectively, or individually, I object for several reasons:

- Mid Sussex District Council have failed to consult the community to the legal standard required. Yet again, I was totally unaware of any of these proposals.
- Continued unsustainable weight of traffic and pollution

- Having lived in the area for over 40 years, the crossroads at Turners Hill, the Turners Hill Road through Crawley Down and the A264 into Felbridge has long reached saturation point with NO improvement to alleviate such congestion and no traffic calming measures put in place

- Unsound Assessment of proposed sites

- Have other, reasonable alternative sites been explored, as per National Planning Policy? Apparently so, but disregarded which has been highlighted as flawed. Crabbet Park site was rejected due to lack of connectivity to existing settlements. A criteria distance measurement of 150m is used, yet Crabbet Park is approx. 100m from the built up boundary of Crawley.

Perhaps this confusion can be clarified, along with other planning anomalies and irregularities that have been already highlighted, please?

- MSDC have, it seems, yet again ignored, disregarded and gone against a Neighbourhood Plan

In simple terms, the number of proposed dwellings for each allocation and the proposed sites are unsustainable, especially at Imberhorne Farm and Felbridge, on every level.

How can an additional 750 dwellings, in addition to already approved planning, be legitimately justified when traffic congestion, (already a big issue, only to increase), inadequate infrastructure and biodiversity loss HAS NOT BEEN addressed? This is in addition to planning arguments contrary to the Neighbourhood Plan.

Elizabeth Grub

[REDACTED]

Sent from my Samsung Galaxy smartphone.

1392

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1392

Response Ref: Reg19/1392/2

Respondent: Mr F Berry

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Frank Berry [REDACTED]
Sent: 28 September 2020 23:38
To: ldfconsultation
Subject: MSDC Site Allocations DPD (Regulation 19) Consultation

I wish to object to the above DPD (Regulation 19) for several reasons, which I have detailed below:

I. Legally Compliant

I do not consider MSDC have been compliant with its **Statement of Community Involvement, as required under the National Planning Policy Framework (NPPF).**

I was alerted to the existence of the consultation for the Site Allocations DPD (Regulation 18) by a MSDC Councillor, and therefore made comments at that time. However, when I made a search of the MSDC website a few weeks ago, I had trouble locating any progress on this until I eventually found the Site Allocations DPD (Regulation 18) 9th October – 20th November 2019 Consultation Report. This contained the feedback that I sought i.e. comments made by statutory bodies, organisations and members of the public, including actions made by Officers to address objections. I noted the low response for sites relating to East Grinstead i.e. SA18 East Grinstead Police Station (31), SA19 Crawley Down Road (38), and SA20 Imberhorne Lane (69). Given that many people will have made comments to more than one site, this means that possibly less than 100 comments were received in total relating to the above sites out of a population in excess of 30,000. I have personally accessed the current (Regulation 19) documents, but I am concerned that when I searched for 'open consultations/existing consultations' on the website last week, the answer came back that there were no current consultations! This could lead once again to a very low response rate, and you will not receive the feedback about your proposals from a larger number of members of the public that are needed.

I note that the **MSDC Community Involvement Plan (CIP)**, issued in July 2020 states that it should "Be inclusive" and "Accessible to all who wish to take part", and the communication vehicles proposed were a press release, an email alert and "utilise social media". There are a limited number of residents who buy/read a 'local' newspaper these days, so the press release with the information would not have reached many people. The email alert is only effective for those who have signed up to receive the information, so again I suggest this would have reached a very low number, given the low responses given above. Utilising social media would reach a much wider audience in East Grinstead, but regular users of social media have advised me that they do not recall seeing anything from MSDC on various local social media websites alerting users to this consultation.

I understand that WSCC libraries were closed at the outset of the Coronavirus Lockdown, but did you/did you consider posting a notice on the library door in East Grinstead to alert a wider audience? Although the library was shut for a considerable length of time, it has re - opened in phases, so more visits have been made in recent months

2. Soundness

There is a requirement within the NPPF for the Plan to be 'Sound', but there are various aspects which I consider to be unsound, mainly relating to the statements regarding providing infrastructure and highways improvements.

2.1 Justified

a) There are too many dwellings proposed at SA19 Crawley Down Road (200) and SA20 Imberhorne Lane (550) to be justified. The Plan allocates Sites across Mid Sussex District to meet the needs of Mid Sussex and also that of Crawley, but these developments are far too large to be justified. Even without the current downturn in the Economy and effect on jobs at Gatwick and Crawley which makes these plans questionable, these developments are too large and will create problems for the new and existing residents of Felbridge and East Grinstead. The existing infrastructure cannot cope with an additional estimated 2,500 – 3,000 people, who will need to access to GP Surgeries, Dentists etc., and the Highways network will also need a major configuration to prevent gridlock in parts of East Grinstead and Felbridge. In support of this, I refer to the **MSDC Site Allocations DPD – Sustainability Appraisal – February 2020** i.e.

NPPD 2.4 Sustainable Development

This states that “It is about ensuring better quality of life for everyone, now and for generations to come”. I do not consider sitting in traffic hold – ups, having to travel to places outside of East Grinstead to access GP’s and Dentists, searching for parking spaces etc. to be “better quality of life”.

NPPD 2.6 an economic objective

This states “and by identifying and coordinating the provision of infrastructure”. However, most of the references contained within DPD (Regulation 19) regarding the East Grinstead Sites are vague. (see examples in my specific comments to SA18, SA19 and SA20 below).

NPPD 2.6 a social objective

This states “with accessible services and open spaces that reflect current and future needs and support health, social and cultural well – being”. The DPD (Regulation 19) Plan falls short on the detail as to how this will be achieved. Existing services will be inadequate to support the needs of an additional 10% of the existing population of East Grinstead and Felbridge. (see examples in my specific comments to SA18, SA19 and SA20 below).

NPPD 2.15 Consultation and Implementation

This states “Consultation withand members of the Community”. I do not think this has been adequate (see 1. Legally Compliant above).

Human Characteristics

The MSDC Site Allocations DPD, as in the District Plan, states that Mid Sussex has an aging population, which will need healthcare and social services provision. The Plan has identified that the District has a shortage of smaller 1 and 2 bedroom dwellings, which could suit older persons, but what will be the type of dwellings to be built on these sites? There should be an additional requirement to enforce a larger number of ‘affordable’ dwellings on these sites, rather than the usual maximum of 10% that currently exists. Developers will want to build larger 3 and 4 bedroom homes as these are more profitable, but any developments should reflect the needs of the District.

Households

“The increasing population locally and nationally is a key factor in the growing number of households and may present challenges where infrastructure cannot be improved or additional capacity created to meet increased demand from new households”. This is my point: it WILL present PROBLEMS in and around East Grinstead if these developments proceed as planned. There are no specific proposals to improve the infrastructure.

Housing Stock

There is a very low number of ‘affordable housing’ in Mid Sussex, so an increase in numbers is needed. However, the National Government’s definition of affordable housing bears little resemblance to reality; ‘affordable’ housing on new developments means very little to those seeking new/first homes if the average price within the development is £500,000.

Roads and Transport

“A number of interventions such as improved signalling, junction improvements and priority bus corridors may be necessary to support proposed growth”. In East Grinstead and Felbridge this WILL be required, but again there is a lack of detail in the DPD (Regulation 19) Plan.

Air Quality

The current air quality has already been identified as being poor in East Grinstead, which can only get worse with the additional volumes of traffic resulting from these developments. There are already traffic hold – ups, so unless major improvements are made to the road network, there will be additional harmful emissions due to queuing traffic.

In – Combination Effects: Conclusions

1 - Housing

“.....This supports the sustainability objective to ensure that everyone has the opportunity to live in a home suitable to their needs and which they can afford”. See my comments above.

2 – Health

This states that all sites will be required to support the provision of healthcare infrastructure in Mid Sussex. “This might be through direct provision a facility, provision of land, or through a financial contribution”. I know that S106 contributions are made currently and planned for these Sites, but that does not mean that a new GP surgery/health centre will be built, or an existing practice extended, due to constraints. Two GP surgeries were due to merge some years ago in East Grinstead, but this did not happen. However, people have continued to come to live in East Grinstead, and cannot access these services as they cannot take anymore additional patients. A 200 dwelling development is planned at Hill Place Farm, and there are no infrastructure plans to cater for the increased population and its needs.

Transport

This states that “None of the site options on their own are likely to contribute to negative impacts on the highways network”. I disagree: 550 additional homes at Imberhorne Lane will create lots of highway problems: it is proposed that the entrance to the new development will be on Imberhorne Lane, where traffic already tails back at peak times. Traffic trying to emerge from the estate (with a likely vehicle ownership in excess of 800) will only exacerbate these problems. 200 homes at Crawley Down Road will also cause highways problems, due to the site’s proximity to the road junction with the A264. Although mention is made about the possibility of improving this junction, it is likely to have a knock – on effect to the Felbridge traffic lights and even the Imberhorne Lane area. Several Reports (Atkins and Jubb) have highlighted the problems of traffic saturation at Imberhorne Lane/Felbridge junction, so an additional 750 dwellings with associated vehicle movements will result in traffic delays on a daily basis.

2.2 Effective

The infrastructure and highways improvement plans are too vague for this Plan to be effective.

2.3 Consistent with National Policy

The Plan should enable the delivery of sustainable development, but due to the insufficient evidence of infrastructure improvements in the **MSDC Infrastructure Delivery Plan** and lack of plans as to how traffic congestion relief will be achieved in East Grinstead and Felbridge, the above statement cannot be justified.

Community Infrastructure Levy

I am aware of the various S106 monies that have been specified for individual Sites, but does MSDC have plans to implement a CIL policy as a means to raise money for infrastructure that will be required in East Grinstead?

Site Specific Comments

SA18 East Grinstead Police Station

I note the comment “taking account of potential development opportunities that exist immediately beyond the site boundaries to ensure future redevelopment are not hindered”. What are these? Compulsory Purchase of the Old Court House which currently is in the ownership of East Grinstead Town Council? You need to be specific.

As the driveway at East Court is in the ownership of East Grinstead Town Council, there should be a contract with the developer to reinstate the drive to EGTC’s satisfaction should damage be caused during the building of the proposed apartments.

Adequate parking needs to be provided on – site to prevent infringements on the car parking area of East Court.

Improvements will need to be made at the Entrance to East Court from Escots Drive as there will be additional vehicle movements, to improve sight lines.

SA19 Crawley Down Road

There is a likelihood of coalescence occurring with this development and that of SA20 Imberhorne Lane in the future; this should not be allowed.

I note it says that “Provide a Sustainable Transport Strategy which identifies sustainable transport infrastructure improvements”. Mention is made of routes for walking, cycling and public transport, but where is the evidence that independent bus companies will extend their routes onto the new development?

It says MSDC will contribute towards providing any necessary and safety improvements to junctions impacted along the A22/A264 corridor, but they are not specific; if a development of this scale is planned, the associated highways improvements that will be necessary should be planned and made known at the same time. The contribution to the A22/A264 corridor junction improvements shows no estimated cost or contribution for S106 monies from the developer. These should be identified and published, as the improvements will be necessary as a direct consequence of the development. The timescale shown is 1 – 5 years, so plans for highways improvements need to be made now.

SA20 Imberhorne Lane

There is a likelihood of coalescence occurring with this development and that of SA19 Crawley Down Road in the future; this should not be allowed. The MSDC Design Guide for developers encourages them to ‘end’ developments with an ‘open’ road layout and not cull – de – sacs, to permit future development, but it should be made clear that there will be no extension to this or the SA19 Crawley Down Road development to prevent coalescence from occurring.

A Neighbourhood Centre is proposed, but what will be there? On earlier Plans the developer stated that a GP surgery was planned, but now it says “address increase demand for GP Services either on – site or by financial contribution to support expansion of existing local GP practices. See my comments under Health: there are expansion constraints on the 3 existing GP surgeries, and if one is not built on – site the future patients will not have a GP practice they can attend.

If this development is built, there will be numerous vehicle movements in and around East Grinstead in addition to Imberhorne Lane, due to the new occupiers accessing shops, the railway station, doctors, dentists (if they are accepted), hospital, leisure facilities etc. This will put pressure on the existing highways network.

A major change to the highways network will be required at Imberhorne Lane and Felbridge if this Plan is approved, but the detail of how this will be done to alleviate traffic and pollution problems is sadly lacking in detail in this Plan.

Frank Berry

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1472

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1472

Response Ref: Reg19/1472/3

Respondent: Mr D Burke

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: [REDACTED]
Sent: 26 September 2020 00:39
To: ldfconsultation
Subject: Fw: Objections to further development in Felbridge and East Grinstead.

FRom Dennis Burke [REDACTED]

----- Forwarded message -----

From: [REDACTED]
To: LDFconsultation@midsussex.gov.uk <ldfconsultation@midsussex.gov.uk>
Cc: [REDACTED]

Sent: Wednesday, 16 September 2020, 15:23:02 BST
Subject: Objections to further development in Felbridge and East Grinstead.

The extra traffic generated by more housing in the Felbridge area is unsustainable. See documents that confirm traffic is at saturation point for most of the day.

I am particularly worried about rat runs that already occur, particularly Rowplatt Lane. By its very name it should tell you that it is indeed a lane. And as such much of the lane is only paved on one side. And is not suitable for construction lorries during the build and subsequent extra volume of cars from the new residents.

Indeed recently "unsuitable for HGV" signs have been erected at either end of the lane.

I fail to see how a dedicated bus lane on the A22 would be of any use for commuters as documents state that no employment opportunities exist in East Grinstead. Indeed if Gatwick Airport ever reaches its former size (not before 2024) most employment would be there not in EG.

Finally it's hard for me to believe that Crawley can ask Mid Sussex to sanction the huge expansion in Felbridge and EG because of lack of space in Crawley.

Dirty and tricks spring to mind.

Dennis Burke. [REDACTED] [REDACTED]

Site Allocations DPD: Regulation 19 Consultation Response**Policy:** SA19 - SA20**ID:** 1569**Response Ref:** Reg19/1569/1**Respondent:** Mr P Acutt**Organisation:****On Behalf Of:****Category:** Resident**Appear at Examination?** x

[REDACTED]

From: Philip Acutt [REDACTED]
Sent: 20 September 2020 17:13
To: ldfconsultation
Subject: Fwd: Proposal to build 200 houses in Felbridge and 550 houses off Imberhorne Lane

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: 6 March 2020 at 12:52:14 GMT
To: "LDFConsultation@midsussex.gov.uk" <LDFConsultation@midsussex.gov.uk>
Subject: **Proposal to build 200 houses in Felbridge and 550 houses off Imberhorne Lane**

Dear Sir,

I have recently been made aware of the proposals above for houses in the Felbridge area and I strongly object to either of the proposals, SA19 and SA20.

We have lived in Felbridge for only 2 years and are shocked at the amount of traffic in all the routes leading to the Star public house junction, the idea of increasing that traffic is quite simply ludicrous.

The loss to business and ability for people to move around the area is huge along with the air quality in a village environment of many many standing cars queuing in traffic is completely unacceptable.

Equally traffic already struggles to get onto the Copthorne road from Crawley down road again to add to this would be ridiculous.

Part of the attraction to the area was the closeness to the worth way and countryside which is a fantastic and idilic area used by everyone in the area and the idea of ruining this spot with 550 house would be a real shame to everyone.

With all of this in mind i object strongly to both proposals.

Best regards
Philip Acutt

Sent from my iPad

1575

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1575

Response Ref: Reg19/1575/1

Respondent: Ms J Atwell

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Spencer Atwell [REDACTED]
Sent: 19 September 2020 14:39
To: ldfconsultation
Subject: Developments in Felbridge and East Grinstead

Sir,

I have only recently learned of the proposal for yet more development in Felbridge, and neighbouring Imberhorne Farm. My serious objections to this plan are as follows.

FELBRIDGE IS ALREADY A TRAFFIC NIGHTMARE.

CONGESTION and QUEUING TRAFFIC blights our lives. It **POLLUTES** our environment as **TRAFFIC IS STATIONARY ALONG OUR ROADS FOR LONG PERIODS.**

TRAFFIC QUEUES go from the **OUTSKIRTS OF FELBRIDGE** on the **A22 and A264** all the way into **EAST GRINSTEAD.**

Already **RAT-RUNS** through the **IMBERHORNE ESTATE** cause problems for local residents, and further developments will bring unacceptable road congestion.

Basically, **FELBRIDGE IS ALREADY FULL TO CAPACITY AND CANNOT SUSTAIN FURTHER DEVELOPMENT.**

Jackie Atwell

[REDACTED]

Sent from Samsung tablet.

1577

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1577

Response Ref: Reg19/1577/1

Respondent: Mr and Mrs A+K Corsie

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Ken Corsie [REDACTED]
Sent: 19 September 2020 21:11
To: ldfconsultation
Subject: Housing Proposals for Imberhorne Farm, East Grinstead, Felbridge & Crawley Down.

Dear Sirs,

My wife and I are horrified and dismayed to receive information from Infrastructurefirst.co.uk which came through our letter box, concerning the proposed developments at the above sites.

Over many years we were members of the Imberhorne Residents Association, who as you know were very active for a long time in helping to enable many decisions to be agreed, which have proved most helpful to not only our Town Council, but also to Mid Sussex District Council, enabling many sensible suggestions to be adopted for successful development of the Neighbourhood Plan, alongside ideas for Traffic Management Schemes and Local Infrastructure. In the past, we have usually found a great willingness by Mid Sussex District Council to take careful steps in advising local residents of any forthcoming plans for further developments in our areas, but on this occasion such notification has been sadly missing; whether this is due to the Corona Virus Lockdown and ongoing staffing problems since the Pandemic started to affect the U.K. in the March/April period or not, I don't know, but on this occasion we heard absolutely nothing of these major and extensive plans to build:

- 1/. 550 houses at Imberhorne Farm, on land which is of outstanding natural beauty, with clear views across the countryside towards the North Downs; used by many walkers and cyclists; many of whom are parents with children learning to cycle safely, on a proper concrete pathway, (giving them the experience of cycling on a surface similar to a roadway), whilst enjoying their countryside surroundings; also being home to many species of animals, birds, fauna, plants and invertebrates.
- 2/. 200 houses at Felbridge.
- 3/. 50 houses in Crawley Down.
- 4/. 22 houses at the East Grinstead Police Station Site.

These proposed developments, which will have major impact within our localities, should be aired properly; structured to give concise, but fully accurate information, together with a realistic time schedule to enable proper public scrutiny to allow properly developed responses to be made about the Infrastructure, the Accessibility, the impact on the present Neighbourhood Plan, Road Access and Traffic Management, (together with it's impact on existing road systems feeding traffic into this area of West Sussex and Surrey), including the impact on the existing state of traffic congestion in this area.

It should be remembered that the attempts to plan improvements to the road systems around East Grinstead, etc. including the previous Imberhorne Farm Development Plans, such as the East Grinstead Bypass, were a total disaster and shouldn't therefore be conveniently forgotten during any further plans concerning this area, as this will remain a major stumbling block to any such development.

From our perspective, it appears that on this occasion, Mid Sussex District Council have failed miserably to both inform and seek to work alongside residents on the development of plans which will have a major impact on this area of West Sussex and Surrey; not to mention the impact on the present residents!

Annette & Ken Corsie - [REDACTED]

1669

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1669

Response Ref: Reg19/1669/2

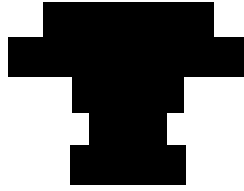
Respondent: Mr & Mrs Pavier

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x



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

24th September 2020

RE: RESPONSE TO SITE ALLOCATIONS DPD REGULATION 19 - SA19 Land to South of Crawley Down Road, Felbridge

Dear Sir/Madam,

We are writing to express our belief that the sites allocations DPD to be unsound in respect of site allocation SA19, land to the south of Crawley Down Road, Felbridge, which we believe is unsustainable for the following reasons:

- **FAILURE TO CONSULT**

We were first made aware of the Site Allocations Regulation 18 consultation in March 2020, having received an email from a neighbour. We wrote to Mid Sussex District Council (MSDC) on 4th March 2020 only to be told the consultation had ended 20th November 2019 and our concerns would not be considered. Despite living just meters from the proposed site allocation we had not been notified at any stage of the regulation 18 process. We are not alone, this lack of awareness appears to be universal amongst our neighbours, in spite of clear regulation to ensure the community **MUST** be both informed and given the opportunity to express their opinion.

The National Planning Policy Framework (NPPF) states explicitly that;
*'Plans should be shaped by early, proportionate and **effective engagement between plan makers and communities**, local organisations, businesses, infrastructure providers and operators and statutory consultees'.*

Mid Sussex's own Statement of Community Involvement claims that:
*'**The community should be involved as early as possible** in the decision making process when there is more potential to make a difference'
'Community involvement should be **accessible to all those who wish to take part**'
'**It is important to seek input from the wider public**, as the Plan will allocate sites for development in the district and include planning policies that will have an impact upon the existing and future communities'*

Having contacted MSDC regarding the regulation 18 consultation we were notified by email on 3rd August 2020 of the regulation 19 consultation and given the opportunity to respond. However, we were rightly concerned this notification was sent only to those who were already aware of and had responded to the regulation 18 consultation.

We contacted MSDC on 3rd September 2020 requesting details of their press release for both the regulation 18 and 19 DPD consultations. A comprehensive list of media outlets was supplied, although it was admitted that a decision was taken not to advertise in their own Mid Sussex Matters magazine, which is distributed, at taxpayers' expense, to 73,000 homes in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages. When challenged to confirm which outlets broadcast or published the press release, we were told they 'were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation.' This paper is **NOT** distributed in the East Grinstead area.

Neither the main landing page of the Mid Sussex District Council's website nor the main 'Planning and Building' page make any reference to the site allocation consultation. The Council's own 'Consultations' page shows only a 'Public Spaces Protection Order – Dog Control Consultation'.

Exhibition boards detailing the consultation were supposed to have been on display in the public library. However, the East Grinstead library has only been open for limited browsing since 17th August 2020 and when questioned, staff knew nothing of the consultation.

It is clear the consultation process has not been carried out in legal compliance with either the NPPF or the MSDC Statement of Community Involvement.

- **UNSUSTAINABLE EXPANSION OF FELBRIDGE**

Felbridge is a small rural village falling almost exclusively within Surrey, the built-up boundary aligning approximately along the county boundary, with a small fringe of land south of the Crawley Down Road falling within Mid Sussex. Currently there are 532 homes within the village with another 120 houses approved by Mid Sussex as backland developments. These and the additional 200 houses proposed by this consultation would equate to a **60% expansion of the village.**

The Mid Sussex Site Allocation Development Plan Document – Site Selection Paper 3: Housing Sites October 2019 Section 2.4 Mid Sussex Spatial Strategy (the district plan strategy) not only fails to list Felbridge in either its Settlement Hierarchy (figure 2.1) or its Spatial Distribution of Housing Requirement (figure 2.2) but, given the allocation of such a large number of houses to the village in this consultation, appears to assume Felbridge should be classified as part of East Grinstead.

This is contrary to Tandridge District Council's statement in its Settlement Hierarchy Addendum 2018 that, *'Although the proximity of East Grinstead plays a role in Felbridge's sustainability, the settlement itself can only demonstrate a basic level of provision and as such is categorised as a Tier3 rural settlement.'*

Felbridge DOES NOT fall within the East Grinstead settlement, we have no representation on the Town or District Councils and will not receive any S106 or council tax payments from these developments to support essential services and infrastructure needs. The village has no doctor, dentist or pharmacy and the small primary school is a single class intake. As residents we are already routinely excluded from signing on with dental and GP practices in East Grinstead. Recently there was a period when residents were prevented from using the local Mid Sussex recycling facilities on Imberhorne Lane. As parents we are forced to make out of county applications to oversubscribed secondary schools in East Grinstead or commit to paying for independent education.

The site allocation proposal SA19 is therefore in clear contravention of Policy DP6 (Settlement Hierarchy) which allocates a much smaller proportion of housing requirements to villages and aims;

'To promote well located and designed development that reflects the District's distinctive towns and villages, retains their separate identity and character and prevents coalescence', and

'To create and maintain town and village centres that are vibrant, attractive and successful and that meet the needs of the community.'

Further, the land to the south of the Crawley Down Road lies outside the existing built-up boundary. This is in contravention of district plan policy DP12 (Protection and enhancement of countryside) with the supporting text stating;

'The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there.'

The site allocation is also in conflict with the strategic aim of district plan policy DP13 (Preventing Coalescence)

'To promote well located and designed development that reflects the District's distinctive towns and village, retains their separate identity and character and prevents coalescence.'

This is especially true when considered in the context of the additional 550 houses proposed for land to the south and west of Imberhorne Upper School (SA20) which will decimate the current open delineation between Felbridge and East Grinstead.

The proposals are also in direct contravention of a number of policies in the East Grinstead Neighbourhood Plan, a document that was approved by Mid Sussex District Council, found to be sound at the public examination and ratified by referendum. More recently both the town and district councils reviewed the Neighbourhood Plan policies against the newly adopted District Plan and found that apart from policy EG5 (Housing), *'the other policies in the plan are not deemed to be in non-compliance'*.

Policy EG2 (Areas of Developmental Restraint) is specifically intended to prevent development outside the built-up boundary and *'ensure that development does not result in the gradual accretion of development at the urban fringe.'* This policy is in full alignment with district plan policy DP12 (Protection and enhancement of the countryside). Site allocations in Felbridge SA19 and Imberhorne Farm SA20 are both in direct conflict with this clear policy of developmental restraint.

Policy EG2 – Areas of Development Constraint

Planning permission will normally be granted for the sympathetic conversion of redundant rural buildings, limited small-scale new development and extensions to existing buildings within the Countryside Areas of Development Constraint provided they comply with the following criteria:

- (1) In the case of replacement dwellings, the proposal is no more obtrusive than the dwelling it replaces and is of an appropriate design for its location and setting;
- (2) In the case of extensions, the proposal is subservient in scale and form to the original dwelling along with the coherent use of materials;
- (3) In the case of converted buildings, the new use has minimal impact on the openness of the countryside, in terms of the new curtilage, and parking; in the case of outdoor sport, recreation and community uses of land, the proposals support the objective of keeping land open;
- (4) The proposal comprises essential small-scale proposals for agricultural or sport and recreation such as pavilions and changing rooms; or
- (5) It is essential to meet specific necessary utility infrastructure needs and no alternative feasible site is available.

Policy EG2a (Preventing Coalescence) and its supporting text explicitly call for **development to be refused** at both Felbridge SA19 and Imberhorne Farm SA20;

*'Since 2004 Strategic Gaps have been redefined as Countryside Area of Development Restraint. This affects all land to the west, northwest and southwest of East Grinstead outside of the built up area boundary. It specifically covers Hill Place Farm, **the large Imberhorne Lane and Farm sector**, Great Wood, Tilkhurst Farm, Crockshed Wood, Furze Field Wood plus the **Crawley Down Road land areas on the border with Tandridge**, around Tandridge Water and the area towards Ashurst Wood'*

Policy EG2a – Preventing Coalescence

Planning permission will not normally be granted for development which:

- (1) Results in the coalescence of East Grinstead with Crawley Down or Ashurst Wood;
- (2) Results in the perception of openness being unacceptably eroded within this area; or
- (3) Contributes towards the ad hoc or isolated development of dwellings outside the built up area, including infilling of built up frontages or linear development along roads.

