

Felbridge Standard Form with additional comments - Index by ID Number

ID	Respondent	Organisation	BehalfOf	Respondent Category	Participate
1415	Ms C Rowell			Resident	<input type="checkbox"/>
1504	Mr R Foster			Resident	<input type="checkbox"/>
1531	Mr A McPherson			Resident	<input type="checkbox"/>
1539	Mr J Knowles			Resident	<input type="checkbox"/>
1557	Mr P Lucas			Resident	<input type="checkbox"/>
1598	Mr K Biggs			Resident	<input type="checkbox"/>
1606	Mr & Mrs G & S Rodd			Resident	<input type="checkbox"/>
1642	Mr M Pullin			Resident	<input type="checkbox"/>
1673	Ms S Kipps			Resident	<input type="checkbox"/>
1687	Mr G Slatter			Resident	<input type="checkbox"/>
1704	Mrs P Smith			Resident	<input type="checkbox"/>
1726	Mrs B M Hollingsworth			Resident	<input type="checkbox"/>
1727	Mr B Hollingsworth			Resident	<input type="checkbox"/>
1742	Mr J Lewis			Resident	<input type="checkbox"/>
1744	Mr M Gillies			Resident	<input type="checkbox"/>
1747	Mr N Guthrie			Resident	<input type="checkbox"/>
1751	Mr R Argyle			Resident	<input type="checkbox"/>
1777	Mr T Christen			Resident	<input type="checkbox"/>
1793	Mr H Nightingall			Resident	<input type="checkbox"/>
1794	Mr A Norris			Resident	<input type="checkbox"/>
1811	Mr J Capp			Resident	<input type="checkbox"/>
1813	Ms C Capp			Resident	<input type="checkbox"/>
1845	Mrs F Bird			Resident	<input type="checkbox"/>
1861	Mr P Suddaby			Resident	<input type="checkbox"/>
1886	Mr B Rogers			Resident	<input type="checkbox"/>
1888	Mr J Hogwood			Resident	<input type="checkbox"/>
1895	Ms J Gray			Resident	<input type="checkbox"/>
1898	Mr O Davies			Resident	<input type="checkbox"/>
1902	Mr S Brackfield			Resident	<input type="checkbox"/>
1918	Mrs K Picton			Resident	<input type="checkbox"/>
1920	Miss L Picton			Resident	<input type="checkbox"/>
1922	Mr A Picton			Resident	<input type="checkbox"/>
1925	Ms G Diss			Resident	<input type="checkbox"/>
1946	Mrs M Mayes			Resident	<input type="checkbox"/>
1950	Mr R Penny			Resident	<input type="checkbox"/>
1962	Mr N Trueman			Resident	<input type="checkbox"/>
1971	Mrs A Cox			Resident	<input type="checkbox"/>
2023	Ms K French			Resident	<input type="checkbox"/>
2024	Mr G Tarran			Resident	<input type="checkbox"/>

ID	Respondent	Organisation	BehalfOf	Respondent Category	Participate
2029	Miss A Picton			Resident	<input type="checkbox"/>
2030	Mr S Picton			Resident	<input type="checkbox"/>
2037	Ms K Fairweather			Resident	<input type="checkbox"/>
2040	Mr D Fairweather			Resident	<input type="checkbox"/>
2042	Ms P Fairweather			Resident	<input type="checkbox"/>
2048	Mr M Tomlinson			Resident	<input type="checkbox"/>
2056	Mr A Brooks			Resident	<input type="checkbox"/>
2057	Mrs S Fowler			Resident	<input type="checkbox"/>
2083	Mr M Sadler			Resident	<input type="checkbox"/>
2089	Mr S Goodwin			Resident	<input type="checkbox"/>
2093	Mr D Hunter			Resident	<input type="checkbox"/>
2095	Mrs S Hunter			Resident	<input type="checkbox"/>
2096	Mr A Diss			Resident	<input type="checkbox"/>
2098	Ms N Mills			Resident	<input type="checkbox"/>
2111	Mr D Hunt			Resident	<input type="checkbox"/>
2113	Mr H Tumber			Resident	<input type="checkbox"/>
2141	Mr J Donohue			Resident	<input type="checkbox"/>
2157	Mr R Fox			Resident	<input type="checkbox"/>
2160	Mr W Lightburn		Gullege	Resident	<input type="checkbox"/>
2179	Ms A Greenwood			Resident	<input type="checkbox"/>
2227	Mr G Andrews			Resident	<input type="checkbox"/>
2241	Mr and Mrs Hazeldean			Resident	<input type="checkbox"/>
2270	Mr J Webb			Resident	<input type="checkbox"/>
2280	Mrs E Russell			Resident	<input type="checkbox"/>
2281	Mrs J Groom			Resident	<input type="checkbox"/>
2284	Ms C Hill			Resident	<input type="checkbox"/>
2306	Mr D Murphy			Resident	<input type="checkbox"/>
2427	Mr M McGregor-Temple			Resident	<input type="checkbox"/>

1415

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1415

Response Ref: Reg19/1415/1

Respondent: Ms C Rowell

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Penny Heater [REDACTED]
Sent: 28 September 2020 09:22
To: ldfconsultation
Subject: Felbridge development
Attachments: 2020 Felbridge Site_Allocations_DPD_Regulation_19_Response.docx

Hello

Please find attached my letter in support of objections to the extensive development plans for the Felbridge area.

At 80 years old, I have lived almost all of my life in this area and have been party to the many discussions about development and infrastructure for the area, in particular this area of East Grinstead.

Road and infrastructure planning has always been very poor, and has resulted in a poorer quality of life for many people who live in the area and have to access the Felbridge area for their home or livelihood.

As well as reduced access to outdoor space for everyone, the roads are busy and clogged for large parts of the day, all week long. This is both stressful for drivers, road users, residents and businesses - and that's before we even talk about the pollution hazard. Now as a person who is partially sighted, the area is even more hazardous with the busy roads and lack of pavements in some places. To go for a walk, I often have to rely on family to drive me out of town now, as there is so little opportunity - apart from this area at Imberhorne - to get properly outdoors and enjoy an open space.

People need space to live and grow. I have seen too many developers and selfish vested interests ruin this town in my lifetime and I am sick of it. This continual crowding, with flats everywhere in the centre of town and developments all around the fringes, allows for no quality of life. Where are the green spaces for all these people to have access to the outdoors? Where is the quality of life?

The increased levels of traffic, both during and after the build, will be intolerable for all of us living nearby and beyond. This in turn will lead to more crowding in the current shops and services, that already have queues for large parts of the week.

Foolishness and arrogance may lead you to ignore an older person's view but I have many more years left in me yet and I don't want this town ruined anymore either for myself or my family and neighbours. Enough is enough.

Christine Rowell

1504

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1504

Response Ref: Reg19/1504/1

Respondent: Mr R Foster

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Richard Foster [REDACTED]
Sent: 21 September 2020 11:43
To: ldfconsultation
Subject: Draft Site Allocations DPD – Regulation 19 Response
Attachments: Site_Allocations_DPD_Regulation_19_Response.docx

Good morning

Please see attached my response to the site allocations DPD regulation 19.

I would add that when I studied business at Imberhorne School some 35 years ago, we did a project on potential East Grinstead Bypass route to help ease the road congestion we had then - in the last 40 years of living here I do not recall any improvements or congestion relief projects being undertaken. To consider adding further homes without any congestion easing or additional infrastructure to cope with the increases demand on schools and roads is, in my opinion; reckless.

Yours sincerely

Richard Foster
[REDACTED]

1531

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1531

Response Ref: Reg19/1531/1

Respondent: Mr A McPherson

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has five parts:

- Part A – Personal Details
- Part B – Representation
- Part C – Expanded Arguments to Support Representation
- Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name	<input type="text" value="Andrew McPherson"/>
Address	<div><div></div><div></div><div></div></div>
Email	<input type="text" value=""/>

PART B – REPRESENTATION

Just like the East Grinstead Area Action Plan in 2003/4, this DPD, unsupported by a credible evidence base, amounts to an attempt to foist inappropriate development on our town that would accommodate far more incomers than local residents, most of whom would be obliged to commute, mostly by car, out of East Grinstead mainly to Crawley/Gatwick, to other towns in Sussex, Surrey and Kent and by rail to London.

My comments below relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD	<input checked="" type="checkbox"/>
Sustainability Appraisal	<input checked="" type="checkbox"/>

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?	<input type="text" value="No"/>	Failure to positively engage with landowners/developers offering large strategic sites such as Crabbet Park
Justified?	<input type="text" value="No"/>	Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable
Effective?	<input type="text" value="No"/>	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="text" value="No"/>	Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes ☒ No ☐

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 as already highlighted in the Mid Sussex Local Plan that was adopted sixteen years ago in 2004.

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 villages of Crawley Down and Felbridge

1. The Council has failed to consult properly with the wider public

Unsound because ...

☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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..."*
- ❖ MSDC's Statement of Community Involvement 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"*.
- ❖ MSDC claim to have met their obligation to consult with residents by; Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council's social media channels; posts on the Council's website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign** ... MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they *"were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation."* Just 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. 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.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"*.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site was rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.

- ❖ The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *"to promote a place which is attractive to a full range of businesses, and where local enterprise thrives"*.

4. Allocation of sites SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*

- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.

- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

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

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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.*"

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhome Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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."

- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ 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 Imberhome 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 didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.

- ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ...*"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"*.
- ❖ The proposed site 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"*.
- ❖ The site allocation 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 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".

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a 'positive impact' on the Landscape without any explanation or evidence to support the officers' opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gulledge Farmhouse and Imberhome Farm Cottages

- The 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
- District Plan policy DP34 says that *“Special regard is given to protecting the setting of a listed building”*
- ❖ The proposed site also 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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location 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.
 - 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 is limited due to recreational disturbance.
 - NPPF paragraph 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.”*

PART 4 – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.

5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to **represent me at the Examination.**

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1539

Response Ref: Reg19/1539/1

Respondent: Mr J Knowles

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: [REDACTED]
Sent: 21 September 2020 14:17
To: ldfconsultation
Subject: Mid Sussex final consultation of proposed developments in and around Felbridge.
Attachments: Site_Allocations_DPD_Regulation_19_Response J Knowles.docx

Dear Sirs,

Please find herewith my response to the above proposals based on the response from Infrastructure First, which I fully endorse.

I would particularly draw your attention to my comments regarding SA19 - the 200 houses proposed on agricultural land in Felbridge.

1) This area is the nearest open green space leading as it does to a beautiful stretch of open agricultural land which is daily visited by many local residents. This provided an essential green lung for us during the lockdown. Such an area is irreplaceable. Thus this represents a totally unacceptable extension to Felbridge village and will result in coalescence with East Grinstead.

This is the closest area of open land to my home and is one of the principle reasons for this being such a pleasant area to live in. This attempt at suburbanising a semi rural location would have a severely detrimental effect on many local people's wellbeing and mental health , including my own.

Best regards
Jerry Knowles

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts: Part A – Personal Details
Part B – Representation
Part C – Expanded Arguments to Support Representation
Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name	Mr Jeremy Knowles
Address	<div>██████████ ██████████ ██████████ ██████████████████</div>
Email	██████████████

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD	<input checked="" type="checkbox"/>
Sustainability Appraisal	<input checked="" type="checkbox"/>

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?	<input type="checkbox"/> No	Failure to positively engage with landowners/developers offering large strategic sites such as Crabbet Park
Justified?	<input type="checkbox"/> No	Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable
Effective?	<input type="checkbox"/> No	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="checkbox"/> No	Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure **First group's activities**.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes ☒ No ☐

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) This area is the nearest open green space leading as it does to a beautiful stretch of open agricultural land which is daily visited by many local residents. This provided an essential green lung for us during the lockdown. Such an area is irreplaceable. Thus this represents a totally 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

1. The Council has failed to consult properly with the wider public

Unsound because ...

☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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..."*
- ❖ MSDC's Statement of Community Involvement 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"*.
- ❖ MSDC claim to have met their obligation to consult with residents by; Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council's social media channels; posts on the Council's website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign ...** MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they *"were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation."* Just 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. 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.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"*.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.

- ❖ The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *"to promote a place which is attractive to a full range of businesses, and where local enterprise thrives"*.

4. Allocation of sites SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*

- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.

- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

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

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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.*"

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhome Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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.*"

- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ 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 Imberhome 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 didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
- The strategic aims of policy DP6 are ...*"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"*.
- ❖ The proposed site 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"*.
- ❖ The site allocation 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 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".

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a 'positive impact' on the Landscape without any explanation or evidence to support the officers' opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gullede Farmhouse and Imberhome Farm Cottages
 - The 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
 - District Plan policy DP34 says that *"Special regard is given to protecting the setting of a listed building"*

- ❖ The proposed site also 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 paragraph 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"*
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- ❖ The farmlands at the proposed SA20 site location **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.
 - 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 is limited due to recreational disturbance.
 - NPPF paragraph 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."*

PART 4 – ACTIONS I AM SEEKING

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

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.
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3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
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5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to **represent me at the Examination.**

Site Allocations DPD: Regulation 19 Consultation Response**Policy:** SA19 - SA20**ID:** 1557**Response Ref:** Reg19/1557/1**Respondent:** Mr P Lucas**Organisation:****On Behalf Of:****Category:** Resident**Appear at Examination?** x

From: Patrick Lucas [REDACTED]
Sent: 21 September 2020 15:37
To: ldfconsultation
Subject: Site Allocations DPD Regulation 19 Response
Attachments: Site_Allocations_DPD_Regulation_19_Response.docx

Please find attached my letter of objection to the proposed development of houses on the following sites:

SA19 - Land south of Crawley Down Road
SA20 - Land south and west of Imberhorne Upper School

I have been a resident of Felbridge for 8 years and prior to that East Grinstead. The road infrastructure around East Grinstead and particularly Felbridge cannot accommodate any further significant development of houses. I live on Copthorne Road A264 approximately 1 mile from the junction with the A22. It has become perfectly normal now for traffic to back up from the junction with the A22 way past my house. On some occasions the tail backs stretch as far as the entrance to Furnace Wood which is approximately 1.5 miles in length. Building such a significant number of additional houses that will have cars all feed into the same junction is a recipe for gridlocking the entire area.

Until further evidence is provided that the new houses won't create congestion around Felbridge and East Grinstead I will continue to strongly oppose the developments detailed above.

Kind regards,
Patrick Lucas.

Site Allocations DPD: Regulation 19 Consultation Response**Policy:** SA19 - SA20**ID:** 1598**Response Ref:** Reg19/1598/1**Respondent:** Mr K Biggs**Organisation:****On Behalf Of:****Category:** Resident**Appear at Examination?** x

[REDACTED]

From: kevin biggs [REDACTED]
Sent: 21 September 2020 18:59
To: ldfconsultation
Subject: SA19 – Land South of Crawley Down Road SA20 – Land South and West of Imberhorne Upper School
Attachments: Site_Allocations_DPD_Regulation_19_Response.docx
Categories: SiteDPD

Dear Sir/Madam

Please register my opposition to these very large scale proposals that will affect the amenity and enjoyment of living in East Grinstead for generations to come. The services to East Grinstead, particularly on health fronts are severely stretched and the infrastructure, especially at the Star Inn junction is beyond capacity already exacerbated by the ridiculous "temporary" cycle lane.

I sincerely hope that these plans, especially SA20 are seen to be the wrong schemes at the wrong time and better, more proportionate, more well thought out proposals will result from this consultation.

Yours faithfully

Kevin M Biggs

1606

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1606

Response Ref: Reg19/1606/1

Respondent: Mr & Mrs G & S Rodd

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Andrew FOX [REDACTED]
Sent: 22 September 2020 10:55
To: ldfconsultation
Cc: Sue Rodd
Subject: Draft Site Allocations - Regulation 19 Response
Attachments: Site_Allocations_DPD_Regulation_19_Response.docx

Follow Up Flag: Follow up
Flag Status: Completed

Categories: SiteDPD

Please find attached our response to the LDF consultation.

Every time we walk over the fields we meet lots of other walkers who don't know about the plans for housing development and none of us want the beautiful countryside destroyed forever with concrete housing.

Regards

Sue & Geoff Rodd

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1642

Response Ref: Reg19/1642/1

Respondent: Mr M Pullin

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Ian Pullin [REDACTED]
Sent: 23 September 2020 09:35
To: ldfconsultation
Subject: Site allocations
Attachments: Site_Allocations_DPD_Regulation_19_Response.docx

Follow Up Flag: Follow up
Flag Status: Completed

Categories: SiteDPD

Dear Sirs

East Grinstead is the only large town without a by-pass , we have suffered enough .

1673

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1673

Response Ref: Reg19/1673/1

Respondent: Ms S Kipps

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: sue kipps [REDACTED]
Sent: 23 September 2020 14:56
To: ldfconsultation
Subject: SA19 AND SA20
Attachments: Site_Allocations_DPD_Regulation_19_Response (2).docx

Follow Up Flag: Follow up
Flag Status: Completed

Categories: SiteDPD

To whom it may concern,

I am so disappointed with the above proposal. This area just does not have the infrastructure to cope with more houses.

With Covid happening it has made it clear that people need to get out into open space for there mental well being and it seems that so many of our green spaces and walking areas are under threat as well as all the nature that we have left in this area. The villages are just going to be one concrete jungle.

With Gatwick hardly running there are so many people that are losing their lively hoods, who is going to be able to afford to buy all these new houses and where are they going to be working, the roads are congested enough.

Please abandon these proposals.

Regards Susan Kipps

1687

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1687

Response Ref: Reg19/1687/1

Respondent: Mr G Slatter

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts: Part A – Personal Details
 Part B – Representation
 Part C – Expanded Arguments to Support Representation
 Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name	<input type="text" value="Graham Slatter"/>
Address	<div><div></div><div></div><div></div></div>
Email	<input type="text" value=""/>

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD	<input checked="" type="checkbox"/>
Sustainability Appraisal	<input checked="" type="checkbox"/>

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?	<input type="text" value="No"/>	Failure to positively engage with landowners/developers offering large strategic sites such as Crabbet Park
Justified?	<input type="text" value="No"/>	Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable
Effective?	<input type="text" value="No"/>	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="text" value="No"/>	Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

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 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

1. The Council has failed to consult properly with the wider public

Unsound because ...

☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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..."*
- ❖ MSDC's Statement of Community Involvement 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"*.
- ❖ MSDC claim to have met their obligation to consult with residents by: Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council's social media channels; posts on the Council's website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign ...** MSDC state 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
 - **News 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 have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they *"were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation."* Just 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. 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.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that "*planning policies should be flexible enough to accommodate needs not anticipated in the plan*".
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)*".
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.

- ❖ The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *"to promote a place which is attractive to a full range of businesses, and where local enterprise thrives"*.

4. Allocation of sites SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*

- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.

- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

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

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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.*"

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhome Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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.*"

- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ 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 didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ MSDC failed to engage when asked to allocate a portion of the funding allocated for Sports and Leisure from the smallest of the three developments for more than 120 dwellings already approved on MSDC land with access from Felbridge/Surrey roads.

In October 2018, referring to DM/18/3022 11a Crawley Down Road, the MSDC Community Leisure Officer said increased demand from this development of 32 dwellings would require a contribution of £28009 for play equipment and £23538 for kickabout provision for older children. The Felbridge playground and sports fields are within a short walk but MSDC have allocated funding instead to facilities which are 1.5k from the site. On 13th August Felbridge Parish Council wrote to MSDC to request that some of these funds were used to upgrade and extend existing Felbridge facilities just 100m away on the same road but six weeks later there has been no response.

- ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ...*"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"*.
- ❖ The proposed site 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"*.
- ❖ The site allocation 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 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".

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
- The planning assessment proforma rates the SA20 **site location as having a 'positive impact' on the Landscape** without any explanation or evidence to support the officers' **opinion**.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gulledge Farmhouse and Imberhorne Farm Cottages
 - The 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
 - District Plan policy DP34 says that ***"Special regard is given to protecting the setting of a listed building"***
- ❖ The proposed site also **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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location **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.
 - **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 is limited due to recreational disturbance.
 - NPPF paragraph 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."***

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.

3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.
5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to **represent me at the Examination.**

1704

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1704

Response Ref: Reg19/1704/1

Respondent: Mrs P Smith

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

From: Pat Smith [REDACTED]
Sent: 23 September 2020 19:40
To: ldfconsultation
Subject: proposed development: SA19 & SA20
Attachments: Felbridge & E Grinsted Site_Allocations_DPD_Regulation_19_Response.docx

Follow Up Flag: Follow up
Flag Status: Completed

Categories: SiteDPD

Dear sirs,

I attach my objections to the proposed developments above.

I would also point you towards statements made by the Housing Secretary re infrastructure first:

[Housing Secretary unveils 'infrastructure first' approach - CCN response - County Councils Network](#)



Mrs Patricia Smith

1726

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1726

Response Ref: Reg19/1726/2

Respondent: Mrs B M Hollingsworth

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

Barbara M Hollingsworth

[REDACTED]

[REDACTED]

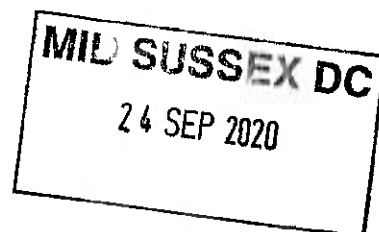
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Email: [REDACTED]



23rd September 2020

RECORDED DELIVERY

Planning Policy and Economic Development
Mid Sussex District Council
Oakland
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Dear Sirs,

Re: Site Allocations Development Plan Document. July 2020

My husband and I live in a property adjoining SA19.

1. I wish to record my objections to the proposals contained in the Site Allocations Development Plan Document. To that end, I attach a document headed **"RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19"**.
2. Our property is bounded to the South by SA19 and to the East by the site of the proposed Access Road to SA19, namely 71 Crawley Down Road. **See Document 1.** Our property is shown edged red.
3. (a) I have seen plans showing that part of our property is to be part of the Access Road, presumably because the land comprised in 71 Crawley Down Road fails to meet adequate width requirements.

The flank wall of our house is 2.46 metres from the boundary fence with Number 71. The nearest part of our garage is 0.68 metres from the boundary fence with Number 71.

It appears to us that the Access Road works will result in (a) the total revision of the position of our eastern boundary (b) the demolition of our garage or extensive works of alteration and (c) a revised eastern boundary of our property giving us limited

means of escape and limited means of access, e.g. to our garden and garage, limited privacy, and exposure to considerable noise and disruption

And what of the services (sewage, drains, gas and electricity supplies, etc.,) that are under this land? Will they be affected?

Will the reduced width of our land satisfy statutory requirements, such as fire escape?

At the worst, the structure of our home may be put at risk.

(b) The Access Road works will involve the felling of an Oak Tree. That tree is protected by a Tree Preservation Order dated 02/09/2004 (Title GR/5/TPO/04). It is within 71 Crawley Down Road's title.

(c) And all of that ignores the impact that the nearness of the Access Road is going to have on our lives generally and those of anyone who purchases from us. I have invested a large amount of money in this property and at the age of 84 maybe you can appreciate our bewilderment at the current prospects.

(d) I wonder whether any consideration has been given to the required additional land – or part thereof – being taken from numbers 3 and 4 Leybourne Place (i.e. the land on the opposite side of 71 Crawley Down Road to our property?). The houses on those properties are set well back from their boundaries with 71 Crawley Down Road. I fail to see that I and my husband should bear the whole burden of supplying the additional land that is required.

These are issues that require careful assessment under the **General Principles for Site Allocations "Air Quality, Light, Noise and Amenity"** on page 16.

4. General Principle: - Historic Environment and Cultural Heritage.

Three points, if I may.

(a) SA 19 is crossed by the site of a Roman Road. See **Document 2**, which is the HMLR filed plan for the westerly field forming part of SA19. Surely that falls with "Historic Environment and Cultural Heritage"?

(b) In November 2006, the developers of Oak Farm Place supplied us with an Environmental Report covering an area of 250 metres from Oak Farm Place (and therefore much of SA19). This revealed a British Geological Survey containing the statement that it had:

".. assessed the area of search as having a low likelihood of property damage from subsidence relating to low shallow mining. Further action is unlikely to be required. **Nevertheless, surveyors should remain aware that locally uncharted mine workings may be present.**"

(c) The Report also touched on the issue of flooding from Felbridge Water. I saw the field to the South of our property flooded during January 2020.

5. General Principle: - Biodiversity and Green Infrastructure.

There is a large variety of wildlife that is likely to suffer from the proposed development. Over the last thirteen years, I have had much enjoyment from such visitors as deer, owls, bats, foxes, and a wide range of butterflies and birds. The deer spend much time in Birches Wood. The proposed development is likely to result in the deer finding alternative homes.

Frankly, I do not think this principle is going to be satisfied by a development of 200 homes. The above Principle refers to "net gains" **being** obtained. Frankly, I don't think this will be achieved. The deer will cease visiting. And those bats may well move to pastures new – if any such exist.

Yours faithfully,



Barbara M. Hollingsworth (Mrs)

Annexures:

Document 1 – Site plan of our property

Document 2 – Site of Roman Road

Response to Submission Sites Allocations DPD – Regulation 19.

HM Land Registry

Official copy of
title plan

DOCUMENT 1

Title number **WSX310228**

Ordnance Survey map reference **TQ3639SE**

Scale **1:1250**

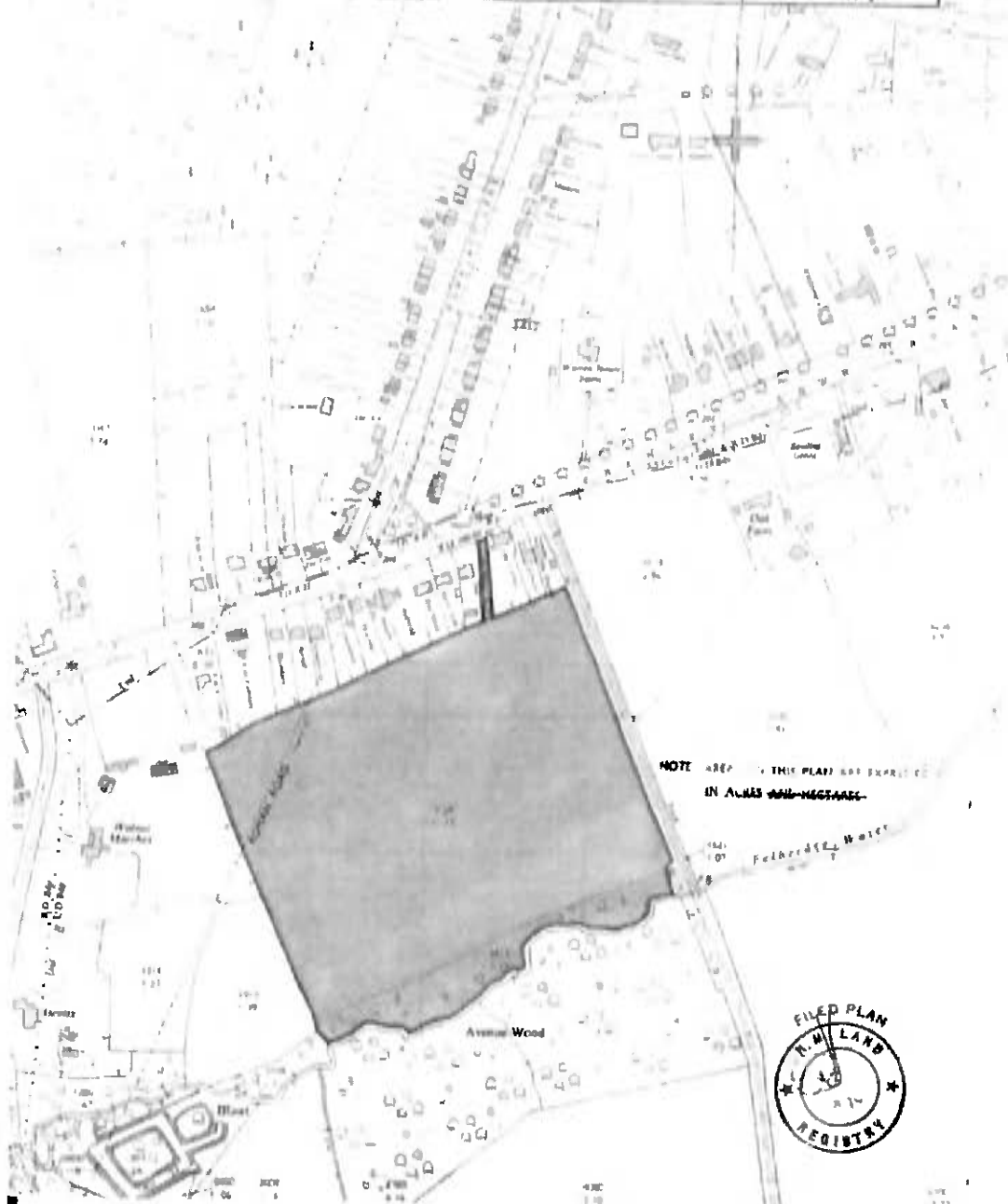
Administrative area **West Sussex : Mid
Sussex**



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DOCUMENT 2

H.M. LAND REGISTRY		TITLE NUMBER WSX 1783
ORDNANCE SURVEY PLAN REFERENCE	TQ 3639	Scale 1/2500
PARISH WEST SUSSEX	DISTRICT EAST GRINSTEAD	© Crown Copyright



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RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four
parts:

Part – Personal Details
A

Part – Representation
B

Part – Expanded Arguments to Support
C Representation

Part – Actions I am seeking
D

PART A – PERSONAL DETAILS

Name **BERNARD AND BARBARA HOLLINGSWORTH**

Address

[Redacted Address]

Email

[Redacted Email]

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD

☒

Sustainability Appraisal

☒

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?

☐ No

Failure to positively engage with
landowners/developers offering large strategic sites

Justified?

☐ No

Failure to properly take account of reasonable
alternatives, and failure to show sites SA19 & SA20 to
be sustainable or deliverable

Effective?

☐ No

Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead

Consistent with National

☐ No

Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure First group's activities.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes

☒

No

☐

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 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.

PART C – EXPANDED ARGUMENTS TO SUPPORT REPRESENTATION

1. The Council has failed to consult properly with the wider public

Unsound because ...

☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ The National Planning Policy Framework [NPPF] requires councils to carry out public consultation on plans that is transparent and front-loaded (i.e. 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...”*
- ❖ MSDC’s Statement of Community Involvement 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”*.
- ❖ MSDC claim to have met their obligation to consult with residents by; Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council’s social media channels; posts on the Council’s website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign ...** MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
- Officers can only say that they *“were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation.”* Just 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. 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.
- ❖ **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.
- ❖ **No alerts in Mid Sussex Matters ...**
- MSDC’s own magazine is distributed at taxpayers’ expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
 - 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley’s unmet need were summarily discarded without due consideration
- ☒ So-called ‘High Performing Sites’ were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.
- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"*.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.
- ❖ The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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

- Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *"to promote a place which is attractive to a full range of businesses, and where local enterprise thrives"*.

4. Allocation of sites SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
 - ☒ The MSDC strategic transport assessment understates baseline traffic conditions
 - ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
 - ☒ There are no demonstrable highway mitigation proposals
-

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*
- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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.*"
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.
- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

	SYSTRA Model			WSP Model	
	AM Peak	PM Peak		AM Peak	PM Peak
Junction Capacity	61%	65%		106.60%	101.40%
Vehicle Queue	2	3		48	33

Queuing Delay	15 secs	21 secs	3 mins 2 secs	1 min 55 secs
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- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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."*

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhorne Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

-
- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
 - ❖ 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."

- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ 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 didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

-
- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ... *"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"*.
- ❖ The proposed site 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"*.
- ❖ The site allocation 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 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".

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations SA20 is surrounded by high yielding agricultural land that justifies an Agricultural Land Classification Grade of 3a (i.e. 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a 'positive impact' on the Landscape without any explanation or evidence to support the officers' opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gulledge Farmhouse and Imberhorne Farm Cottages
 - The 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
 - District Plan policy DP34 says that *"Special regard is given to protecting the setting of a listed building"*
- ❖ The proposed site also 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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location 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.

- o 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 is limited due to recreational disturbance.
- o NPPF paragraph 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."*

PART 4 – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.
5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

1727

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1727

Response Ref: Reg19/1727/1

Respondent: Mr B Holliingsworth

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

Bernard Hollingsworth

[REDACTED]

[REDACTED]

[REDACTED]

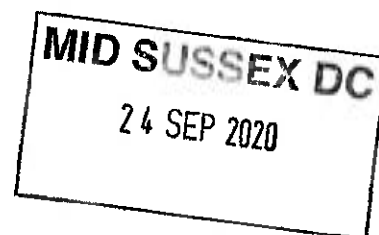
[REDACTED]

[REDACTED]

[REDACTED]

Email: [REDACTED]

23rd September 2020



RECORDED DELIVERY

Planning Policy and Economic Development
Mid Sussex District Council
Oakland
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Dear Sirs,

Re: Site Allocations Development Plan Document. July 2020

My wife and I live in a property adjoining SA19.

1. I wish to record my objections to the proposals contained in the Site Allocations Development Plan Document. To that end, I attach a document headed "**RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19**".
2. Our property is bounded to the South by SA19 and to the East by the site of the proposed Access Road to SA19, namely 71 Crawley Down Road. **See Document 1.** Our property is shown edged red.
3. (a) I have seen plans showing that part of our property is to be part of the Access Road, presumably because the land comprised in 71 Crawley Down Road fails to meet adequate width requirements.

The flank wall of our house is 2.46 metres from the boundary fence with Number 71. The nearest part of our garage is 0.68 metres from the boundary fence with Number 71.

It appears to us that the Access Road works will result in (a) the total revision of the position of our eastern boundary (b) the demolition of our garage or extensive works of alteration and (c) a revised eastern boundary of our property giving us limited

means of escape and limited means of access, e.g. to our garden and garage, limited privacy, and exposure to considerable noise and disruption

And what of the services (sewage, drains, gas and electricity supplies, etc.,) that are under this land? Will they be affected?

Will the reduced width of our land satisfy statutory requirements, such as fire escape?

At the worst, the structure of our home may be put at risk.

(b) The Access Road works will involve the felling of an Oak Tree. That tree is protected by a Tree Preservation Order dated 02/09/2004 (Title GR/5/TPO/04). It is within 71 Crawley Down Road's title.

(c) And all of that ignores the impact that the nearness of the Access Road is going to have on our lives generally and those of anyone who purchases from us. I have invested a large amount of money in this property and at the age of 84 maybe you can appreciate our bewilderment at the current prospects.

(d) I wonder whether any consideration has been given to the required additional land – or part thereof – being taken from numbers 3 and 4 Leybourne Place (i.e. the land on the opposite side of 71 Crawley Down Road to our property?). The houses on those properties are set well back from their boundaries with 71 Crawley Down Road. I fail to see that I and my husband should bear the whole burden of supplying the additional land that is required.

These are issues that require careful assessment under the **General Principles for Site Allocations "Air Quality, Light, Noise and Amenity"** on page 16.

4. General Principle: - Historic Environment and Cultural Heritage.

Three points, if I may.

(a) SA 19 is crossed by the site of a Roman Road. See **Document 2**, which is the HMLR filed plan for the westerly field forming part of SA19. Surely that falls with "Historic Environment and Cultural Heritage"?

(b) In November 2006, the developers of Oak Farm Place supplied us with an Environmental Report covering an area of 250 metres from Oak Farm Place (and therefore much of SA19). This revealed a British Geological Survey containing the statement that it had:

".. assessed the area of search as having a low likelihood of property damage from subsidence relating to low shallow mining. Further action is unlikely to be required. **Nevertheless, surveyors should remain aware that locally uncharted mine workings may be present.**"

(c) The Report also touched on the issue of flooding from Felbridge Water. I saw the field to the South of our property flooded during January 2020.

5. General Principle: - Biodiversity and Green Infrastructure.

There is a large variety of wildlife that is likely to suffer from the proposed development. Over the last thirteen years, I have had much enjoyment from such visitors as deer, owls, bats, foxes, and a wide range of butterflies and birds. The deer spend much time in Birches Wood. The proposed development is likely to result in the deer finding alternative homes.

Frankly, I do not think this principle is going to be satisfied by a development of 200 homes. The above Principle refers to "net gains" being obtained. Frankly, I don't think this will be achieved. The deer will cease visiting. And those bats may well move to pastures new – if any such exist.