• UNSUSTAINABLE TRAFFIC CONGESTION AND INADEQUATE ACCESS TO AND FROM CRAWLEY DOWN ROAD

As long-term residents we are acutely aware of the very significant traffic issues in the Felbridge area, not least the convergence of two heavily congested roads at the A264/A22 junction. The data published in the SYSTRA transport model is flawed, using adjusted traffic data from 2008 and significantly underestimating the existing levels of congestion. The more recent WSP transport model, commissioned by Mid Sussex and Tandridge District Councils, confirmed in October 2019 that **the junction is already over capacity and severely congested**;

'The Felbridge junction has been identified as a constraint to development coming forward in Tandridge and the Felbridge/East Grinstead area. The junction currently operates at capacity leading to congestion during peak periods and at other times of the day.'

	AM Peak	PM Peak
Junction Capacity *	106.60%	101.40%
Vehicle Queue Length	48	33
Queuing Delay	3 mins 2 secs	1 min 55 secs

* 100% is deemed to be a junction's theoretical capacity

Mid Sussex District Council must be aware of the flaws in their SYSTRA model but have chosen not to publish the findings of the more recent WSP traffic study. We demand this material evidence is brought to the consultation process.

Currently the only mitigation strategy to cope with the additional traffic from the additional 822 proposed houses is a vague reference to an unspecified bus priority along the A22. They say that;

'The local highway network will be re-examined in more detail through any subsequent planning applications on the sites proposed for East Grinstead.'

'Joint working between Surrey CC and West Sussex CC along with Mid Sussex and Tandridge District Council's is ongoing to determine how best to improve capacity along the A22/A64 corridor.'

Frankly, this is not good enough. **There are no firm proposals to resolve the current congestion, the gridlock that will be an inevitable consequence of the 2,065 houses already approved, let alone the extra 822 houses proposed.**

In addition to congestion issues there are severe access issues relating to the Crawley Down Road. There are three direct access routes between the Crawley Down Road and the main A264 Copthorne Road linking East Grinstead to Crawley and Gatwick. None of these routes are sustainable or even accessible for current traffic let alone that associated with an additional 320 houses:

Route 1 – Furnace Farm Road and Lake View Road

A private, single track, residential road through the Furnace Wood Estate. This is essentially a no through road with lockable and occasionally manned gates at either end, indicated by red crosses on the attached map.

Route 2 – Rowplatt Lane

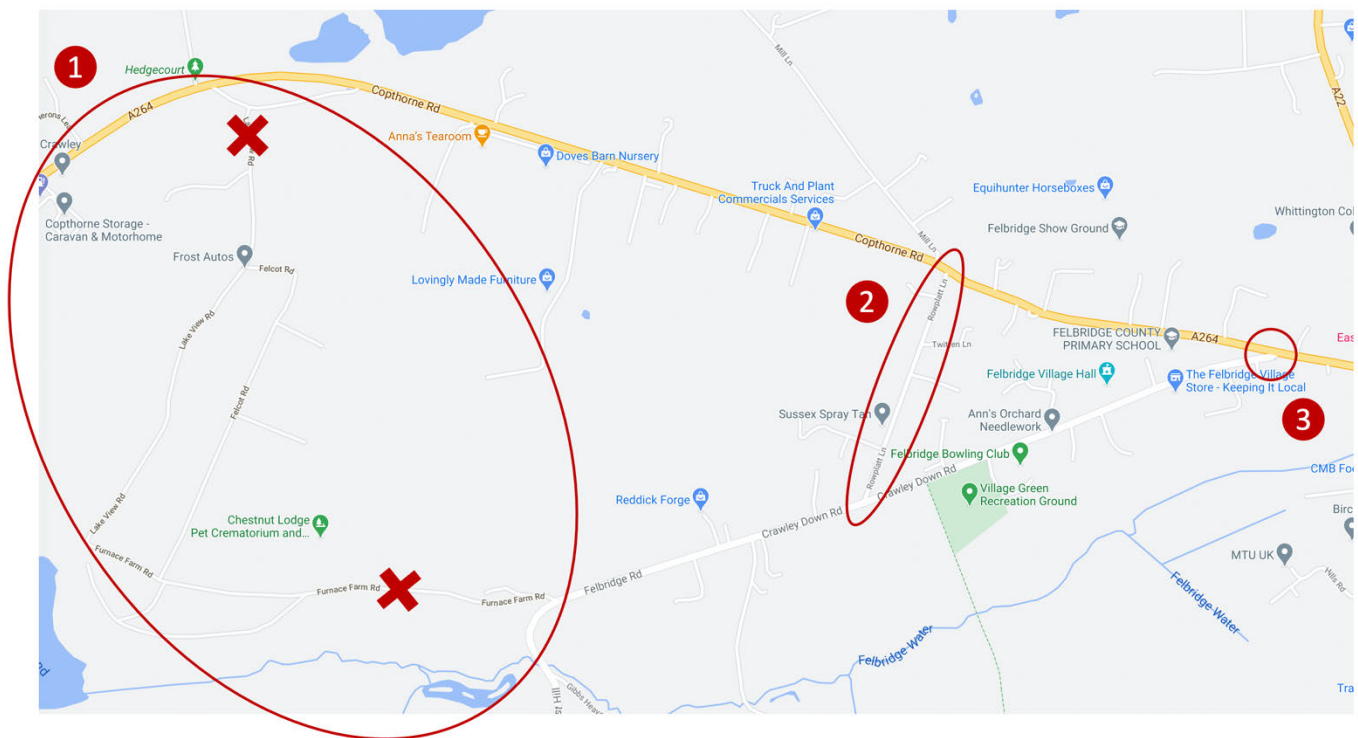
A narrow residential road that is lined with parked vehicles and has been designated as unsuitable for heavy goods vehicles. There is limited visibility when turning right at the northern end of Rowplatt Lane onto the A264. I personally witnessed a severe traffic accident at this junction which resulted in a man sustaining a broken back.

Surrey County Council has already stated the junction will be operating at capacity following the approval of the Wates site (15/39 Crawley Down Road). No mitigation has been proposed or planned.

Route 3 – Eastern Junction of Crawley Down Road with A264 Copthorne Road

This is a well-recognised pinch point, turning right towards East Grinstead is extremely difficult due to the volume of traffic on the A264 and the congestion caused by vehicles queuing at the A264/A22 junction. At peak times traffic backs up along the length of the Crawley Down Road and it is common for drivers to turn their vehicles around and drive through Crawley Down and Turner's Hill to access East Grinstead.

The acute angle of the junction also makes turning left towards Crawley and Gatwick impossible without swinging out into the oncoming traffic lane. Residents, aware of this severe danger, regularly choose to use Rowplatt Lane or divert through Crawley Down and join the A264 at the Duke's Head roundabout.



The proposed site allocations SA19 and SA20 are in clear conflict with;

Policy EG11 of the Neighbourhood Plan

'Proposals, which cause a severe cumulative impact in terms of road safety and increased congestion, which cannot be ameliorated through appropriate mitigation will be refused.'

Policy DP21 of the District Plan

‘development is accompanied by the necessary infrastructure in the right place at the right time that supports development and sustainable and sustainable communities. This includes the provision of efficient and sustainable transport networks.’

National Planning Policy Framework (NPPF)

‘Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’

- **ACTIONS WE ARE SEEKING**

1. The DPD should be withdrawn as it is not legally compliant – the consultation was not carried out in line with national policy or the MSDC Statement of Community Involvement.
2. The WSP transport MUST be published in full and its findings submitted for consultation
3. The proposed allocations at Felbridge and East Grinstead MUST be withdrawn as they cannot be delivered sustainably.
4. In the event the Inspector decides the DPD should progress to examination then any allocations at Felbridge or East Grinstead MUST be made contingent on delivering the highway and junction improvements identified in Atkins 3 and the WSP studies.

Yours faithfully,

Dr Emma Pavier and Dr Mark Pavier

1695

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1695

Response Ref: Reg19/1695/1

Respondent: Mr K Eason

Organisation:

On Behalf Of: Furpine Residents Association

Category: Resident

Appear at Examination? x

[REDACTED]

From: [REDACTED]
Sent: 23 September 2020 18:04
To: ldfconsultation
Subject: Site Allocations Development Plan

I am responding on behalf of Furpine Residents Association - East Grinstead to the consultation currently being undertaken by Mid Sussex District Council on it's Site Allocations Development Plan. In particular, with reference to the proposed development of land on site reference SA19 South of Crawley Down Road, Felbridge and SA20 Imberhorne Farm, East Grinstead.

We have grave concerns about the major impact the development of 750 houses will have both on the environment and road network of the town and the local community and would make the following points in regard to this.

1) It is dissapointing that the Felbridge and Imberhorne Farm sites have been assessed by MSDC as 'High performing' despite the council's awareness of the traffic constraints in the area and that neither site appears to have been properly assessed on transport grounds, despite, it being a stated requirement of the site selection methodology.

In fact, Mid Sussex District Council acknowledge that traffic in the A22 corridor has reached saturation point and congestion is already severe and that traffic is 'rat running' along residential and minor roads. Policy EG5 of the East Grinstead Neighbourhood Plan states that 'Developments are supported only where the likely increase in traffic congestion can be fully mitigated'. The only evidence of this is a proposal to lessen the traffic impact arising from the new developments with the introduction of bus priority along the A22. This surely will lead to even more congestion not less!

2) The site allocations are not supported by the East Grinstead Neighbourhood Plan being in conflict with policies EG2, EG2a and EG11. The Felbridge site is expressly described as an area of development restraint (Policy EG2) and both the Felbridge and Imberhorne sites encroach on the gap between the two areas making it more likely they will merge in future (Policy EG2a).

The East Grinstead Neighbourhood Plan has been found sound at examination and overwhelmingly supported by referendum and it should therefore, be afforded the appropriate weight when assessing site allocations. Clearly not so in this case.

3) All East Grinstead's housing needs are met by the East Grinstead Neighbourhood Plan but, it appears that Mid Sussex District Council has agreed to build additional homes for Crawley Boriough Council despite identified sites in Crawley being discarded without full and proper consideration.

Details of the Council's current Infrastructure Development Plan for the town are vague or, non-existent. This policy adds considerably to the burden on the Town from continuing major development particularly, with no apparent plans for major road infrastructure improvements which are essential to support the impact from these developments. This need was recognised by the earlier, now abortive exercise on the East Grinstead by-pass.

I hope the Council will fully address the significant issues my Association has raised when it considers the consultation feedback and produces it's final Site Allocation Development Plan.

I would also ask you to retain my details and to update me, if possible, on each stage of this process.

Sincerely,

Kevin Eason
[REDACTED]

[REDACTED]

1735

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1735

Response Ref: Reg19/1735/1

Respondent: Mr D Parkes

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: [REDACTED]
Sent: 24 September 2020 14:37
To: ldfconsultation
Subject: Plans SA19 and SA20

My name is David Parkes and I have lived at [REDACTED] for 47 years. It was a quiet village then and would still be now if it wasn't for the massive increase in traffic on the A264, which in turn, due to the tail backs from the A22, creates a rat run in Rowplatt Lane (a narrow country straight lane) where drivers think they can speed at 50 miles per hour and in Crawley Down Road, Felbridge. where it becomes dangerous especially during school drop off and pick up times.

This SA19 development of 200 homes with the access coming out into Crawley Down Road is unacceptable and would create an inevitable excess of traffic in the area and especially Rowplatt Lane which would be the obvious choice for people travelling to Crawley, Gatwick Airport and the M23 Motorway.

I am extremely opposed to this development. If Mid Sussex District Council wish to build houses they should make sure the access road comes out in East Grinstead and not Felbridge.. There are already several houses with access roads in Crawley Down Road which have been built by Mid Sussex Council and for which Tandridge Council receive no benefit.

1754

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1754

Response Ref: Reg19/1754/1

Respondent: Mr J BensteAD

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x



Yr Ref:-
Our Ref:-jeab200923

23 September 2020

LDFconsultation@midsussex.gov.uk
Mid-Sussex District Council
Oaklands Road
HAYWARDS HEATH
West Sussex
RH16 1SS

Dear Sirs,

Re:- SA19 – Land South of Crawley Down Road

SA20 – Land South and West of Imberhorne Upper School

I am now 81 years old. I think I will go to my grave with an epithet: "He was never able to trust Mid Sussex District Council".

I was involved with monitoring the desires and performance of the planning activity in MSDC, firstly with the **Core Strategy**, secondly with the **District Plan**. Thirdly I accepted that the **East Grinstead Neighbourhood Plan** was within the MSDC guidelines for compounding into the District Plan. Thus, I was TRUSTING the system, its employees and its Councillors to uphold the content of these plans. It seems that within 3 years, MSDC are reneging on its commitments to the plans adopted in 2018 and to be viable to 2031.

Once accepted by MSDC the Neighbourhood Plan should not be dismissed. Any corruption of the intent of the plans is a violation.

The above is a general observation. More specifically I look at the history of Crabbett Park. From the time of your endeavouring to implement the failed Core Strategy, Crabbett Park was always put forward by organisations wishing to advise the Council. The Council continued to ignore this potential. It could have easily supported the development of over 2000 homes. It seemed to suffer from the "Not Invented Here" syndrome.

The location has a nearness to Crawley that would have advantages of travel distance to residents' likely place of employment. Traffic congestion on the A264 would be partially obviated. Pollution would have been minimised, and perhaps more importantly MSDC would not be indicted by its residents for continuing to endeavour to override their desires, and MSDC own plans.

Connectivity with existing settlements is therefore an issue. The rule seems to be that a distance of 150m decides between being connected or remote from existing settlements. But the site at Crabbett Park is less than 100m from the Crawley built-up

boundary. Therefore, it would be **contiguous with an existing settlement**. It seems therefore that the **sites were not properly assessed**.

Your WSP traffic study into the Felbridge A264/22 junction capacity needs to have its conclusions observed in your decision making. It confirmed **the junction is already severely congested**. Surely the **“SEVERE” attribution means that no additional traffic should be countenanced when development would exacerbate the condition**. Before further development, could you please tell, what plans you have, in conjunction with other authorities, to alleviate the SEVERE conditions, even without additional development. Perhaps West Sussex County Council should be approached on this issue.

I am aware that you have a **duty of co-operation with adjacent authorities**. I ask the question: -have the housing proposals now coming before MSDC come about as a result of Crawley Council making the application. If so, and you were externally pressured to accept houses attributable to Crawley allocations why have you not brought forward Crabbett Park. Due to my lack of trust in MSDC, I would suspect that you are still holding back to produce it in the future, when it may again be as a result of political pressure, rather than a sensible planning option today.

Next, I have to complain about the **lack of consultation**. Doubtless you will now inform me as to where I could have found the announcements. This is not good enough. For such an activity affecting quality of life through traffic congestion, additional pollution and demand for local services. This latter, even now are not being met due to the lack of consideration given to new resident needs when existing services are already full. Lack of joined up thinking.

Without giving detail I have shown in **bold** headings that are areas where you should address the validity of your proposals against the plans to which MSDC have previously committed. Your proposals should go no further at this time until the current submissions have been revisited.

Yours faithfully

John E A Benstead

1808

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1808

Response Ref: Reg19/1808/2

Respondent: Mr M Mitchell

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: enquiries
Sent: 25 September 2020 09:13
To: planninginfo
Subject: FW: Mid-Sussex Consultation for new Homes- East Grinstead and surrounding area

One for planning...

From: Mike Mitchell [REDACTED]
Sent: 24 September 2020 19:31
To: enquiries <enquiries@midsussex.gov.uk>
Subject: Mid-Sussex Consultation for new Homes- East Grinstead and surrounding area

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

Date: 24 September 2020

Dear Sir/Madam

Mid-Sussex Consultation for new Homes – East Grinstead and Surrounding Area

I am writing to lodge my views in respect of the Mid Sussex consultation for the allocation of new homes at the following sites

550 homes at Imberhorne Farm

200 homes at Felbridge

50 homes at Crawley Down

22 homes at East Grinstead Police Station.

I have broken down my objections by category, as follows;

Failure to Consult

The National Planning Policy Framework [NPPF] requires councils to carry out public consultation on plans that is transparent and front-loaded (ie. at the earliest opportunity)

Paragraph 16 says that “Plans should be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees”

Mid Sussex’s own Statement of Community Involvement says that ...

“... the community should be involved as early as possible in the decision making process when there is more potential to make a difference” and that

“... community involvement should be accessible to all those who wish to take part”

“It is important to seek input from the wider public, as the Plan will allocate sites for development in the district and include planning policies that will have an impact upon the existing and future communities”

The district council leadership team at Haywards Heath claim to have met their obligation to consult with residents by ...

- Issuing a press release
- Email alerts (to the few people with prior knowledge of the consultation and registered their email address)
- Comments on the Council’s social media channels
- Posts on the Council’s website
- Exhibition boards in the public library (library staff knew nothing about it)

Evidence suggests that these communication channels have been ineffective and in no way extensive as is required by Mid Sussex own policies.

When asked about the press release to notify residents of the consultations, officers at Mid-Sussex say that they issued the press release to ...

2 TV outlets, 6 radio stations, 4 newspapers, 3 news agencies, 6 magazines (but not their own in-house magazine) and 3 websites

When challenged to confirm which outlets actually broadcast or published the press release, the council’s communication team say only that they *“were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation.”* A paper only servicing the towns of Burgess Hill and Haywards Heath

On the district council website, neither the main landing page nor main ‘Planning and Building’ page make reference to the consultation. The Council’s dedicated ‘Consultations’ page advertises only a Public Spaces Protection Order – Dog Control Consultation’

The district council leadership decided not to advertise either of the site allocation consultations in their own Mid Sussex Matters magazine, which is distributed at taxpayer expense by the council’s communication team 3 times a year to 73,000 homes in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.

They say that *“Wherever possible, details of forthcoming consultations are included within the magazine, this is our preference as it reaches every household in the district. However publication dates and consultation dates do not always coincide.”*

The Spring 2020 edition failed to mention the site allocations consultation but did manage to alert readers to the review of the local plan not due to start until 2021.

The Summer edition was published on the 6th July but failed to mention the site allocations consultation but in the same month readers in Haywards Heath and Burgess Hill were alerted to it in their Mid Sussex Times.

The evidence clearly shows that there was no intention on the part of the district council leadership team in Haywards Heath to alert residents of East Grinstead to the site allocations consultation.

On the above basis I would submit that there has been a failure to consult, in line with Mid-Sussex own policy requirement. Given this, it is difficult to envisage how this can be classified as a final consultation (when the first hasn’t happened) and the second is inadequate. I request that the process is begun again.

Unsound Assessment of Sites Alternative sites unreasonably discarded

Deliverable sites nearer to Crawley have been dismissed without proper regard for their overall sustainability and without being assessed against any of the planning considerations that the sites proposed for East Grinstead were.

National planning policy insists that development plans are prepared on the basis that all reasonable alternatives have been explored. The National Planning Policy Framework (NPPF) says at paragraph 35 that plans will only be found sound if they are ... *“Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence”*

For example, the site put forward at Crabbett Park could provide up to 2,500 homes close to the Crawley Fastway public transport system; allowing future residents ready access to Crawley's extensive services, infrastructure and employment opportunities. It would also provide for future expansion for housing needs in the future.

The district council leadership say that all sites must conform to the 'contiguous with an existing settlement' rule set out in district plan policy DP6. This policy is insufficiently flexible and was not designed to take account of housing shortfalls in neighbouring authorities.

NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*

District council planning officers confirm that the site at Crabbett Park was rejected due its lack of 'Connectivity with existing settlements'. They say that ...

"The criteria established to assess the degree of separation is based on a distance of 150m from the built up area boundary (as defined on the Policies Maps). 150m represents a distance that the Council considers differentiates between being connected or remote from existing settlements."

This is factually incorrect - the site at Crabbett Park is less than 100m from the Crawley built-up boundary, meaning that the selection process was unsound and the site rejected on spurious grounds.

For sites not rejected 'out of hand', the district council leadership approved a selection methodology based on sites being assessed using 17 different planning criteria and rated on a 5 tier traffic light grading system. The combined grading was then used to determine whether the proposed site was a "high performing site" or not.

All sites assessed in East Grinstead were evaluated as 'high performing sites' and therefore allocated in the draft development plan. However, the overall performance assessment did not adequately account for the widely reported traffic constraints or the relevant neighbourhood plan policies

Site Selection Criteria ID 196 – Crawley Down Road Felbridge

Site Selection Criteria ID 770 - Imberhorne Farm

The site assessment section on highways, arguably the most relevant to the sites in East Grinstead, was left blank. When challenged, district council officers say that they can only assess the traffic situation by looking at all the proposed sites together and claim that when they do that, the traffic model shows that congestion is not bad enough to count.

The neighbourhood plan policies were simply referenced without any comment on how they were assessed. Policies EG2 and EG11 weigh heavily against the proposed site allocations at Felbridge and Imberhorne Farm.

However, no evidence is presented to show that policies EG2 or EG11 were genuinely considered or that they played any role in the overall assessment of sites, despite district council officers highlighting their importance.

Therefore I would contend that Mid Sussex have breached their own policy and procedures and should begin the process again of evaluation to ensure these are met.

Unsustainable Traffic Congestion

Mid Sussex and Tandridge jointly commissioned WSP to undertake a traffic study into the Felbridge A264/22 junction capacity. In October 2019 it confirmed what residents already know - the junction is already severely congested ...

"The Felbridge junction has been identified as a constraint to development coming forward in Tandridge and the Felbridge/East Grinstead area. The junction currently operates above capacity leading to congestion during peak periods and at other times of the day."

The congestion figures for the A264 approach arm were measured as ...

	AM Peak	PM Peak
Junction Capacity *	106.60%	101.40%
Vehicle Queue Length	48	33
Queuing Delay	3 mins 2 secs	1 min 55 secs

Despite this, there are a further 1,230 homes already approved in East Grinstead and another 835 already approved in the surrounding villages of Ashurst Wood, Copthorne, Crawley Down and Turners Hill.

The Mid Sussex strategic transport study by SYSTRA reports that most major junctions in East Grinstead and surrounding area will be over-capacity once all the approved homes have been built, but suggest that this isn't a reason to resist the extra 820 houses now being proposed. The district council leadership at Haywards Heath say that there is no need to worry about the additional traffic from the extra 822 houses being proposed for East Grinstead and Crawley Down because once a junction reaches capacity drivers will redirect their journeys, in other words they will 'rat run' along residential roads and country lanes

"Once the model reaches capacity at a location, delay will increase significantly, and extensive rerouting will occur if alternative faster routes are available"

The SYSTRA transport model predicts that the 822 houses being proposed will significantly increase the current levels of 'rat running' along residential streets and country lanes. The district council leadership say that this isn't necessarily a cause for concern.

The SYSTRA transport model uses adjusted traffic data from 2008, which significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge, compared with the more recent jointly commissioned WSP traffic model.

	SYSTRA Model		WSP Model	
	AM Peak	PM Peak	AM Peak	PM Peak
Junction Capacity	61%	65%	106.60%	101.40%
Vehicle Queue Length	2	3	48	33
Queuing Delay	15 secs	21 secs	3 mins 2 secs	1 min 55 secs

The district council leadership must be aware of the flaws in their SYSTRA model but choose not to publish the findings of the more recent WSP traffic study (which they themselves jointly commissioned). Material evidence which could undermine the suitability of the proposed site allocations in East Grinstead has been withheld from the consultation process.

Notwithstanding the flaws in the SYSTRA transport model that understate the current traffic congestion, the district council leadership say that the 822 proposed houses on their own do not constitute a severe impact on our local roads.

Neither do they accept that the 822 proposed houses together with 1,230 houses already approved in East Grinstead plus the 835 houses already approved in the surrounding villages constitutes a severe impact on local roads despite their own SYSTRA model saying that committed housing will result in the following junctions being over capacity;

- A264/A22 Felbridge
- A22/Imberhorne Lane
- B2110/B2028 Crossroads Turners Hill
- B2028 Turners Hill Road/Wallage Lane
- A264/A2220 Copthorne

The district council leadership say that they can only assess the highways impact for the each proposed site allocation by looking at them all together (ie. the ones in East Grinstead, Burgess Hill, Haywards Heath and other towns and villages in the district) in accordance with the national planning policy.

The National Planning Policy Framework (NPPF) says at paragraph 109 that *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*

The SYSTRA transport model clearly demonstrates that the cumulative impact of the houses already approved (but not yet built) taken together with the proposed housing allocations is severe.

In order to mitigate the impact of the additional traffic from the 822 proposed houses, the district council leadership make vague references to A264/A22 corridor improvements and an unspecified bus priority along the A22. They say that

"The local highway network will be re-examined in more detail through any subsequent planning applications on the sites proposed for East Grinstead"

"Joint working between Surrey CC and West Sussex CC along with Mid Sussex and Tandridge District Council's is ongoing to determine how best to improve capacity along the A22/A264 corridor"

In other words, there are no firm proposals to resolve the current levels of congestion let alone the gridlock that is likely to result from the extra 2,065 houses already approved and yet we are expected

to accept on trust that the unspecified roads improvements will be so successful that they will be able to accommodate the traffic from the extra 822 houses now proposed.

The jointly commissioned WSP transport study to look into capacity issues for the A264/22 Felbridge junction has been running for nearly two years and has not identified a single option that promises to bring the junction back within capacity for the longer term.

Given the fact that a limit has been reached on approaching roads, and no viable alternative has been set out, I would recommend that the proposal is re-worked to take into consideration the traffic impact and viable alternatives proposed. Without this it can't realistically proceed.

Contrary to Neighbourhood Plan

The town council spent considerable time and resources on its Neighbourhood Plan, it was approved by the district council leadership, found to be sound at the public examination and overwhelmingly supported by referendum.

A meeting on 3rd May 2018 attended by both the town and district councils reviewed the Neighbourhood Plan policies against the newly adopted District Plan. The town council's planning committee minutes dated 18th May confirms that apart from policy EG5 – Housing, "the other policies in the plan are not deemed to be in non-compliance"

People expect the town council to strongly defend its Neighbourhood Plan and not simply accept the district council leadership view that it's policies are 'trumped' by their own.

Policy EG2 was designed to resist development outside the built-up boundary and *"to ensure that development does not result in the gradual accretion of development at the urban fringe"*. This fully supports the district council's own policy DP12 which says ...

"The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there."

The proposed site allocations at Felbridge and Imberhorne Farm are outside the East Grinstead built-up boundary and are therefore against both neighbourhood and district plan policies. It is not clear why does the district council leadership believe the houses to meet the housing shortfall in Crawley need to be in the countryside just outside East Grinstead's urban boundary

The supporting text to policy EG2 (at paragraph 4.9) explicitly calls out for development to be refused in the areas of countryside at Imberhorne Farm and south of the Crawley Down Road.

The district council leadership do not accept the validity of the neighbourhood plan supporting text and brush-off the town council's assertion that it must be taken into account when considering potential site locations. They say that the *"Inclusion of supporting text may lead to potential for conflicting guidance."* This is clearly disingenuous as the district council leadership approved the content of the neighbourhood plan before it went to examination

Policy EG11 was designed to ensure that East Grinstead didn't have to take mass housing allocations like these without the necessary improvements to the local highways network ...

Proposals, which cause a severe cumulative impact in terms of road safety and increased congestion, which cannot be ameliorated through appropriate mitigation will be refused

Policy EG11 fully supports the district council's own policy DP21 which requires that ...

"development is accompanied by the necessary infrastructure in the right place at the right time that supports development and sustainable communities. This includes the provision of efficient and sustainable transport networks"

Currently there are no detailed proposals to solve the existing traffic problems in East Grinstead. Unless and until such proposals are put forward which are shown to be both effective in resolving the junction capacity issues and deliverable, then the proposed site allocations at Felbridge and Imberhorne Farm are against both neighbourhood and district plan policies.

I will be making available a copy of this letter to Mims Davies my MP and would be grateful for a response to the issues I have raised.

Yours faithfully

Mike and Val Mitchell

[Redacted signature]

1809

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1809

Response Ref: Reg19/1809/2

Respondent: Mrs V Mitchell

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: enquiries
Sent: 25 September 2020 09:13
To: planninginfo
Subject: FW: Mid-Sussex Consultation for new Homes- East Grinstead and surrounding area

One for planning...

From: Mike Mitchell [REDACTED]
Sent: 24 September 2020 19:31
To: enquiries <enquiries@midsussex.gov.uk>
Subject: Mid-Sussex Consultation for new Homes- East Grinstead and surrounding area

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

Date: 24 September 2020

Dear Sir/Madam

Mid-Sussex Consultation for new Homes – East Grinstead and Surrounding Area

I am writing to lodge my views in respect of the Mid Sussex consultation for the allocation of new homes at the following sites

550 homes at Imberhorne Farm

200 homes at Felbridge

50 homes at Crawley Down

22 homes at East Grinstead Police Station.

I have broken down my objections by category, as follows;

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“... the community should be involved as early as possible in the decision making process when there is more potential to make a difference” and that

“... community involvement should be accessible to all those who wish to take part”

"It is important to seek input from the wider public, as the Plan will allocate sites for development in the district and include planning policies that will have an impact upon the existing and future communities"

The district council leadership team at Haywards Heath claim to have met their obligation to consult with residents by ...

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- Exhibition boards in the public library (library staff knew nothing about it)

Evidence suggests that these communication channels have been ineffective and in no way extensive as is required by Mid Sussex own policies.

When asked about the press release to notify residents of the consultations, officers at Mid-Sussex say that they issued the press release to ...

2 TV outlets, 6 radio stations, 4 newspapers, 3 news agencies, 6 magazines (but not their own in-house magazine) and 3 websites

When challenged to confirm which outlets actually broadcast or published the press release, the council's communication team say only that they *"were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation."* A paper only servicing the towns of Burgess Hill and Haywards Heath

On the district council website, neither the main landing page nor main 'Planning and Building' page make reference to the consultation. The Council's dedicated 'Consultations' page advertises only a Public Spaces Protection Order – Dog Control Consultation'

The district council leadership decided not to advertise either of the site allocation consultations in their own Mid Sussex Matters magazine, which is distributed at taxpayer expense by the council's communication team 3 times a year to 73,000 homes in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.

They say that *"Wherever possible, details of forthcoming consultations are included within the magazine, this is our preference as it reaches every household in the district. However publication dates and consultation dates do not always coincide."*

The Spring 2020 edition failed to mention the site allocations consultation but did manage to alert readers to the review of the local plan not due to start until 2021.

The Summer edition was published on the 6th July but failed to mention the site allocations consultation but in the same month readers in Haywards Heath and Burgess Hill were alerted to it in their Mid Sussex Times.

The evidence clearly shows that there was no intention on the part of the district council leadership team in Haywards Heath to alert residents of East Grinstead to the site allocations consultation.

On the above basis I would submit there has been a failure to consult, in line with Mid-Sussex own policy requirement. Given this, it is difficult to envisage how this can be classified as a final consultation (when the first hasn't happened) and the second is inadequate. I request that the process is begun again.

Unsound Assessment of Sites Alternative sites unreasonably discarded

Deliverable sites nearer to Crawley have been dismissed without proper regard for their overall sustainability and without being assessed against any of the planning considerations that the sites proposed for East Grinstead were.

National planning policy insists that development plans are prepared on the basis that all reasonable alternatives have been explored. The National Planning Policy Framework (NPPF) says at paragraph 35 that plans will only be found sound if they are ... *"Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence"*

For example, the site put forward at Crabbett Park could provide up to 2,500 homes close to the Crawley Fastway public transport system; allowing future residents ready access to Crawley's extensive services, infrastructure and employment opportunities. It would also provide for future expansion for housing needs in the future.

The district council leadership say that all sites must conform to the 'contiguous with an existing settlement' rule set out in district plan policy DP6. This policy is insufficiently flexible and was not designed to take account of housing shortfalls in neighbouring authorities.

NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*

District council planning officers confirm that the site at Crabbett Park was rejected due its lack of 'Connectivity with existing settlements'. They say that ...

"The criteria established to assess the degree of separation is based on a distance of 150m from the built up area boundary (as defined on the Policies Maps). 150m represents a distance that the Council considers differentiates between being connected or remote from existing settlements."

This is factually incorrect - the site at Crabbett Park is less than 100m from the Crawley built-up boundary, meaning that the selection process was unsound and the site rejected on spurious grounds.

For sites not rejected 'out of hand', the district council leadership approved a selection methodology based on sites being assessed using 17 different planning criteria and rated on a 5 tier traffic light grading system. The combined grading was then used to determine whether the proposed site was a "high performing site" or not.

All sites assessed in East Grinstead were evaluated as 'high performing sites' and therefore allocated in the draft development plan. However, the overall performance assessment did not adequately account for the widely reported traffic constraints or the relevant neighbourhood plan policies

Site Selection Criteria ID 196 – Crawley Down Road Felbridge

Site Selection Criteria ID 770 - Imberhorne Farm

The site assessment section on highways, arguably the most relevant to the sites in East Grinstead, was left blank. When challenged, district council officers say that they can only assess the traffic situation by looking at all the proposed sites together and claim that when they do that, the traffic model shows that congestion is not bad enough to count.

The neighbourhood plan policies were simply referenced without any comment on how they were assessed. Policies EG2 and EG11 weigh heavily against the proposed site allocations at Felbridge and Imberhorne Farm.

However, no evidence is presented to show that policies EG2 or EG11 were genuinely considered or that they played any role in the overall assessment of sites, despite district council officers highlighting their importance.

Therefore I would contend that Mid Sussex have breached their own policy and procedures and should begin the process again of evaluation to ensure these are met.

Unsustainable Traffic Congestion

Mid Sussex and Tandridge jointly commissioned WSP to undertake a traffic study into the Felbridge A264/22 junction capacity. In October 2019 it confirmed what residents already know - the junction is already severely congested ...

"The Felbridge junction has been identified as a constraint to development coming forward in Tandridge and the Felbridge/East Grinstead area. The junction currently operates above capacity leading to congestion during peak periods and at other times of the day."

The congestion figures for the A264 approach arm were measured as ...

	AM Peak	PM Peak
Junction Capacity *	106.60%	101.40%
Vehicle Queue Length	48	33
Queuing Delay	3 mins 2 secs	1 min 55 secs

Despite this, there are a further 1,230 homes already approved in East Grinstead and another 835 already approved in the surrounding villages of Ashurst Wood, Copthorne, Crawley Down and Turners Hill.

The Mid Sussex strategic transport study by SYSTRA reports that most major junctions in East Grinstead and surrounding area will be over-capacity once all the approved homes have been built, but suggest that this isn't a reason to resist the extra 820 houses now being proposed.

The district council leadership at Haywards Heath say that there is no need to worry about the additional traffic from the extra 822 houses being proposed for East Grinstead and Crawley Down because once a junction reaches capacity drivers will redirect their journeys, in other words they will 'rat run' along residential roads and country lanes

"Once the model reaches capacity at a location, delay will increase significantly, and extensive rerouting will occur if alternative faster routes are available"

The SYSTRA transport model predicts that the 822 houses being proposed will significantly increase the current levels of 'rat running' along residential streets and country lanes. The district council leadership say that this isn't necessarily a cause for concern.

The SYSTRA transport model uses adjusted traffic data from 2008, which significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge, compared with the more recent jointly commissioned WSP traffic model.

	SYSTRA Model		WSP Model	
	AM Peak	PM Peak	AM Peak	PM Peak
Junction Capacity	61%	65%	106.60%	101.40%
Vehicle Queue Length	2	3	48	33
Queuing Delay	15 secs	21 secs	3 mins 2 secs	1 min 55 secs

The district council leadership must be aware of the flaws in their SYSTRA model but choose not to publish the findings of the more recent WSP traffic study (which they themselves jointly commissioned). Material evidence which could undermine the suitability of the proposed site allocations in East Grinstead has been withheld from the consultation process.

Notwithstanding the flaws in the SYSTRA transport model that understate the current traffic congestion, the district council leadership say that the 822 proposed houses on their own do not constitute a severe impact on our local roads.

Neither do they accept that the 822 proposed houses together with 1,230 houses already approved in East Grinstead plus the 835 houses already approved in the surrounding villages constitutes a severe impact on local roads despite their own SYSTRA model saying that committed housing will result in the following junctions being over capacity;

- A264/A22 Felbridge
- A22/Imberhorne Lane
- B2110/B2028 Crossroads Turners Hill
- B2028 Turners Hill Road/Wallage Lane
- A264/A2220 Copthorne

The district council leadership say that they can only assess the highways impact for the each proposed site allocation by looking at them all together (ie. the ones in East Grinstead, Burgess Hill, Haywards Heath and other towns and villages in the district) in accordance with the national planning policy.

The National Planning Policy Framework (NPPF) says at paragraph 109 that *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*

The SYSTRA transport model clearly demonstrates that the cumulative impact of the houses already approved (but not yet built) taken together with the proposed housing allocations is severe.

In order to mitigate the impact of the additional traffic from the 822 proposed houses, the district council leadership make vague references to A264/A22 corridor improvements and an unspecified bus priority along the A22. They say that

"The local highway network will be re-examined in more detail through any subsequent planning applications on the sites proposed for East Grinstead"

"Joint working between Surrey CC and West Sussex CC along with Mid Sussex and Tandridge District Council's is ongoing to determine how best to improve capacity along the A22/A264 corridor"

In other words, there are no firm proposals to resolve the current levels of congestion let alone the gridlock that is likely to result from the extra 2,065 houses already approved and yet we are expected

to accept on trust that the unspecified roads improvements will be so successful that they will be able to accommodate the traffic from the extra 822 houses now proposed.

The jointly commissioned WSP transport study to look into capacity issues for the A264/22 Felbridge junction has been running for nearly two years and has not identified a single option that promises to bring the junction back within capacity for the longer term.

Given the fact that a limit has been reached on approaching roads, and no viable alternative has been set out, I would recommend that the proposal is re-worked to take into consideration the traffic impact and viable alternatives proposed. Without this it can't realistically proceed.

Contrary to Neighbourhood Plan

The town council spent considerable time and resources on its Neighbourhood Plan, it was approved by the district council leadership, found to be sound at the public examination and overwhelmingly supported by referendum.

A meeting on 3rd May 2018 attended by both the town and district councils reviewed the Neighbourhood Plan policies against the newly adopted District Plan. The town council's planning committee minutes dated 18th May confirms that apart from policy EG5 – Housing, "the other policies in the plan are not deemed to be in non-compliance"

People expect the town council to strongly defend its Neighbourhood Plan and not simply accept the district council leadership view that it's policies are 'trumped' by their own.

Policy EG2 was designed to resist development outside the built-up boundary and *"to ensure that development does not result in the gradual accretion of development at the urban fringe"*. This fully supports the district council's own policy DP12 which says ...

"The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there."

The proposed site allocations at Felbridge and Imberhorne Farm are outside the East Grinstead built-up boundary and are therefore against both neighbourhood and district plan policies. It is not clear why does the district council leadership believe the houses to meet the housing shortfall in Crawley need to be in the countryside just outside East Grinstead's urban boundary

The supporting text to policy EG2 (at paragraph 4.9) explicitly calls out for development to be refused in the areas of countryside at Imberhorne Farm and south of the Crawley Down Road.

The district council leadership do not accept the validity of the neighbourhood plan supporting text and brush-off the town council's assertion that it must be taken into account when considering potential site locations. They say that the *"Inclusion of supporting text may lead to potential for conflicting guidance."* This is clearly disingenuous as the district council leadership approved the content of the neighbourhood plan before it went to examination

Policy EG11 was designed to ensure that East Grinstead didn't have to take mass housing allocations like these without the necessary improvements to the local highways network ...

Proposals, which cause a severe cumulative impact in terms of road safety and increased congestion, which cannot be ameliorated through appropriate mitigation will be refused

Policy EG11 fully supports the district council's own policy DP21 which requires that ...

"development is accompanied by the necessary infrastructure in the right place at the right time that supports development and sustainable communities. This includes the provision of efficient and sustainable transport networks"

Currently there are no detailed proposals to solve the existing traffic problems in East Grinstead. Unless and until such proposals are put forward which are shown to be both effective in resolving the junction capacity issues and deliverable, then the proposed site allocations at Felbridge and Imberhorne Farm are against both neighbourhood and district plan policies.

I will be making available a copy of this letter to Mims Davies my MP and would be grateful for a response to the issues I have raised.

Yours faithfully

Mike and Val Mitchell

[Redacted signature]

1823

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1823

Response Ref: Reg19/1823/1

Respondent: Mrs M Burke

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From:

Sent:

[REDACTED]
26 September 2020 00:31

To:

ldfconsultation

Subject:

Objection of planning application SA 19 & SA20 for 700 houses in Felbridge and Imberhorne farm East Grinstead

Objection from Margaret Burke [REDACTED]
[REDACTED]
[REDACTED]

I object most strongly to the 700 houses planned for Felbridge and Imberhorne farm. SA19 and SA20. There is no housing shortfall in East Grinstead or Felbridge. The housing need is fully satisfied by 782 homes already completed since the start of the planned period, together with the 1,238 homes already committed. AND they can't sell the flats already built.

The above plans are required supposedly to meet the shortfall in Crawley of about 1,500, nearly half of which are proposed for Felbridge and Imberhorne farm. Alternative and more sustainable sites on the edge of Crawley have been dismissed without consideration.

Felbridge is a small village with nothing but one small store, there are no work opportunities, and East Grinstead has little more having lost 7 long standing businesses recently.

Plus 700 houses will mean at least 1400 extra cars on our already most congested roads. And I can assure you that a bus lane will be of absolutely no use, You should realise that people living in the country use their cars and never get on a bus. From these sites you will have to use a car. Also there is no room for a priority bus lane on the A22.

The East Grinstead neighbourhood plan states the existing roads and junction are already over capacity. The Felbridge junction has been identified as a constraint to development coming forward in Tandridge and Felbridge/East Grinstead, The Felbridge junction currently operates above capacity leading to serious congestion at peak periods, and other times of the day.

You should note that the proposed site SA19 & SA20 are outside the East Grinstead and Felbridge built up boundaries and therefore against both neighbourhood existing plan policies EG2, EG2a, DP12, DP13. The supporting text to policy EG2 paragraph 4.9 explicitly calls for development to be refused in areas of countryside at Imberhorne Farm & south of Crawley down rd, precisely the location of SA19 & SA20.

The present plans are complete madness...I live in Rowplatt Lane which as its name implies is just a lane, if these houses are built it will become a congested rat run to join the A264. The traffic at Felbridge is already a nightmare, without adding another 1,400 cars. Our local schools are full, as are our GP surgeries.

Increased traffic congestion, over stretch resources, our countryside concreted over...plus where is this supposedly housing shortfall, most of Crawley and the surrounding area is out of work, and the houses already on the market remain unsold.

, Yes I do strongly object to this planning proposition.

Yours Margaret Burke

1877

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1877

Response Ref: Reg19/1877/3

Respondent: Mr A Jordan

Organisation:

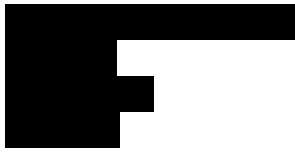
On Behalf Of:

Category: Resident

Appear at Examination? x

From:

Andrew Jordan



Subject:

Proposed Building Plans for Imberhorne Farm (500), Felbridge (200), Crawley Down (50), East Grinstead Police Station (22).

Dear Sirs

I would like to register my objection to what I believe to be an ill thought out plan for additional housing expansion in Felbridge and the surrounding areas.

There are 4 main queries that I have:

1. There was a Strategic Gap between the Felwater and the properties along Crawley Down Road, to stop any development creep. Why is this now not being considered?
2. Pre lock down, in the AM rush hour it could on occasions take up to nearly 40 mins (I once measured 37 mins) to get from our house [REDACTED] to the Copthorne Road – approx. ½ mile, due to volumes of traffic and school ‘drop offs’

This as a current situation is un-workable. How will an additional 200 houses, probably 300 more cars, help ease this. It can only end in disastrous levels of congestion.

I don't believe there is any simulated modelling on traffic assessments that can replicate the pre lockdown congestion levels. If only because this situation is unprecedented, and so by definition, there cant be any reliable and robust data to use for modelling.

Logically, the only possible outcome of any traffic assessments will be to conclude that the bottle-necks around Felbridge will unquestionably become significantly worse.

3. I thought there were to be no more significant developments until a Ring Road had been approved. Congestion around the A264 & A22 x-over is already unbearable. The current traffic congestion represents a seriously negative impact on new business considering East Grinstead as a possible location. Adding more housing and vehicles can only make this worse.

If there is no new business development locally, then EG will become even more of a dormitory town, with the need for the use of more vehicles.

Local Public Transport is not an option as heading towards Crawley or Tunbridge Wells can only be done by buses which are subject to congestion, and the rail link only heads ‘one-way’. Introducing the extra housing, on top of the 2k houses already planned is utter madness, unless the transport infrastructure is radically amended.

Planners may think they have the answers with some partial priority bus lanes / schemes, but so far, even with the existing plans, nothing has materialised.

This is not a good track record, a track record that should be considered carefully.

It's essential to sort out the traffic infrastructure before rushing headlong into building new houses. If you are going to do it, then do it properly. As mentioned earlier previously, a prerequisite for the only way forward for an additional housing expansion was the implementation of a by-pass. How is it now possible to consider these developments without dealing with the congestion issues?

4. Flooding

The field behind our property floods regularly and the water does not drain away naturally. It filters into our garden which then also floods front and rear – photos attached.

This water amounts 100's of litres and eventually finds its way into drains.

Are the planners aware of the flooding at the north side of the field, that due to its height cannot drain to the Felwater and would need pumping, and what is the proposal to deal with it?

The current set up is inadequate.

I would be grateful if you could consider the above issues raised and let me have your feedback and response.

Yours sincerely
Andrew Jordan



1907

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1907

Response Ref: Reg19/1907/1

Respondent: Mr F Osborne

Organisation: East Grinstead Town Councillor (Imberhorne)

On Behalf Of:

Category: Resident

Appear at Examination? x

F D Osborne Response to MSDC Site Allocations Development Plan.

I am responding to the consultation currently being undertaken by Mid Sussex District Council on its Site Allocations Development Plan. In particular, with reference to the proposed development of land on site reference SA19 South of Crawley Down Road, Felbridge and SA20 Imberhorne Farm, East Grinstead. I have grave concerns about the major impact the development of 750 houses will have both on the environment and road network of the town and the local community and would make the following points in regard to this.

- 1) It is disappointing that the Felbridge and Imberhorne Farm sites have been assessed by MSDC as 'High performing' despite the council's awareness of the traffic constraints in the area and that neither site appears to have been properly assessed on transport grounds, despite, it being a stated requirement of the site selection methodology. In fact, Mid Sussex District Council acknowledge that traffic in the A22 corridor has reached saturation point and congestion is already severe and that traffic is 'rat running' along residential and minor roads. Policy EG5 of the East Grinstead Neighbourhood Plan states that 'Developments are supported only where the likely increase in traffic congestion can be fully mitigated'. The only evidence of this is a proposal to lessen the traffic impact arising from the new developments with the introduction of bus priority along the A22. This surely will lead to even more congestion not less!
- 2) The site allocations are not supported by the East Grinstead Neighbourhood Plan being in conflict with policies EG2, EG2a and EG11. The Felbridge site is expressly described as an area of development restraint (Policy EG2) and both the Felbridge and Imberhorne sites encroach on the gap between the two areas making it more likely they will merge in future (Policy EG2a). The East Grinstead Neighbourhood Plan has been found sound at examination and overwhelmingly supported by referendum and it should therefore, be afforded the appropriate weight when assessing site allocations. Clearly not so in this case.
- 3) All East Grinstead's housing needs are met by the East Grinstead Neighbourhood Plan but, it appears that Mid Sussex District Council has agreed to build additional homes for Crawley Borough Council despite identified sites in Crawley being discarded without full and proper consideration.

Details of the Council's current Infrastructure Development Plan for the town are vague or, non-existent. This policy adds considerably to the burden on the Town from continuing major development particularly, with no apparent plans for major road infrastructure improvements which are essential to support the impact from these developments. This need was recognised by the earlier, now abortive exercise on the East Grinstead by-pass. I hope the Council will fully address the significant issues my Association has raised when it considers the consultation feedback and produces its final Site Allocation Development Plan.

Finally there is little or no information regarding the combined report by MSDC, WSCC, Surrey CC and Tandridge DC on traffic implications - Felbridge junction of the A22 and the A264. It appears the public and the majority of elected representatives are not being allowed to see up to date statistics nor the projected impact of the aforementioned developments. This withholding of vital information is bound to influence the number and nature of the responses.

I would also ask you to retain my details and to update me, if possible, on each stage of this process.

Frank Osborne

Cllr Frank Osborne - East Grinstead Town Councillor - Imberhorne Ward

[REDACTED]

1930

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1930

Response Ref: Reg19/1930/1

Respondent: Ms A Rijndorp

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Andrea Rijndorp [REDACTED]
Sent: 27 September 2020 10:18
To: ldfconsultation
Subject: Proposed housing developments in Felbridge, East Grinstead and Crawley Down

Dear Sirs,

Whilst realising that new homes are needed, the areas you have designated to build on are already suffering from too many new houses and no corresponding infrastructure.

We live in Felbridge, even without the current Corona problems, we have been finding it increasingly difficult to make a doctors appointment. Our surgery tells us that this difficulty arises because of sheer weight of patient numbers as no new surgeries have been opened despite the influx of new housing in the area.

Local schools have had to limit new intakes to those children who have siblings already attending the school in question. This forces parents to drive to schools that are too far away from their homes to walk to.

The traffic in the Felbridge and East Grinstead area, not only during rush hour but also during the entire day, has certainly doubled since we moved here 18 years ago. Having had a family emergency last year where I needed to reach Croydon University Hospital urgently I can assure you, that thanks to very heavy traffic, I was unable to reach the hospital in time. On the day in question I did not even attempt to drive there as I was aware that it would take too long. Instead I tried to reach Lingfield Railway Station but ended up sitting in heavy traffic. Clearly, no attempt to gauge the amount of current traffic has been made by the Council before these plans were submitted.

Surely the Council should take the current occupants of the affected areas into consideration before making such far reaching plans. The impact on the lives of the current occupants seems to be totally disregarded by the Council.

Your comments would be welcomed.

Yours faithfully,
Andrea Rijndorp

Sent from my iPad

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1936

Response Ref: Reg19/1936/1

Respondent: Mr L Slatter

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: lee slatter [REDACTED]
Sent: 27 September 2020 14:29
To: ldfconsultation
Subject: Land development ,east grinstead,felbridge & Crawley down

Hello

I disagree with the current planning proposals for 700 new homes to be built in our local area . I list below my reasons why

1.unnecessary extension to Felbridge
2.unnecessary negative impact on imberhorne farm 3. Greatly reduced employment opportunities 4.contrary to neighbourhood plan 5.unsustainable traffic congestion 6.failure to consult the whole community 7. Unsound assessment of sites 8.unnecessary crowding of local schools

Regards

Lee Slatter

2057

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2057

Response Ref: Reg19/2057/2

Respondent: Mrs S Fowler

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: s fowler [REDACTED]
Sent: 28 September 2020 22:04
To: ldfconsultation
Subject: District Plan

To whom it may concern.

The District plan, items SA19 and SA20, show proposals to allocate land parcels to build 200 houses at Felbridge, and 550 houses on farmland and Ancient woodland at Imberhorne. To allocate this land, if accepted into the plan, as suitable for building such a high number of houses on, is totally unacceptable. The road network could not possibly cope. The traffic surveys have already shown the junction at A22/A264 cannot deal with current traffic, let alone any increase in vehicles.

There is no provision being made for a Doctor's surgery. The plan suggests existing facilities would absorb new residents. This is not possible, the 3 local surgeries in East Grinstead are already at capacity. The sewage system is not adequate. The plan states properties would have to be phase built, to cope with demand on the sewage system.

Water supply this year has already been under strain. During the warm spell residents were told to be frugal with water.

Over 750 new households will put enormous strain on the water supply.

Gatwick Airport has taken a huge knock from the pandemic. Many local people were employed there. To allocate land for so many new houses is foolish. The demand for property must have taken a hit, as so many people are now likely to be unemployed.

Many employers in East Grinstead have left the area, and the offices they did occupy have been turned into apartments. These numbers of dwellings should be included in the figures when total allocations are being counted. Infill building should count in the district plan figures, thereby meaning greenfield sites do not need to be under threat, and allocated to make up the supposed required number.

The proposed site is habitat for many creatures, including at least 2 birds who are on the 'red list'. Nature is already losing habitat, building on farmland is not helping nature.

What would be the sense in cutting down ancient trees, when trees help by absorbing carbon dioxide, and providing Oxygen.

Everyone knows this planet is under threat.

By allowing this land to even be considered as suitable to build on, would be driving yet another nail into the coffin of life in East Grinstead and Felbridge.

I object strongly to the proposal to include SA19 and SA20 into the District Plan.

Mrs Shelagh Fowler.
[REDACTED]

2058

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2058

Response Ref: Reg19/2058/1

Respondent: Mr P Brooks

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

Name	Peter Brooks
On behalf of	Myself
Address	[REDACTED]
Email	[REDACTED]
Name or Organisation	Peter Brooks
Which document are you commenting on?	Site Allocations DPD
Sites DPD Policy Number (e.g. SA1 - SA38)	S 19 and SA 20
Do you consider the Site Allocations DPD is in accordance with legal and procedural requirements; including the duty to cooperate	No
(1) Positively prepared	Sound
(2) Justified	Unsound
(3) Effective	Unsound
(4) Consistent with national policy	Unsound
Please outline why you either support or object (on legal or soundness grounds) to the Site Allocations DPD	Th additional houses from SA 19 and SA 20 will make the traffic congestion in East Grinstead much worse without the guarantee of any improvements. All reports indicate that current traffic is above capacity and this must be rectified before any additional houses are approved
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.	Remove SA 19 and SA 20 from the document
If you wish to provide further documentation to support your response, you can upload it here	
If your representation is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination	No, I do not wish to participate at the oral examination
Please notify me when-The Plan has been submitted for Examination	yes
Please notify me when-The publication of the recommendations from the Examination	yes
Please notify me when-The Site Allocations DPD is adopted	yes
Date	27/09/2020

2069

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2069

Response Ref: Reg19/2069/1

Respondent: Mr J Gibbs

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: 2000 Deluxe [REDACTED]
Sent: 28 September 2020 01:38
To: ldfconsultation
Cc: planningpolicy
Subject: Site allocations 19 and 20 Felbridge, Imberhorne

Please register my objection to development plans SA 19 and SA20. The traffic is already ridiculous, the housing type and density is totally unsuitable for these locations, this is farmland and it should stay that way. Do we even have enough water for more houses?