Yours faithfully,



.....
Bernard Hollingsworth (Mr)

Annexures:

Document 1 – Site plan of our property

Document 2 – Site of Roman Road

Response to Submission Sites Allocations DPD – Regulation 19.

HM Land Registry

Official copy of
title plan

DOCUMENT 1

Title number **WSX310228**

Ordnance Survey map reference **TQ3639SE**

Scale **1:1250**

Administrative area **West Sussex : Mid
Sussex**



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Document 2

H.M. LAND REGISTRY		TITLE NUMBER WSX 1783
ORDNANCE SURVEY PLAN REFERENCE	TQ 3639	Scale 1/2500
LOCALITY WEST SUSSEX DISTRICT EAST GRINSTEAD		© Crown copyright



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RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts:

Part – Personal Details
A

Part – Representation
B

Part – Expanded Arguments to Support
C Representation

Part – Actions I am seeking
D

PART A – PERSONAL DETAILS

Name

BERNARD AND BARBARA HOLLINGSWORTH

Address

[REDACTED ADDRESS]

Email

[REDACTED EMAIL]

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD

☒

Sustainability Appraisal

☒

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?

☐ No

Failure to positively engage with landowners/developers offering large strategic sites

Justified?

☐ No

Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable

Effective?

☐ No

Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead

Consistent with National

☐ No

Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure First group's activities.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes

☒

No

☐

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 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.

PART C – EXPANDED ARGUMENTS TO SUPPORT REPRESENTATION

1. The Council has failed to consult properly with the wider public

Unsound because ...

- ☒ MSDC has failed to deliver on its Statement of Community Involvement strategy
-

- ❖ The National Planning Policy Framework [NPPF] requires councils to carry out public consultation on plans that is transparent and front-loaded (i.e. 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...”*
- ❖ MSDC’s Statement of Community Involvement 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”*.
- ❖ MSDC claim to have met their obligation to consult with residents by; Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council’s social media channels; posts on the Council’s website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign ...** MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
- Officers can only say that they *“were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation.”* Just 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. 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.
- ❖ **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.
- ❖ **No alerts in Mid Sussex Matters ...**
- MSDC’s own magazine is distributed at taxpayers’ expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
 - 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley’s unmet need were summarily discarded without due consideration
- ☒ So-called ‘High Performing Sites’ were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.
- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"*.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.
- ❖ The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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

- Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *"to promote a place which is attractive to a full range of businesses, and where local enterprise thrives"*.

4. Allocation of sites SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
 - ☒ The MSDC strategic transport assessment understates baseline traffic conditions
 - ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
 - ☒ There are no demonstrable highway mitigation proposals
-

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*
- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.
- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

	SYSTRA Model		WSP Model	
	AM Peak	PM Peak	AM Peak	PM Peak
Junction Capacity	61%	65%	106.60%	101.40%
Vehicle Queue	2	3	48	33

Queuing Delay	15 secs	21 secs	3 mins 2 secs	1 min 55 secs
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- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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."*

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhorne Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

-
- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
 - ❖ 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."

- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ 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 didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
 - ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13
-

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ... *"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".*
- ❖ The proposed site 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".*
- ❖ The site allocation 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 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".

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations SA20 is surrounded by high yielding agricultural land that justifies an Agricultural Land Classification Grade of 3a (i.e. 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a 'positive impact' on the Landscape without any explanation or evidence to support the officers' opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gulledge Farmhouse and Imberhorne Farm Cottages
 - The 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
 - District Plan policy DP34 says that *"Special regard is given to protecting the setting of a listed building"*
- ❖ The proposed site also 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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location 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.

- 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 is limited due to recreational disturbance.
- NPPF paragraph 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."*

PART 4 – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabtree Park and Mayfield.
5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

1742

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1742

Response Ref: Reg19/1742/1

Respondent: Mr J Lewis

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts: Part A – Personal Details
 Part B – Representation
 Part C – Expanded Arguments to Support Representation
 Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name	<input type="text" value="John Lewis"/>
Address	<div><div></div><div></div><div></div></div>
Email	<input type="text" value=""/>

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD	<input checked="" type="checkbox"/>
Sustainability Appraisal	<input checked="" type="checkbox"/>

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?	<input type="text" value="No"/>	Failure to positively engage with landowners/developers offering large strategic sites such as Crabbet Park
Justified?	<input type="text" value="No"/>	Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable
Effective?	<input type="text" value="No"/>	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead

Consistent with National Policy?

No

Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure First group's activities.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes



No



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 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.

1. The Council has failed to consult properly with the wider public

Unsound because ...

☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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...”*
- ❖ MSDC’s Statement of Community Involvement 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”*.
- ❖ MSDC claim to have met their obligation to consult with residents by: Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council’s social media channels; posts on the Council’s website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign** ... MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they *“were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation.”* Just 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. 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.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range of infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that "*planning policies should be flexible enough to accommodate needs not anticipated in the plan*".
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)*".
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.

- ❖ The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *“to provide opportunities for people to live and work in their communities, reducing the need for commuting”*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *“to promote a place which is attractive to a full range of businesses, and where local enterprise thrives”*.

4. Allocation of sites SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *“The constrained nature of East Grinstead’s current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity.”*
- ❖ It is clear that the Imberhorne Farm Development comprising of 500 dwellings that this alone could generate 1000 cars on the reasonable premise of 2 cars per household adding to this is the traffic generated by the

proposed Primary School, Local Centre & Care Community. All traffic from the development will exit only onto Imberhorne Lane already congested being a 'rat run' for traffic avoiding A22.

- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.
- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

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

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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."*

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhorne Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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."*

- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ 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 Imberhome 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 didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.

- ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ...*“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”.*
- ❖ The proposed site 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”.*
- ❖ The site allocation 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 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”.

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a ‘positive impact’ on the Landscape without any explanation or evidence to support the officers’ opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II* Listed buildings namely Gullege Farmhouse and Imberhome Farm Cottages.

- The rural setting of these listed buildings is important to their value as heritage assets including their current approach lanes from Imberhorne Lane and Felbridge Road. The development on the site would overwhelm the buildings and their settings and result in significant harm.
- District Plan policy DP34 says that *“Special regard is given to protecting the setting of a listed building”*
- ❖ The proposed site also 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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location 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.
 - 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 is limited due to recreational disturbance.
 - NPPF paragraph 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.”*

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.

5. Imberhorne Farm development be withdrawn as the existing road network will not accommodate the traffic likely to be generated by the proposed development.
6. 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 the junction improvements identified in Atkins 3 and the WSP studies.
7. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1744

Response Ref: Reg19/1744/1

Respondent: Mr M Gillies

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Mike Gillies [REDACTED]
Sent: 24 September 2020 17:00
To: ldfconsultation
Subject: Mid Sussex Site Allocation Consultation
Attachments: Site_Allocations_DPD_Regulation_19_Response East Grinstead Housing Plan .docx

Dear Sir/Madam,

Please find attached my letter of complaint regarding the proposed new housing developments at East Grinstead and Felbridge. I suggest that those advocating these sites for development come and stay in the area for a few days and try to drive in and out of East Grinstead at the two peak rush hour times AM & PM. I used to work at Gatwick Airport 8 miles from east Grinstead, the drive home would most days take me 40 minutes, 40 minutes to do 8 miles! I have lived in and around East Grinstead since 1974. The traffic on London Road EG has got steadily worse and worse seeing as it is the main route to Eastbourne (A22), putting yet more traffic on this route from new housing in the area is sheer folly and shows that those in charge of these development programs have not got a grasp of the true day to day traffic situation. Get them to join the traffic que at Felbridge traffic lights and crawl at 2 MPH up London road to the top of the town and the still maintain that traffic situation is still sustainable!

Regards
Michael Gillies

Sent from [Mail](#) for Windows 10

1747

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1747

Response Ref: Reg19/1747/1

Respondent: Mr N Guthrie

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Nigel GUTHRIE [REDACTED]
Sent: 24 September 2020 16:57
To: ldfconsultation
Subject: Building in Felbridge
Attachments: Site_Allocations_DPD_Regulation_19_Response (4).docx

I am very concerned about the traffic findings and there are a number of issues that are a concern.

1. Crawley Down Road is already a very busy road and at certain times of the day it can take over 10 minutes to travel from the village hall to the A264 junction. This can only get worse with an extra 750 homes and possible 1,500 extra cars.
2. There is a danger of a child been hit because of the high level of traffic already on this road during the start and end of school.
3. The school already recognises this as an issue as it is putting cones out where cars are not meant to park .
4. Speeding on this road is also an issue that will lead to more car crashes, one that was almost fatal occurred early this year.
5. Drainage – we already suffer from excess water for the road.

Regards

Nigel

Nigel Guthrie
[REDACTED]

This e-mail and any attachments is intended only for the recipient/s named above. It may contain confidential or privileged information and should not be read, copied or otherwise used by any other person. If you are not the named recipient/s, please notify the sender and delete this e-mail from your computer.

Nigel Guthrie cannot guarantee that this e-mail and attachments are free of viruses and you must ensure that you carry out your own virus checks. Nigel Guthrie accepts no liability for any loss or damage caused by software viruses.

1751

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1751

Response Ref: Reg19/1751/1

Respondent: Mr R Argyle

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: [REDACTED]
Sent: 24 September 2020 17:20
To: ldfconsultation
Subject: Imberhorne / Felbridge proposed building
Attachments: Imberhorne Building Response.docx

Hello,

Please find attached my Response to Submission Sites Allocations DPD REGULATION 19.

As an aside, do we really want to build homes under essentially, whatever Gatwick may say, a flight path ?

Living on the western side of East Grinstead an alarm clock is not required when we have an easterly wind ... the 05.45 hrs flight departure does the job!

Regards

Richard Argyle

1777

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1777

Response Ref: Reg19/1777/1

Respondent: Mr T Christen

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts: Part A – Personal Details
Part B – Representation
Part C – Expanded Arguments to Support Representation
Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name	Thomas Christen
Address	<div>██████████ ██████████████████ ██████ ██████████ ██████</div>
Email	██████████████████

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD	<input checked="" type="checkbox"/>
Sustainability Appraisal	<input checked="" type="checkbox"/>

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?	<input type="checkbox"/> No	Failure to positively engage with landowners/developers offering large strategic sites such as Crabbet Park
Justified?	<input type="checkbox"/> No	Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable
Effective?	<input type="checkbox"/> No	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="checkbox"/> No	Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

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 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

1. The Council has failed to consult properly with the wider public

Unsound because ...

☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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..."*
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- ❖ MSDC claim to have met their obligation to consult with residents by: Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council's social media channels; posts on the Council's website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign** ... MSDC state that the press release was distributed to the following:
 - **TV outlets** – ITV Meridian News & BBC South East Today
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 - Officers can only say that they *"were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation."* Just 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. 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.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
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- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

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- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"*.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.

- ❖ The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *"to promote a place which is attractive to a full range of businesses, and where local enterprise thrives"*.

4. Allocation of sites SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*

- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.

- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

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

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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.*"

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhome Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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.*"

- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ 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 Imberhome 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 didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
- The strategic aims of policy DP6 are ...*"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"*.
- ❖ The proposed site 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"*.
- ❖ The site allocation 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 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".

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a 'positive impact' on the Landscape without any explanation or evidence to support the officers' opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gullede Farmhouse and Imberhome Farm Cottages
 - The 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
 - District Plan policy DP34 says that *"Special regard is given to protecting the setting of a listed building"*

- ❖ The proposed site also **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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location **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.
 - **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 is limited due to recreational disturbance.**
 - NPPF paragraph 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."***

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.
5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group.

7. The substantial increase in traffic volume in the East Grinstead and surrounding area alone forbids a development of such size.

1793

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1793

Response Ref: Reg19/1793/1

Respondent: Mr H Nightingall

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Howard Nightingall [REDACTED]
Sent: 25 September 2020 10:41
To: ldfconsultation
Subject: Imberhorne Lane
Attachments: Site_Allocations_DPD_Regulation_19_Response.docx

As a young boy, this is where i grew up and enjoyed my childhood and this is where my mother still lives along Imberhorne Lane.

Houses are not needed in this area, but what is needed is rewilding and not destroying a natural habitat.

There is no infrastructure for this size of development and there is no need for it. Environment should be the focus and not over developing a place of great natural beauty. The community have not been informed properly and its appealing that this was even thought of. Greed and short sightedness.

Sincerely

Howard Nightingall

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1794

Response Ref: Reg19/1794/1

Respondent: Mr A Norris

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts: Part A – Personal Details
Part B – Representation
Part C – Expanded Arguments to Support Representation
Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name

Mr Andrew Norris

Address

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Email

[REDACTED]

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD



Sustainability Appraisal



I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?



Failure to positively engage with landowners/developers offering large strategic sites such as Crabbet Park

Justified?



Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable

Effective?



Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead

Consistent with National Policy?



Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only **become aware of this consultation from the Infrastructure First group's activities.**

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes ☒ No ☐

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

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- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign** ... MSDC state that the press release was distributed to the following:
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- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport. Lets not forget the Government has a 2050 zero carbon target to meet. I can't see why closer development to employment areas is being dismissed!

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"*.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.
- ❖ The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*. Really! Looking at the proposed DPD for East Grinstead you would be wondering where that logic had been applied!
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.

- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *"to promote a place which is attractive to a full range of businesses, and where local enterprise thrives"*.

4. Allocation of sites SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*
- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.
- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

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

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.

- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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."*

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhome Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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."*
- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated. Remember the government has that 2050 carbon neutral target to meet, we need to start now.
- ❖ <https://www.gov.uk/government/news/uk-becomes-first-major-economy-to-pass-net-zero-emissions-law>
- ❖ 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 Imberhome 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 didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ...*"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"*.
- ❖ The proposed site 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"*.
- ❖ The site allocation 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 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"*.

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The **planning assessment proforma rates the SA20 site location as having a 'positive impact' on the Landscape without any explanation or evidence to support the officers' opinion.**
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gulledge Farmhouse and Imberhorne Farm Cottages
 - The 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
 - District Plan policy DP34 says that ***"Special regard is given to protecting the setting of a listed building"***
- ❖ The proposed site also 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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location 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.
 - 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 is limited due to recreational disturbance.
 - NPPF paragraph 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."***

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.

5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. Finally we are in a worldwide pandemic - Covid19. I think that regardless of any outcomes all planning should be suspended until the full economic impact on jobs (especially with regards to Crawley/Gatwick) can be properly assessed.
7. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to represent **me at the Examination.**

Finally I would like to add as a Mid Sussex council tax payer, that I feel I am paying for a council that is doing it's best to avoid having the proper consultation with the very people who pay financially to support it's workings.

Yours Sincerely. Mr A Norris.

1811

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1811

Response Ref: Reg19/1811/1

Respondent: Mr J Capp

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has five parts:

- Part A – Personal Details
- Part B – Representation
- Part C – Expanded Arguments to Support Representation
- Part D – Additional Concerns I Have As An East Grinstead Resident.
- Part E – Actions I am seeking

PART A – PERSONAL DETAILS

Name John Frederick Capp

Address

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Email

[REDACTED]

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD

✓

Sustainability Appraisal

✓

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?

No

Failure to positively engage with landowners/developers offering large strategic sites such as Crabbet Park

Justified?

No

Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable

Failure to demonstrate strategic highway matters to be

Effective?	<input type="checkbox"/> No	deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="checkbox"/> No	Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure First group's activities.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination with respect to sites SA19 and 20. Yes ☒ No ☐

PLEASE NOTE: The concerns and actions with respect to SA18 are my additional contributions to this response and should be treated as such.

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 ...

SA18 – Former East Grinstead Police Station
 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

1. The Council has failed to consult properly with the wider public

Unsound because ...

☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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..."*
- ❖ MSDC's Statement of Community Involvement 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"*.
- ❖ MSDC claim to have met their obligation to consult with residents by; Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council's social media channels; posts on the Council's website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign ...** MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they *"were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation."* Just 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. 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.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that "*planning policies should be flexible enough to accommodate needs not anticipated in the plan*".
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)*".
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA18, SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.

- ❖ The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *"to promote a place which is attractive to a full range of businesses, and where local enterprise thrives"*.

4. Allocation of sites SA18, SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*

- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.

- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

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

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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.*"

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhome Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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.*"

- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ 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 Imberhome 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 didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
- The strategic aims of policy DP6 are ...*"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"*.
- ❖ The proposed site 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"*.
- ❖ The site allocation 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 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".

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a 'positive impact' on the Landscape without any explanation or evidence to support the officers' opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gulledge Farmhouse and Imberhome Farm Cottages
 - The 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
 - District Plan policy DP34 says that *"Special regard is given to protecting the setting of a listed building"*

- ❖ The proposed site also 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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location 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.
 - 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 is limited due to recreational disturbance.
 - NPPF paragraph 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."*

PART D – ADDITIONAL CONCERNS I HAVE AS AN EAST GRINSTEAD RESIDENT

IN MARCH 2020 HOUSING SECRETARY ROBERT JENRICK UNVEILED INITIAL HOUSING PROPOSALS AHEAD OF A PROMISED WHITE PAPER, INCLUDING AN AMBITION FOR AN 'INFRASTRUCTURE FIRST' APPROACH TO PLANNING.

Cllr Philip Atkins, housing and planning spokesperson for the County Councils Network, said:

"The Housing Secretary's ambition to move to an 'infrastructure first approach' to planning chimes with what many communities in county areas would like to see. More homes are being built – but we need to move away from simply planning by numbers to instead making sure that new developments do have access to the right amenities – both for existing and new residents.

This present proposal gives no clear proof that this is happening, rather the opposite will happen if this proposal goes ahead with East Grinstead, Crawley Down and the Police Station having nothing included to provide the sort of environment present residents are lacking, nor future infrastructure required for the new developments.

Generic Concerns

- ❖ Most schools in these areas are oversubscribed; new developments only increase the pressure on this. It is widely acknowledged the town already needs additional schools. These should be put in place prior to any new development as per the housing minister's proposals.