Jamie Gibbs
[REDACTED]

2111

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2111

Response Ref: Reg19/2111/1

Respondent: Mr D Hunt

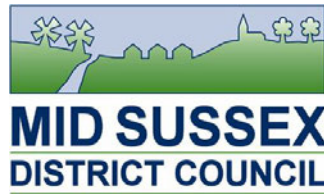
Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

Site Allocations DPD: Regulation 19 Consultation Response**Policy:** SA19 - SA20**ID:** 2164**Response Ref:** Reg19/2164/3**Respondent:** Lord J Lytton**Organisation:** Lawerence Foote**On Behalf Of:** Crabbet Landowners**Category:** Promoter**Appear at Examination?** ✓



Site Allocations Development Plan Document Regulation 19 Submission Draft Consultation Form

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

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

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

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

The Site Allocations DPD is available to view at:

www.midsussex.gov.uk/planning-building/development-plan-documents/

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

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

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

How can I respond to this consultation?

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

www.midsussex.gov.uk/planning-building/development-plan-documents/

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

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

E-mail: LDFconsultation@midsussex.gov.uk

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

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

1. Personal Details

Title	<input type="text" value="Lord"/>
First Name	<input type="text" value="John"/>
Last Name	<input type="text" value="Lytton"/>
Job Title (where relevant)	<input type="text" value="FRICS, Consultant Surveyor"/>
Organisation (where relevant)	<input type="text" value="Lawrence Foote and Partners (London)"/>
Respondent Ref. No. (if known)	<input type="text" value="JL/3502"/>
On behalf of (where relevant)	<input type="text" value="Various landowners at Crabbet Park"/>
Address Line 1	<input type="text" value="REDACTED"/>
Line 2	<input type="text" value="REDACTED"/>
Line 3	<input type="text" value="REDACTED"/>
Line 4	<input type="text" value="REDACTED"/>
Post Code	<input type="text" value="REDACTED"/>
Telephone Number	<input type="text" value="REDACTED"/>
E-mail Address	<input type="text" value="REDACTED"/>



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:

Crabbet Park Landowners

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

omission

Policy SA

DP4

Draft Policies Map

omission

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

☐☒

(2) Justified

☐☒

(3) Effective

☐☒

(4) Consistent with national policy

☐☒

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

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

Mid Sussex DC has adopted an entirely arbitrary 150m proximity (to developed areas) standard for its housing allocation sites which is incorrect and inappropriate as a starting point, taking no account of the general balance of advantage/disadvantage to be adopted with any consideration of sites. By reference to SA17 it has not even applied this consistently.

As applied to Crabbet, (a site within 150m of developed parts of Crawley Borough, to an hotel, leisure, office and residential development adjacent to Crabbet Park mansion and various residential and retail premises in Copthorne Road) the failure to consider further this area is at best capricious.

It has been continually rejected by MSDC for municipal policy/political reasons that have never been spelled out but do not accord with objective planning based assessment.

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

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

The Crabbet Park area should be included in the DPD for the following reasons:

- a. the land is in private ownership with the core owners having expressed a willingness to bring the land forward for development for the last 15 years.
- b. it could provide upwards of 2,500 homes in a mixed development
- c. the development could be phased
- d. the layout could be arranged to form a series of distinct communities
- e. it has good road access and communication with adjacent Crawley Borough and with the core Gatwick Diamond business/retail/transportation hub.
- f. It is capable of making a substantial contribution to affordable housing and to community benefits.
- g. it can readily integrate with green space and recreational links
- h. it is deliverable within an appropriate timeframe but suffers from a response of continued negativity from MSDC.

see attached memorandum

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:

Subject to the direction of the enquiry inspector, I would wish the Crabbet landowners or their agent to have the opportunity to question planning officers in person as to the reasons for eliminating Crabbet and the political or other reasons for the stance they have taken in this regard over many years.

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:

24th September 2020

Thank you for taking time to respond to this consultation

Memorandum

Mid Sussex is obliged to accommodate unmet housing need from adjacent authorities and in the case of the northern portion of the district, the unmet need is clearly from Crawley. It appears that the primary purpose of the DPD is to provide for that need. It is entirely unclear however, that meaningful cross boundary discussions have taken place or the optimum location for the overspill considered.

Both by geographical location and the nucleus/gravitational pull, it would have been logical to provide for that unmet need as close as possible to Crawley Borough. A site such as Crabtree Park, listed in the SHLAA (site 18) but summarily discounted would self evidently;

- Minimise commuting distance and times
- Avoid overloading A264
- Potentially provide a relief road link to M23 J10a
- Provide better multi modal travel choices for residents
- Enable the facilities and services of Crawley to be enjoyed by the greatest number of new residents
- Provide recreational facilities for the wider community
- Link into Crawley's superior communications and transport networks
- Minimise harm to areas of acknowledged nature conservation and environmental interest implicit in sites at East Grinstead.
- Involves very limited highway improvements
- Could accommodate multi use development including employment for the wider community.
- Would have been deliverable and available to bring forward within the plan period

However, despite this, MSDC has formulated the DPD having summarily dismissed this obvious candidate site for Crawley's unmet need.

This initial flaw results in that need being met in East Grinstead, at least 7 miles further away from Crawley than the land at Crabtree. Its preferred location for all this overspill at Imberhorne, Felbridge and other sites, all of which are served by the A264 with its already congested pinch points at Felbridge and Copthorne. The significant improvements needed at Felbridge alone are not settled or costed, and would by all account require the extensive use of CPO powers. The DPD proposals appear to rely on a carry forward of outdated traffic data (2008 or thereabouts) but without anything more than an interim summary of the commissioned WSP consultants' report having been published. This became public in late 2019 – and even now is believed to be available only on a neighbouring authority's website.

No additional or alternative local employment at East Grinstead itself is planned for all these new households. Indeed there is currently continued attrition of the East Grinstead employment floorspace especially through PD change of use. The road network itself makes its location increasingly uncompetitive and a barrier to commercial supply logistics.

The Imberhorne and Felbridge proposals (19 & 20) have proved undeliverable in the past and no evidence is produced that suggests any change to the known environmental and viability barriers. Several sites at East Grinstead involve SAC and SPA designation with habitats mitigation of unknown and untested deliverability. Beyond this the wider environmental impacts of development at East Grinstead have not been the subject of a properly worked mitigation plan.

Apart from employment and road communications, there is a limited train service at East Grinstead (to Croydon and beyond) and similarly limited leisure, retail and other facilities - significantly inferior to the equivalent provision in Crawley. How matters have come to formulate a DPD in which the optimal site for a Crawley unmet need is rejected, and builds in excessive congestion, need for commuting and similar sustainability negatives, requires further and better justification.

Part of the genesis of this state of affairs appears to be policy DP4; this set a proximity test for development to be adjacent to an existing built up area boundary. MSDC applies this selectively to considering candidate sites (see SA17 for instance and the major allocation already made at Pease Pottage – DP9a). It embodies in this test a 150m distance criterion and (as with its initial screening out of Crabbet Park) does so arbitrarily and without any further assessment. By contrast in determining an application under reference 17/3647 MSDC appears to use justifications as to proximity that run counter to the 150m 'rule' it s applied in its rejection of Crabbet Park.

There is no attempt to justify this crude linear approach and no other sustainability appraisal to justify it. This is not a positive or proactive approach to planning.

This process also fails the test set in NPPF paragraph 35 namely that plans will only be found sound if they are ... "Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence"

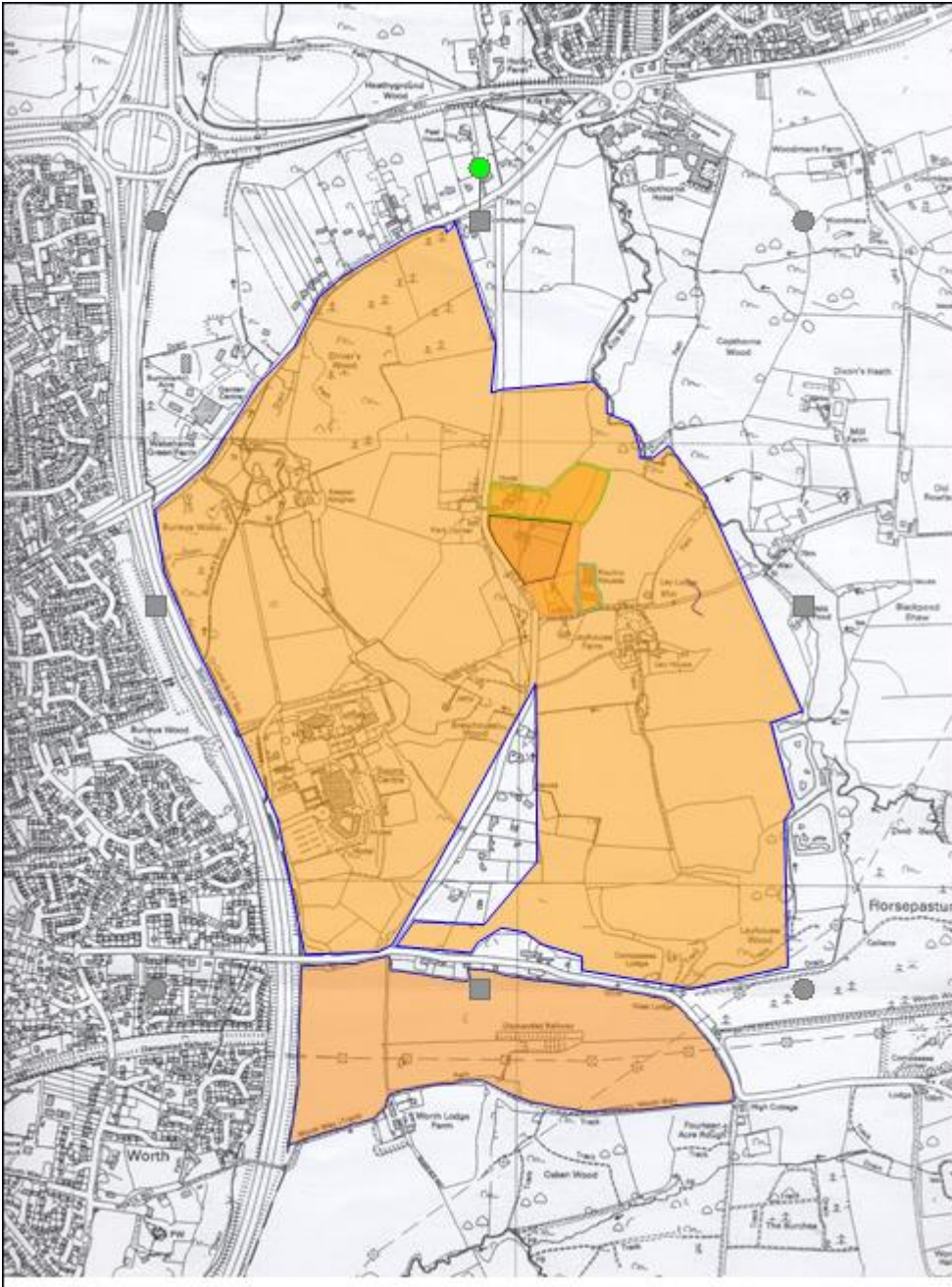
Whilst it is not beyond understanding that a site such as Crabbet Park might be considered and then rejected following analysis, it is scarcely credible that in considering Crawley's unmet needs, a strategic site so obviously close by and related to Crawley, should have been dismissed so lightly.

By eliminating sites on an arbitrary rules based criterion, it avoids the need to analyse, contrast and compare in detail as required by the NPPF. Moreover it is submitted that even though the site analysis in the DPD may of itself be sound in following the policies already approved, basing this on flawed procedures at an earlier stage cannot of itself make this later stage sound. To admit of such a process is to embody poor overall planning processes and in effect to circumvent government policy.

Government housing number allocations are at this very time being revised upwards and although this may not be a matter for the present DPD, an element of 'predict and provide' might not come amiss here.

It is all too easy for planning authorities to find ways of discouraging development sites from coming forward by presenting them as undeliverable for reasons that are rolled out sequentially and thus extending timelines, or by promulgating a narrative as to the site prospects without making any attempt to establish the facts. By these means collective landowner endeavour can easily be crushed. But this is a two way street and LPAs can by the same token exert enormous positive influence towards enabling sites to be brought forward and instilling confidence in the land assembly process, attracting finance and developing optimal proposals. No such proactive steps have occurred here over many years.

Crabbet Park



General location plan of Crabbet Park

Crabbet Park should be included as an allocation site for the following reasons:

1. The site is adjacent to the eastern boundary of Crawley with self evident synergies consistent with meeting Crawley's unmet need.
2. It is close to the primary transportation networks of road (A264 and M23 J10), rail, air (Gatwick) and along the south fringe adjoins the Worth Way foot/cycle/bridle way providing multi modal travel opportunities.

3. Relatively limited highway upgrading would be required. There is good road access to existing highways north and south of the area. The Old Hollow could be preserved as a 'greenway'.
4. The Fastway transit system operating in the Crawley area could easily be extended to include Crabbet.
5. Capacity issues on the M23 have resulted in 'rat running' through Crawley but development at Crabbet offers the opportunity of an extended link south to Junction 10A (because one of the interested landowners owns the relevant intervening land) which could go some way to alleviating this.
6. Crabbet could accommodate immediate housing needs with scope for future phases but without dictating or locking up future longterm housing allocations.
7. The area could be developed as a number of distinct settlements close to but not simply extending the continuous built up environment as is implicit in the DPD allocations.
8. The various landowners at Crabbet Park have for the last 15 years expressed a willingness to bring forward their land for development. That this has not happened is in large part due to the unexplained negativity of MSDC towards this location and persistent raising of issues. But cohesion of the landowner group which accounts for the core area amounting to in excess of 400ac, has not evaporated.
9. Parts of the Crabbet Park area already have significant development, especially around the Crabbet Park mansion. Existing features such as lakes and woodland would readily integrate with a development proposal. Leisure/recreational, commercial, and hospitality uses abound in the site area. Part of the former Crabbet parkland including an avenue of horse chestnuts lies west of the M23 and forms a portion of Pound Hill neighbourhood known as 'The Ridings'.
10. The Crabbet Park area has a strong local identity closely associated with Worth and Crawley, making it a location with a clear 'brand' and ready-made sense of place.
11. Previous studies at Crabbet have identified a relative lack of constraints of an archaeological, ecological, environmental, heritage or landscape nature though there have been attempts by MSDC consultants in the past to misrepresent its landscape value. Such elements of ecological and other value as exist can readily be retained within an overall masterplan. Crabbet would require minimal habitat mitigation measures. Although the southern portion of the site is within AONB due to a hard AONB boundary against the Turners Hill Road, the land between this road and the Worth Way path is arguably of little landscape merit being criss-crossed with power lines and a former railway cutting running east-west across the land has been landfilled. In any event, development has already been established on more attractive land within the AONB at Pease Pottage.
12. The site can accommodate mixed uses including employment, which could be a means of providing buffering against M23 noise. This offers a materially better range of options than any of the East Grinstead sites.
13. The site is capable of providing its own foul drainage on site if there is lack of capacity at the Gatwick STW, either on an interim or permanent basis. It is also capable of providing full onsite surface water attenuation.

14. Consideration of Crabbet Park and any other areas arbitrarily excluded would go some way to making the DPD (most particularly by reference to the antecedent stages) sound and demonstrate objectivity in analysis and in particular make the case on a balance of comparable technical merit as between East Grinstead and other locations.

In summary therefore, the policies leading up to the DPD embody an unsound approach with particular reference to a site which by any objective test ought to be a strong candidate within any development plan for the north Mid Sussex area and particularly given the fact that it is Crawley's unmet need that is a main driver behind this process. It is suggestive of an ill-researched, biased and cavalier approach to development plan formulation and it is this which Crabbet landowners wish to challenge.

2184

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2184

Response Ref: Reg19/2184/1

Respondent: Mrs M Davis

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Marilyn Davis [REDACTED]
Sent: 28 September 2020 20:47
To: ldfconsultation
Subject: District Plan Comments

Categories: SiteDPD, [REDACTED]

To Whom it May Concern

I am a resident of East Grinstead, West Sussex.

I write to raise my objections to the 200 houses proposed at Felbridge and 550 at Imberhorne, East Grinstead. The proposed areas are already very congested with traffic and at peak times especially it is very difficult to drive anywhere without long delays and breathing in exhaust fumes. It is often quicker to walk to get somewhere local, but this has its hazards too, with fumes and inconsiderate bicycle riders, who find it easier to ride on the pavements than the roads, or cycle paths. Surely this is far from ideal at a time when the country, and the world needs to cut carbon emissions. Is Mid Sussex condoning this situation? I suffer from asthma and the air quality is going to be affected even further. I fear too for the health of children growing up here.

I have lived here for over 40 years and have, of course, seen many changes, some good and some not, as is to be expected. The character of the town is changing and the thought of even more housing and more people in the area will make me consider whether it is where I want to spend the rest of my life, which is a shame. I enjoy walking in the countryside around the town, and this is being eaten away bit by bit by housing and nature is being driven away too. On Imberhorne, Skylarks were a familiar sight and sound, nesting in the summer and flying over the ploughed fields, but they have not been heard for many years now. A very sad, and disturbing situation.

There is also of course the infrastructure itself to consider, and the local facilities, schools, GPs, shops, parking etc etc.

PLEASE, PLEASE do take these comments on board as a concerned East Grinstead resident.

Yours faithfully

Marilyn Davis

2201

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2201

Response Ref: Reg19/2201/1

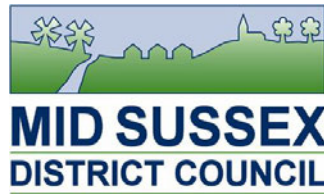
Respondent: Mrs H Brunsdon

Organisation: MSDC and WSCC Councillor

On Behalf Of:

Category: District Councillor

Appear at Examination? ✓



Site Allocations Development Plan Document Regulation 19 Submission Draft Consultation Form

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

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

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

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

The Site Allocations DPD is available to view at:

www.midsussex.gov.uk/planning-building/development-plan-documents/

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

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

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

How can I respond to this consultation?

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

www.midsussex.gov.uk/planning-building/development-plan-documents/

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

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

E-mail: LDFconsultation@midsussex.gov.uk

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

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

1. Personal Details

Title	<input type="text" value="Cllr Mrs"/>
First Name	<input type="text" value="Heidi"/>
Last Name	<input type="text" value="Brunsdon"/>
Job Title (where relevant)	<input type="text" value="Imberdown"/>
Organisation (where relevant)	<input type="text" value="Elected Member of MSDC & West Sussex"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text"/>
Address Line 1	<input type="text" value="██████████"/>
Line 2	<input type="text" value="██████████"/>
Line 3	<input type="text" value="██████████"/>
Line 4	<input type="text"/>
Post Code	<input type="text" value="██████"/>
Telephone Number	<input type="text" value="██████████"/>
E-mail Address	<input type="text" value="████████████████████"/>



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:

Elected Representative of Mid Sussex District Council & West Sussex County Council

3a. Does your comment relate to:

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

3b. To which part does this representation relate?

Paragraph	<input type="text" value="3.16"/>	Policy SA	<input type="text" value="SA19
SA20"/>	Draft Policies Map	<input type="text"/>
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4. Do you consider the Site Allocations DPD is:

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

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

	Sound	Unsound
(1) Positively prepared	<input 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.

I consider the consultation to be unsound as material information for the consideration of Site SA19 and SA20 has NOT been released. This information directly speaks to the inability of these sites to come forward in conformity with National Policy.

I consider that the quantum of development to be allocated by the planning inspector for Tandridge Local Plan currently remains unknown and any assumptions for work and options to mitigate existing severe transport problems outlined by Atkins report cannot and has not been evidenced.

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

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

The WSP report should be formally made available to allow for the site selection criteria and to provide members and MSDC opportunity to properly access the transport issues at the Felbridge Junction. That options outlined should be fully costed.

That the Public should be made aware of the existence of these "material" documents and the site is not allocated until further consultation of this site is made possible.

That wording should reflect that paragraph 3.16 is amended to acknowledge that if highway improvements are not deliverable then alternative transport strategy approaches, must be fully understood to deliver and mitigate the cumulative impacts of developments on the highway network for both SCC and WSCC.

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:

As local member for WSCC I have for some time be aware of a transport document **WSP dated March 2019** which was jointly funded by WSCC, MSDC, TDC and SCC. I have at various times asked this to be made available as I considered it held in my opinion "material" information for the consideration and deliverability of Sites: SA19 and SA20 to come forward in the site allocation process and in this consultation process.

As of **17/09/20** I received notice that all authorities (above) were said to be "now" happy for the report to be released to me only as local member and ONLY in strict confidence. I was advised that the report was not complete, contained unresolved issues and sensitive information.

I consider it material evidence of unsound process that this document was not made available in confidence at the time of site allocation process to members of MSDC. I also consider it material that other local members were not formally made aware of this document or the executive summary and had to effectively "to know it existed, where it was, and to know how ask for it"

I consider it a failure of the MSDC consultation process that this report was not made available to the public (in a redacted form) or that The executive summary which was agreed to be released to the public dated October 2019 and ONLY uploaded to the Tandridge website. I consider the executive summary provides for significant information that speaks to the sustainability of the these sites and that it should have been included in the MSDC public consultation documents.

The A22 /A264 Felbridge junction is well documented to already be congested during peak hours Akins (and the definition of "severe" being the subject of two appeals in Tandridge) The Mid Sussex Transport study states that this junction is already at capacity in the reference case. I support The County Council submission when it considers there is currently no scheme to improve that achieves the objectives that Surrey, WSCC, Tandridge and MSDC council can agree. As a West Sussex Councillor for the division I also consider that in the absence of evidence to the contrary that the site allocations of SA19 and SA20 should acknowledge that improvements MAY NEVER BE DELIVERABLE at Felbridge because of the requirements for third party land and my own understanding of the County's "appetite" previously mentioned by officers of the County authority to pursue CPO powers. It is clear from the reports (not exclusively WSP) that any option improvements most likely to secure even the modest and temporary improvements (as outlined in the executive summary) would not be deliverable without such powers.

It is unacceptable that these sites be allocated if the MSDC transport study indicates that the likely impacts will create rerouting and "rat running" via less suitable residential roads which are use as walk to school and cycle routes.

I also remain concerned by the transport implications of the proposed site access at Heathcote drive. This is a busy access point for both Imberhorne estate's and Gardenwood Estate's local residents and it is regularly congested with long queues experienced turning right onto Imberhorne Lane and past the school and industrials to access the northbound junction of the A22. I have asked and been told that no negotiations with County Asset, Transport or education have been made for the use of county owned land at Imberhorne school as the proposed access point for Imberhorne Farm (master plans available from Welbeck Homes show SA 20 as having a site access which crosses the lower section of playing fields at the upper school) – I am not aware of the state of any consultations undertaken with County between Sport England and the discussion of mitigations measure and the reprovision of the significant loss of this section of playing fields and disruption during the phased development at this site access point.

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 e 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:

Heidi Brunson

Date:

28 September 2020

Thank you for taking time to respond to this consultation

2239

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2239

Response Ref: Reg19/2239/1

Respondent: Ms M-J Johnson

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Mary Joy Johnson [REDACTED]
Sent: 28 September 2020 13:21
To: ldfconsultation
Subject: Planning consultation SA20 and SA19

Categories: [REDACTED], SiteDPD

I object to the above plans on the grounds of incompatibility of site re. Utilities, traffic, local provision for education and health and more.

East Grinstead is highly populated and the A22 a main artery through Mid/East Sussex.

We cannot support an expansion in human habitation in this area to this degree.

Mary-Joy Johnson

[REDACTED]

2356

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2356

Response Ref: Reg19/2356/1

Respondent: Mr & Mrs D & S Coldwell

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: sue coldwell [REDACTED]
Sent: 28 September 2020 22:12
To: ldfconsultation
Subject: SA20 and SA19

Dear Council Members

We strongly OBJECT to the developments in Imberhorne area SA 20 and Felbridge SA 19.

At no time have we been informed about the proposed developments and their impact on our homes and lives.

Mr David Coldwell & Mrs Susan Coldwell

[REDACTED]

A reply to this is expected and also notification in future of further meetings and decisions.

The Coldwells

[Sent from Yahoo Mail on Android](#)

2381

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2381

Response Ref: Reg19/2381/1

Respondent: Ms N Crabb

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

From: Nicki Crabb [REDACTED]
Sent: 28 September 2020 23:20
To: ldfconsultation
Subject: Objection to site Allocations SA19 and SA20

To Whom it May Concern,

I am OBJECTING to the Site Allocations DPD and Sustainability Appraisal, and in particular to following proposed allocations being included in the Site Allocations DPD ...

SA19 – Land South of Crawley Down Road

SA20 – Land South and West of Imberhorne Upper School

I consider them to be unsustainable and in conflict with National Planning Policy and the Local Development Plan [Mid Sussex District Plan & East Grinstead Neighbourhood Plan] for the following reasons:

1) The Council has failed to consult properly with the wider public

2) The Council has failed to adequately assess all potential sites

Allocation of sites SA19 & SA20 would ...

3) Lead to reduced opportunities for people to live and work within their communities

4) Lead to unsustainable traffic congestion with local junctions already over capacity

5) Be contrary to national planning policies & the Local Development Plan

Allocation of site SA19 would ...

6) Represent an unacceptable extension to Felbridgevillage and result in coalescence with East Grinstead

Allocation of site SA20 would ...

7) Result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Kind regards,

Nicki Crabb

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

2382

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2382

Response Ref: Reg19/2382/1

Respondent: Ms C Boughton-Tucker

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? ✓

Regulation 19 Consultation Response – Site Allocations DPD

PART A – PERSONAL INFORMATION

Name: Claire Boughton-Tucker

Address: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Email: [REDACTED]

PART B – REPRESENTATION

I am **OBJECTING** to the Site Allocations DPD and Sustainability Appraisal as being unsound in particular reference to:

SA19 – Land south of Crawley Down Road

The overall strategy of the Plan has NOT been **POSITIVELY PREPARED** as it proposes the allocation of 772 new homes in East Grinstead and Felbridge without any new employment space and against a backdrop of unidentified local housing need and declining employment space.

I do NOT consider the Plan to be **JUSTIFIED** in respect of the sites in East Grinstead and particularly the site in Felbridge, which have not been genuinely assessed against prescribed Sustainability Objectives. In the most part they have been poorly applied, unfounded and in conflict with available evidence.

The new homes are required to meet the housing shortage for workers in Crawley but sites such as Crabbett Park, close to the border with Crawley have been discarded without any assessment against the Sustainability Objectives.

I do NOT consider the Plan to be **CONSISTENT WITH NATIONAL POLICY** which requires the delivery of sustainable development. I consider the proposed sites in East Grinstead and Felbridge to be unsustainable. No local evidence has been supplied to justify any departure from national policy.

I therefore request that:

1. Sites closer to the border with Crawley are properly assessed against all Sustainability Objectives. They have the potential to score highly but lack of consideration means that **reasonable alternatives have not been genuinely considered.**
2. Sites proposed in East Grinstead and Felbridge are properly assessed against Sustainability Objectives and not simply given impacts without evidence or explanation in order to justify their inclusion in the Site Allocations DPD

1. Social Sustainability Objective No. 3 – as applied to SA19

Objective

To maintain and improve the opportunities for everyone to acquire the skills needed to find and remain in work and improve access to educational facilities

Indicators

- percentage of population of working age qualified to at least NVQ level 3 (or equivalent)
- percentage of adults with poor literacy and numeracy skills
- number of households within a 15 minute walk (approx. 1.2km) from a Primary School

Stated Impact

Significant positive impact

- 1.1. The selection criteria for housing sites in the '*Site Selection Paper 2 - Methodology for Site Selection*' measures the sustainability objective solely on the distance between the proposed site and the nearest primary school.
- 1.2. NPPF (2018) paragraph 94 is quoted in support of this objective *"It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should... give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications"*.
- 1.3. The location of site SA19 (Land south of Crawley Down Road, Felbridge), is correctly assessed as being a 10 minute walk from the village school. However, the NPPF paragraph highlights the importance of sufficient school places being available.
- 1.4. Other than proximity there is no evidence to indicate that MSDC have assessed the schools ability to provide sufficient places. The school is already oversubscribed. With a capacity of 214 pupils, the school website is advertising only 4 year 5 places on 16/09/2020.
- 1.5. MSDC have already permitted 120 new homes still to be built within a 5 minute walk of the school and now propose to allocate a further 200.
- 1.6. The school has limited capacity for expansion and lies over the border in Tandridge. Even if sufficient capacity could be accommodated Surrey County Council are unlikely to fund an expansion as there is no unmet education need in southern part of Tandridge.
- 1.7. A 'significant positive' impact cannot possibly be justified.

2. Social Sustainability Objective No. 4 – as applied to SA19

Objective

To improve access to retail and community facilities

Indicators

- number of households within a 15 minute walk (approx. 1.2km) from a superstore/town centre/high street shopping facilities)
- number of households within a 15 minute walk (approx. 1.2km) from a convenience store
- number of households within a 15 minute walk (approx. 1.2km) from community facilities (e.g. community hall, place of worship, library)

Stated Impact

Significant positive impact

- number of applications resulting in a loss of community facilities (e.g. shop, pub, place of worship, etc)

- 2.1. In their Sustainability Appraisal conclusions, MSDC simply say that “*All site allocations make a positive contribution towards the sustainability objective to improve access to retail and community facilities; all sites are within a 15 minute walk of the nearest convenience store.*”
- 2.2. There is a small convenience store within a 15 minute walk (approx. 1.2km) of the site; also a ladies hairdressers, a village hall and a pub. However, town centre shopping facilities, restaurants, library and superstore are considerably further way ... a 45 minute walk (approx. 3.6km).
- 2.2. This compares very poorly with allocated site SA18 (Former East Grinstead Police Station) located on the edge of the town. This site benefits from nearby town centre shopping facilities; community facilities including a theatre, library and place of worship; a selection of restaurants and a large superstore ... all within 15 minute walk
- 2.3. Site SA18 could justifiably be assessed at the highest level against the sustainability objective but for some reason falls short and is only rated as a ‘Positive’ impact.
- 2.4. Contrast this with the assessment of Site SA19 (Land south of Crawley Down Road, Felbridge) which has no town centre or superstore facilities but is given the top ‘Significant Positive’ rating. This cannot be correct

3. Environmental Sustainability Objective No. 11 – SA18/SA19/SA20

Objective

To reduce road congestion and pollution levels by improving travel choice, and reducing the need for travel by car, thereby reducing the level of greenhouse gases from private cars and their impact on climate change. (SEA)

Indicators

- number of households within a 5 minute walk (approx. 400m) of a bus stop with frequent service (3+ an hour)
- number of households within a 10 minute walk (approx. 800m) of a bus stop with less frequent service (less than 3 an hour)
- number of households within a 15 minute walk (approx. 1.2km) of a train station
- proportion of journeys to work by public transport
- percentage of residents living and working within Mid Sussex
- monetary investment in sustainable transport schemes (value of s.106 agreements)
- number of Air Quality Management Areas (AQMAs) within the District

Stated Impact

Not known

- 3.1. The site selection criteria for housing sites in *the ‘Site Selection Paper 2 - Methodology for Site Selection’* refers to NPPF (2018 Paragraph 103) in support of the Sustainability Objective ... *“Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health”*

- 3.2. However, as with other sites, SA19 doesn't appear to have been assessed against the Sustainability Objective at all, despite the widely acknowledged highways constraint in East Grinstead.
- 3.3. In October 2019, MSDC's jointly commissioned WSP traffic study reported that "The Felbridge junction has been identified as a constraint to development coming forward in Tandridge and the Felbridge/East Grinstead area. The junction currently operates above capacity leading to congestion during peak periods and at other times of the day"
- 3.4. The declining employment space taken together with the significant levels of committed development will result in further out-commuting. Allocating an additional 722 new homes in East Grinstead will serve only to exacerbate the problem
- 3.5. The nearest train station is a 45minute walk (3.6km) and there is no direct line to Crawley and MSDC rely on census data from 2011 to show that less than 15% of people travel to work by public transport.
- 3.6. Based on available evidence, the proposed allocations for East Grinstead will lead to significant increases in car travel using heavily congested roads.
- 3.7. This indicates that the impact of these sites on the Sustainability Objective will be negative NOT 'Unknown'.

4. Economic Sustainability Objective No. 14 – as applied to SA19

Objective

To encourage the regeneration and prosperity of the District's existing Town Centres and support the viability and vitality of village and neighbourhood centres

Indicators

- Total amount of floorspace for "Town Centre Uses" (A1, A2, B1a, D2)
- number of households within a 15 minute walk (approx. 1.2km) from a town centre superstore/town centre/high street shopping facilities)

Stated Impact

Significant positive impact

- 4.1. Site SA19 (Land south of Crawley Down Road, Felbridge) is located outside the built-up boundary on the edge of the rural village in Felbridge. MSDC regard Felbridge as an extension to East Grinstead and as such does not exist as a separate entity in their settlement hierarchy.
- 4.2. TDC classify Felbridge as a tier 3 medium sized village as it can only demonstrate a basic level of provision.
- 4.3. The proposed site location for the 200 new homes is a 45 minute walk (3.5km) from the town centre facilities in East Grinstead. The nearest superstore and high street shopping facilities are equally distant.
- 4.4. There are no proposals in the Infrastructure Delivery Plan to improve the meagre facilities in the village and any CIL funding will go Mid Sussex and not to Tandridge.
- 4.5. MSDC do not explain or provide evidence to show how 200 houses on the edge of Felbridge will provide a positive sustainability impact but just rely on the general statement that they will *"encourage the regeneration and prosperity of the District's existing Town Centres and support the viability and vitality of village and neighbourhood centres."*

- 4.6. Without evidence to the contrary 200 more homes (in addition to the 120 already committed south of the Crawley Down Roads in Felbridge) can only have a negative effect on the function and character of the village and therefore it cannot possibly be correct to assess the site as having a 'significant positive impact'.

5. Economic Sustainability Objective No. 15 – SA18/SA19/SA20

Objective

To ensure high and stable levels of employment so everyone can benefit from the economic growth of the District

Indicators

- percentage of Mid Sussex residents who are employed
- percentage of Mid Sussex residents who are economically active
- average weekly income (gross) for those who are employed in the District
- percentage of residents living and working within Mid Sussex
- job density (ratio of jobs to working age population)

Stated Impact

Positive impact

- 5.1. MSDC have recommended the allocation of 3 sites in East Grinstead and Felbridge for a total of 722 homes with no proposals for additional employment space.
- 5.2. MSDC's latest monitoring of housing supply to April 2020 shows that a further 984 homes (714 with permission) are already committed for East Grinstead.
- 5.3. There has been a considerable loss of office space to residential development since the start of the plan period. The MSDC 2018 Economic Profile Study reported the stock of commercial office space to be less than 20,000m².
- 5.4. In June 2020, MSDC allowed the last remaining office block in East Grinstead to be converted into residential apartments. 253 new homes and 12,000m² (or 60%) of the remaining stock of office space lost at a stroke. Not only were 1,000 workers displaced from the town centre but the conversion will result in 500 or so extra residents who will struggle to find jobs locally (these 253 new homes are not in the plan and therefore should offset the allocations in East Grinstead).
- 5.5. When asked, MSDC said that they do not monitor the amount of office space lost to residential conversions. Therefore they cannot know how much office space is currently available in East Grinstead in order to inform planning decisions.
- 5.6. All 3 sites in East Grinstead have been assessed to have a 'positive impact' on the Sustainability Objective.
- 5.7. In their Sustainability Appraisal conclusions, MSDC simply say *that "All site allocations have a positive impact on the sustainability objective to ensure high and stable levels of employment so everyone can benefit from the economic growth of the District"*.
- 5.8. No evidence is presented to support this general statement. On the contrary, there is evidence to suggest that allocating yet more sites to East Grinstead without more employment provision will have a negative impact.

6. Economic Sustainability Objective No. 16 – SA18/SA19/SA20

Objective

To sustain economic growth and competitiveness across the District, protect existing employment space, and to provide opportunities for people to live and work within their communities therefore reducing the need for out-commuting

Indicators

- net increase/decrease in commercial (Use Classes B1(b,c), B2, B8) and office (B1(a) and A2) floorspace
- number of businesses within the District
- number of new businesses setting up in the District

Stated Impact

Positive impact

- 6.1. In its key findings, the MSDC 2018 Economic Profile Study says that “There has been a significant loss of office floor space to residential conversions particularly in East Grinstead”. No new employment space was allocated to East Grinstead in the local plan and none is proposed in the Site Allocations DPD.
- 6.2. Therefore the evidence indicates that East Grinstead has suffered a net decrease in employment space and yet as a tier 1 settlement, expected to take a significant proportion of the district’s housing need. 782 homes have already been delivered in East Grinstead since the start of the plan period with 968 more homes with permission still to come, plus a further 270 allocated in the local plan.
- 6.3. The Site Allocations DPD is now proposing to allocate a further 772 homes to contribute towards the shortfall of homes for Crawley workers.
- 6.4. In their Sustainability Appraisal conclusions, MSDC simply say that “*All site allocations have a positive impact on the sustainability objective to sustain economic growth and competitiveness across the District, protect existing employment space, and to provide opportunities for people to live and work within their communities therefore reducing the need for out-commuting.*”
- 6.5. With a lack of new employment space in East Grinstead and a significant increase in the number of new homes and displaced office workers ... more out-commuting is inevitable. Despite this MSDC rate the sites as a ‘Positive Impact’ with no evidence to support their assessment.
- 6.6. The decline in employment space and the rise of out-commuting is contrary to the stated Sustainability Objective so the sites proposed for East Grinstead must qualify for a ‘Significant Negative Impact’.

2383

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2383

Response Ref: Reg19/2383/1

Respondent: Mr P Tucker

Organisation: Infrastructure First

On Behalf Of: Infrastructure First

Category: Organisation

Appear at Examination? ✓



Impact of new development in East Grinstead

Response to Site Allocations DPD

Impact of new development in East Grinstead

Response to Site Allocations DPD

September 2020

Author

Martin Wedderburn is an independent transport planner with over 15 years' experience in transport planning, policy and analysis. He is the founder of Wedderburn Transport Planning Limited, which offers transport planning and people movement analysis services. He has worked on a wide range of strategic transport planning policy, research, demand forecasting and economic appraisal studies, as well as specialised people movement analysis studies, for both public and private sector clients. Martin is recognised as an innovative and committed sustainable transport planner and is a former Board member of the Transport Planning Society.

Client

Infrastructure First

Version control

Version	Date	Description
1.0	22/09/2020	Interim draft report submitted to client
1.1	24/09/2020	Draft report with conclusions submitted to client
2.0	27/09/2020	Final report with executive summary

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Executive Summary

Mid Sussex District Council (MSDC) is seeking representations to the Submission Draft Site Allocations Development Plan Document (DPD). The allocations include three sites in East Grinstead and Felbridge totalling 722 homes. Wedderburn Transport Planning (WTP) has been commissioned by Infrastructure First to review the transport evidence in relation to these sites.

The technical work commissioned by MSDC to support the DPD concludes that in the DPD Scenario with mitigation in the form of proposed sustainable measures and highway capacity increases, the transport impacts will remain 'severe' at only one location.

This report reviews the available evidence to assess whether the conclusions reached are sound. It explores the core question of how much additional stress would be placed on the transport networks of East Grinstead by the cumulative effect of the housing allocated in the District Plan and the additional 722 homes in the Site Allocations DPD, and the impacts of the additional housing allocation on sustainability.

Reviewing the technical work undertaken for both the District Plan and the DPD, it is clear that there is no sound basis for a fair and consistent comparison of the *cumulative* impacts of the District Plan versus the District Plan plus additional site allocations.

Recommendation 1: MSDC should update the Strategic Transport Assessment to show the impact of the DPD housing allocations (scenarios 7/8) relative to the original District Plan reference case demand.

The analysis of transport impacts of additional housing allocations in East Grinstead ultimately hinges on key bottlenecks in the road network between East Grinstead and Crawley, notably Felbridge and Turners Hill. These junctions are already regarded as hotspots and a significant increase in congestion is expected to occur as a result of additional demand in the Reference Case.

The conclusions of the Strategic Transport Assessment rely on very narrow interpretation of 'severe' impacts resulting from development. Congestion at these junctions is not treated as a material consideration if it occurs in the Reference Case. This interpretation does not stand up to a test of soundness since it was clearly not the intention of the NPPF that impacts occurring at existing congestion hotspots should be ignored in the impact assessment framework.

To understand the extent of these impacts, the recent traffic survey data collected for the WSP study of the Felbridge junction should be reconciled with the cumulative development-related changes predicted from the Base to the Reference Case in the SYSTRA highway assignment modelling.

Recommendation 2: The commissioning authorities should publish the full WSP Felbridge junction study and the underlying traffic survey data to allow independent scrutiny.

The congestion at Felbridge and Turners Hill leads to re-routing that will inevitably have environmental, safety and amenity disbenefits for communities living in proximity to some of the available rat-runs. For this reason, the transport assessment rejects capacity increases on Wallage Lane acknowledging that it is not reasonable to encourage through traffic to what is an unsuitable route.

Recommendation 3: The transport assessment framework for the Site Allocations DPD needs to acknowledge that significant re-routing will occur as traffic avoids the most congested junctions and should include a transparent assessment of the impacts on affected communities.

The proposed Felbridge junction enhancement is seen by MSDC and Tandridge District Council as central to enabling additional housing development to take place. Capacity increases at this junction have already been identified as mitigation for a number of committed developments in the past. The onus must be on MSDC to submit evidence demonstrating that improvements to this junction are deliverable.

Recommendation 4: MSDC needs to provide evidence that any proposed Felbridge junction improvements are feasible, deliverable, affordable and consistent with District and County transport policies. If a solution with sub-optimal pedestrian facilities is proposed, MSDC and TDC should clarify how this aligns with the transport policy objectives of the relevant authorities and their statutory duties.

The technical reports reviewed paint a clear picture of the congested transport links between East Grinstead and Crawley. The Felbridge and Turners Hill junctions are already regarded as hotspots, and repeated studies have proposed a significant mitigation at Felbridge junction to mitigate the impacts of now committed development. Capacity enhancements at the Felbridge junction may partially mitigate impacts on the A264 Copthorne Road, although the increased traffic throughput would simply shift the queues into East Grinstead onto the A22 London Road corridor.

Recommendation 5: The current levels of committed development in East Grinstead should be considered as an absolute maximum for the foreseeable future. Ultimately, housing site allocations in MSDC need to be focussed on areas with greater choice of sustainable transport modes than East Grinstead and Felbridge.

1 Introduction

1.1 Background

- 1.1.1 The Mid Sussex District Plan was adopted in March 2018. It sets out a housing requirement of 14,982 dwellings in the period 2014-2031, while making provision for a quantum of 1,498 dwellings unmet housing need to be addressed within Mid Sussex.
- 1.1.2 Mid Sussex District Council (MSDC) is now seeking representations to the Submission Draft Site Allocations Development Plan Document (DPD). The allocations include three sites in East Grinstead and Felbridge totalling 722 homes as a contribution to the unmet housing need.
- 1.1.3 Wedderburn Transport Planning (WTP) has been commissioned by Infrastructure First (a local residents group) to review the transport evidence in relation to these sites. Representations to the Site Allocations DPD regulation 19 consultation need to assess (i) whether the sites contribute to meeting housing and employment needs over the period of the District Plan, (ii) whether the sites are justified when considered against reasonable alternatives in the District Plan area, (iii) whether the site allocations contribute to achieving the vision and objectives of the District Plan, and (iv) whether they deliver sustainable development in accordance with national policy.

1.2 East Grinstead

- 1.2.1 It is important to understand the spatial context of East Grinstead within Mid Sussex and the wider sub-regional geography.
- 1.2.2 New housing in East Grinstead does not serve a self-sufficient community. While there is demand for office space in the town centre, the financial incentives of the permitted development legislation has led to substantial loss of employment space in East Grinstead and there is none allocated in the DPD. The popularity of East Grinstead as a residential area stems partly from its direct rail connections to London but even in rail commuting households, the car is the dominant mode of transport for other trips. Moreover, there are no high-quality public transport options to reach the local employment centres around Crawley and Gatwick, and the main east-west road link into these employment centres is the congested A264.
- 1.2.3 The other key settlements in the Gatwick Diamond located along the London-Brighton mainline also suffer from some of the same issues resulting from car-dependent development. Yet in contrast to East Grinstead they do benefit from high-quality rail links into the main employment centres, and some areas around Crawley itself also benefit from the Fastway bus transit system.

1.3 Core questions

- 1.3.1 The technical work commissioned by MSDC to support the DPD concludes that in the DPD Scenario with mitigation in the form of proposed sustainable measures and highway capacity increases, the transport impacts will remain 'severe' at only one location.
- 1.3.2 This report will review the available evidence to assess whether the conclusions reached are sound. It will explore the core question of how much additional stress would be placed on the transport networks of East Grinstead by the cumulative effect of the housing allocated in the District Plan and the additional 722 homes in the Site Allocations DPD, and the impacts of the additional allocation on sustainability.
- 1.3.3 The cumulative impact is measured against a Reference Case, which represents a likely future state that takes into account background trends, committed development and changes to the transport network. This report will explore whether the Reference Case has been defined fairly and consistently for the purpose of the Transport Assessment.
- 1.3.4 The test of what constitutes a 'severe' impact has been defined jointly by West Sussex County Council (WSCC) and Highways England (HE). However, the definition does not include where there are transport network hotspots expected to occur in the Reference Case (or for that matter where they occur under current conditions). This report will argue that such hotspots on the transport network are material to the site allocations process and assess whether they have been appropriately considered.

2 Summary of evidence

2.1 East Grinstead Traffic Management Study

- 2.1.1 The East Grinstead Traffic Management Study Stage 3 Report was prepared by consultant Atkins in May 2012 and assessed five key junctions on the A22 through the town. The study proposed a set of Do Minimum network improvements at three junctions (sometimes referred to as the A3DM works):
- A22 / Imberhorne Lane junction signal optimisation (implemented)
 - Capacity increase at the A22 / A264 junction known as the Felbridge junction (not implemented)
 - A22 / Lingfield Road conversion of roundabout to signalised junction (not implemented)
- 2.1.2 The Stage 3 Report was subsequently reviewed by MTRU on behalf of East Grinstead Town Council. This recommended that the A3DM schemes within current highway boundaries should be implemented to provide capacity for the already committed development at the time. It concluded that congestion would remain unchanged at a high level and therefore that the committed development (765 units at that time in 2012) should be seen as the absolute maximum and that a greater focus be placed on sustainable transport measures to limit background traffic growth.
- 2.1.3 In the intervening years, East Grinstead has seen over 1,000 housing completions as well as new housing allocations (see paragraph 3.1.4) while only one of the A3DM junction improvements was implemented.

2.2 Mid Sussex District Plan 2014-2031

Transport evidence base

- 2.2.1 The Mid Sussex Transport Study (MSTS) Stage 3 was commissioned in 2015 to study the transport impacts of the District Plan. The report was prepared by consultant Amey with input from WSCC, HE and other stakeholders.
- 2.2.2 The transport modelling work was undertaken using the West Sussex County Transport Model (WSCTM) from 2008, re-based and refined in some areas notably around Burgess Hill. Only the morning peak hour is modelled since the PM peak model was never developed in the 2008 WSCTM. The model consists of SATURN highway, CUBE public transport and CUBE variable demand software.
- 2.2.3 A number of development scenarios were tested. The scenario closest to the published District Plan is the called the 'Alternative Development Case', which includes strategic development at Burgess Hill (see DP9) and Pease Pottage (DP9A), SHLAA development and Neighbourhood Plan development as outlined in DP5, and a Science and Technology Park to the west of Burgess Hill (DP2).

Transport findings and conclusions

- 2.2.4 The final draft of the Mid Sussex Transport Study Stage 3 Report was circulated in December 2016. WSCC and HE subsequently signed a Statement of Common Ground.
- 2.2.5 The conclusions drawn from the MSTS work are summarised in Supporting Note 5. It should be noted that the criteria used to determine network performance are assessed using two key measures:
- Any junction where an approach arm ratio of flow to capacity (RFC) >90% in the development scenarios and the increase in RFC is >5% compared with the Reference Case; and
 - Any junction where an approach arm RFC is >90% in the development scenarios and the increase in average delay per vehicle is >30 seconds compared with the Reference Case.
- 2.2.6 Where congestion is already significant in the Reference Case but the development-related increase falls short of the threshold, the MSTS does not flag the junction as requiring mitigation. Consequently, in the evidence base submitted for the District Plan neither the MSTS technical report nor Supporting Note 5 make any reference to junctions with an elevated RFC in the Reference Case.
- 2.2.7 On this basis, Supporting Note 5 concludes:

Provided that the proposed remedial schemes are introduced, it is concluded that the District Plan would not worsen the performance of the highway transport network, relative to the Reference Development Case; and would not cause traffic flows on the key routes to impact significantly upon the Ashdown Forest.

2.3 Mid Sussex Site Allocations DPD

Transport evidence base

- 2.3.1 Further work on the Mid Sussex Transport Study was commissioned in advance of the Site Allocations DPD. Consultant SYSTRA was commissioned to build an updated transport model to test the impact of proposed development on the strategic and local transport network and upon significant routes in Ashdown Forest.
- 2.3.2 The Local Model Validation report (Sep 2018) sets out the key features of the model. This version of the model is refined to be more granular in key areas by using zoning systems from the Burgess Hill and Crawley transport models as well as the 2008 West Sussex County Transport Model (WSCTM). The model is calibrated to the morning peak hour, average interpeak hour and PM peak hour in the 2017 base year.
- 2.3.3 Several rounds of development scenarios were tested using the new model:
- Scenarios 1-3 adopt a spatial distribution of development consistent with policies DP4 and DP6 of the District Plan with alternative science park locations;

- Scenarios 4-6 are standalone scenarios with different packages of housing sites and a constant set of employment sites; and
- Scenarios 7-8 are two final alternatives that are closest to the final Site Allocations DPD.

Transport findings and conclusions

2.3.4 The assessment of the eight scenarios tested is summarised in a final report and a non-technical summary report (March 2020).

2.3.5 The criteria used to assess the impacts are different to those in the District Plan due to a revised interpretation of the NPPF agreed by MSDC and WSCC. A 'severe' impact is thus defined as:

- A junction with an increase in ratio for flow capacity (RFC) of 10% or more to an RFC of 95% or more in any period; or
- An increase in average delay of one minute or more to an average delay of two minutes or more in any period.

2.3.6 The SYSTRA modelling work considers the impact of the development scenarios without mitigation and with a package of sustainable transport measures and highway network changes. It concludes that the DPD development would result in 'severe' impacts at nine junctions without mitigation, and that following mitigation a single junction on the B2028 in Crawley Down would experience a 'severe' impact.

2.3.7 This report does also include a chapter on other 'key locations'. The A264/A22 Felbridge junction is currently a hotspot and is expected to experience severe conditions in the future year Reference Case and in the Development Scenarios. The consultant notes:

This junction is flagged as severe in the Reference Case, and operates over capacity; the Scenarios generate slightly more traffic passing through the junction, which increases these impacts further, but not enough to result in severe impacts for the scenarios. Although the nearby developments increase pressure, the model is reporting that the 'severe' conditions are attributable to the Reference Case situation rather than the Scenario developments.

2.3.8 The technical report discusses the consequences of the capacity constraint at this junction. The model predicts that trips between Crawley and the southern part of East Grinstead may re-route via B2028 and B2110 through Turners Hill. The report concludes that this prediction is reasonable and that this re-routing may already be quicker for some journeys under current conditions.

2.3.9 The report concludes that:

It is considered that to significantly reduce the congestion at this junction and therefore the rerouting in favour of less suitable routes in the Reference Case and Scenarios, a significant mitigation of the A264/A22 would be required. To be fully effective this could involve land outside of the WSCC highway boundary, subject to the outcome of more detailed study work.

2.3.10 The Site Allocations DPD makes reference to SA35: Safeguarding of Land for and Delivery of Strategic Highway Improvements, which includes the A264/A22 junction.

2.4 Felbridge Junction study

2.4.1 Further work on the Felbridge Junction was commissioned from consultant WSP by the four authorities WSCC, Surrey County Council (SCC), MSDC and Tandridge District Council (TDC). The stated purpose of the study is to investigate options to increase junction capacity and to provide pedestrian crossing facilities.

2.4.2 The full technical report has not been made publicly available in time for this consultation on the Site Allocations DPD. An executive summary of the report has been made available, and this confirms that the following options have been explored:

- Option 1 Signal optimisation with the existing kerb-lines with pedestrian crossings located away from the junction;
- Option 2 Improvements within the highway boundary with pedestrian crossings located at the junction;
- Option 3 Improvements requiring 3rd party land (landscaped) to accommodate additional exit lanes, but with pedestrian crossings located away from the junction; and
- Option 4 Improvements requiring 3rd party land (may include buildings) to accommodate additional entry and exit lanes with pedestrian crossings located at the junction.