- ❖ There is much talk about improving infrastructure, there is no mention what will be done, how or who will pay for this. The proposal just mentions 'contributions', which are not specific and tend to be proven unreliable.
- ❖ The greenfield space around East Grinstead is slowly but surely being eroded, to the detriment of its residents. When will it stop? It has become an overdeveloped town with too much traffic with an increasingly poor infrastructure.
- ❖ Local habitat could be destroyed.
- ❖ Increased pressure on parking in Town, at the station and residential roads around it. I live in a road near the station and suffer with commuter parking and the issues this brings, this can only get worse with increased commuters.
- ❖ GPs and QVH have limited facilities and extremely stretched.
- ❖ Trains only travel north and buses are far too few with insufficient frequency and stop running far too early. Result of new housing equals extra traffic and associated pollution.
- ❖ There is little employment in EG, majority of workers commute to places outside of town, very many by car. If they work in London they will need transport to the station, which is not walkable in a reasonable time. Roads around the station will get more commuter parking.
- ❖ On top of all the current and proposed developments many large office blocks are or are being converted into, apartments. There could well be a situation where supply outstrips demand leading to property values decreasing.
- ❖ Parents will not stop driving their children to school safely given their fears of walking or cycling or putting them on a bus alone.

My specific concerns with each site are below; they are based 'pre-Covid':

Proposed Imberhorne Development – SA20

- ❖ This land is an arable greenfield site, can the country afford to be losing this facility as we move out of the EU?
- ❖ The town is already in need of much improved infrastructure: Schools, both primary and secondary already oversubscribed; GPs, one currently closed to new patients and the other two have been in recent times, plus of course improved transport, including roads. It is common knowledge that there is a minimum four week wait to see a GP.

- ❖ The access roads to the site must use Imberhorne Lane which is often subject to long delays due to congestion. The additional cars from the proposed 550 dwellings will clearly make matters worse both along this road and surrounding areas, specifically the A22 corridor.
- ❖ Cycle routes need coordinated planning; the current 'temporary trial' cycle lane along the A22 has proved a failure having been declared dangerous, and removed.
- ❖ Lack of connectivity from the proposed site into town as it is too far to walk, minimum 30 minutes from Imberhorne Lane, much longer from Felbridge, so the car will be used. There is insufficient parking in town currently, leading to parking in residential roads nearby.
- ❖ Imberhorne school needs to be rebuilt not extended. The plan to incorporate the Imberhorne Lower school at Imberhorne Lane has been in place for a number of years, the site at Windmill lane is planned for redevelopment. How will the 'extended' school meet the demand from the lower school move and the new residents?
- ❖ Where will the funding for specialist facilities and associated staff come from for the SEN activities, currently this is part funded by the Government. The mention of this implies something more will be added to an ever decreasing SEN local and national budget.
- ❖ There is no guarantee the green corridors will remain as the whole development would be using land designated for greenfield/arable pasture. This development will not be sustaining the landscape, it will be destroying it.

Felbridge – SA19

Most of the above equally applies to this site with respect to infrastructure requirements. And residents will be using the same schools, same town and the same roads.

- ❖ The access roads to the site must use Crawley Down Road which is often subject to long delays due to congestion. The additional cars from the proposed 200 dwellings will clearly make matters worse both along this road and surrounding areas, specifically the A22 corridor
- ❖ Will the pasture land be put to better use for agriculture as we have left the EU?

- ❖ Children attending Imberhorne will not have access to the school bus given the site is less than 3 miles from the school, so parents will have to drive them in. The walking route takes in the A264, A22 and Imberhorne Lane which are heavily used and hence leading to increased traffic pollution.
- ❖ The potential Flood risk issue with Felbridge water.
- ❖ Only a Small play space to be provided.

Police Station- SA18

- ❖ Are these dwellings really needed by the town? A quick search on 'Rightmove' shows 198 flats for sale in East Grinstead, many being 'new homes'. The number of office blocks being converted into dwellings is significant and will only add to this number. Loss of office space in town has decreased business and employment opportunities.
- ❖ The proposed site lies inside the Eastcourt area of the Town and is a public amenity. As such it should not be sold for the benefit of a developer to provide 'high end' accommodation in park land. The site should be preserved for the use of the town for recreational and educational purposes.
- ❖ Access to the site is onto the A264 near the Blackwell Hollow/Mount Noddy roundabout. The East arterial road for East Grinstead. This is opposite the planned development at Blackwell Farm Road. Leaving the site will only be onto the roundabout leading to further congestion at a busy junction. If there are plans to use the other entrance to Eastcourt, this will increase traffic through the park putting the public using the facility at increased risk.

PART E – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.

5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. MSDC to carry out a survey to establish the current levels of 'traffic pollution' at the A22/A264 and the A22/Imberhorne Lane junctions. The results to be compared against acceptable safe levels and what the impact of an increase of 750 households in the immediate area would have on these levels.
7. MSDC to explain why East Grinstead/Felbridge is expected to provide housing caused by the shortfalls in Crawley when there are significant developments underway around the M23/A264 junction, along the M23 and along the A264 corridors.
8. MSDC to provide number of Pupil places available in East Grinstead currently against the expected demand from new residents.
9. 'New' local developments in recent years have not adequately planned for the parking requirements of the households. How will MSDC ensure the Developer will provide adequate parking on this development? Failure to do so will impact adjoining areas.
10. MSDC to how the additional SEN provision at Imberhorne School can be met against the current shrinking SEN fund provided by the Government and what will be the impact when spread across the increased number of students.
11. MSDC to explain how it will ensure the developer will deliver all the 'promised' infrastructure improvements, or like so many cases we hear of will they slowly but surely not become reality?
12. MSDC to state what they will do to improve the existing 'failing' town infrastructure, and how will success be measured in the following areas:
 - a) NHS providers, e.g. GP access and QVH.
 - b) Education.
 - c) Transport.
 - d) Police presence.
13. MSDC to guarantee no further development at all three sites on surrounding land IF these proposals proceed, will precedents be set. I sincerely hope these are not 'thin edges of wedges' eating into our agricultural, pastures and public spaces.
14. MSDC to explain why the school is being extended and not 're-built' or a new school built in order to meet growing pupil numbers and provide improved educational and recreational facilities that could be used by the wider community. Currently the school is not fit for purpose, particularly being located on two sites, Imberhorne Lane and Windmill Lane.
15. MSDC to detail the size of 'public Space' on the Imberhorne site to be provided as far too much open space is being 'developed'.

16. The Imberhorne school proposal states 'Gypsies and Travellers and Travelling Showpeople provision may be required'. East Grinstead is currently not listed as a potential site for these people. MSDC to declare if this has changed?
17. The Felbridge site has one access road onto the Crawley Down Road with most traffic leading onto the A264 and then A22. East Grinstead is well known for not having a 'fit for purpose' road system for many years with the counties involved never agreeing a way forward. There appears no scope to improve what is there, what does the developer intend to collaboratively do with the local councils?
18. MSDC to conduct a survey of traffic use at the A264/Mount Noddy roundabout and impact of proposed developments at the Police Station and Blackwell Farm Road
19. to establish increased use and pollution levels.
20. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group with respect to SA19 and SA20 and would like them to represent me at the Examination. My contributions with respect to S18 are my representation.

1813

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1813

Response Ref: Reg19/1813/1

Respondent: Ms C Capp

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has five parts:

- Part A – Personal Details
- Part B – Representation
- Part C – Expanded Arguments to Support Representation
- Part D – Additional Concerns I Have As An East Grinstead Resident.
- Part E – Actions I am seeking

PART A – PERSONAL DETAILS

Name Caitriona Veronica Capp

Address

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Email

[REDACTED]

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD

✓

Sustainability Appraisal

✓

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?

No

Failure to positively engage with landowners/developers offering large strategic sites such as Crabbet Park

Justified?

No

Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable

Failure to demonstrate strategic highway matters to be

Effective?	<input type="checkbox"/> No	deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="checkbox"/> No	Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure First group's activities.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination with respect to sites SA19 and 20. Yes ☒ No ☐

PLEASE NOTE: The concerns and actions with respect to SA18 are my additional contributions to this response and should be treated as such.

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 ...

SA18 – Former East Grinstead Police Station
 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

1. The Council has failed to consult properly with the wider public

Unsound because ...

☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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..."*
- ❖ MSDC's Statement of Community Involvement 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"*.
- ❖ MSDC claim to have met their obligation to consult with residents by; Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council's social media channels; posts on the Council's website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign** ... MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they *"were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation."* Just 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. 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.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that "*planning policies should be flexible enough to accommodate needs not anticipated in the plan*".
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)*".
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA18, SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.

- ❖ The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *"to promote a place which is attractive to a full range of businesses, and where local enterprise thrives"*.

4. Allocation of sites SA18, SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*

- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.

- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

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

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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.*"

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhome Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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.*"

- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ 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 Imberhome 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 didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
- The strategic aims of policy DP6 are ...*"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"*.
- ❖ The proposed site 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"*.
- ❖ The site allocation 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 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".

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a 'positive impact' on the Landscape without any explanation or evidence to support the officers' opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gulledge Farmhouse and Imberhome Farm Cottages
 - The 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
 - District Plan policy DP34 says that *"Special regard is given to protecting the setting of a listed building"*

- ❖ The proposed site also 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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location 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.
 - 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 is limited due to recreational disturbance.
 - NPPF paragraph 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."*

PART D – ADDITIONAL CONCERNS I HAVE AS AN EAST GRINSTEAD RESIDENT

IN MARCH 2020 HOUSING SECRETARY ROBERT JENRICK UNVEILED INITIAL HOUSING PROPOSALS AHEAD OF A PROMISED WHITE PAPER, INCLUDING AN AMBITION FOR AN 'INFRASTRUCTURE FIRST' APPROACH TO PLANNING.

Cllr Philip Atkins, housing and planning spokesperson for the County Councils Network, said:

"The Housing Secretary's ambition to move to an 'infrastructure first approach' to planning chimes with what many communities in county areas would like to see. More homes are being built – but we need to move away from simply planning by numbers to instead making sure that new developments do have access to the right amenities – both for existing and new residents.

This present proposal gives no clear proof that this is happening, rather the opposite will happen if this proposal goes ahead with East Grinstead, Crawley Down and the Police Station having nothing included to provide the sort of environment present residents are lacking, nor future infrastructure required for the new developments.

Generic Concerns

- ❖ Most schools in these areas are oversubscribed; new developments only increase the pressure on this. It is widely acknowledged the town already needs additional schools. These should be put in place prior to any new development as per the housing minister's proposals.

- ❖ There is much talk about improving infrastructure, there is no mention what will be done, how or who will pay for this. The proposal just mentions 'contributions', which are not specific and tend to be proven unreliable.
- ❖ The greenfield space around East Grinstead is slowly but surely being eroded, to the detriment of its residents. When will it stop? It has become an overdeveloped town with too much traffic with an increasingly poor infrastructure.
- ❖ Local habitat could be destroyed.
- ❖ Increased pressure on parking in Town, at the station and residential roads around it. I live in a road near the station and suffer with commuter parking and the issues this brings, this can only get worse with increased commuters.
- ❖ GPs and QVH have limited facilities and extremely stretched.
- ❖ Trains only travel north and buses are far too few with insufficient frequency and stop running far too early. Result of new housing equals extra traffic and associated pollution.
- ❖ There is little employment in EG, majority of workers commute to places outside of town, very many by car. If they work in London they will need transport to the station, which is not walkable in a reasonable time. Roads around the station will get more commuter parking.
- ❖ On top of all the current and proposed developments many large office blocks are or are being converted into, apartments. There could well be a situation where supply outstrips demand leading to property values decreasing.
- ❖ Parents will not stop driving their children to school safely given their fears of walking or cycling or putting them on a bus alone.

My specific concerns with each site are below; they are based 'pre-Covid':

Proposed Imberhorne Development – SA20

- ❖ This land is an arable greenfield site, can the country afford to be losing this facility as we move out of the EU?
- ❖ The town is already in need of much improved infrastructure: Schools, both primary and secondary already oversubscribed; GPs, one currently closed to new patients and the other two have been in recent times, plus of course improved transport, including roads. It is common knowledge that there is a minimum four week wait to see a GP.

- ❖ The access roads to the site must use Imberhorne Lane which is often subject to long delays due to congestion. The additional cars from the proposed 550 dwellings will clearly make matters worse both along this road and surrounding areas, specifically the A22 corridor.
- ❖ Cycle routes need coordinated planning; the current 'temporary trial' cycle lane along the A22 has proved a failure having been declared dangerous, and removed.
- ❖ Lack of connectivity from the proposed site into town as it is too far to walk, minimum 30 minutes from Imberhorne Lane, much longer from Felbridge, so the car will be used. There is insufficient parking in town currently, leading to parking in residential roads nearby.
- ❖ Imberhorne school needs to be rebuilt not extended. The plan to incorporate the Imberhorne Lower school at Imberhorne Lane has been in place for a number of years, the site at Windmill lane is planned for redevelopment. How will the 'extended' school meet the demand from the lower school move and the new residents?
- ❖ Where will the funding for specialist facilities and associated staff come from for the SEN activities, currently this is part funded by the Government. The mention of this implies something more will be added to an ever decreasing SEN local and national budget.
- ❖ There is no guarantee the green corridors will remain as the whole development would be using land designated for greenfield/arable pasture. This development will not be sustaining the landscape, it will be destroying it.

Felbridge – SA19

Most of the above equally applies to this site with respect to infrastructure requirements. And residents will be using the same schools, same town and the same roads.

- ❖ The access roads to the site must use Crawley Down Road which is often subject to long delays due to congestion. The additional cars from the proposed 200 dwellings will clearly make matters worse both along this road and surrounding areas, specifically the A22 corridor
- ❖ Will the pasture land be put to better use for agriculture as we have left the EU?

- ❖ Children attending Imberhorne will not have access to the school bus given the site is less than 3 miles from the school, so parents will have to drive them in. The walking route takes in the A264, A22 and Imberhorne Lane which are heavily used and hence leading to increased traffic pollution.
- ❖ The potential Flood risk issue with Felbridge water.
- ❖ Only a Small play space to be provided.

Police Station- SA18

- ❖ Are these dwellings really needed by the town? A quick search on 'Rightmove' shows 198 flats for sale in East Grinstead, many being 'new homes'. The number of office blocks being converted into dwellings is significant and will only add to this number. Loss of office space in town has decreased business and employment opportunities.
- ❖ The proposed site lies inside the Eastcourt area of the Town and is a public amenity. As such it should not be sold for the benefit of a developer to provide 'high end' accommodation in park land. The site should be preserved for the use of the town for recreational and educational purposes.
- ❖ Access to the site is onto the A264 near the Blackwell Hollow/Mount Noddy roundabout. The East arterial road for East Grinstead. This is opposite the planned development at Blackwell Farm Road. Leaving the site will only be onto the roundabout leading to further congestion at a busy junction. If there are plans to use the other entrance to Eastcourt, this will increase traffic through the park putting the public using the facility at increased risk.

PART E – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.

5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. MSDC to carry out a survey to establish the current levels of 'traffic pollution' at the A22/A264 and the A22/Imberhorne Lane junctions. The results to be compared against acceptable safe levels and what the impact of an increase of 750 households in the immediate area would have on these levels.
7. MSDC to explain why East Grinstead/Felbridge is expected to provide housing caused by the shortfalls in Crawley when there are significant developments underway around the M23/A264 junction, along the M23 and along the A264 corridors.
8. MSDC to provide number of Pupil places available in East Grinstead currently against the expected demand from new residents.
9. 'New' local developments in recent years have not adequately planned for the parking requirements of the households. How will MSDC ensure the Developer will provide adequate parking on this development? Failure to do so will impact adjoining areas.
10. MSDC to how the additional SEN provision at Imberhorne School can be met against the current shrinking SEN fund provided by the Government and what will be the impact when spread across the increased number of students.
11. MSDC to explain how it will ensure the developer will deliver all the 'promised' infrastructure improvements, or like so many cases we hear of will they slowly but surely not become reality?
12. MSDC to state what they will do to improve the existing 'failing' town infrastructure, and how will success be measured in the following areas:
 - a) NHS providers, e.g. GP access and QVH.
 - b) Education.
 - c) Transport.
 - d) Police presence.
13. MSDC to guarantee no further development at all three sites on surrounding land IF these proposals proceed, will precedents be set. I sincerely hope these are not 'thin edges of wedges' eating into our agricultural, pastures and public spaces.
14. MSDC to explain why the school is being extended and not 're-built' or a new school built in order to meet growing pupil numbers and provide improved educational and recreational facilities that could be used by the wider community. Currently the school is not fit for purpose, particularly being located on two sites, Imberhorne Lane and Windmill Lane.
15. MSDC to detail the size of 'public Space' on the Imberhorne site to be provided as far too much open space is being 'developed'.

16. The Imberhorne school proposal states 'Gypsies and Travellers and Travelling Showpeople provision may be required'. East Grinstead is currently not listed as a potential site for these people. MSDC to declare if this has changed?
17. The Felbridge site has one access road onto the Crawley Down Road with most traffic leading onto the A264 and then A22. East Grinstead is well known for not having a 'fit for purpose' road system for many years with the counties involved never agreeing a way forward. There appears no scope to improve what is there, what does the developer intend to collaboratively do with the local councils?
18. MSDC to conduct a survey of traffic use at the A264/Mount Noddy roundabout and impact of proposed developments at the Police Station and Blackwell Farm Road
19. to establish increased use and pollution levels.
20. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group with respect to SA19 and SA20 and would like them to represent me at the Examination. My contributions with respect to S18 are my representation.

1845

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1845

Response Ref: Reg19/1845/1

Respondent: Mrs F Bird

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Fiona Bird [REDACTED]
Sent: 26 September 2020 10:57
To: ldfconsultation
Subject: Draft Site Allocations DPD - Regulation 19 Response
Attachments: Site_Allocations_DPD_Regulation_19_Response.docx

I attach my letter in regards of the above proposal.

As a resident of Felbridge for 9 years, and having already seen a huge and unsustainable increase in traffic along the A264 corridor (much more affected than the A22), this proposal for the construction of 100s of new houses is quite frankly ludicrous! The current infrastructure for them just does not exist and I see nowhere in the outline any plans to improve it accordingly.