2.4.3 The executive summary states the consultants have been asked to develop option 3 further.

3 Assessment of evidence

3.1 Definition of Reference Case demand

- 3.1.1 The definition of the 'Do Minimum' Reference Case in transport modelling generally includes committed or planned changes to transport networks on the supply side. On the demand side, the 'Do Minimum' Case may include predicted background changes in demand as well as committed or planned local development.
- 3.1.2 It is common practice to update the Reference Case scenario when a new transport modelling study is commissioned. It is also common that transport studies are commissioned after the start date of the Local Plan they support. The application of the Reference Case definition in these circumstances requires some consideration. The consultant working on a transport study after the start of the Local Plan may note that in practice some development that is consistent with the Plan may have been completed or gained planning permission in the intervening period, and incorporate this into an updated Reference Case scenario.
- 3.1.3 Table 3-1 summarises the housing allocations reported in the key stages of the transport modelling. The reference case was updated in each stage of the modelling undertaken.

Table 3-1: Housing allocations (excluding windfall)

Study	Scenario	MSDC allocation	East Grinstead allocation ¹
District Plan MSTS Stage 3 report (Amev)	2031 Reference Case	9,870	No breakdown available
	Alternative Development Case	16,083	No breakdown available
Site Allocations DPD T3 Transport Impact of Scenario 1 (SYSTRA)	2031 Reference Case 1	11,441	1,040
	Scenario 1 (close to District Plan allocations)	13,993	1,999
Site Allocations DPD T6 Transport Impact of Scenarios 7 and 8 (SYSTRA)	2031 Reference Case 5	11,334	1,031
	Scenario 7 and scenario 8 (close to DPD allocations)	13,631 and 13,357	1,833

¹ East Grinstead defined as model zones 3183, 3184, 3186, 3366, 3367, 3368, 4211, 6002 and 6003

- 3.1.4 Data provided to WTP from the MSDC monitoring reports on the number of dwellings from 2014 to April 2020 for East Grinstead shows:
- 782 net completions (1,098 since 2011)
 - 984 commitments (714 with permission)
 - 254 unplanned permissions since April 2020
- 3.1.5 Even if a proportion of the net completions relate to dwellings that received permission during the period of the previous District Plan, it is clear that the 2031 reference case allocation has already been exceeded in 2020.

- 3.1.6 The Strategic Transport Assessment in the Site Allocations DPD uses different Reference Case demand than the assessment prepared for the District Plan. The actual rate of housing allocations in East Grinstead has already exceeded the 2031 Reference Case allocation.**

3.2 Cumulative assessment of demand

- 3.2.1 In this context, it is worth reiterating that the purpose of the DPD study is to address specific issues raised in examination of the District Plan evidence. The DPD transport study is required to demonstrate that the *cumulative* impact of the District Plan and additional housing allocations can be supported over the period of the Plan 2014-2031.
- 3.2.2 Therefore, it is only fair that the cumulative impacts are assessed against a common Reference Case. Only in this way can the impacts of the District Plan be compared to the cumulative impacts of the District Plan plus additional housing allocations. The cumulative impact should therefore be compared against the original District Plan reference case (MSDC allocation of 9,870 dwellings) excluding development that has subsequently been added to the Reference Case in the intervening years.
- 3.2.3 In order to provide a like-for-like comparison with the District Plan transport assessment, the cumulative development impact of the District Plan plus additional site allocations should be presented relative to the same Reference Case demand as the MSTs Stage 3 report (MSDC allocation of 9,870 dwellings).**

3.3 Traffic conditions at Felbridge Junction

- 3.3.1 Traffic counts at the A22 junctions in the town centre have been undertaken in several intervening years since the East Grinstead Traffic Management Study Stage 3 Report. One prerequisite for confidence in the modelling results is an accurate understanding of current conditions and the ability of models to replicate this.
- 3.3.2 A comparable baseline assessment of the A22/A264 Felbridge junction was prepared by Atkins in 2011 and WSP in 2018, as shown in Table 3-2. This shows that congestion on the A264 Copthorne Road arm of the junction has increased substantially in the period between 2011 and 2018. In the morning peak there has been a parallel reduction in congestion on the A22 (N) approach, yet this approach has experienced an increase in congestion in the evening.

Table 3-2: Felbridge junction - comparison of 2011 and 2018 baseline assessments

Time period	Junction arm	Degree of Saturation (%)		Queue (PCUs)		Delay per PCU (s)	
		Atkins 2011	WSP 2018	Atkins 2011	WSP 2018	Atkins 2011	WSP 2018
AM peak hr	A264 (W)	96%	107%	30	48	62	182
	A22 (N)	84%	56%	9	9	46	31
	A22 (S)	80%	83%	10	16	14	16
PM peak hr	A264 (W)	91%	101%	26	33	45	115
	A22 (N)	77%	96%	16	22	37	76
	A22 (S)	86%	84%	12	16	19	17

3.4 Alternative transport modelling approaches

3.4.1 The available evidence stems from different types of traffic models.

Local junction modelling

3.4.2 The East Grinstead Traffic Management Study in 2012 was based on individual junction models using the LINSIG, ARCADY and PICADY packages to test the capacity improvements at individual junctions. A small VISSIM model of several junctions on the A22 was also calibrated to understand the town centre-wide effects of changes to individual junctions. More recently, local junction modelling has been used by WSP to test the proposed capacity enhancements at the A22/A264 Felbridge junction.

3.4.3 These local models give an accurate representation of the capacity constraints at an individual junction because the junction geometry can be represented accurately and local observations of the operation of the junction are used to estimate locally specific saturation flows. These local models do not take into account the re-routing of trips or other wider behavioural responses.

Strategic transport modelling

3.4.4 The MSTS modelling for the District Plan and Site Allocations DPD was undertaken by Amey and SYSTRA respectively using the SATURN and CUBE strategic transport modelling packages. Variable demand modelling using these packages seeks to estimate movement patterns over a wider geographic area and in a way that reflects behavioural responses to changes in the transport network. These responses could include changes in the volume or frequency of trips at different times of the day, the spatial distribution of movement patterns, the choice of transport modes or the routes chosen. The SATURN highway assignment model is intended as a tool for the analysis of re-routing behaviour in congested networks.

3.4.5 Care needs to be taken in the interpretation of strategic modelling outputs since the models are not intended to be used to analyse flows on individual links or turning movements. The turning movements in SATURN models are represented as individual links, at most junctions with generic saturation flow inputs rather than context-specific values derived from observation.

3.4.6 Taking this caveat into consideration we can still compare the modelled 2017 baseline turning movements at the Felbridge junction with the data from several rounds of traffic surveys conducted by Jubb in East Grinstead in 2014-2016. It should be noted that the methodology for measuring vehicle queue lengths within the congested town centre network has been the subject of professional debate in recent appeals. However, as noted by the Inspector in one appeal, the data on the manual turning counts has been reasonably consistent¹. The manual turning counts from the Jubb report therefore provide a reasonable benchmark.

¹ See paragraph 253 of the ruling on the section 78 appeal made by Linden Limited in relation to Land at Hill Place Farm, Turners Hill Road, East Grinstead (PINS reference APP/D3830/W/16/3142487)

- 3.4.7 Table 3-3 shows a summary of observed and modelled entry flows at the A22/A264 Felbridge junction. The 2017 base model under-estimates total junction throughput in both time peak hour periods. In particular, vehicles entering the junction from the A264 Copthorne Road are under-estimated across all scenarios.

Table 3-3: Felbridge junction – comparison of observed and modelled traffic flows

Time period	Junction arm	Jubb manual turning counts		Sysra SATURN model		
		Feb 2016	Jun 2016	2017 Base	2031 Ref Case 5	2031 Sc7 with mitigation
AM peak hr	A264 (W)	821	813	676	578	601
	A22 (N)	419	502	384	492	493
	A22 (S)	1,312	1,254	1,326	1,376	1,414
PM peak hr	A264 (W)	758	751	609	585	598
	A22 (N)	562	651	504	599	619
	A22 (S)	1,202	1,206	1,112	1,267	1,279

- 3.4.8 Given the stated caveats about interpreting strategic models, it is not surprising that the turning counts for a single junction do not match the observed counts. The model validation report, while arguing the model overall is fit for the purpose intended, does also recognise that east-west movements across the Crawley Down screenline that includes the A264 are one area of concern in the model leading to issues with the validation of journey times between East Grinstead and Crawley.
- 3.4.9 It is also interesting to note in table 3-3 that the substantial impacts occur due to the difference between the 2017 Base and the 2031 Reference case. The subsequent development impacts are relatively minor because the junction is already operating at capacity.

Reconciling the findings from local and strategic models

- 3.4.10 Local junction models have a more accurate representation of congestion at individual junctions. Strategic highway assignment models are intended to estimate the re-routing behaviour of drivers, and therefore the marginal changes in turning movements resulting from network-wide effects.
- 3.4.11 It is therefore imperative that the full Felbridge junction modelling report is released for scrutiny. **If the WSP modelling report were published, it would be possible to examine the impact of applying the marginal changes predicted from the Base to the Reference Case in the SYSTRA model to the junction turning flows in the WSP model.** In practice, reconciling the evidence in this way would also entail a detailed assessment of which of the Reference Case housing allocations had already been completed at the time of the traffic surveys undertaken for the WSP modelling work. There is no indication from MSDC or any of the other commissioning authorities that they have yet sought to reconcile the modelling work in this way.

3.5 Definition of severe impacts

- 3.5.1 The definition of what constitutes a severe impact was revised significantly (from a 5% to a 10% increase in RFC, and from a 30-second to a 1-minute increase in delay) by agreement with WSCC in the intervening period between the District Plan and DPD transport assessment work. This is not uncommon since the NPPF leaves space for local interpretation. However, the consultant modelling reports do not include clear documentation of the reason for the revision.
- 3.5.2 What is more surprising is the inconsistency in the treatment of junctions with severe congestion in the Reference Case. The capacity issues at the Felbridge junction were not raised and therefore not considered in the transport submission to the District Plan evidence base. They have been clearly documented in the transport assessment work for the Site Allocations DPD.
- 3.5.3 The lack of evidence on the Felbridge junction in the District Plan submission could have been a result of (a) the model not flagging the existing congestion, (b) the consultant reading the definition of the severe impacts to the letter and choosing not to raise the existing congestion issues, or (c) the study sponsor choosing to limit the technical report to the more limited definition of severe impacts. **The end result was that a material issue was not considered in the District Plan evidence.**

3.6 Impact of traffic re-routeing

- 3.6.1 The capacity constraint at the Felbridge junction goes right to the heart of the challenge in accommodating additional housing in East Grinstead. In the absence of meaningful public transport alternatives between East Grinstead and Crawley, new housing in East Grinstead and Felbridge relies heavily on the congested A264 (or the B2110 as an alternative) for access to employment and services.
- 3.6.2 The problems on the corridors between East Grinstead and Crawley are well documented in the SYSTRA modelling reports. Mitigation measures on the A264 are proposed in Copthorne to increase capacity, leaving the Felbridge junction as the bottleneck on this corridor. The alternative routes via Turners Hill are constrained by congestion at the B2110 / B2028 junction. Like Felbridge, the Turners Hill junction is congested and is also expected to operate over capacity in the Reference Case, and therefore the development-related impacts are not classed as severe.
- 3.6.3 As a result of congestion on these two routes, the model logically predicts that drivers will seek to re-route via Wallage Lane instead. The B2028 / Wallage Lane junction is the only one still classed as experiencing a severe impact after the mitigation measures. The report concludes that the severe impact occurs on a minor road and that no mitigation should be proposed:

It is not considered appropriate to undertake junction improvements which could result in facilitating additional through traffic on Wallage Lane, rather than using more appropriate east-west routes including the A264.

3.6.4 The fact that Wallage Lane is unsuitable for high volumes of through traffic is undisputed. It does, however, serve to highlight the fact that significant re-routing behaviour will have an impact on communities adjacent to the B2110 and B2028 corridors, although the resulting environmental, safety and amenity impacts do not feature in the assessment framework.

3.6.5 The SYSTRA model report quantifies the approximate level of traffic that can be categorised as re-routing:

The PM peak model shows increases of up to around 150 vehicles on the B2028 through Crawley Down towards Turner's Hill and about 100 additional vehicles travelling east on the B2110 at Turner's Hill towards Imberhorne Lane. This is a mix of traffic relating to the Imberhorne site, the smaller sites in the north of the District and re-routed traffic from the Reference Case avoiding the A264. This outcome is similar in the mitigation scenario.

3.6.6 The model report then concludes that a significant mitigation of the A264/A22 Felbridge Junction would be required to reduce the re-routing in the Reference Case and the Development Scenarios.

3.7 Deliverability of improvements

3.7.1 The technical work undertaken by Atkins for the East Grinstead Traffic Management Study highlighted how congestion reduction in the town centre needs to take a corridor approach. The Infrastructure Delivery Plan published by MSDC to support the Site Allocations DPD makes reference to contributions to "A22/A264 corridor junction improvements" and to "bus priority improvements to bus corridor between East Grinstead and Crawley on the A264/A22". The immediate focus is understandably on the worst performing A22/A264 junction, although this alone will not solve the congestion and will simply shift the queue from Copthorne Road onto the A22 London Road corridor. Except for the WSP Felbridge junction study, none of the wider projects appear to have progressed from concept to feasibility stage, and MSDC requires significant cooperation with other authorities to progress them any further.

3.7.2 The current position of the four authorities contributing to the WSP study of the Felbridge junction is that major developments can be planned on the basis that improvements will be made to the junction. No evidence is produced to demonstrate that a workable and affordable scheme option has yet been identified.

3.7.3 The current position of the commissioning authorities appears to be that an option requiring 3rd party land will be necessary to achieve the study objectives. This brings with it numerous risks in terms of scheme cost, feasibility, legal issues, stakeholder and public engagement, and timescales. The TDC Infrastructure Delivery Plan 2019 identified a Housing Infrastructure Fund bid as the funding source for the improvement works, yet this bid was not successful.

- 3.7.4 The executive summary report states that WSP have been asked to develop option 3 further, requiring landscaped 3rd party land. The deliverability risks of option 3 are less significant than option 4 where the 3rd party land requirement for additional exit lanes and the pedestrian crossings might include buildings.
- 3.7.5 However, concerns about the lack of pedestrian facilities at this junction are not new. Pedestrian crossing facilities at this junction already feature as a high priority measure in the Tandridge Local Transport Strategy Forward Programme produced with Surrey County Council in 2014. The sub-optimal provision of pedestrian crossings would run counter to the stated objectives of the authorities and could potentially be open to legal challenge under the Equality Act.

4 Conclusions and recommendations

- 4.1.1 The Strategic Transport Assessment in the Site Allocations DPD uses different Reference Case demand than the assessment prepared for the District Plan. Furthermore, the rate of housing allocations in East Grinstead has already exceeded the 2031 Reference Case allocation.
- 4.1.2 The Strategic Transport Assessment in the Site Allocations DPD does not allow a comparison of the cumulative development impacts of the District Plan versus the District Plan plus additional site allocations. In order to provide a like-for-like comparison with the District Plan transport assessment, the cumulative development impact should be presented relative to the same reference case demand as the MSTs Stage 3 report (MSDC allocation of 9,870 dwellings).

Recommendation 1: MSDC should update the Strategic Transport Assessment to show the impact of the DPD housing allocations (scenarios 7/8) relative to the original District Plan reference case demand.

- 4.1.3 The transport evidence base for East Grinstead contains outputs from local and strategic transport modelling tools. These outputs are not always easy to scrutinise for a non-technical audience, and this report has sought to clarify what the strengths of the different models are and how they should be interpreted.
- 4.1.4 In order to reconcile these modelling outputs, there may be a longer term action to update the next iteration of the SATURN model with locally observed information on the operation of key junctions in East Grinstead. In the short term, an improved assessment of the Felbridge junction proposals should use the recent baseline data from the WSP study in combination with the modelled strategic impacts between the Base and Reference case scenarios taken from the SYSTRA model.

Recommendation 2: The commissioning authorities should publish the full WSP Felbridge junction study and the underlying traffic survey data to allow independent scrutiny.

- 4.1.5 The definition of severe impacts agreed by MSDC and WSCC focuses on junctions where there is a significant increase in congestion between the Reference Case and Development Scenarios. However, in an already congested network, the key bottlenecks between East Grinstead and Crawley (Felbridge junction and Turners Hill) show increased congestion in the Reference Case. Since they are predicted to operate over capacity in the Reference Case already, they are very unlikely to meet the 5% increase threshold for severe impacts.
- 4.1.6 The conclusions of the Strategic Transport Assessment therefore rely on very narrow interpretation of severe impacts. It is not sound to suggest that it was the intention of the NPPF that existing hotspots should be ignored in the impact assessment framework.

- 4.1.7 In practice, the impact of adding ever more traffic to the congested network will include some demand suppression (people making less frequent trips, re-timing their journeys, choosing alternative destinations) and re-routeing of journeys to less congested roads. This re-routeing impact will inevitably have environmental, safety and amenity disbenefits for communities living in proximity to some of the available rat-runs. For this reason, the transport assessment rejects capacity increases on Wallage Lane acknowledging that it is not reasonable to encourage through traffic to what is an unsuitable route.
- 4.1.8 A gradual and sustained reduction in peak time transport connectivity between East Grinstead and opportunities in the Gatwick Diamond will ultimately also shape the economic geography of the district, congestion on the transport network may prove to be a barrier to investment locally.

Recommendation 3: The transport assessment framework for the Site Allocations DPD needs to acknowledge that significant re-routeing will occur as traffic avoids the most congested junctions and should include a transparent assessment of the impacts on affected communities.

- 4.1.9 The proposed Felbridge junction enhancement is seen by MSDC and Tandridge District Council as central to enabling additional housing development to take place, although they have not submitted evidence to demonstrate that improvements to this junction are deliverable.

Recommendation 4: MSDC needs to provide evidence that any proposed Felbridge junction improvements are feasible, deliverable, affordable and consistent with District and County transport policies. If a solution with sub-optimal pedestrian facilities is proposed, MSDC and TDC should clarify how this aligns with the transport policy objectives of the relevant authorities and their statutory duties.

- 4.1.10 The analysis of impacts of additional housing allocations in East Grinstead frequently comes back to key bottlenecks in the road network between East Grinstead and Crawley, notably Felbridge and Turners Hill. These junctions are already regarded as hotspots and a significant increase in congestion is expected to occur as a result of additional demand in the Reference Case. Capacity enhancements at the Felbridge junction may partially mitigate these impacts on the A264 Copthorne Road, although the increased traffic throughput would simply shift the queues into East Grinstead onto the A22 London Road corridor.

Recommendation 5: The current levels of committed development in East Grinstead should be considered as an absolute maximum for the foreseeable future. Ultimately, housing site allocations in MSDC need to be focussed on areas with greater choice of sustainable transport modes.

EXECUTIVE SUMMARY

DATE:	15 October 2019	CONFIDENTIALITY:	Public
SUBJECT:	Felbridge Junction Options Appraisal		
PROJECT:	Felbridge Junction	AUTHOR:	Andy Kitchin
CHECKED:	Stewart Rose	APPROVED:	Darren Pacey

INTRODUCTION

The A22/A264 “Felbridge Junction” in Felbridge lies on the border between the counties of West Sussex and Surrey, and on the border between Tandridge and Mid-Sussex District Councils. The majority of the junction lies north of the border within Surrey, with the northbound approach lying within West Sussex.

The Felbridge junction has been identified as a constraint to development coming forward in Tandridge and the Felbridge/East Grinstead area. The junction currently operates above capacity leading to congestion during peak periods and at other times of the day. The operation of the existing junction is shown in the table below:-

Table 1-1 – Baseline Assessment 2018 Baseline Scenario

2018 Baseline Assessment	AM Peak Period			PM Peak Period		
	Degree of Saturation	Mean Max Queue	Delay per PCU (secs)	Degree of Saturation	Mean Max Queue	Delay per PCU (secs)
A22 South	82.7%	16	16	83.6%	16	17
A264	106.6%	48	182	101.4%	33	115
A22 North	56.0%	9	31	96.0%	22	76

Major developments in Mid Sussex and Tandridge districts are now being planned on the basis that improvements will be made to the Felbridge junction.

Concerns have also been raised about the lack of pedestrian facilities at the junction. At present, even though the junction is signal controlled, there are no pedestrian facilities within the junction. In addition, there are no pedestrian crossings remote from the junction either. Remote pedestrian facilities, whilst not being on the desire line, would be an improvement on the existing facilities.

Consequently, West Sussex County Council (WSCC) and Surrey County Council (SCC), working together with Mid Sussex and Tandridge District Councils commissioned WSP to undertake a design review and high-level options appraisal of the Felbridge Junction to address vehicular capacity and pedestrian safety concerns.

The high-level options looked into were:-

EXECUTIVE SUMMARY

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- Option 1: Improvements within the existing kerb-lines – this proposes pedestrian crossings away from the junction and signal optimisations (essentially, as existing with remote pedestrian facilities);
- Option 2: Improvements within the highway boundary – this proposes pedestrian crossings at the junction for the convenience of pedestrians;
- Option 3: Improvements requiring landscaped third-party land – this proposes additional exit lanes to facilitate two turning movements occurring at once, with pedestrians away from the junction and;
- Option 4: Improvements requiring third-party land that may include buildings – additional entry lane in addition to the above, with pedestrians incorporated into the junction.

Each of the options was modelled using traffic flows agreed between WSCC and SCC to determine the potential benefits. The traffic flows were derived from strategic models created by both Surrey and West Sussex councils, with an additional flow added on top to represent the addition of a Garden Community planned for in/near South Godstone.

Each option was modelled to determine the impact of the proposals on traffic, and then each option was assessed using the “Early Assessment Sifting Tool” (EAST). Following the EAST, it was initially concluded that Option 3 was the most favourable, but requires some third party land acquisition and modelling showed that the option would again be operating over capacity by the design year of 2033. Notwithstanding this, it would be an improvement on a do nothing scenario. Options are now subject to further investigation and refinement to consider alternative and, potentially, more beneficial options.

This Option is deliverable within a relatively short timescale (five years maximum) but requires some third party land acquisition and shows a negative reserve capacity by the design year (2033) (i.e. was modelled as operating above capacity). Tandridge District Council and Surrey County Council have commissioned WSP to carry out further studies to investigate options that may improve capacity whilst limiting the impact on the surrounding areas.

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The additional studies are described in greater detail below.

ADDITIONAL STUDIES

WSP were commissioned by Tandridge DC to carry out additional optioneering on the junction with the aim of looking to realising the same or similar benefits whilst minimising the impacts on the surrounding areas.

WSP initially looked at 8 additional options, as follows:-

Table 1-3 – Additional Improvement Options

Option	Description
<i>Option 1</i>	Left-turning traffic to A264 to be give way. One lane n/b through junction, one lane s/b and pedestrian crossings within junction arrangements.
<i>Option 2</i>	Left-turning traffic to A264 to be give way. One lane n/b through junction, one lane s/b and pedestrian crossings remote from junction.
<i>Option 3</i>	Left-turning traffic to A264 to be signal controlled. One lane n/b through junction, one lane s/b and pedestrian crossings within junction arrangements.
<i>Option 4</i>	Left-turning traffic to A264 to be signal controlled. One lane n/b through junction, one lane s/b and pedestrian crossings remote from junction.
<i>Option 5</i>	Left-turning traffic to A264 to be signal controlled. Two lanes n/b through junction, one lane s/b and pedestrian crossings within junction arrangements.
<i>Option 6</i>	Left-turning traffic to A264 to be signal controlled. One lane n/b through junction, one lane s/b and pedestrian crossings remote from junction.
<i>Option 7</i>	Left-turning traffic to A264 to be give way. One lane n/b through junction, one lane s/b and pedestrian crossings within junction arrangements.
<i>Option 8</i>	Left-turning traffic to A264 to be give way. One lane n/b through junction, one lane s/b and pedestrian crossings remote from junction.



EXECUTIVE SUMMARY

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A number of the options do not improve on the existing situation, mainly due to including pedestrians within the junction. Consequently, WSP have been asked to develop option 3 further. In addition, the traffic flows originally agreed between WSP, WSCC and SCC are also being reviewed, particularly with respect to the turning proportions of the predicted flows of the Garden Community

InfrastructureFirst Group – Regulation 19 Representation

APPENDIX C

All high performing site allocations have been assessed against the sustainability objectives in the Sustainability Appraisal on a scale of Significant Negative Impact, Negative Impact through to Positive Impact and Significant Positive Impact. In some cases these assessments are clearly not correct.

1. Sustainability Objective No. 3

[As applied to site SA19]

Objective	
To maintain and improve the opportunities for everyone to acquire the skills needed to find and remain in work and improve access to educational facilities	
Indicators	Stated Impact
– percentage of population of working age qualified to at least NVQ level 3 (or equivalent)	Significant positive impact
– percentage of adults with poor literacy and numeracy skills	
– number of households within a 15 minute walk (approx. 1.2km) from a Primary School	

- 1.1. The selection criteria for housing sites in the 'Site Selection Paper 2 - Methodology for Site Selection' measures the sustainability objective solely on the distance between the proposed site and the nearest primary school.
- 1.2. NPPF (2018) paragraph 94 is quoted in support of this objective *"It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should... give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications"*.
- 1.3. The location of site SA19 (Land south of Crawley Down Road, Felbridge), is correctly assessed as being a 10 minute walk from the village school. However, the NPPF paragraph highlights the importance of sufficient school places being available.
- 1.4. Other than proximity there is no evidence to indicate that MSDC have assessed the schools ability to provide sufficient places. The school is already oversubscribed. With a capacity of 214 pupils, the school website is advertising only 4 year 5 places on 16/09/2020.
- 1.5. MSDC have already permitted 120 new homes still to be built within a 5 minute walk of the school and now propose to allocate a further 200.
- 1.6. The school has limited capacity for expansion and lies over the border in Tandridge. Even if sufficient capacity could be accommodated Surrey County Council are unlikely to fund an expansion as there is no unmet education need in southern part of Tandridge.
- 1.7. A 'significant positive' impact cannot possibly be justified.

2. Sustainability Objective No. 4

[As applied to site SA19]

Objective	
To improve access to retail and community facilities	
Indicators	Stated Impact
– number of households within a 15 minute walk (approx. 1.2km) from a superstore/town centre/high street shopping facilities)	Significant positive impact
– number of households within a 15 minute walk (approx. 1.2km) from a convenience store	
– number of households within a 15 minute walk (approx. 1.2km) from community facilities (e.g. community hall, place of worship, library)	
– number of applications resulting in a loss of community facilities (e.g. shop, pub, place of worship, etc)	

- 2.1. In their Sustainability Appraisal conclusions, MSDC simply say that “*All site allocations make a positive contribution towards the sustainability objective to improve access to retail and community facilities; all sites are within a 15 minute walk of the nearest convenience store.*”
- 2.2. There is a small convenience store within a 15 minute walk (approx. 1.2km) of the site; also a ladies hairdressers, a village hall and a pub. However, town centre shopping facilities, restaurants, library and superstore are considerably further way ... a 45 minute walk (approx. 3.6km).
- 2.2. This compares very poorly with allocated site SA18 (Former East Grinstead Police Station) located on the edge of the town. This site benefits from nearby town centre shopping facilities; community facilities including a theatre, library and place of worship; a selection of restaurants and a large superstore ... all within 15 minute walk
- 2.3. Site SA18 could justifiably be assessed at the highest level against the sustainability objective but for some reason falls short and is only rated as a ‘Positive’ impact.
- 2.4. Contrast this with the assessment of Site SA19 (Land south of Crawley Down Road, Felbridge) which has no town centre or superstore facilities but is given the top ‘Significant Positive’ rating. This cannot be correct.