Regards
Fiona Bird

1861

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1861

Response Ref: Reg19/1861/1

Respondent: Mr P Suddaby

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts: Part A – Personal Details
 Part B – Representation
 Part C – Expanded Arguments to Support Representation
 Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name	Peter Suddaby
Address	<div>██████████</div> <div>██████████</div> <div>██████████</div>
Email	██████████

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD	<input checked="" type="checkbox"/>
Sustainability Appraisal	<input checked="" type="checkbox"/>

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?	<input type="checkbox"/> No	Failure to positively engage with landowners/developers offering large strategic sites such as Crabbet Park
Justified?	<input type="checkbox"/> No	Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable
Effective?	<input type="checkbox"/> No	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="checkbox"/> No	Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure **First group's activities**.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes

☒

No

☐

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 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

1. The Council has failed to consult properly with the wider public

Unsound because ...

☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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..."*
- ❖ MSDC's Statement of Community Involvement 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"*.
- ❖ MSDC claim to have met their obligation to consult with residents by; Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council's social media channels; posts on the Council's website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign ...** MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they *"were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation."* Just 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. 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.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"*.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.

- ❖ The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *"to promote a place which is attractive to a full range of businesses, and where local enterprise thrives"*.

4. Allocation of sites SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*

- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.

- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

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

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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.*"

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhome Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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.*"

- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ 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 didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
- The strategic aims of policy DP6 are ...*"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"*.
- ❖ The proposed site 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"*.
- ❖ The site allocation 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 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".

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a 'positive impact' on the Landscape without any explanation or evidence to support the officers' opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gullede Farmhouse and Imberhome Farm Cottages
 - The 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
 - District Plan policy DP34 says that *"Special regard is given to protecting the setting of a listed building"*

- ❖ The proposed site also 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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location 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.
 - 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 is limited due to recreational disturbance.
 -
 -
 - NPPF paragraph 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."*

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.
5. 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 the junction improvements identified in Atkins 3 and the WSP studies.

6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to **represent me at the Examination**.
7. In addition, the MSDC should state in detail how the increase in traffic, generated from these residential developments, will complement or conflict with the environmental /community needs of alternative non-motor vehicle (bicycle, foot or battery powered personal device) transport.

1886

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1886

Response Ref: Reg19/1886/1

Respondent: Mr B Rogers

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Ben Rogers [REDACTED]
Sent: 28 September 2020 09:33
To: ldfconsultation
Subject: Response to Development Proposals
Attachments: Site_Allocations_DPD_Regulation_19_Response - BSC Rogers.docx

Good morning,

Please find attached my response in relation to recent development proposals. These proposals are not in keeping with the claims of sustainability made by both local and national leaders, and ignore possible brownfield sites in the area.

Kind Regards,

B Rogers

1888

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1888

Response Ref: Reg19/1888/1

Respondent: Mr J Hogwood

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: james hogwood [REDACTED]
Sent: 27 September 2020 21:03
To: ldfconsultation
Subject: HOUSING CONSULTATION: SA19 and SA20
Attachments: Site_Allocations_DPD_Regulation_19_Response.pdf

I attach my response to the consultation on the planning developments around Imberhorne Farm and Crawley Down Road.

New housing is necessary, but there appear to have been no meaningful attempts to engage the wider community in this planning process, and I strongly believe that there are better solutions to manage the need for new homes with less impact on the local community, and the land.

Please confirm receipt of this letter.

best,
James Hogwood

--
james hogwood
[REDACTED]

1895

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1895

Response Ref: Reg19/1895/1

Respondent: Ms J Gray

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

From: [REDACTED]
Sent: 28 September 2020 11:18
To: ldfconsultation
Subject: DPD Consultation SA20 & SA19

I support Infrastructure First and wish to endorse their comments.
I don't wish to fill your inbox with a copy of their response and hope this email is sufficient.

I am concerned that the Strategic Gap or Countryside Area of Development Restraint is being ignored in this proposal.

Response to Submission Sites Allocations DPD REGULATION 19

PART A – PERSONAL DETAILS

Name	Julie Gray
Address	[REDACTED]
Email	[REDACTED]

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD

☒

Sustainability Appraisal

☒

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure First group's activities.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes ☒

No ☐

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

Julie Gray

1898

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1898

Response Ref: Reg19/1898/1

Respondent: Mr O Davies

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Owen Davies [REDACTED]
Sent: 25 September 2020 22:12
To: ldfconsultation
Subject: Draft Site Allocation - Regulation 19 Response SA19 & SA20
Attachments: Site_Allocations_DPD_Regulation_19_Response-25 Sept20.docx

Dear Sir, Madam

As a local resident of East Grinstead, please find attached my objections to the Site Allocations DPD and Sustainability Appraisal for SA19 (Land South of Crawley Down Road) and SA20 (Land South and West of Imberhorne Upper School).

These are wrong on so many levels, as detailed within the attached letter, and not least because they seemingly appear to have been tried to be pushed through without due consultation with local East Grinstead residents.

I oppose these developments in the strongest possible terms.
Please keep me informed of your deliberations at the above email address.

Kind regards
Owen Davies

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts: Part A – Personal Details
Part B – Representation
Part C – Expanded Arguments to Support Representation
Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name	Mr Owen Davies
Address	<div>██████████</div> <div>██████████</div> <div>██████████</div> <div>██████████</div>
Email	████████████████████

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD	<input checked="" type="checkbox"/>
Sustainability Appraisal	<input checked="" type="checkbox"/>

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?	<input type="checkbox"/> No	Failure to positively engage with landowners/developers offering large strategic sites such as Crabbet Park
Justified?	<input type="checkbox"/> No	Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable
Effective?	<input type="checkbox"/> No	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="checkbox"/> No	Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure **First group's activities**.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes

☒

No

☐

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 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

1. The Council has failed to consult properly with the wider public

Unsound because ...

☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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..."*
- ❖ MSDC's Statement of Community Involvement 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"*.
- ❖ MSDC claim to have met their obligation to consult with residents by; Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council's social media channels; posts on the Council's website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign** ... MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they *"were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation."* Just 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. 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.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"*.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.

- ❖ The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *"to promote a place which is attractive to a full range of businesses, and where local enterprise thrives"*.

4. Allocation of sites SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*

- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.

- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

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

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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.*"
- ❖ The A22/Imberhome Lane junction is also above capacity and since this will be the main access point to the Imberhome Farm development, it will not be able to cope with any increased traffic levels. No proposals are given for capacity increase proposals for this junction to accommodate increased traffic.

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhome Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.

- ❖ 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.”*
- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ 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 Imberhome 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 didn’t have to accept housing allocations like these without 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”*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.

- ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ...*"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"*.
- ❖ The proposed site 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"*.
- ❖ The site allocation 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 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".

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a 'positive impact' on the Landscape without any explanation or evidence to support the officers' opinion.

- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gullledge Farmhouse and Imberhorne Farm Cottages
 - The 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
 - District Plan policy DP34 says that *“Special regard is given to protecting the setting of a listed building”*
- ❖ The proposed site also **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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location **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.
 - **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 is limited due to recreational disturbance.
 - NPPF paragraph 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.”*

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.

5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to **represent me at the Examination.**

In summary, as a local resident of East Grinstead, I am objecting to the Site Allocations DPD and Sustainability Appraisal for SA19 (Land South of Crawley Down Road) and SA20 (Land South and West of Imberhorne Upper School) for all the reasons detailed above. In particular, I was not aware, or previously advised of these proposed developments; I was alerted to them by Infrastructure First Group. I believe therefore, that MSDC were trying to push these plans through on the quiet without due consultation with local residents.

Both these developments (both totally out of scale to East Grinstead and Felbridge) would destroy large areas of countryside that need not be developed and also contribute significant traffic congestion to local roads, in particular the already congested A22 and A264 main roads, neither of which have 2 key junctions that are already over capacity (A22/A264 & A22/Imberhorne Lane). A suggested A22 bus priority lane will be totally pointless as the point of these developments is to provide housing for people working in Crawley.

Yours sincerely
Owen Davies

Site Allocations DPD: Regulation 19 Consultation Response**Policy:** SA19 - SA20**ID:** 1902**Response Ref:** Reg19/1902/1**Respondent:** Mr S Brackfield**Organisation:****On Behalf Of:****Category:** Resident**Appear at Examination?** x

[REDACTED]

From: steven.brackfield [REDACTED]
Sent: 27 September 2020 20:31
To: ldfconsultation
Subject: Imberhorne Farm
Attachments: Site_Allocations_DPD_Regulation_19_Response.docx

Please don't build on Inberhorne Farm it is incorrectly represented
WSP traffic studies have not been sited and the first consultation was not adequately advertised in the East
Grinstead locality all as the attached letter

steven brackfield

1918

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1918

Response Ref: Reg19/1918/1

Respondent: Mrs K Picton

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Kay Picton [REDACTED]
Sent: 27 September 2020 11:54
To: ldfconsultation
Subject: imberhorne development
Attachments: Site_Allocations_DPD_Regulation_19_Response (1) (1).docx

I strongly oppose this development because the access roads will cause huge traffic problems to an already suffering East Grinstead, please find attached my response and I hope you will reconsider and stop this development.

Mrs Kay Picton
[REDACTED]

1920

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1920

Response Ref: Reg19/1920/1

Respondent: Miss L Picton

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Kay Picton [REDACTED]
Sent: 27 September 2020 11:48
To: ldfconsultation
Subject: Imberhorne development
Attachments: Site_Allocations_DPD_Regulation_19_Response (1).docx

Please find my attached opposition to this development.

It would not help the traffic in East Grinstead and we do not have the public transport set up for extra residents such as good train links to Crawley or Tunbridge Wells or even London were the jobs are therefore causing huge road traffic problems.

Miss Louisa Picton

1922

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1922

Response Ref: Reg19/1922/1

Respondent: Mr A Picton

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Kay Picton [REDACTED]
Sent: 27 September 2020 12:04
To: ldfconsultation
Subject: Imberhorne Proposed development
Attachments: Site_Allocations_DPD_Regulation_19_Response (1) (2).docx

I am totally opposed to this proposal it will not help East Grinstead in any way -

We have a huge problem with congestion of traffic and an appalling public transport system being irregular, expensive and the bus service just gets blocked in jams we do not have the capacity for the housing and the extra car traffic. As this development is not local to the East Grinstead town centre residents would choose to drive into town causing immense traffic.

Please note my opposition to this proposal and for it to be stopped.

Mr Andrew Picton

1925

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1925

Response Ref: Reg19/1925/1

Respondent: Ms G Diss

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Grazia Diss [REDACTED]
Sent: 27 September 2020 15:24
To: ldfconsultation
Subject: Lack of consultation
Attachments: Site_Allocations_DPD_Regulation_19_Response.docx

Have to assume lack of consultation an attempt to avoid local residence having their input on the proposed development which will be a nightmare for years during development and then as a result of all the cars heading to Crawley - the proposal is already making it difficult to sell houses.

response attached

Grazia Diss

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts:

- Part A – Personal Details
- Part B – Representation
- Part C – Expanded Arguments to Support Representation
- Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name	Grazia DISS
Address	[REDACTED] [REDACTED] [REDACTED]
Email	[REDACTED]

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD	<input checked="" type="checkbox"/>
Sustainability Appraisal	<input checked="" type="checkbox"/>

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?	No	Failure to positively engage with landowners/developers offering large strategic sites such as Crabtree Park
Justified?	No	Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable
Effective?	No	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	No	Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only **become aware of this consultation from the Infrastructure First group's activities.**

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes

☒

No

☐

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, not for the first time.

2) The Council has failed to adequately assess all potential sites

Allocation of sites SA19 & SA20 would ...

3) Lead to even more reduced opportunities for people to live and work within their communities

4) Lead to unsustainable traffic congestion with local junctions already over capacity – more traffic lights will not help

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 – award winning farm – more sky larks than on the south downs and less space for many walkers and cyclists to enjoy the spectacular views over the farmland to the north downs

1. The Council has failed to consult properly with the wider public

Unsound because ...

☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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..."*
- ❖ MSDC's Statement of Community Involvement 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"*.
- ❖ MSDC claim to have met their obligation to consult with residents by: Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council's social media channels; posts on the Council's website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign ...** MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they *"were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation."* Just 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. 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.
- ❖ **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.
- ❖ **No alerts in Mid Sussex Matters ...**
 - MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.

- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"*.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ... despite no improvement to the local infrastructure which has been at breaking point for years
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.
- ❖ The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.

- ❖ 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. Business has been driven out of town for many years because of lack of office space and ability to expand and the traffic congestion at Felbridge.
 - The East Grinstead Business Association objected to the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is "to promote a place which is attractive to a full range of businesses, and where local enterprise thrives".

4. Allocation of sites SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that "The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."
- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - "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 in 2018 ...

	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

** Seem very conservative estimates of delays I have experienced quite often in the past

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes. This includes Heathcoat that is now obstacle courses due to parking driven away from station and the so called traffic calming (no real consultation residents preferring to talk to cyclists and ignored all issues raised) now have a race track between the two obstacles average speed > 30 – frequent screeching of breaks, honking of horns, road rage and at least one shunt – a more serious accident waiting to happen all predictable. This all with reduced traffic due to lockdown so will only get worse when covid is finally over and extra houses ...
A bypass has been needed since the war when the traffic was far less!!
- ❖ The SYSTRA model 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.*"
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.
- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

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

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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."*

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhome Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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."*
- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ 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 Imberhome 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 didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ...*"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"*.
- ❖ The proposed site 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"*.
- ❖ The site allocation 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 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".

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a 'positive impact' on the Landscape without any explanation or evidence to support the officers' opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gulleage Farmhouse and Imberhome Farm Cottages
 - The 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
 - District Plan policy DP34 says that *"Special regard is given to protecting the setting of a listed building"*
- ❖ The proposed site also 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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location 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.
 - 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 is limited due to recreational disturbance.
 - NPPF paragraph 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."*

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.

4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.
5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to **represent me at the Examination.**

Site Allocations DPD: Regulation 19 Consultation Response**Policy:** SA19 - SA20**ID:** 1946**Response Ref:** Reg19/1946/1**Respondent:** Mrs M Mayes**Organisation:****On Behalf Of:****Category:** Resident**Appear at Examination?** x

[REDACTED]

From: Maria Mayes [REDACTED]
Sent: 26 September 2020 12:43
To: ldfconsultation
Subject: Proposed Housing Development development EaSt Grinstead
Attachments: East Grinstead Site_Allocations_DPD_Regulation_19_Response.docx

Dear Sir/Madam,

Please see my attached objections to the above development.
I am a resident of Heathcote Drive. This road already suffers from traffic congestion and daily traffic jams. There would have to be an alternative route into town before new properties are built.

Yours Faithfully
M. Mayes

1950

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1950

Response Ref: Reg19/1950/1

Respondent: Mr R Penny

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts: Part A – Personal Details
 Part B – Representation
 Part C – Expanded Arguments to Support Representation
 Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name	<input type="text" value="R. Penny"/>
Address	<div><div></div><div></div><div></div><div></div></div>
Email	<input type="text" value=""/>

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD	<input checked="" type="checkbox"/>
Sustainability Appraisal	<input checked="" type="checkbox"/>

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?	<input type="checkbox" value="No"/>	Failure to positively engage with landowners/developers offering large strategic sites such as Crabbet Park
Justified?	<input type="checkbox" value="No"/>	Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable
Effective?	<input type="checkbox" value="No"/>	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="checkbox" value="No"/>	Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only **become aware of this consultation from the Infrastructure First group's activities.**

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes



No



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 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

PART C – EXPANDED ARGUMENTS TO SUPPORT REPRESENTATION

1. The Council has failed to consult properly with the wider public

Unsound because ...

☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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...”*
- ❖ MSDC’s Statement of Community Involvement 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”*.
- ❖ MSDC claim to have met their obligation to consult with residents by: Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council’s social media channels; posts on the Council’s website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign** ... MSDC state 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 have failed to monitor whether the press release was used by these media outlets.

- Officers can only say that they “were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation.” Just 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. 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.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC’s own magazine is distributed at taxpayers’ expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- 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.

PLEASE NOTE:

I spend a considerable amount of time listening to BBC local radio and have never *once* heard mention of these proposals.

It is clear from the traffic problems at Felbridge traffic lights, exponentially increased after the opening of Wickes’ site, that the council have no idea of the problems extant at this junction. Queues at these lights often extend northwards beyond the lights at The Star public house, south into the one-way system in East Grinstead. The residents at Felwater Court often, quite literally, take their lives in their hands when crossing this road at Felbridge. This is a major trunk route connecting London and the M25 to the South East: traffic problems at Felbridge were first identified around 70 years ago, they have never been addressed: past proposals have ignored the problem and current ones are only going to make things immeasurably worse.

2. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley’s unmet need were summarily discarded without due consideration
- ☒ So-called ‘High Performing Sites’ were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
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 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]

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- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *“to promote a place which is attractive to a full range of businesses, and where local enterprise thrives”*.

4. Allocation of sites SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions

- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *“The constrained nature of East Grinstead’s current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity.”*
- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *“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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the ‘do nothing’ option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of ‘rat running’ along residential streets and country lanes.

- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.
- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

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

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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."*

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhome Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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.”*
- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ 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 Imberhome 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 didn’t have to accept housing allocations like these without 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”*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ❑ SA19 is contrary to the spatial housing objectives of policy DP6
- ❑ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ... *“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”.*
- ❖ The proposed site 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”.*
- ❖ The site allocation 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 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”.*

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a 'positive impact' on the Landscape without any explanation or evidence to support the officers' opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gullede Farmhouse and Imberhorne Farm Cottages
 - The 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
 - District Plan policy DP34 says that *"Special regard is given to protecting the setting of a listed building"*
- ❖ The proposed site also 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 paragraph 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.

- ❖ The farmlands at the proposed SA20 site location 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.
 - 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 is limited due to recreational disturbance.
 - NPPF paragraph 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.”*

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.
5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Site Allocations DPD: Regulation 19 Consultation Response**Policy:** SA19 - SA20**ID:** 1962**Response Ref:** Reg19/1962/1**Respondent:** Mr N Trueman**Organisation:****On Behalf Of:****Category:** Resident**Appear at Examination?** x

[REDACTED]

From: [REDACTED]
Sent: 27 September 2020 08:37
To: ldfconsultation
Subject: Opposed to planning developments
Attachments: Site_Allocations_DPD_Regulation_19_Response (1).docx

To Whom It May Concern,

I am strongly opposed to the planned developments of Imberhorne Farm.

I would like first of all to say how very frightening it is that despite all the recent troubles on our planet, the disastrous outcomes from destruction of habitats and the imminent extinction of so many species, even here in Britain, that a Planning Application to cover a large area of natural and agricultural landscape on Imberhorne Farm is being put forward. It may be agricultural land, but it nevertheless supports a good deal of wildlife. The development planners do not walk the farm on a regular basis and are misinformed in their dismissal of its importance for wildlife. The farm has been run with extremely good ecological principles for years. It is a buffer between East Grinstead, Crawley Down and Felbridge. In addition, the development proposed for 200 houses south of Crawley Down Road completes the pincer of natural destruction and suburban sprawl. The character of this area, defined by its beautiful landscape is in danger of being irretrievably destroyed. How can we pay lip service on the world stage to environmental protections and yet propose allowing these destructive over-developments to be considered in our own backyard?

Yours faithfully,

Nathaniel Trueman

1971

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 1971

Response Ref: Reg19/1971/1

Respondent: Mrs A Cox

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Anne Cox [REDACTED]
Sent: 26 September 2020 16:31
To: ldfconsultation
Subject: Objection to development SA19 and SA20
Attachments: Site_Allocations_DPD_Regulation_19_Response AC.docx

Dear Sirs,

Please find attached my objection to this proposal.

I am opposed to this land falling into the category of development land because the infrastructure in the area is clearly not capable of accepting the addition of occupants of over 700 new homes in terms of the doctors, dentists, schools and in particular the roads with Star Inn Junction and Imberhorne Lane junctions being already a source of many problems in recent months and years.

Yours faithfully,

Anne Cox
[REDACTED]

Sent from [Mail](#) for Windows 10

2023

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2023

Response Ref: Reg19/2023/1

Respondent: Ms K French

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: kelly French [REDACTED]
Sent: 27 September 2020 13:30
To: ldfconsultation
Subject: Objections to planning application
Attachments: Kelly French Site_Allocations_DPD_Regulation_19_Response.docx

For attention of the Mid-Sussex Planning Policy Team

Please find attached a document outlining my objections to the proposed sites SA19 and SA20 for your consideration. The content of this is based on comprehensive, evidence based assessment of the impact of these sites and the only outcome can be a rejection of these proposals.

I look forward and anticipate a comprehensive, evidence based response to all points raised.

Kind regards

Kelly French

2024

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2024

Response Ref: Reg19/2024/1

Respondent: Mr G Tarran

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Geoffrey Tarran [REDACTED]
Sent: 27 September 2020 13:34
To: ldfconsultation
Subject: Planning consultation SA19 and SA20
Attachments: Geoff Tarran Site_Allocations_DPD_Regulation_19_Response.docx

For attention of the Mid-Sussex Planning Policy Team

Please find attached a document outlining my objections to the proposed sites SA19 and SA20 for your consideration. The content of this is based on comprehensive, evidence based assessment of the impact of these sites and the only outcome can be a rejection of these proposals.

I look forward and anticipate a comprehensive, evidence based response to all points raised.

Kind regards

Geoff Tarran

Sent from [Mail](#) for Windows 10

2029

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2029

Response Ref: Reg19/2029/1

Respondent: Miss A Picton

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Kay Picton [REDACTED]
Sent: 27 September 2020 12:25
To: ldfconsultation
Subject: proposed imberhorne developement
Attachments: Site_Allocations_DPD_Regulation_19_Response (2) (2).docx

I have lived in East Grinstead for 12 years and are very surprised that a development of this size could be proposed for this site as we have huge traffic problems in East Grinstead and a very poor public transport system which makes it impossible to commute easily to the jobs in Crawley, Tunbridge Wells and London. Anything on this scale can only be arranged after train links are set up with Cralwey and Tunbridge Wells and improved with London.

At this site the proposed residents would only choose to drive to East Grinstead town centre causing huge traffic problems and pollution.

I strongly disagree with this proposal.

Miss Alice Picton

2030

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2030

Response Ref: Reg19/2030/1

Respondent: Mr S Picton

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Kay Picton [REDACTED]
Sent: 27 September 2020 12:33
To: ldfconsultation
Subject: proposed imberhorne development
Attachments: Site_Allocations_DPD_Regulation_19_Response (2) (3).docx

Please find attached my letter for opposing the proposed development.

I do not agree with this proposal as East Grinstead struggles with its traffic congestion and we would need public transport links set up to east and west to encourage residents to travel by public transport train or bus before a huge development like this could be considered. The train system would be ideal as again the bus routes are inadequate as they only get stuck in the traffic congestion on routes to Crawley and Tunbridge Wells.

Samuel Picton
d

2037

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2037

Response Ref: Reg19/2037/1

Respondent: Ms K Fairweather

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Kate Fairweather [REDACTED]
Sent: 27 September 2020 14:02
To: ldfconsultation
Subject: Response to submission sites allocation DPD Regulation 19
Attachments: RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19 - Kate Fairweather.docx

Dear Sir/Madam

Please find attached my response to the proposed development on Imberhorne Lane.

I have lived in [REDACTED] with my parents for over 30 years and have seen the weight of traffic on the Felbridge/London Road/Imberhorne Lane/ Heathcote Drive areas increase significantly over the years with no investment/improvement from WSCC.

The London Road/Imberhorne Lane junction is often gridlocked with traffic jams which tail back up Heathcote Drive and Gardenwood Road, past our home. This issue significantly deteriorated when the Bluebell estate on Imberhorne Lane was built. Any further development in this area will have a serious detrimental effect on anyone currently living in this area.

Therefore I firmly reject the proposed plans.

Regards

Kate Fairweather

Sent from [Outlook](#)

2040

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2040

Response Ref: Reg19/2040/1

Respondent: Mr D Fairweather

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: David Fairweather [REDACTED]
Sent: 27 September 2020 15:20
To: ldfconsultation
Subject: RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19
Attachments: RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19 - David Fairweather.docx

Dear Sir/madam

Please find attached my response to the proposed development on Imberhorne Lane.

I have lived in [REDACTED] for over 30 years and have seen the weight of traffic on the Felbridge/London Road/Imberhorne Lane/ Heathcote Drive areas increase significantly over the years with no investment/improvement from WSCC.

The London Road/Imberhorne Lane junction is often gridlocked with traffic jams which tail back up Heathcote Drive and Gardenwood Road, past our home. This issue significantly increased when the Bluebell estate on Imberhorne Lane was built. Any further development in this area will have a further serious detrimental effect on anyone currently living in this area.

Therefore I firmly reject the proposed plans.

Regards

David Fairweather

2042

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2042

Response Ref: Reg19/2042/1

Respondent: Ms P Fairweather

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Paula Fairweather [REDACTED]
Sent: 27 September 2020 13:39
To: ldfconsultation
Subject: RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19
Attachments: RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19 - Paula Fairweather.docx

Dear Sir/Madam

Please find attached my response to the proposed development on Imberhorne lane.

I have lived in [REDACTED] for over 30 years and have seen the weight of traffic on Imberhorne Lane, Heathcote Drive and the Felbridge A264 intersection increase steadily without any investment from WSCC or MSDC. The London Road/ Imberhorne Lane junction is often gridlocked with traffic jams backing up past the Heathcote Drive mini roundabout and also past my home on Gardenwood Road. This problem increased significantly when the new housing development on Imberhorne Lane was built and any further development will have a serious detrimental impact on anyone currently living in the area without significant investment from both WSCC and MSDC.

Therefore, I firmly reject the proposed submission.

Yours sincerely,
Paula Fairweather

2048

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2048

Response Ref: Reg19/2048/1

Respondent: Mr M Tomlinson

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts: Part A – Personal Details
 Part B – Representation
 Part C – Expanded Arguments to Support Representation
 Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name	<input type="text" value="Martyn Tomlinson"/>
Address	<div><div></div><div></div><div></div></div>
Email	<input type="text" value=""/>

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD	<input checked="" type="checkbox"/>
Sustainability Appraisal	<input checked="" type="checkbox"/>

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?	<input type="text" value="No"/>	Failure to positively engage with landowners/developers offering large strategic sites such as Crabbet Park
Justified?	<input type="text" value="No"/>	Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable
Effective?	<input type="text" value="No"/>	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="text" value="No"/>	Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure First group's activities.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes ☒ No ☐

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 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

1. The Council has failed to consult properly with the wider public

Unsound because ...

☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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...”*
- ❖ MSDC’s Statement of Community Involvement 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”*.
- ❖ MSDC claim to have met their obligation to consult with residents by; Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council’s social media channels; posts on the Council’s website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and **nothing at all** for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign** ... MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they *“were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation.”* Just 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. 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. Woefully inadequate for such sizeable developments.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that "planning policies should be flexible enough to accommodate needs not anticipated in the plan".
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"*.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.

- ❖ The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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 potentially 3,000 vehicles and no new employment space.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *"to promote a place which is attractive to a full range of businesses, and where local enterprise thrives"*. – *new business will not be attracted, nor thrive if the commute to and from is fraught with traffic congestion*

4. Allocation of sites SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*

- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.

- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

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

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding. This being all very well if you're a bus user !
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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.*"

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhome Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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."

- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ 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 didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve the meagre services in the village.

- ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ...*"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"*.
- ❖ The proposed site 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"*.
- ❖ The site allocation 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 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".

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a 'positive impact' on the Landscape without any explanation or evidence to support the officers' opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gulledge Farmhouse and Imberhome Farm Cottages

- The 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
- District Plan policy DP34 says that ***"Special regard is given to protecting the setting of a listed building"***
- ❖ The proposed site also 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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location 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.
 - 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 is limited due to recreational disturbance.
 - NPPF paragraph 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."***

PART 4 – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.

5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

2056

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2056

Response Ref: Reg19/2056/2

Respondent: Mr A Brooks

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

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

LDFconsultation@midsussex.gov.uk

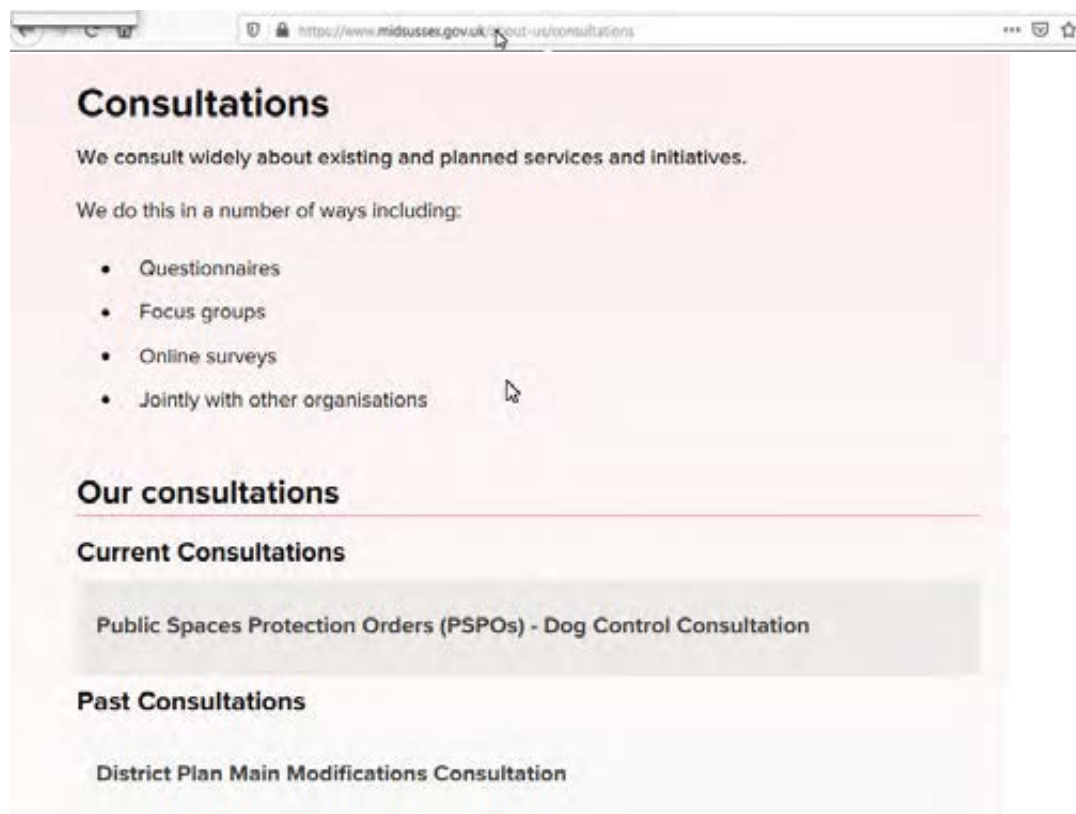
Copy: planningpolicy@midsussex.gov.uk requesting confirmation of receipt

General

The Mid Sussex Regulation 19 Submission Draft Site Allocations Development Plan July 2020 is not in accordance with legal and procedural requirements; including the duty to cooperate, requirement to consult and publication of referenced documents on which the plan claims to have been based.

In the referenced document MSDC claim that *"The Draft site Allocations Document was subject to public consultation in Autumn 2019"*. Public consultation requires adequate publicity in order for any conclusions/results to be credible. MSDC have failed in that fundamental aspect and so the consultation must be considered void as must the Regulation 19 consultation process.

Due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so and have only recently been made aware of that and the Regulation 19 consultation due to social media. I would have expected the "consultation" to have been advertised in the MSDC magazine (Mid-Sussex Matters) distributed to every household in the District as an absolute minimum. However nothing was mentioned about either Regulation 18 or 19 consultation. Even the MSDC consultations web page fails to notify the public that there is an ongoing Regulation 19 consultation. Screenshot taken today (10:30am, 27/9/20) – one day before "consultation" closes:



Felbridge Parish Council confirm that they have not been consulted, despite the large housing allocation and that the consultation was not listed on 20/9/20 when they checked the consultations page.

MSDC claim to have met their obligation to consult with residents by issuing a single press release, but cannot verify that it was used by any of the referenced media. I'm informed that the Mid Sussex Times ran a story, but that is not distributed in the north of the district (the area expected to provide half of the housing!).

Traffic is a major issue in the East Grinstead locality and A22 congestion seriously affects local villages. MSDC and Tandridge jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion. However, MSDC have chosen not to publish the findings of the recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

The NPPF requires that development plans MUST be

a) positively prepared

MSDC have failed to positively engage with landowners/developers offering large strategic sites such as Crabbet Park and Mayfield.

b) justified

Failed to properly take account of reasonable alternatives, and failure to show sites SA22, SA19, SA20 to be sustainable or deliverable and SA32 to comply with policy ref High Weald AONB

c) effective,

Failed to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead and the consequent severe impact on local villages The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."* That directly reflects into heavy traffic on the B2028 corridor.

d) consistent with national policy

Failed to demonstrate sustainability, failed to consult, failed to address infrastructure and other community needs. Failed Duty to Cooperate. Tandridge District Council (TDC) 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

The document does not comply with NPPF or MSDC own requirements, it is not fit for purpose.

Additional housing along the B2028 corridor cannot be justified until the A22/A264 issues have been mitigated. Ongoing issues within the A22 and at the Felbridge junction mean that the B2028 will continue to be an overloaded rat run in dire need of maintenance.

The Tandridge District Council-MSDC SoCG confirms that both parties agree the necessity to implement highways improvements at four junctions on the A264 and A22 - the 'A22/A264 corridor

project'. 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.'* Without commitment and funding line and a possible conclusion that no viable scheme exists to effectively mitigate the already severe road network. Any development in this area would further burden an already overloaded road network. Therefore the identified cross-boundary strategic matters have been deferred rather than dealt with, rendering the DPD **not Effective**.

'Rat running' through rural roads and residential streets is already occurring due to the severe congestion at the Star junction of the A22 and A264. 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 in East Grinstead and local villages 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."*

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. Yet MSDC argue that traffic generated by the Local Development Plan is an 'existing situation' and can be ignored when applying the 'residual cumulative' test. That cannot be the intended interpretation of NPPF Paragraph 109. The Site Allocations DPD is effectively part of the Local Development Plan so should not be considered separately.

It is claimed that "the District Plan was based on a comprehensive understanding of the issues facing the district". The biggest issue currently facing the District is fallout from the Covid19 pandemic. That has not been considered at all and should require a formal review of proposals/strategy/policy to date. The North of the District is heavily dependent on Gatwick and associated aviation/aerospace industries. The most optimistic forecasts for the local area would seem to indicate much higher unemployment than the rest of Mid-Sussex, some 3-5 years for aviation to recover to 70% of pre-Covid levels and for recovery not to really start until Covid is under control (late 2021?). All of this will directly affect housing need (and type required) in the area. The move to remote working will also affect infrastructure requirements.

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 proof has been offered to support this general statement. Neither of the Crawley Down or Turners Hill sites would offer anything other than temporary employment. Recent office conversion to residential in East Grinstead is estimated to have cost at least 1000 jobs in East Grinstead Town Centre with another 500 residents requiring jobs (Felbridge Parish Council statement). MSDC 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.

MSDC claim that a series of reasonable alternatives were developed to address assessed housing need. If additional housing is still required post Covid then Crabbett Park and the proposed Mayfield

development should not be airily dismissed. Mayfield would “hedge the bets” on aviation recovery and provide capability for both Crawley and Burgess Hill, yet MSDC have failed to engage with the developers unlike Horsham. Crabtree Park is adjacent to the Crawley BUA boundary for all intents and purposes and could provide 2300 houses with easy access to Crawley facilities and opportunities, yet appears to have been rejected on spurious and inaccurate grounds.

I fully support the call for infrastructure before houses and it is past time that MSDC recognise this and deal with it rather than ignoring it as too difficult.

For too long MSDC have used New Homes Bonus to shore up MSDC general finances instead of being used for its stated purpose of supporting communities most affected by development. Crawley Down is at breaking point due to lack of investment and maintenance of infrastructure, developers providing the “wrong” mix of housing for the community – just one which produces the most profit at the expense of community.

SA22

I formally request that this site be deleted from the Site Allocations Development Plan.

The District Plan set a target of 874 new homes for Worth Parish (Cophorne and Crawley Down). By April 2020 the total of houses built and planning permissions granted to developers in the two villages was 908, there is an application for 39 off at Hurst Farm in Crawley Down in the pipeline, small scale proposals and windfall possibilities. The two villages have already EXCEEDED their agreed District Plan target which was supposed to last until 2031.

Contrary to the agreed allocation at Crawley Down, MSDC have now included Site SA22 - 50 extra houses behind Woodlands Close in Crawley Down.