3. Sustainability Objective No. 11

[Sites SA18/SA19/SA20]

Objective	
To reduce road congestion and pollution levels by improving travel choice, and reducing the need for travel by car, thereby reducing the level of greenhouse gases from private cars and their impact on climate change. (SEA)	
Indicators	Stated Impact
– number of households within a 5 minute walk (approx. 400m) of a bus stop with frequent service (3+ an hour)	Not known
– number of households within a 10 minute walk (approx. 800m) of a bus stop with less frequent service (less than 3 an hour)	
– number of households within a 15 minute walk (approx. 1.2km) of a train station	
– proportion of journeys to work by public transport	
– percentage of residents living and working within Mid Sussex	
– monetary investment in sustainable transport schemes (value of s.106 agreements)	
– number of Air Quality Management Areas (AQMAs) within the District	

- 3.1. The site selection criteria for housing sites in *the 'Site Selection Paper 2 - Methodology for Site Selection'* refers to NPPF (2018 Paragraph 103) in support of the Sustainability Objective ... *"Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health"*
- 3.2. However, as with other sites, SA19 doesn't appear to have been assessed against the Sustainability Objective at all, despite the widely acknowledged highways constraint in East Grinstead.
- 3.3. In October 2019, MSDC's jointly commissioned WSP traffic study reported that "The Felbridge junction has been identified as a constraint to development coming forward in Tandridge and the Felbridge/East Grinstead area. The junction currently operates above capacity leading to congestion during peak periods and at other times of the day"
- 3.4. The declining employment space taken together with the significant levels of committed development will result in further out-commuting. Allocating an additional 722 new homes in East Grinstead will serve only to exacerbate the problem
- 3.5. The nearest train station is a 45minute walk (3.6km) and there is no direct line to Crawley and MSDC rely on census data from 2011 to show that less than 15% of people travel to work by public transport.
- 3.6. Based on available evidence, the proposed allocations for East Grinstead will lead to significant increases in car travel using heavily congested roads.
- 3.7. This indicates that the impact of these sites on the Sustainability Objective will be negative NOT 'Unknown'.

4. Sustainability Objective No. 14

[As applied to Site SA19]

Objective	
To encourage the regeneration and prosperity of the District's existing Town Centres and support the viability and vitality of village and neighbourhood centres	
Indicators	Stated Impact
– Total amount of floorspace for "Town Centre Uses" (A1, A2, B1a, D2)	Significant positive impact
– number of households within a 15 minute walk (approx. 1.2km) from a town centre superstore/town centre/high street shopping facilities)	

- 4.1. Site SA19 (Land south of Crawley Down Road, Felbridge) is located outside the built-up boundary on the edge of the rural village in Felbridge. MSDC regard Felbridge as an extension to East Grinstead and as such does not exist as a separate entity in their settlement hierarchy.
- 4.2. TDC classify Felbridge as a tier 3 medium sized village as it can only demonstrate a basic level of provision.
- 4.3. The proposed site location for the 200 new homes is a 45 minute walk (3.5km) from the town centre facilities in East Grinstead. The nearest superstore and high street shopping facilities are equally distant.
- 4.4. There are no proposals in the Infrastructure Delivery Plan to improve the meagre facilities in the village and any CIL funding will go Mid Sussex and not to Tandridge.
- 4.5. MSDC do not explain or provide evidence to show how 200 houses on the edge of Felbridge will provide a positive sustainability impact but just rely on the general statement that they will *"encourage the regeneration and prosperity of the District's existing Town Centres and support the viability and vitality of village and neighbourhood centres."*
- 4.6. Without evidence to the contrary 200 more homes (in addition to the 120 already committed south of the Crawley Down Roads in Felbridge) can only have a negative effect on the function and character of the village and therefore it cannot possibly be correct to assess the site as having a 'significant positive impact'.

5. Sustainability Objective No. 15

[Sites SA18/SA19/SA20]

Objective	
To ensure high and stable levels of employment so everyone can benefit from the economic growth of the District	
Indicators	Stated Impact
– percentage of Mid Sussex residents who are employed	Positive impact
– percentage of Mid Sussex residents who are economically active	
– average weekly income (gross) for those who are employed in the District	
– percentage of residents living and working within Mid Sussex	
– job density (ratio of jobs to working age population)	

- 5.1. MSDC have recommended the allocation of 3 sites in East Grinstead and Felbridge for a total of 722 homes with no proposals for additional employment space.
- 5.2. MSDC's latest monitoring of housing supply to April 2020 shows that a further 984 homes (714 with permission) are already committed for East Grinstead.
- 5.3. There has been a considerable loss of office space to residential development since the start of the plan period. The MSDC 2018 Economic Profile Study reported the stock of commercial office space to be less than 20,000m².
- 5.4. In June 2020, MSDC allowed the last remaining office block in East Grinstead to be converted into residential apartments. 253 new homes and 12,000m² (or 60%) of the remaining stock of office space lost at a stroke. Not only were 1,000 workers displaced from the town centre but the conversion will result in 500 or so extra residents who will struggle to find jobs locally (these 253 new homes are not in the plan and therefore should offset the allocations in East Grinstead).
- 5.5. When asked, MSDC said that they do not monitor the amount of office space lost to residential conversions. Therefore they cannot know how much office space is currently available in East Grinstead in order to inform planning decisions.
- 5.6. All 3 sites in East Grinstead have been assessed to have a 'positive impact' on the Sustainability Objective.
- 5.7. In their Sustainability Appraisal conclusions, MSDC simply say *that "All site allocations have a positive impact on the sustainability objective to ensure high and stable levels of employment so everyone can benefit from the economic growth of the District"*.
- 5.8. No evidence is presented to support this general statement. On the contrary, there is evidence to suggest that allocating yet more sites to East Grinstead without more employment provision will have a negative impact.

6. Sustainability Objective No. 16

[Sites SA18/SA19/SA20]

Objective	
To sustain economic growth and competitiveness across the District, protect existing employment space, and to provide opportunities for people to live and work within their communities therefore reducing the need for out-commuting	
Indicators	Stated Impact
– net increase/decrease in commercial (Use Classes B1(b,c), B2, B8) and office (B1(a) and A2) floorspace	Positive impact
– number of businesses within the District	
– number of new businesses setting up in the District	

- 6.1. In its key findings, the MSDC 2018 Economic Profile Study says that “There has been a significant loss of office floor space to residential conversions particularly in East Grinstead”. No new employment space was allocated to East Grinstead in the local plan and none is proposed in the Site Allocations DPD.
- 6.2. Therefore the evidence indicates that East Grinstead has suffered a net decrease in employment space and yet as a tier 1 settlement, expected to take a significant proportion of the district’s housing need. 782 homes have already been delivered in East Grinstead since the start of the plan period with 968 more homes with permission still to come, plus a further 270 allocated in the local plan.
- 6.3. The Site Allocations DPD is now proposing to allocate a further 772 homes to contribute towards the shortfall of homes for Crawley workers.
- 6.4. In their Sustainability Appraisal conclusions, MSDC simply say that “*All site allocations have a positive impact on the sustainability objective to sustain economic growth and competitiveness across the District, protect existing employment space, and to provide opportunities for people to live and work within their communities therefore reducing the need for out-commuting.*”
- 6.5. With a lack of new employment space in East Grinstead and a significant increase in the number of new homes and displaced office workers ... more out-commuting is inevitable. Despite this MSDC rate the sites as a ‘Positive Impact’ with no evidence to support their assessment.
- 6.6. The decline in employment space and the rise of out-commuting is contrary to the stated Sustainability Objective so the sites proposed for East Grinstead must qualify for a ‘Significant Negative Impact’.



RESPONSE TO SITES ALLOCATIONS DPD REGULATION 19 REPRESENTATION FORM

Part A – Our Details

Name	<input type="text" value="Paul Tucker"/>
On behalf of	<input type="text" value="Infrastructure First"/>
Address	<div><div></div><div></div><div></div><div></div><div></div></div>
Email Address	<input type="text" value=""/>

Part B – Our Comments

Organisation	<input type="text" value="Infrastructure First"/>
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Our comments relate to:

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

We consider the Site Allocations DPD is ...

In accordance with legal and procedural requirements, including the duty to cooperate?

Yes

☐

No

☒

Sound?

Yes

☐

No

☒**We consider the Site Allocations DPD to be unsound in the following areas ...**

	Sound	Unsound
Positively prepared	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Justified	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Effective	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Consistent with national policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>

☐

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

☒

Yes, I wish to participate at the oral examination

We are seeking a change to the Site Allocations DPD and would like to attend and give evidence at the oral part of the examination.

The Infrastructure First Group takes a responsible attitude to development. It is advised by Wedderburn Transport Planning on highways issues, and, by Mr. Juan Lopez on legal issues.

Given its remit and level of community support, the Infrastructure First Group considers it appropriate that it should be kept informed of the council's response to the consultation and should be invited to participate in the public examination.

Continued over ...

The objection to the site Allocations DPD, Sustainability Appraisal and associated documents consists of the formal response form and the professional advice of Wedderburn Transport Planning which is contained in this report and which forms an integral part of the response.

However, given that significant areas of uncertainty exist – particularly though not exclusively in relation to traffic data and their interpretation – as a result of the lack of provision of key information either in full or in part during and before the consultation, the Infrastructure First Group reserves the right to submit additional responses as and when additional information becomes available.

About Infrastructure First

Infrastructure First is a residents group concerned with ensuring that development in East Grinstead and the surrounding villages is sustainable and enhances the various settlements. We do not oppose sustainable development and support the East Grinstead Neighbourhood Plan.

Infrastructure First has built on the experience and legacy of earlier local groups involved in planning notably the East Grinstead Post Referendum Campaign (PRC) which made representations on planning matters following the 2003 referendum against the District Council's scheme to build 2,500 homes proposed on a mixed-use development on Imberhorne Farm. This was advanced by MSDC through an Area Action Plan and the PRC was able to assist the Council by exposing the unresolvable flaws in the proposal that led to the Council abandoning it in 2010. Many of the issues evaluated during that process remain valid when considering the latest proposal to develop land at East Grinstead and Felbridge.

In the absence of an effective programme being run by MSDC to inform the local residents of the current consultation Infrastructure First has set up a website and distributed leaflets to households to enable them to make their views known.

<https://www.infrastructurefirst.co.uk>

Firstly this response sets out why **we consider that the Council has not met the Duty-to-Cooperate or its own Statement of Community Involvement. As such the DPD and associated documents are not considered legally compliant and should be withdrawn.**

This response focuses on objections to the site allocations proposed at East Grinstead and Felbridge that will add a further 722 homes to those already committed via the local development plan and through windfall developments.

We consider that these proposed additional allocations at East Grinstead and Felbridge are not sustainable and should be replaced by other sites that are, located nearer to Crawley but which the Council has chosen not to evaluate.

These sites nearer to Crawley are deliverable in the mid-term and would offer flexibility to the District Plan which is due to be reviewed in 2021, when it is likely to be required to accommodate more overspill housing from Crawley following the emerging reviews of the Horsham and Crawley Local Plans.

We consider that the submitted draft DPD is not sound and should be withdrawn for further work to be completed.

MSDC has attempted to develop the broad location between East Grinstead and Felbridge before and their failure to deliver resulted in the Council's failure to deliver the District Plan which was originally due to be adopted in 2010.

We also contend that the Council has not followed due process and so the draft DPD is not legal.

We do not consider that the Council has followed due process in producing this DPD. We consider that it has failed to adequately engage with the public and that it has not adhered to the principle of front-loading consultation.

There is no unmet need to make up in Mid Sussex in general and specifically none at East Grinstead. The allocations proposed at East Grinstead are to meet Crawley's unmet need. Therefore, proposed allocations need to be shown to be i) sustainable in themselves and ii) the best solution to meet the unmet need at Crawley, some 13 km distance from East Grinstead, along the congested A264 corridor.

We argue that neither criteria is met by the proposals in the draft Site Allocations DPD. The sites at East Grinstead are not sustainable and should be removed from the DPD and the Council needs to revisit sites abutting Crawley, that are sustainable, that could be delivered and would better meet the requirement to provide homes to meet Crawley's unmet need.

We also consider the Sustainability Appraisal is superficial, inaccurate in places and fails to consider all reasonable potential sites. We set out our arguments for this in Appendix C.

1. Background

The Site Allocations DPD is necessary because the District Plan, adopted in 2018, was built up from the various Neighbourhood Plans produced across the District, and so did not identify sufficient sites to deliver the share of unmet housing need for Crawley post 2023/24, identified, for Mid Sussex to accommodate, by the Inspector at the District Plan Examination.¹ This DPD is an interim measure being produced ahead of the review of the District Plan in 2021.²

It is clear from the reviews being undertaken by Horsham and Crawley into their Local plans that it is likely that Mid Sussex, like Horsham, will need to accommodate more housing to meet Crawley's expansion. The DPD does not address this point since none of the site allocations proposed offer any possibility of further expansion. There is no built-in flexibility.

Since the main objective of this DPD is to meet unmet need at Crawley, it is perplexing that MSDC has chosen to either ignore completely, or dismiss without evaluation, sites that are closer to Crawley which could offer a substantial quantum of development and that would neither require increased car journeys nor overload the existing infrastructure as would sites at East Grinstead and Felbridge, or pose a risk to Ashdown Forest, that needs mitigation.

1.1 High risk strategy

On the evidence available, the quantum of development proposed in the draft Site Allocation DPD between East Grinstead and Felbridge cannot be delivered sustainably and the strategy being put forward is high risk.

Furthermore, these locations are, at best, sub-optimal in addressing the requirement that Mid Sussex must deliver 1,500 additional houses to meet the expected unmet need of Crawley Borough from 2023/24.

Mid Sussex have introduced an unnecessary and unwelcome lack of flexibility to the Mid Sussex spatial plan, that runs contrary to national planning policy by discarding potential sites closer to Crawley without evaluation.

¹ The submitted draft District Plan had underestimated the OAN for Mid Sussex and also failed to recognise or accommodate that unmet need for Crawley. During the Examination the housing requirement was significantly increased.

² Local Development Scheme June 2019, "The Mid Sussex District Plan 2014 – 2031 also includes a commitment (Development Policy 5: Planning to Meet Future Housing Need) to undertake a review of the District Plan commencing in 2021"

Under the current draft Site Allocations DPD the ability to meet the Mid Sussex housing requirement would rely on delivering sites at East Grinstead and Felbridge in the same (or very similar) locations to those that the Council previously failed to deliver under the East Grinstead Area Action Plan DPD [EGAAP] scheme.

The failure to find a way of developing that mixed-use strategic location at "Imberhorne" through the EGAAP process, despite the expenditure of considerable resources and the inclusion of an expensive multi-modal transport study [MMTS], led directly to the recently adopted local plan (District Plan) arriving ten years late and the failure of the Council to operate a plan-led planning system from 2008 to 2018 (as is required by national planning policy).

MSDC had argued that to deliver the 2,500 mixed-use strategic development under the East Grinstead AAP, £120m at 2006 prices (£175m today) was needed to fund the necessary infrastructure. For the SA19 and SA20 the Infrastructure Delivery Plan lists infrastructure spending of less than £21m. £21m seems unlikely to be sufficient.

1.2 Relevant History and implications of MSDC proposals for major development between Felbridge and East Grinstead

Until the adoption in 2018 of the Mid Sussex District Plan (20 year period 2011-2031) the local development plan consisted of the old Local Plan modified in 2004 (that was produced before the P&CPA [2004] came into effect) and the Small Scale Housing Allocations DPD. An additional DPD was scheduled to be adopted in 2006 to deliver a mixed use Strategic Development identified to the west/southwest at East Grinstead (between East Grinstead and Crawley) to be fully completed by 2016 but with no site specifically allocated under the revised county Structure Plan.

The replacement of the 2004 modified Mid Sussex Local Plan was delayed from its first scheduled due date of 2010, to 2018. The current need for a Site Allocations DPD resulted from the failure of the Council to allocate sufficient development sites under the submitted draft District Plan (2014-31).

The reason for the decade long delay in adopting an up-to-date spatial plan was due to the Council failing to follow a strategy that was sufficiently flexible, and that relied on major development at East Grinstead that it found impossible to deliver. We now find that the Council is making its delivery of the District Plan housing numbers post 2023/24 dependent on another scheme for mass housing at East Grinstead/Felbridge. It is therefore appropriate to review the reasons for the fate of the earlier plan that was advanced as the EGAAP.

The modified West Sussex Structure Plan (2004) set out a housing quota for Mid Sussex in 2004 and identified a mixed use strategic development site to the west/southwest of East Grinstead. MSDC started the process of developing a new Local Plan to accommodate the increased numbers which it proposed to do through a Small Scale Housing Allocations DPD (providing small sites up until 2010) and an East Grinstead Area Action Plan to deliver a mixed use strategic allocation at East Grinstead to be fully completed by 2016.

Unusually, MSDC chose in their local development scheme to bring forward the spatial strategy *after* the adoption of the SSHA and EGAAP DPDs, and against government advice.

The approach proved to be flawed because it meant that the spatial strategy was entirely reliant on delivering the EGAAP site to meet the housing quota. This ran against the 2004 Planning & Compulsory Purchase Act requirement that the spatial plan should provide sufficient flexibility.

The Council argued that the well-established planning constraints at East Grinstead could be overcome and this ambition was set into the revised West Sussex Structure Plan (WSSP) policy LOC1, with the infrastructure requirements upon which it was made contingent set out in the accompanying appendix B. The Council started to develop the EGAAP in 2004 but was obliged to abandon it in 2010, after it became clear that the scheme could not deliver sustainable development, and could not meet the development conditions the Council agreed to at the WSSP EiP.

It is relevant to note the Council's proposed EGAAP mixed use development was at Imberhorne Farm and included 2,500 homes plus associated employment provision. This scheme included the site currently being advanced as SA20 for 550 homes as well as the site already developed for 100 homes adjacent to Imberhorne Lane.

The information published to support this new strategic development between East Grinstead and Felbridge fails to address the issues that the earlier, much more detailed, work exposed and which at that time the Council and the East Grinstead Developer Consortium concluded could not be overcome to deliver a sustainable and lawful development. Based on the evidence provided it would be reasonable to expect that this new scheme will fail just like the earlier one and will leave the Council unable to meet its obligations with respect to the unmet need at Crawley.

This makes the allocations SA19 and SA20 **unsound** and so undermines the soundness of the Site Allocations DPD itself.

1.3 Relevant reasons for earlier failures to deliver mass development at East Grinstead and how the draft Allocations DPD addresses them

The chief constraints on development at East Grinstead were recognised in the modified Mid Sussex Local Plan (2004) as being down to inadequate traffic infrastructure and environmental factors.

They were thought a sufficiently serious risk to delivery that when a mixed used strategy location was identified south/southwest under Policy LOC1 of the county Structure Plan (2004) the development was made contingent on the Council meeting specific infrastructure conditions set out in the associated Appendix B, in order for the development to meet sustainability criteria and national planning policy. The Council was unable to meet these and so the Council was forced to drop the strategic development.

Since that time the constraints have worsened and so it remains for the Council to demonstrate that, notwithstanding, the new proposal can overcome these constraints and be delivered. It hasn't.

It is concerning that now, in this draft DPD, the Council is failing to consider the possibility of a repeat failure when advancing a proposal on sites similar to that of the EGAAP and nonetheless with much less provision for infrastructure, and one that runs counter to national planning policy, and in particular the Planning & Compulsory Purchase Act (2004) and the most recent National Planning Policy Framework.

Below we will set out why these risks remain and that the Council has failed to offer any deliverable resolution to the underlying transport constraint.

2. The Council has failed to consult properly with the wider public

The NPPF requires LPAs to carry out public consultation on plans that is transparent and front-loaded (ie. at the earliest opportunity). Para 16 says that "Plans should be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees..."

MSDC say that their consultation process adheres to their Statement of Community Involvement. This requires that "the community should be involved as early as possible in the decision making process when there is more potential to make a difference" and that "community involvement should be accessible to all those who wish to take part".

We note that the latest Local Development Scheme, which MSDC say is the way for residents and other interested parties to keep abreast of the timetable for consultation reading planning policy matters, is dated June 2019 and is out-of-date. Anyone relying on this would be unaware of the current consultation.

MSDC claim to have met their obligation to consult residents by:

1. Issuing a press release
2. Email alerts
3. Ad-hoc comments on the Council's social media channels
4. Posts on the Council's website
5. Exhibition boards in the public library

The evidence shows that these communication channels have been wholly inadequate in reaching ordinary residents or "hard-to-reach groups", and in places the procedure was not followed at all.

2.1 Ineffective Press Release Campaign

MSDC advise that the press release was distributed to the following:

- **TV outlets** – ITV Meridian News & BBC South East Today
- **Radio Stations** – BBC Radio Sussex; BBC Radio Surrey; Burgess Hill Community Radio; Heart Radio; Meridian FM & More Radio
- **Newspapers** – East Grinstead Courier; Mid Sussex Times; The Argus & West Sussex County Times
- **New Agencies** – Dehaviland; Dods Monitoring & Press Association
- **Magazines** – Cuckfield Life; East Grinstead Living; Hurst Life; Lindfield Life; RH Uncovered & Sussex Living
- **Websites** – BBC News Online; Burgess Hill Uncovered & Crawley News 24

However, MSDC say that they do not actively monitor the coverage given to their press releases and Officers are only "... aware that the Mid Sussex Times ran a story on 30th July regarding the consultation." The single press release for the Consultation resulted in only one entry in a weekly paper servicing the towns of Burgess Hill and Haywards Heath but that is not distributed in East Grinstead or Felbridge.

There has been NO publicity in the local East Grinstead paper despite the DPD proposing over half of the homes to be allocated in East Grinstead and Felbridge.

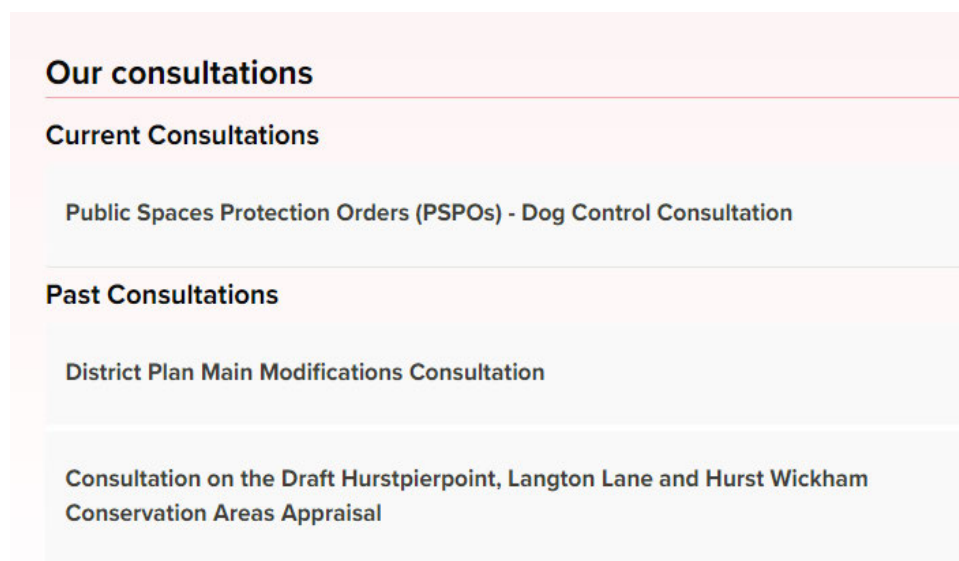
2.2 E-mail alerts

No active actions have been taken to solicit residents to signing up for e-mail alerts (e.g. in Mid Sussex Matters or via the annual Council Tax Bill mailings) so the Council is relying on residents and third parties having been already engaged in the consultation process. E-mail alerts in this instance are limited to the few people with prior knowledge of the consultation and so had registered their email address. No obvious attempts have been made to reach "hard to reach groups".

2.3 No alerts on the Council's website ...

Neither the main landing page nor the main "Planning and Building" page make ANY reference to the consultation. The Council's dedicated "Consultations" page advertises only a "Public Spaces Protection Order – Dog Control Consultation", and says NOTHING about the Site Allocations consultation.

There is no reference to the Sites Allocations consultation on the MSDC website. The dedicated consultations website page fails to notify the public that there is an ongoing Regulation 19 consultation (see screen shot of 20/9/20 below).



2.4 No alerts in Mid Sussex Matters ...

MSDC's own magazine, Mid Sussex Matters, is distributed to all 73,000 households in Mid Sussex, three times a year. MSDC say that "Wherever possible, details of forthcoming consultations are included within the magazine, this is our preference as it reaches every household in the district. However publication dates and consultation dates do not always coincide."

The Spring 2020 edition failed to mention the Site Allocations consultation but did alert readers to the review of the local plan not due to start until 2021.

2.5 Exhibition boards in the public library

It is understood that exhibition boards were set up for a few days during the Regulation 18 consultation period but nothing at all was provided to East Grinstead library for the Regulation 19 consultation.

2.6 Failure to engage with other authorities affected by the Site Allocations

MSDC says that Town and Parish Councils were contacted during the formative stages of the DPD. However, we understand that Felbridge Parish Council was not contacted at any point during the development of the DPD, despite site SA19 being variously described in the DPD and supporting documents as “‘sympathetic extension to Felbridge’, ‘sympathetic to the landscape setting and character of Felbridge ’and ‘maximises connectivity with the existing settlement of Felbridge’.

Further we understand that Tandridge District Council have confirmed to Felbridge Parish Council that they were not informed of the Regulation 19 Consultation and have sought an extension to enable them to prepare a response. This is despite there being a Statement of Common Ground between MSDC and TDC.

It is clear that residents of Felbridge and East Grinstead have not been properly consulted as part of this process and nor have their representative bodies.

It also seems clear that the Duty to Co-operate has not been met since that the Tandridge was not consulted. This raises questions as to the nature of co-operation been undertaken with other authorities adjacent to Mid Sussex. For example, has MSDC engaged with Horsham over the potential allocation of the Mayfield garden village at Sayers Common?

The DPD should be withdrawn as it is not legally compliant and the resultant documents are unsound since the consultation was not carried out in line with national policy (eg. NPPF Para 16) or the MSDC Statement of Community Involvement.

3. Unsound site selection process

National planning policy requires LPAs to follow a pro-active approach when undertaking a comprehensive review of potential development sites to underpin local planning policies, and considering them against consistent criteria in their SHEELA.

In doing this LPAs are required to 'look for solutions' to overcome any identified constraints. In producing its SHEELA MSDC has failed to do this and so **the DPD site allocations are not sound.**

At least two significant sites that could offer to meet future need at Crawley, as well as the current quantum, have in the case of Mayfield (around Sayers Common) been omitted from the SHEELA and in the case of Crabbett Park (abutting Crawley to the north of the Pease Pottage strategic site) dismissed without due regard to the District Plan Settlement Hierarchy.

In allocating sites at East Grinstead and Felbridge the Council has not "sought solutions" to constraints but rather to ignore those constraints entirely.

3.1 Better Alternatives Not Considered By MSDC

Sites exist closer to Crawley that appear to offer sustainable options for delivering part of Crawley's unmet need within Mid Sussex, but MSDC have dismissed them out-of-hand without evaluating these against their sustainability criteria.

These sites would reduce the need to travel by car to jobs at Crawley/Gatwick so avoiding additional congestion on the A264/A22 corridor and avoiding any risk to the Ashdown Forest that would need to be mitigated closer to Ashdown Forest (i.e. at East Grinstead/Felbridge).

3.2 Mayfields

It is common knowledge that Mayfields have been trying to talk to MSDC since the work started to draw up the District Plan to discuss the possibility of a new garden village straddling the Mid Sussex/Horsham border near to Sayers Common.

Whilst Horsham DC has engaged positively with Mayfields and evaluated that part of the site that lies within Horsham in their SHEELA process, the area in Mid Sussex does not even appear in the MSDC SHEELA. The Horsham Local Plan is currently being reviewed and it is understood that HDC are actively considering the Mayfield proposal, on its planning merits, with the possibility of allocation in their revised LP.

It is our understanding that in preparing a plan positively a LPA is expected to pro-actively search out all potential development sites and evaluate them through the SHEELA process. It is clear that for reasons other than planning considerations MSDC has chosen to try and suppress the Mayfields option. This clearly is not following national planning policy and calls into question the legality and soundness of the submitted draft SADPD.

3.3 Crabbett Park

A substantial site at Crabbett Park has been dismissed without a credible reason. This site clearly has the ability to sustainably service Crawley Borough's needs for additional housing, the very unmet needs that the Site Allocations DPD is designed to address. It is considered that a site such as Crabbett Park, adjacent to Crawley but in Mid Sussex, could deliver the Crawley unmet need sustainably and without necessitating the compromises and without the need break to national planning policy that siting the additional homes at East Grinstead would require.

Crabbett Park, at face value, has many things in its favour and shows the potential to site local homes for Crawley workers, sustainably, at Crawley but these have not been explored at all by MSDC because it was ruled out at the first stage of the site-selection process. This mixed-use site could include local employment space on site, whereas there are no proposals for additional employment space at East Grinstead and so new residents would have to commute, in large part to Crawley/Gatwick. Unlike East Grinstead a location such as Crabbett Park will not site new homes 13km from Crawley/Gatwick where new residents are expected to work. Houses at Crabbett Park could quite easily be linked directly to the Fastway network, thus substantially reducing the need to travel to work and further decreasing the likely use of private cars to make such journeys. Sustainable access routes to the mainline station could also be incorporated.

From a planning perspective it is very similar to the site allocated in the District Plan at Pease Pottage (DP10) and the mixed-use site currently under development between Copthorne and Junction 10 of the M25 (MSDC planning ref 13/04127/OUTES) which have established the principle of developing urban extensions of Crawley into Mid Sussex.

The reason given for dismissing Crabbett Park without assessment is that it is more than 150m from a major, or Tier 1, settlement. This is incorrect on two fronts. Firstly, it is located outside the Crawley urban boundary but abutting Crawley (i.e. abutting a settlement larger than any Tier 1 settlement in Mid Sussex) and secondly it is less than 150m distant from Crawley. And to

reiterate, MSDC found the Pease Pottage site entirely consistent with its Settlement Hierarchy policy when it allocated it in the District Plan.

The reason for dismissing the Crabbet Park site before evaluation is false. The site should have been properly evaluated and considered. **The DPD has not been properly prepared and is not justified on this basis and is thus unsound.**

3.4 Sites at East Grinstead & Felbridge

MSDC have chosen to put forward sites SA19 and SA20 that are remote from Crawley and the new jobs that the houses are due to serve and which are sites acknowledged to suffer from serious constraints on development that have been made worse in recent years by "planning by appeal" and a particularly large number of permitted development conversions in East Grinstead.

The primary reason for putting forward the sites allocations SA19/SA20 appears to boil down to the following rationale:

1. "We have to allocate these houses to meet Crawley's unmet housing need somewhere in Mid Sussex"
2. "We can't put any more at Burgess Hill"
3. "For internal party political reasons we cannot allocate a large site at Haywards Heath Golf Club"
4. "For unspecified reasons we choose not to consider, at all, sites in Mid Sussex that are adjacent to, or close to Crawley along the A23 corridor - sites that could reasonably be expected to meet Crawley's unmet need sustainably, meeting the District Plan spatial strategy, just as the Strategic Site at Pease Pottage allocated under District Plan Policy DP10 does."
5. "Therefore we must have another go at developing the gap between East Grinstead and Felbridge despite previous failures to deliver".

This counter intuitive choice, to promote sites at East Grinstead/Felbridge rather than sites close to Crawley, is all the more perplexing when the two principal sites SA19/SA20 are set in a broad location between East Grinstead and Felbridge that the District Council and developers have previously gone to great lengths to try to deliver, but have failed each time, due to the development constraints inherent to that broad location. Sites further away from Ashdown Forest closer to Crawley also eliminate the risk to the SPA/SAC that requires mitigation for sites at East Grinstead/Felbridge, as set out in policy DP17.

Why might MSDC now decide to put forward SA19/SA20 in preference to prima facie better performing sites close to Crawley? Has something changed to make

the Imberhorne/Felbridge location sustainable when previously wasn't? If so, what?

The DPD and Sustainability Appraisal make no attempt to explain what has changed. They simply assume that the sites at East Grinstead/Felbridge are going to be selected "come what may". Indeed, district councillors have told residents that these sites were actually "allocated" by the Inspector in his report into the District Plan examination. But this cannot be correct. If the sites were already allocated as suggested, then there would be no need for this DPD to allocate them again. The District Plan examination had no time to consider these sites in any detail and even if it had allocated specific time they would have been insufficient evidence to make such a decision as the necessary work, such as traffic studies, had not been completed by MSDC.³

There is a fundamental flaw to the procedure followed by MSDC to produce this draft DPD. The Council has failed to consider all possible options, it didn't approach the site selection process positively or with an open mind, the site selection is not justified by the evidence (including the absence of crucial pieces of evidence such as a localised traffic report), it does not offer an effective solution to meet Crawley's need, let alone the most effective. Finally it is not consistent with national policy.

4. More homes combined with an ongoing loss of employment space will lead to more out-commuting and undermine the sustainability of East Grinstead

The addition of further housing at East Grinstead and Felbridge with no allocated employment provision, combined with continued loss of existing employment space in recent years, largely due to conversion under permitted rights, will further reduce the opportunities for local residents to work locally. This is **against Policy DP1** which sets out "to provide opportunities for people to live and work in their communities, reducing the need for commuting".

The DPD proposes seven new employment sites elsewhere in the district but none in East Grinstead or Felbridge.

The Mid Sussex Economic Profile Study (2018), says that "There has been a significant loss of floor space to residential conversions particularly in East Grinstead." This study reports 19,440m² of commercial office space in East Grinstead at the time of publication.

³ An example of this is the failure of the AMEY Mid Sussex Transport Study that supported the District Plan to identify the capacity issues already at Felbridge. **This point is dealt with in the Wedderburn Transport Planning Report Sept 2020 attached as Appendix A**

Since then, East Grinstead's stock of office space has continued to decline, with 12,000m² **(62%) being lost** as a result of a single planning permission for the conversion of East Grinstead House **in June 2020**.

The East Grinstead Business Association objected to that conversion, saying that we have lost "7 existing, long standing, large and well known successful local businesses that have live leases and in combination employ around 1,000 people". The conversion will yield another 253 homes, with potentially double the number of new residents needing to commute out of East Grinstead for work.

MSDC confirm that they do not monitor the amount of office floorspace lost through residential conversions, so have no evidence to show that the 772 homes proposed for East Grinstead and Felbridge are sustainable. Potentially, there could be 1,500 new residents and no new employment space and nowhere for them to work in East Grinstead.

Increasing traffic congestion and loss of employment space act to significantly undermine any economic growth and inward investment, which is **contrary to Policy DP1** "to promote a place which is attractive to a full range of businesses, and where local enterprise thrives" **making the Site Allocations DPD unsound**.

5. Incomplete and Inadequate traffic modelling of local junctions and misapplication of the NPPF traffic sustainability test

The Atkins Stage 3 traffic study published in May 2012 assessed five key junctions on the main A22 corridor into East Grinstead. The study proposed a set of 'Do Minimum' network improvements at three junctions to allow the network to operate within capacity to enable up to a maximum of 765 homes, the then committed level of development.

Since then only one of the recommended junction improvements has been implemented. Despite this the MSDC Completions Monitoring shows that 1,098 homes have been delivered in East Grinstead since 2011. There is currently permission for further 968 homes (total 2,066, almost three times the capacity of the Atkins 3 improvements).

Jubb traffic surveys were conducted on the East Grinstead network between 2014 and 2016 and the WSP traffic survey conducted in 2018. Not surprisingly, both show that congestion has increased substantially since the original Atkins Study given the level of actual housebuilding.

The SYSTRA Mid Sussex Transport Study (MSTS) commissioned to support the Site Allocations DPD estimates a significantly less congested network (in its projected baseline 2017 derived from the 2008 West Sussex transport Model) than either Jubb or WSP (actual counts 2014/2016/2018) and even shows less than the Atkins study reported more than 10 years earlier.

Despite significantly understating the 2017 baseline scenario, the MSTS model shows that the junctions in and around East Grinstead will be operating “over capacity” by the end of the plan period in 2031 due to housing already allocated in the 2018 District Plan. It then concludes that the additional load due to the allocations proposed in the Site Allocations DPD is of no concern.

The Site Allocations DPD is required to address the housing shortfall identified at the District Plan examination. Therefore the purpose of the MSTS should be to demonstrate that the **cumulative impact** of District Plan and the Site Allocations DPD can be supported over the plan period.

The Wedderburn Transport Planning (WTP) Report 2020 (commissioned by Infrastructure First Group – See Appendix A) shows how MSDC has incorrectly regarded the allocations in the District Plan as an “existing condition” and therefore the MSTS misapplies the Residual Cumulative Impact test from NPPF para 109.

It should also be noted that the SYSTRA MSTS uses a higher quantum of housing in its reference case than the District Plan Amey transport assessment. Therefore the SYSTRA MSTS does not give a true and fair representation of the network impact in 2031 from the full quantum of planned development.

Due to inadequacies of the SYSTRA MSTS it does not highlight severe impacts on any of the local primary junctions, although it does report a significant increase in ‘rat running’. This re-routing impact has been dismissed as insignificant although there will be inevitable consequences for environmental, safety and amenity impacts on communities living nearby, whether on East Grinstead residential roads or country lanes through the villages between East Grinstead and Crawley. Increased congestion also depresses economic activity.

The 2018 WSP study was commissioned jointly by MSDC, TDC, WSCC and SCC to investigate capacity and pedestrian safety issues at the A264/A22 junction in Felbridge. The executive summary was published in October 2019 (See Appendix B) but the main report has still not been disclosed.

Requests to see the full WSP report have been refused.

MSDC officers will have read the full WSP report and will have known prior to the publication of the Site Allocations DPD for consultation that the WSP baseline traffic measurements are significantly worse than the SYSTRA MSTs estimates. It is against national and local planning policy to withhold material evidence from the consultation process in this way.

MSDC claim that the proposed site allocations should not be contingent upon any traffic interventions on the local network as they do not contribute to a severe residual cumulative impact. This is not correct as WTP set out.

Despite this conclusion that there are no capacity problems to resolve, MSDC have nonetheless jointly commissioned WSP to come up with options to resolve the capacity problems on the A264/A22 junction. The published executive summary shows that their preferred option (option 3) is an improvement on the 'Do Nothing' scenario but insufficient for the junction to be operating within capacity at the end of the plan period.

Option 3 which the authorities have chosen to study further does not resolve the pedestrian safety issues and requires 3rd party land in order to implement the proposals. WSP report that the preferable Option 4 incorporating pedestrian crossings is not deliverable within the plan period.

We understand that WSCC have raised concerns about the deliverability of either of these two options.

It remains unclear which authority would exercise its CPO powers to acquire the necessary third party land. Officers have in the past stated that MSDC is "not that sort of authority".

Even if the capacity issues at the A22/A264 junction could be resolved in a timely manner, this would only result in even worse congestion further along the A22 corridor towards East Grinstead. This will have the effect of 'choking' the town centre raising the barrier further to economic growth and investment

Unless and until there are firm and deliverable proposals to resolve the current and future traffic congestion in Felbridge and East Grinstead, the proposed site allocations in East Grinstead cannot be regarded as sustainable.

We consider that the five recommendations in the WTP report (attached to this submission as Appendix A) must be followed to establish whether there are any deliverable solutions to the Felbridge and Turners Hill hotspots.

Currently the proposed Site allocations SA19/SA20 are not sustainable and the DPD is unsound as a result.

6. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

At a review of Neighbourhood Plan policies on 3rd May 2018, following the adoption of the District Plan, MSDC confirmed that all policies in the East Grinstead Neighbourhood Plan are in conformity with the District Plan and should be given full weight, with the exception of a policy EG5.

Policies EG2 and EG2a are designed to resist development outside the built-up boundary and "to ensure that development does not result in the gradual accretion of development at the urban fringe".

These policies conform to MSDC's own policies DP12 and DP13, which say ..."The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there."

The proposed site allocations SA19 and SA20 are outside the East Grinstead & Felbridge built-up boundaries and are **therefore against both Neighbourhood and District Plan policies [EG2, EG2a, DP12 & DP13]**.

The supporting text to policy EG2 (at paragraph 4.9) explicitly calls for development to be refused in the areas of countryside at Imberhorne Farm and south of the Crawley Down Road ... precisely the location of the proposed sites SA19 and SA20.

Policy EG11 was designed to ensure that East Grinstead would not have to take housing allocations without effective compensating improvements to the local highways network being delivered ..."Proposals, which cause a severe cumulative impact in terms of road safety and increased congestion, which cannot be ameliorated through appropriate mitigation will be refused".

Policy EG11 fully supports policy DP21 which requires that ... "development is accompanied by the necessary infrastructure in the right place at the right time that supports development and sustainable communities. This includes the provision of efficient and sustainable transport networks".

It is also worth noting that the section of land where the sites are located was until 2004 designated as Green Belt, which has very strong protection under national planning policy. When the Mid Sussex Local Plan was revised in 2004 its policy EG24 resulted in that designation being removed but assurances were given that this would not result in any loss of protection of the former section of Green Belt.

EG24 Areas of Metropolitan Green Belt at East Grinstead as indicated on the Proposals Map shall be removed from the Green Belt and shall instead be included in the Countryside Area of Development Restraint.

s12.96 Following changes to the boundary between West Sussex and Surrey in 1993 five small sections of Metropolitan Green Belt north of East Grinstead were transferred to Mid Sussex District. The Council has considered whether these Green Belt designations should be retained in the new Local Plan, and has concluded that it would be unnecessary and inappropriate to do so. These areas, plus others at Copthorne, would be the only areas of Green Belt in the whole of West Sussex.

The Structure Plan contains no policies relating to the Green Belt and the County Council is opposed to the retention of this designation.

The District Council considers that to retain this designation would be an anomaly in planning policy terms, and that, since other policies in this Local Plan provide equal protection for these areas, its retention would be unnecessary. The Council therefore proposes to seek the deletion of these Green Belt designations at East Grinstead from this draft Local Plan. They will be re-designated as falling within the Countryside Area of Development Restraint.

The proposed site allocations SA19/SA20 are contrary to the local development plan policies and the NPPF and so **the DPD is not sound.**

7. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Felbridge is a rural village in Surrey with a small strip of land south of the Crawley Down Road falling within the administrative boundary Mid-Sussex.

TDC acknowledge in its Settlement Hierarchy Addendum 2018 that “although the proximity of East Grinstead plays a role in Felbridge’s sustainability, the settlement itself can only demonstrate a basic level of provision and as such is categorised as a Tier 3 (rural settlement)”

However, MSDC is treating the land south of the Crawley Down Road as an extension to East Grinstead without due regard for its village status or the gap between the two distinct communities.

With no more frontage sites available along the Crawley Down Road, MSDC are already allowing the extension of the village towards East Grinstead, with 120

homes recently approved as back land developments. With a current population of 532 homes, the existing commitments will increase the number of homes by nearly 25%. The village has no doctor's surgery, pharmacy, dentist, opticians and only a small convenience store. Infrastructure contributions and subsequent council taxes will go centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.

Allocating SA19 as an additional back land site for 200 homes south of the Crawley Down Road would result in an increase in the number of homes by a further 30%; without any plans or funding to improve infrastructure that would mitigate the harm to the function and character of the village.

This is **contrary to policy DP6** (Settlement Hierarchy) which allocates a much smaller proportion of housing requirement to Tier 3 medium sized villages. DP6 says..."To promote well located and designed development that reflects the District's distinctive towns and villages, retains their separate identity and character and prevents coalescence", and "To create and maintain town and village centres that are vibrant, attractive and successful and that meet the needs of the community".

SA19 is located outside the built-up boundaries of both Felbridge and East Grinstead. This is **contrary to policy DP12** (Protection and enhancement of countryside) which says that ..."The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there".

SA19 is also **contrary to the strategic aim of policy DP13** (Preventing Coalescence) ..."To promote well located and designed development that reflects the District's distinctive towns and villages, retains their separate identity and character and prevents coalescence."

The East Grinstead Neighbourhood Plan, which officers have confirmed are consistent with the District Plan, expressly lists the land to the south of Crawley Down Road as **contrary to policies EG2 and EG2A** to ensure development "does not result in the *merging or coalescence of settlements and the gradual accretion of development at the urban fringe*".

The proposed allocation of SA19 is contrary to the local development plan strategic policies and therefore not sound

8. Allocation of SA20 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence of East Grinstead with Felbridge

8.1 Loss of valuable Agricultural land

Site SA20 is surrounded by high yielding agricultural land that justifies an Agricultural Land Classification Grade of 3a (ie. the best and most versatile agricultural land).

District Plan **DP12** says that "Where identified, Grade 1, 2 and 3a agricultural land should be protected from development due to its economic importance and geological value. This is the land which is most flexible, productive and efficient and can best deliver future crops for food and non-food uses."

The Sustainability Appraisal report reveals that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence. We contend that the default should be to assume that the land merits 3a status unless further work disproves this.

The planning assessment proforma rates the SA20 site location as having a 'positive impact' on the Landscape without any explanation or evidence to support what amounts to the officers' opinion. The officers' opinions are **not justified**.

8.2 Damage to heritage assets

SA20 is adjacent to the Grade II Listed Gullede Farmhouse and Imberhorne Farm Cottages. English Heritage advise that rural setting of these listed buildings is important to their value as heritage assets and development on the site would overwhelm the buildings and result in significant harm. Allocation is contrary to District Plan policy **DP34** says that "Special regard is given to protecting the setting of a listed building".

8.3 Risk to Ancient woodland

SA20 lies adjacent to a substantial area of ancient woodland which is already 'hemmed in' on two sides by residential and industrial development. Further development would serve to isolate the woodland from the surrounding countryside resulting in unnecessary habitat fragmentation.

Ancient woodland is classified by National Planning Policy as an 'unreplaceable habitat' and **NPPF para 175** says "development resulting in the loss or

deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons”.

Natural England states that “Ancient woodland and the wildlife it supports are particularly vulnerable to various impacts associated with nearby residential areas. These include recreational disturbance, fly tipping, light pollution, introduction of non-native plant species from garden waste, predation of wildlife by pet cats and pollution from dog faeces”.

These harmful impacts can only be mitigated to a limited degree by the imposition of a buffer zone.

8.4 Displacement of ‘Red List’ bird species

The farmlands at SA20 provide an important breeding habitat for ‘red list’ bird species such as the Skylark and Yellowhammer with loss of habitat being the main reason for the sharp population decline nationally.

The developer’s own Ecological Survey acknowledges that the Skylark “requires more specialised ground nesting provisions” and that the ability of the SANGS to compensate for the loss of farmland habitat will be limited due to it fulfilling its primary purpose to attract those causing ‘recreational disturbance’ away from Ashdown Forest.

NPPF para 175 says 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.”

There are alternative sites closer to Crawley that would allow this significant harm to be avoided.

The allocation of site SA20 is contrary to the local development plan and national planning policy and so the allocation is unsound.

9. Potential risk to the Ashdown Forest SPA/SAC

The sites SA19/SA20 are located close to Ashdown Forest which includes sites designated as SPA and SAC is protected under the Habitats Regulations and are within the 7km zone of influence.

Whilst the Habitats Regulations Assessment which recommends mitigation measures to prevent damage to the SPA/SAC sites is supported by Natural England, questions arise as to why these sites have been selected in preference to sites nearer to Crawley which require no such mitigation. The very need for mitigation confirms that there is a significant risk to the Ashdown Forest and as

the effectiveness of the mitigation measures has not been evaluated by MSDC their true effectiveness remains to be seen.

For example, the SANGS policy with its site at East Court in East Grinstead has been in place for almost a decade but MSDC have done no measuring or monitoring of it. The purpose is to divert visitors, especially those walking dogs, away from Ashdown Forest to reduce the 'disturbance' effects. Since no measuring or monitoring has taken place there can be no way of knowing whether the theoretical benefit of the mitigation has been delivered or whether the 'disturbance' on Ashdown Forest that it is designed to mitigate is in fact happening nonetheless.

Similarly, there has been no measurement and monitoring of the effectiveness of the joint SAMM strategy.

In response to comments made in the Regulation 18 consultation MSDC said that they would take the following actions :

- a. Prepare a SANGS topic paper to present evidence on visitor surveys
- b. Prepare a SAMM monitoring strategy

These actions do not appear to have been completed.

The fact that sites SA19 & SA20 require mitigation measures (the effectiveness of which has not been tested) must weigh against their allocation when other sites that do not risk adversely affecting the Ashdown Forest have been discarded without consideration.

It is noted that allocating the additional housing nearer to Crawley and further away from Ashdown Forest can be expected to reduce any likely risks of a negative impact on Ashdown Forest. For example, the Council argues that the impact from disturbance is directly related to the distance from the Ashdown Forest.

There has been no attempt by MSDC to justify the marginal risk to Ashdown Forest that allocations SA19 & SA20 raise when other sites that pose no such risk have been dismissed without evaluation. **This makes the allocations unsound.**

10. We consider the following changes necessary to make the Site Allocations DPD legally compliant and sound

We have set out above our reasons for concluding that the draft Site Allocations DPD is not legally compliant and not sound. We do not see evidence that it has been properly prepared, that the policies have been justified, that the proposals are effective or that they are consistent with national planning policy or the local development plan.

We therefore ask that the Council take the following actions:

1. The Site Allocations DPD was not prepared in accordance with national planning policy or the Council's own Statement of Community Involvement. It is not legally compliant and should be withdrawn.
2. The DPD and associated documents are not sound and should be withdrawn whilst essential further work is completed
3. That further work to include the necessary remedial work to the Mid Sussex Transport Study as set out in the Conclusions and Recommendations of the Wedderburn Transport Planning Report , as detailed in the attachment, but these being in outline:

Recommendation 1: MSDC should update the Strategic Transport Assessment to show the impact of the DPD housing allocations (scenarios 7/8) relative to the original District Plan reference case demand.

Recommendation 2: The commissioning authorities should publish the full WSP Felbridge junction study and the underlying traffic survey data to allow independent scrutiny.

Recommendation 3: The transport assessment framework for the Site Allocations DPD needs to acknowledge that significant re-routing will occur as traffic avoids the most congested junctions and should include a transparent assessment of the impacts on affected communities.

Recommendation 4: MSDC needs to provide evidence that any proposed Felbridge junction improvements are feasible, deliverable, affordable and consistent with District and County transport policies. If a solution with sub-optimal pedestrian facilities is proposed, MSDC and TDC should clarify how this aligns with the transport policy objectives of the relevant authorities and their statutory duties.

Recommendation 5: The current levels of committed development in East Grinstead should be considered as an absolute maximum for the foreseeable future. Ultimately, housing site allocations in MSDC need to be focussed on areas with greater choice of sustainable transport modes.

4. A proper evaluation be undertaken of the Crabbett Park and Sayers Common (Mayfield) sites and any other sites omitted or dismissed from the site selection process, with appropriate Sustainability Appraisal produced.
5. In the event that the DPD is not withdrawn then the proposed allocations SA19 and SA20 should be withdrawn as they cannot be delivered sustainably
6. In the event that the Inspector decides to progress to Examination then the sites at East Grinstead (SA20) & Felbridge (SA19) should be made wholly contingent on the traffic improvements set out in the Atkins 3 study and in Option 4 of the WSP study.

Please notify me when:

- | | |
|--|-------------------------------------|
| (i) The Plan has been submitted for Examination | <input checked="" type="checkbox"/> |
| (ii) The publication of the recommendations from the Examination | <input checked="" type="checkbox"/> |
| (iii) The Site Allocations DPD is adopted | <input checked="" type="checkbox"/> |

APPENDICES

- A. Impact of new development in East Grinstead Response to Site Allocations DPD - Wedderburn Transport Planning, Sept 2020
- B. "Felbridge Junction Options Appraisal" Executive Summary - WSP consultants October 2019
- C. Site SA19 – Analysis of Site Appraisal against Sustainability Objectives

END

2386

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2386

Response Ref: Reg19/2386/1

Respondent: Ms S Paterson

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Susan Paterson [REDACTED]
Sent: 28 September 2020 23:37
To: ldfconsultation
Subject: Response to submission sites allocations DPD Reg 19

From: Susan Paterson
[REDACTED]
[REDACTED]

I am OBJECTING to the Site Allocations DPD and Sustainability Appraisal, and in particular to following proposed allocations being included in the Site Allocations DPD Reg 19

SA19 – Land South of Crawley Down Road
SA20 – Land South and West of Imberhorne Upper School

I consider them to be unsustainable and in conflict with National Planning Policy and the Local Development Plan [Mid Sussex District Plan & East Grinstead Neighbourhood Plan] for the following reasons:

- 1) The Council has failed to consult properly with the wider public
- 2) The Council has failed to adequately assess all potential sites

Allocation of sites SA19 & SA20 would ...

- 3) Lead to reduced opportunities for people to live and work within their communities
- 4) Lead to unsustainable traffic congestion with local junctions already over capacity
- 5) Be contrary to national planning policies & the Local Development Plan

Allocation of site SA19 would ...

- 6) Represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Allocation of site SA20 would ...

- 7) Result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yours faithfully
Susan Paterson

2414

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2414

Response Ref: Reg19/2414/1

Respondent: Ms A Zaffina

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Ada Zaffina [REDACTED]
Sent: 29 September 2020 01:02
To: ldfconsultation
Subject: SA20 and SA19 - housing developments

Dear Planning team,

I oppose both of these developments because they are not sustainable and will change the character of the local area both dramatically and permanently. Other solutions should be considered or else there will be no countryside left.

Kind regards,

--

Ada Zaffina
[REDACTED]