The local school has only recently been expanded and is still having to turn village children away. There are at least 106 houses with planning permission yet to be built. NPPF (2018) paragraph 94 is quoted in supporting documents *“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”*. No consideration has been given to this requirement and implications thereof. It is not sustainable.

Access to SA22 via either Sycamore Lane or Woodlands Close is proposed. Development of the site would encroach into the gap between Crawley Down and Turners Hill, contrary to the Neighbourhood Plan objective of maintaining separate communities. The junction common to Woodlands Close and exit from Sycamore Close is already the subject of discussion at Worth PC and the issue has been raised with WSCC and MSDC. It is considered dangerous. Right of Way from Kiln Rd into the Burleigh Woods Estate (and Sycamore Close) crosses Woodlands Close/Woodlands Drive junction. Vehicles exiting Woodlands Drive have a blind bend to their right with no impediment to cars speeding into the Estate.

The document suggests a “proposed new BUAB”. This would appear to extend well beyond the current boundary to the East and the plan does not show the full extent of the proposed expansion. My understanding from previous discussions with MSDC in connection with the Neighbourhood Plan is that the formal BUAB cannot be altered without formal consultation. That has not happened and an incomplete proposal inside a draft document does not constitute formal consultation. Further,

both the Crawley Down Neighbourhood Plan (CDNP) and DP (DP12 and DP13) have policies specific to planning inside and outside the BUAB, which this diagram would appear to have the distinct possibility to undermine. On that basis the “proposed BUAB” should be entirely removed from the site allocations document and replaced with site boundary.

Upgrade to sewage infrastructure is stated as required. District Plan policy **DP42: Water Infrastructure and the Water Environment** should apply. However, history and experience has demonstrated that it doesn't!

South East Water has consistently stated that the existing foul water infrastructure would be inadequate to support additional development for every significant development in the village for the last 10 years or more. Nothing has been done to alleviate this situation and the new Burleigh Woods (Miller) Estate (of which Sycamore Lane forms a part) has suffered continual drainage problems since first occupation. Woodlands Close still has pitch fibre pipework which is approaching twice the design life. The pumping station in Hazel Way has been working at or over capacity for some years and there have been consequent environmental incidents.

The Burleigh Woods estate employs a buffer/pump system in a demonstrably unsuccessful attempt to limit foul water flow to manageable levels. MSDC have traditionally turned a blind eye to this problem in stipulating unenforceable Grampian conditions when granting planning permission – contrary to the Crawley Down Neighbourhood Plan (CDNP). Grampian conditions should be banned.

A number of natural springs and watercourses cross this area and flooding of adjacent areas is a distinct probability. The CDNP requires that surface water flow from the site into other areas be constrained to an equivalent level to that before development.

It is unfair and unreasonable to ask Crawley Down to take more houses when other towns and villages haven't met their target and directly contrary to information and assurances given to Crawley Down residents by MSDC representatives during and after preparation and adoption of the CDNP.

The NPPF requires that the Site Allocations Document deliver sustainable development. In the case of Crawley Down it does not.

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”*.

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.”*

Crawley Down only has limited employment local to the village. Main employment opportunities are supplied by Gatwick/Crawley, Burgess Hill, London/Croydon. East Grinstead offers limited employment which has decreased significantly with loss of office buildings recently. The extent of job loss in Crawley/Gatwick has yet to be assessed, but is forecast to be extremely significant. With the lack of public transport at times suitable for work and employment opportunities limited to further afield, personal transport is a necessity. More out-commuting and greater distance

commuting is inevitable. The decline in local employment and the rise of out-commuting is contrary to the stated Sustainability Objective so the site must qualify for a 'Significant Negative Impact'. Expansion of Crawley Down in current circumstances is not sustainable.

MSDC have adopted a fundamentally flawed policy in respect of categorisation under the "Settlement Hierarchy", whereby higher category settlements receive more housing as being more sustainable without assessing the viability of existing settlement facilities and services or viability/defined funding for expansion.

Crawley Down has been "assessed" as a sustainable community and therefore able to take more housing. The "sustainability assessment" performed appears to merely note the existence of facilities/infrastructure, not whether those facilities/infrastructure are currently viable and suitable for the local population, whether expansion of those facilities would be viable (and financed) within the proposed timescales etc. Schools, Health, Sewage, Communications and transport amongst others would fail those tests – making expansion unsustainable.

If the policy continues unmodified it would inevitably lead to failure of previously sustainable and viable communities and also allow marginally sustainable communities to fail. Policy should be to reinforce and support marginal communities with additional employment and housing opportunities, not discriminate against other communities.

SA19 & SA20

Encroachment into the gap between Crawley Down and East Grinstead, contrary to the Neighbourhood Plan objective of maintaining separate communities.

Development at East Grinstead should be limited until such time as the A22 issues are mitigated.

SA32

The list also includes 16 homes on Withypitts Farm in Turners Hill (site SA32). This will be in addition to the 44 homes on the Old Vicarage Yard site nominated in the Turners Hill Neighbourhood Plan.

The site allocation document states "Development in the High Weald AONB or within its setting will need to conserve and enhance the natural beauty and special qualities of the High Weald, as set out in the **High Weald Management Plan 2019-2024** and District Plan Policy **DP16: High Weald Area of Outstanding Natural Beauty**"

NPPF Duty to Co-operate also requires Mid Sussex to give consideration to potential impacts on the High Weald Area of Outstanding Natural Beauty (AONB). Adequate consideration and provision has not been given in this instance. Site SA32 is in the designated AONB and therefore should be excluded as not in accordance with national or local requirements for development approval.

ACTIONS REQUESTED

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

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. Regulation 18 consultation should be repeated with adequate and appropriate publicity.
2. Housing needs and required spatial allocation to be reviewed, especially in view of collapse of the local aviation/aerospace industry and adverse effect on employment in the North Sussex area.
3. Policies in respect of Settlement Hierarchies and housing allocation on that basis be reviewed and viability of services assessed in determining suitability.
4. The WSP transport report should be published in full and its findings submitted for consultation. MSDC to use the most recent figures and assessments in determining traffic issues.
5. The proposed allocations at Crawley Down and Turners Hill should be withdrawn as they cannot be delivered sustainably.
6. MSDC should withdraw the DPD and carry out a full and proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield village.
7. In the event that the Inspector decides the DPD should progress to Examination then any allocations at Crawley Down or Turners Hill should be made contingent on providing funded and budgeted infrastructure improvements in respect of transport, education, health, sewage, water supply and community facilities as a minimum.
8. In the event that the Inspector decides the DPD should progress to Examination then any allocations at East Grinstead, Felbridge, Crawley Down, Copthorne or Turners Hill should be made contingent on delivering a viable and meaningful set of junction improvements along the A264-A22 corridor to mitigate the cumulative impact of local development since 2017.

A.M. Brooks

[REDACTED]

[REDACTED]

2057

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2057

Response Ref: Reg19/2057/1

Respondent: Mrs S Fowler

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts:

- Part A – Personal Details
- Part B – Representation
- Part C – Expanded Arguments to Support Representation
- Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name	<input type="text" value="Mrs S Fowler"/>
Address	<div><div></div><div></div></div>
Email	<input type="text" value=""/>

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

<input type="checkbox"/>	Site Allocations DPD	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Sustainability Appraisal	<input checked="" type="checkbox"/>

I consider the site Allocations DPD to be unsound in the following respects:

<input type="checkbox"/>	Positively Prepared?	<input type="checkbox"/>	Failure to positively engage with landowners/developers offering large strategic sites such as Crabtree Park
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>	Justified?	<input type="checkbox"/>	Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or
<input type="checkbox"/>		<input type="checkbox"/>	

	<input type="checkbox"/>	deliverable
Effective?	<input type="checkbox"/> No	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="checkbox"/> No	Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure First group's activities.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes ☒ No ☐

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 Imberhome 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:

- The Council has failed to consult properly with the wider public
- The Council has failed to adequately assess all potential sites

Allocation of sites SA19 & SA20 would ...

- Lead to reduced opportunities for people to live and work within their communities
- Lead to unsustainable traffic congestion with local junctions already over capacity

- Be contrary to national planning policies & the Local Development Plan

Allocation of site SA19 would ...

- Represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Allocation of site SA20 would ...

- Result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

PART C – EXPANDED ARGUMENTS TO SUPPORT REPRESENTATION

• The Council has failed to consult properly with the wider public

Unsound because ...

- MSDC has failed to deliver on its Statement of Community Involvement strategy

-
- 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..."*
- MSDC's Statement of Community Involvement 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"*.
- MSDC claim to have met their obligation to consult with residents by; Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council's social media channels; posts on the Council's website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- **Ineffective Press Release Campaign ...** MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they *"were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation."* Just 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. 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.
 -
- **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.
- **No alerts in Mid Sussex Matters ...**
 - MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
 - 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.
 -
- **The Council has failed to adequately assess all potential sites**

Unsound because ...

- Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
 - So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies
-
- The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District

Plan.

- Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

-
- Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*.
- MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"*.
- This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

- **Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities**

Unsound because ...

- Unsustainable separation of homes and employment space

-
- There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014

- 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020
 - [Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.
 - The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.
 - The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
 - Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
 - A key finding of 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.
 - 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
 - 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.
 - Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *"to promote a place which is attractive to a full range of businesses, and where local enterprise thrives"*.
- **Allocation of sites SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity**

Unsound because ...

- Material up-to-date traffic evidence is being withheld from the consultation process
 - The MSDC strategic transport assessment understates baseline traffic conditions
 - Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
 - There are no demonstrable highway mitigation proposals
- Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*
 - MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.
- The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

	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

- MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have

chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.

- There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- This Site Allocation DPD is therefore contrary to national policy ... 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."*
-
- **Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan**

Unsound because ...

- Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
 - Proposed site allocations at Felbridge and Imberhome Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
 - In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21
- At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
 - 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."*
 - It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
 - 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 Imberhome 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 didn't have to accept housing allocations like these without 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"*.

- **Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead**

Unsound because ...

- SA19 is contrary to the spatial housing objectives of policy DP6
 - SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13
- 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
 - The proposal to allocate 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.

- The strategic aims of policy DP6 are ...*"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"*.
- The proposed site 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"*.
- The site allocation 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 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".
- **Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge**

Unsound because ...

- SA19 landscape assessment not supported with evidence
- SA19 contrary to DP34 and NPPF paragraph 175
-
- Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a 'positive impact' on the Landscape without any explanation or evidence to support the officers' opinion.
- Site allocation SA20 is adjacent to the Grade II Listed Gulledge Farmhouse and Imberhorne Farm Cottages
 - The 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

- District Plan policy DP34 says that *“Special regard is given to protecting the setting of a listed building”*
- The proposed site also 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 paragraph 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.
- The farmlands at the proposed SA20 site location 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.
 - 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 is limited due to recreational disturbance.
 - NPPF paragraph 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.”*
-

PART D – ACTIONS I AM SEEKING

I 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.
- The WSP transport report should be published in full and its findings submitted for consultation.

- The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
- MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabtree Park and Mayfield.
- 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 the junction improvements identified in Atkins 3 and the WSP studies.
- I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

2083

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2083

Response Ref: Reg19/2083/1

Respondent: Mr M Sadler

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Martin Sadler [REDACTED]
Sent: 28 September 2020 05:34
To: ldfconsultation
Subject: Draft Site Allocations DPD - Regulation 19 Response
Attachments: M-Sadler - Site_Allocations_DPD_Regulation_19_Response.pdf

Please find attached my detailed response to the consultation.

In addition to I would like to record my concerns about MSDC Planning Dept.'s actions regarding proposed development on Imberhorne Lane car park, East Court and land adjacent to Brookhurst, Furze Lane. It seems to me that the planning officers are ignoring the wishes of local residents (the people who pay their wages) and even the recommendations of EGTC regarding these matters.

There has been considerable development over the 30+ years I have lived in East Grinstead during which time the population has grown by approximately 50% but there has been virtually NO corresponding increase in local infrastructure to match. Whilst I appreciate that we must keep up with a growing population, simply providing more dwellings is not enough. Recent planning policy of converting commercial property to residential is also of concern. Time for a fundamental re-assessment taking into account the views of those people directly affected, not just a few unelected officers and highly-paid consultants.

Regards,

Martin Sadler,
[REDACTED]

2089

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2089

Response Ref: Reg19/2089/1

Respondent: Mr S Goodwin

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Scott Goodwin [REDACTED]
Sent: 27 September 2020 18:13
To: ldfconsultation
Subject: In Response to Proposed Developments
Attachments: Site_Allocations_DPD_Regulation_19_Response-SGoodwin.docx

Dear Sir/Madam,

I am strongly opposed to the development plans for Land South of Crawley Down Road and Land South and West of Imberhorne Upper School and have attached my response letter below.

Yours sincerely,

Scott Goodwin

2093

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2093

Response Ref: Reg19/2093/1

Respondent: Mr D Hunter

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts:

- Part A – Personal Details
- Part B – Representation
- Part C – Expanded Arguments to Support Representation
- Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name

Mr Daniel Hunter

Address



Email



PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD



Sustainability Appraisal



I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?



Failure to positively engage with landowners/developers offering large strategic sites. Access to SA22 requires access to land which legally be under control by Burleigh Woods RMC but is illegally retained by a Miller

Failure to properly take account of reasonable

Justified?

No

Failure to properly take account of reasonable alternatives, and failure to show sites SA19, SA20, SA22 to be sustainable or deliverable

Effective?

No

Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead

Consistent with National Policy?

No

Sites SA19, SA20 and SA22 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure First group's activities.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes



No



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 Imberhome Upper School
SA22 - Land off Burleigh Lane.

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 and SA22 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 and SA22 would ...

- 6) Represent an unacceptable extension to Crawley Down, Felbridge village and result in coalescence with East Grinstead

Allocation of site SA22 would ...

- 7) Result in loss of valued agricultural land, habitat and rural feel. And increase traffic and pressure on an already congested doctors surgery and does not take into consideration that Crawley Down has already met its development quota.

1. The Council has failed to consult properly with the wider public

Unsound because ...

- ☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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...”***
- ❖ MSDC’s Statement of Community Involvement 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”***.
- ❖ MSDC claim to have met their obligation to consult with residents by: Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council’s social media channels; posts on the Council’s website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ Ineffective Press Release Campaign ... MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they ***“were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation.”*** Just 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. 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.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that ***"planning policies should be flexible enough to accommodate needs not anticipated in the plan"***.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"***.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/ A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead, Crawley Down or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for sites in East Grinstead, Crawley Down and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.
- ❖ The proposed site allocations at East Grinstead, Crawley Down and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is ***"to provide opportunities for people to live and work in their communities, reducing the need for commuting"***.

- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is ***“to promote a place which is attractive to a full range of businesses, and where local enterprise thrives”***.

4. Allocation of sites SA19, SA20 and SA22 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that ***“The constrained nature of East Grinstead’s current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity.”***
- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.
- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

	SYSTRA Model		WSP Model	
	AM Peak	PM Peak	AM Peak	PM Peak
Junction Capacity	61%	65%	106.60%	101.40%

Vehicle Queue	2	3	48	33
Queuing Delay	15 secs	21 secs	3 mins 2 secs	1 min 55 secs

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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."*

5. Allocation of sites SA19, SA20 and SA22 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19, SA20 and SA22 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge, Imberhorne Farm and Crawley Down are outside the East Grinstead/Felbridge/Crawley Down built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead, Crawley Down and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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."*
- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead and Crawley Down and Turners Hill outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.

- ❖ The proposed site allocations SA19, SA20 and SA22 are outside the East Grinstead, Crawley Down & 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, SA20 and SA22
- ❖ Policy EG11 was designed to ensure that East Grinstead didn't have to accept housing allocations like these without 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"***.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ... ***"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”.

- ❖ The proposed site 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”.*
- ❖ The site allocation 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 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”.

7. Allocation of SA19, SA22 would result in loss of agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge and Crawley Down

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a ‘positive impact’ on the Landscape without any explanation or evidence to support the officers’ opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gullede Farmhouse and Imberhorne Farm Cottages
 - The 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
 - District Plan policy DP34 says that *“Special regard is given to protecting the setting of a listed building”*
- ❖ The proposed site also 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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location 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.
 - 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 is limited due to recreational disturbance.
 - NPPF paragraph 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."*

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead, Crawley Down and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabtree Park and Mayfield.
5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to **represent me at the Examination.**

2095

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2095

Response Ref: Reg19/2095/1

Respondent: Mrs S Hunter

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts:

- Part A – Personal Details
- Part B – Representation
- Part C – Expanded Arguments to Support Representation
- Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name

Mr Daniel Hunter

Address



Email

ook.com

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD



Sustainability Appraisal



I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?



Failure to positively engage with landowners/developers offering large strategic sites. Access to SA22 requires access to land which legally be under control by Burleigh Woods RMC but is illegally retained by a Miller

Failure to properly take account of reasonable

Justified?

No

Failure to properly take account of reasonable alternatives, and failure to show sites SA19, SA20, SA22 to be sustainable or deliverable

Effective?

No

Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead

Consistent with National Policy?

No

Sites SA19, SA20 and SA22 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure First group's activities.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes



No



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 Imberhome Upper School
SA22 - Land off Burleigh Lane.

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:

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Allocation of sites SA19, SA20 and SA22 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 and SA22 would ...

- 6) Represent an unacceptable extension to Crawley Down, Felbridge village and result in coalescence with East Grinstead

Allocation of site SA22 would ...

- 7) Result in loss of valued agricultural land, habitat and rural feel. And increase traffic and pressure on an already congested doctors surgery and does not take into consideration that Crawley Down has already met its development quota.

1. The Council has failed to consult properly with the wider public

Unsound because ...

- ☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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...”***
- ❖ MSDC’s Statement of Community Involvement 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”***.
- ❖ MSDC claim to have met their obligation to consult with residents by: Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council’s social media channels; posts on the Council’s website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ Ineffective Press Release Campaign ... MSDC state that the press release was distributed to the following:
 - TV outlets – ITV Meridian News & BBC South East Today
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 - Newspapers – East Grinstead Courier; Mid Sussex Times; The Argus & West Sussex County Times
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- ❖ However MSDC have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they ***“were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation.”*** Just 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. 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.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
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- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
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- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/ A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead, Crawley Down or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for sites in East Grinstead, Crawley Down and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.
- ❖ The proposed site allocations at East Grinstead, Crawley Down and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is ***"to provide opportunities for people to live and work in their communities, reducing the need for commuting"***.

- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is ***“to promote a place which is attractive to a full range of businesses, and where local enterprise thrives”***.

4. Allocation of sites SA19, SA20 and SA22 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that ***“The constrained nature of East Grinstead’s current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity.”***
- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.
- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

	SYSTRA Model		WSP Model	
	AM Peak	PM Peak	AM Peak	PM Peak
Junction Capacity	61%	65%	106.60%	101.40%

Vehicle Queue	2	3	48	33
Queuing Delay	15 secs	21 secs	3 mins 2 secs	1 min 55 secs

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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."*

5. Allocation of sites SA19, SA20 and SA22 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19, SA20 and SA22 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge, Imberhorne Farm and Crawley Down are outside the East Grinstead/Felbridge/Crawley Down built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead, Crawley Down and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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."*
- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead and Crawley Down and Turners Hill outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.

- ❖ The proposed site allocations SA19, SA20 and SA22 are outside the East Grinstead, Crawley Down & 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, SA20 and SA22
- ❖ Policy EG11 was designed to ensure that East Grinstead didn't have to accept housing allocations like these without 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"***.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ... ***"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”.

- ❖ The proposed site 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”.*
- ❖ The site allocation 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 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”.

7. Allocation of SA19, SA22 would result in loss of agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge and Crawley Down

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a ‘positive impact’ on the Landscape without any explanation or evidence to support the officers’ opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gullede Farmhouse and Imberhorne Farm Cottages
 - The 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
 - District Plan policy DP34 says that *“Special regard is given to protecting the setting of a listed building”*
- ❖ The proposed site also 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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location 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.
 - 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 is limited due to recreational disturbance.
 - NPPF paragraph 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."*

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead, Crawley Down and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabtree Park and Mayfield.
5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to **represent me at the Examination.**

2096

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2096

Response Ref: Reg19/2096/1

Respondent: Mr A Diss

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: andy diss [REDACTED]
Sent: 27 September 2020 15:10
To: ldfconsultation
Subject: SA19 & SA20
Attachments: Site_Allocations_DPD_Regulation_19_Response.docx

Can only assume lack of communicating these plans was intentions to avoid residence, not for the first time, from being marginalised from developments in their neighbourhood. Another attempt to combine Crawley Down, Felbridge and East Grinstead to provide housing for those who work in Crawley and will have to drive a car as bus service far too slow to be practical.

Please find attached my objections

yours

Andy Diss

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts: Part A – Personal Details
Part B – Representation
Part C – Expanded Arguments to Support Representation
Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name	Andy DISS
Address	[REDACTED] [REDACTED] [REDACTED]
Email	[REDACTED]

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD	<input checked="" type="checkbox"/>
Sustainability Appraisal	<input checked="" type="checkbox"/>

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?	<input type="checkbox"/> No	Failure to positively engage with landowners/developers offering large strategic sites such as Crabtree Park
Justified?	<input type="checkbox"/> No	Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable
Effective?	<input type="checkbox"/> No	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="checkbox"/> No	Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only **become aware of this consultation from the Infrastructure First group's activities.**

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes

☒

No

☐

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, not for the first time.

2) The Council has failed to adequately assess all potential sites

Allocation of sites SA19 & SA20 would ...

3) Lead to even more reduced opportunities for people to live and work within their communities

4) Lead to unsustainable traffic congestion with local junctions already over capacity – more traffic lights will not help

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 – award winning farm – more sky larks than on the south downs and less space for many walkers and cyclists to enjoy the spectacular views over the farmland to the north downs

1. The Council has failed to consult properly with the wider public

Unsound because ...

☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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..."*
- ❖ MSDC's Statement of Community Involvement 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"*.
- ❖ MSDC claim to have met their obligation to consult with residents by: Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council's social media channels; posts on the Council's website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
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- ❖ **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.
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 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ... despite no improvement to the local infrastructure which has been at breaking point for years
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.
- ❖ The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.
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- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.

- ❖ 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. Business has been driven out of town for many years because of lack of office space and ability to expand and the traffic congestion at Felbridge.
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 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is "to promote a place which is attractive to a full range of businesses, and where local enterprise thrives".

4. Allocation of sites SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that "The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."
- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - "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 in 2018 ...

	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

** Seem very conservative estimates of delays I have experienced quite often in the past

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes. This includes Heathcoat that is now obstacle courses due to parking driven away from station and the so called traffic calming (no real consultation residents preferring to talk to cyclists and ignored all issues raised) now have a race track between the two obstacles average speed > 30 – frequent screeching of breaks, honking of horns, road rage and at least one shunt – a more serious accident waiting to happen all predictable. This all with reduced traffic due to lockdown so will only get worse when covid is finally over and extra houses ...
A bypass has been needed since the war when the traffic was far less!!
- ❖ The SYSTRA model 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.*"
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.
- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

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

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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."*

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhome Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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."*
- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ 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 Imberhome 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 didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ...*"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"*.
- ❖ The proposed site 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"*.
- ❖ The site allocation 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 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".

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a 'positive impact' on the Landscape without any explanation or evidence to support the officers' opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gullede Farmhouse and Imberhome Farm Cottages
 - The 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
 - District Plan policy DP34 says that *"Special regard is given to protecting the setting of a listed building"*
- ❖ The proposed site also 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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location 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.
 - 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 is limited due to recreational disturbance.
 - NPPF paragraph 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."*

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.

4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.
5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to **represent me at the Examination.**

2098

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2098

Response Ref: Reg19/2098/1

Respondent: Ms N Mills

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts: Part A – Personal Details
 Part B – Representation
 Part C – Expanded Arguments to Support Representation
 Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name	Nicola Mills
Address	<div>██████████</div> <div>██████████</div> <div>██████████</div> <div>██████████</div>
Email	██████████

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD	<input checked="" type="checkbox"/>
Sustainability Appraisal	<input checked="" type="checkbox"/>

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?	<input type="checkbox"/> No	Failure to positively engage with landowners/developers offering large strategic sites such as Crabtree Park
Justified?	<input type="checkbox"/> No	Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable
Effective?	<input type="checkbox"/> No	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="checkbox"/> No	

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure **First group's activities**.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes

☒

No

☐

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 Imberhome 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

1. The Council has failed to consult properly with the wider public

Unsound because ...

☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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..."*
- ❖ MSDC's Statement of Community Involvement 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"*.
- ❖ MSDC claim to have met their obligation to consult with residents by; Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council's social media channels; posts on the Council's website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign** ... MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they *"were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation."* Just 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. 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.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"*.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
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[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
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- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
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- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*

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- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.

- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

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

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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.*"

Impact on School children

- ❖ The proposed developments would inevitably lead to increased traffic on Imberhorne Lane and Heathcote Drive. There has been no provision made for the safety of School children walking to and from Primary and Secondary schools in the area. There are many children living on the Imberhorne and Gardenwood estates who walk to school (often for the first time alone when in years 5 or 6), who need to cross at the top of Heathcote Drive near an already busy junction.

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhorne Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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."*
- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ 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 Imberhome 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 didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.

- ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ...*"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"*.
- ❖ The proposed site 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"*.
- ❖ The site allocation 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 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".

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a 'positive impact' on the Landscape without any explanation or evidence to support the officers' opinion.

- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gullledge Farmhouse and Imberhorne Farm Cottages
 - The 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
 - District Plan policy DP34 says that *“Special regard is given to protecting the setting of a listed building”*
- ❖ The proposed site also **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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location **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.
 - 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 is limited due to recreational disturbance.
 - NPPF paragraph 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.”*
- ❖ The Lane leading to Imberhorne farm we believe is home to bats, as we have frequently seen them around when walking in the area, this development could harm their fragile existence as many species of bat are on the IUCN red list.

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.

3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.
5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to **represent me at the Examination.**

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

[REDACTED]

From: Doug Hunt [REDACTED]
Sent: 26 September 2020 18:07
To: ldfconsultation
Subject: Site Allocations DPD, Reg 19 Response
Attachments: Response Letter.docx

Dear sir

Please find attached response letter for sites SA19 & SA20.

Will you please also inform me of the measures being taken to increase the water reservoir capacity for Mid Sussex, considering rainfall weather patterns becoming more challenging due to climate change and demands on water supply increasing with increasing population.

Sincerely yours,

Douglas Hunt

2113

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2113

Response Ref: Reg19/2113/1

Respondent: Mr H Tumber

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts:

- Part A – Personal Details
- Part B – Representation
- Part C – Expanded Arguments to Support Representation
- Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name

Mr Hardev Tumber

Address



Email



PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD



Sustainability Appraisal



I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?



Failure to positively engage with landowners/developers offering large strategic sites. Access to SA22 requires access to land which legally be under control by Burleigh Woods RMC but is illegally retained by a Miller

Failure to properly take account of reasonable

Justified?

No

Failure to properly take account of reasonable alternatives, and failure to show sites SA19, SA20, SA22 to be sustainable or deliverable

Effective?

No

Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead

Consistent with National Policy?

No

Sites SA19, SA20 and SA22 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure First group's activities.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes



No



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 Imberhome Upper School
SA22 - Land off Burleigh Lane.

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 and SA22 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 and SA22 would ...

- 6) Represent an unacceptable extension to Crawley Down, Felbridge village and result in coalescence with East Grinstead

Allocation of site SA22 would ...

- 7) Result in loss of valued agricultural land, habitat and rural feel. And increase traffic and pressure on an already congested doctors surgery and does not take into consideration that Crawley Down has already met its development quota.

1. The Council has failed to consult properly with the wider public

Unsound because ...

- ☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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...”***
- ❖ MSDC’s Statement of Community Involvement 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”***.
- ❖ MSDC claim to have met their obligation to consult with residents by: Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council’s social media channels; posts on the Council’s website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ Ineffective Press Release Campaign ... MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they ***“were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation.”*** Just 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. 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.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that ***"planning policies should be flexible enough to accommodate needs not anticipated in the plan"***.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"***.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/ A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead, Crawley Down or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for sites in East Grinstead, Crawley Down and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.
- ❖ The proposed site allocations at East Grinstead, Crawley Down and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is ***"to provide opportunities for people to live and work in their communities, reducing the need for commuting"***.

- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is ***“to promote a place which is attractive to a full range of businesses, and where local enterprise thrives”***.

4. Allocation of sites SA19, SA20 and SA22 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that ***“The constrained nature of East Grinstead’s current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity.”***
- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.
- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

	SYSTRA Model		WSP Model	
	AM Peak	PM Peak	AM Peak	PM Peak
Junction Capacity	61%	65%	106.60%	101.40%

Vehicle Queue	2	3	48	33
Queuing Delay	15 secs	21 secs	3 mins 2 secs	1 min 55 secs

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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."*

5. Allocation of sites SA19, SA20 and SA22 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19, SA20 and SA22 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge, Imberhorne Farm and Crawley Down are outside the East Grinstead/Felbridge/Crawley Down built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead, Crawley Down and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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."*
- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead and Crawley Down and Turners Hill outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.

- ❖ The proposed site allocations SA19, SA20 and SA22 are outside the East Grinstead, Crawley Down & 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, SA20 and SA22
- ❖ Policy EG11 was designed to ensure that East Grinstead didn't have to accept housing allocations like these without 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"***.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ... ***"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”.

- ❖ The proposed site 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”.*
- ❖ The site allocation 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 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”.

7. Allocation of SA19, SA22 would result in loss of agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge and Crawley Down

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a ‘positive impact’ on the Landscape without any explanation or evidence to support the officers’ opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gulledge Farmhouse and Imberhorne Farm Cottages
 - The 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
 - District Plan policy DP34 says that *“Special regard is given to protecting the setting of a listed building”*
- ❖ The proposed site also 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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location 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.
 - 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 is limited due to recreational disturbance.
 - NPPF paragraph 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."*

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead, Crawley Down and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabtree Park and Mayfield.
5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to **represent me at the Examination.**

2141

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2141

Response Ref: Reg19/2141/1

Respondent: Mr J Donohue

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

From: Donohue, John
Sent: 28 September 2020 16:41
To: ldfconsultation
Subject: LATEST PROPOSED LARGE DEVELOPEMENT PROPOSAL OFF IMBERHORNE LANE EAST GRINSTEAD
Attachments: Site_Allocations_DPD_Regulation_19_Response (1).docx

Good afternoon,

Quite belatedly because of the lack of information as to where one could send any objections, please find attached a letter of very valid issues with this development.

Sadly having witnessed the process of the previous development off the Imberhorne lane, East Grinstead, where it was approved on an appeal by a 'individual(s) in Bristol' who had no interest or knowledge of the damage his/her decision was having on our environment and our town, I suspect this will go the same way.

The previous decision has now opened the doors for developers to concrete all the way from the Imberhorne Lane side of East Grinstead to Crawley Down without improving the already over capacity infrastructure.

The Developers 'sweetener' to get the previous development through the appeal in Bristol was to supply a relatively paltry amount of money for a traffic light junction at the end of Imberhorne Lane.

Even temporary traffic lights to fill in pot holes and a recently created 'COVID' cycle lane caused major traffic tailbacks throughout the day. The increase of 500 plus properties even if there is only one car per house with only one way out along the Imberhorne lane is only going to add to local traffic. What's the proposed infrastructure to cope with it?

The lack of information for local residents also suggests that it is going to go ahead regardless and our views and concerns are irrelevant.

Sadly this will be probably a 'money' decision rather than an environmental decision.

In the vain hope that common sense and thoughts for the local environment will prevail.

Many Thanks,

John Donohue

In accordance with government advice re Covid 19 the Resolute London, Basildon and Perth teams are now working remotely. Wherever possible, we would ask that you please communicate by email and refrain from sending correspondence by post. This will facilitate us being able to deal with your correspondence whilst not being in the office during this time. Some of our teams have call forwarding, all have the ability to retrieve voice messages however, if you need to contact any team member urgently or you do not have the contact details of the team member you wish to contact then please email resolute.facilities@resmsl.co.uk and your message will be forwarded to the team member concerned.

This message will be kept updated as our policy evolves to reflect local and national developments.

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2157

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2157

Response Ref: Reg19/2157/1

Respondent: Mr R Fox

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts: Part A – Personal Details
 Part B – Representation
 Part C – Expanded Arguments to Support Representation
 Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name

Rodney Fox

Address

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Email

[REDACTED]

PART B – REPRESENTATION

In the 1990s Imberhorne Farm was proposed for development, but that was to be part and parcel of an East Grinstead bypass – much needed even back then, and more so now, especially as the recent attempt by the council to implement a narrow pop-up cycle lane on the very busy A22 illustrates. Whatever happened to that proposal? Since then countless blocks of flats have been built across East Grinstead, some totally out of keeping with the town and, due to their sheer size and huge height, altering the skyline for the worse. Now what are we residents going to gain from such a massive increase in further housing, **not that the town's infrastructure** can cope anyway? Conversely we are going to lose much loved open farmland that provides so much pleasure to so many walkers, dog-walkers and cyclists alike. Not only that, but East Grinstead and Felbridge will virtually become one conurbation, with Crawley Down likely, not too far down the line, joining that conurbation too. As stated today in the news, the UK government is committing to protect 30% of the **UK's land** for nature (up from a current 26%). A good way to start would be to STOP destroying habitats NOW. Imberhorne Farm is an important habitat landscape for much wildlife, including bats and skylark and yellowhammer birds.

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD



Sustainability Appraisal



I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?	<input type="checkbox"/> No	Failure to positively engage with landowners/developers offering large strategic sites such as Crabtree Park
Justified?	<input type="checkbox"/> No	Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable
Effective?	<input type="checkbox"/> No	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="checkbox"/> No	Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure **First group's activities**.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes



No



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 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

1. The Council has failed to consult properly with the wider public

Unsound because ...

☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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..."*
- ❖ MSDC's Statement of Community Involvement 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"*.
- ❖ MSDC claim to have met their obligation to consult with residents by; Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council's social media channels; posts on the Council's website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign ...** MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they *"were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation."* Just 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. 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.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"*.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.
- ❖ The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.

- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *"to promote a place which is attractive to a full range of businesses, and where local enterprise thrives"*.

4. Allocation of sites SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*
- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.
- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

	SYSTRA Model		WSP Model	
	AM Peak	PM Peak	AM Peak	PM Peak
Junction Capacity	61%	65%	106.60%	101.40%

Vehicle Queue	2	3	48	33
Queuing Delay	15 secs	21 secs	3 mins 2 secs	1 min 55 secs

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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."*

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhome Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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."*
- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.

- ❖ 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 Imberhome 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 didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ... *"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”.

- ❖ The proposed site 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”.*
- ❖ The site allocation 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 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”.

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a ‘positive impact’ on the Landscape without any explanation or evidence to support the officers’ opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gullede Farmhouse and Imberhome Farm Cottages
 - The 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
 - District Plan policy DP34 says that *“Special regard is given to protecting the setting of a listed building”*
- ❖ The proposed site also 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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location **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.
 - 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 is limited due to recreational disturbance.
 - NPPF paragraph 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.”*

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.
5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to **represent me at the Examination.**

2160

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2160

Response Ref: Reg19/2160/1

Respondent: Mr W Lightburn

Organisation:

On Behalf Of: Gullege

Category: Resident

Appear at Examination? x

[REDACTED]

From: Will Lightburn [REDACTED]
Sent: 28 September 2020 01:26
To: ldfconsultation
Cc: planningpolicy
Subject: SA20 SA19 developments
Attachments: Site_Allocations_DPD_Regulation_19_Response-filled.doc

I wish to object very strongly to the SA20 (Imberhorne Farm) and SA19 (crawley down road) mega housing developments. These are totally unsuitable for the area, Gulledge Farmhouse should not be next to a massive housing estate! The Government have not consulted the residents properly, and the roads can't handle any more traffic. There are far more suitable sites. This is farm land that is currently used for growing FOOD and is a wildlife habitat. Please see attachment for full response.

Will Lightburn

[REDACTED]

[REDACTED]

2179

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2179

Response Ref: Reg19/2179/1

Respondent: Ms A Greenwood

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts: Part A – Personal Details
 Part B – Representation
 Part C – Expanded Arguments to Support Representation
 Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name	Alison Greenwood
Address	<div>██████████ ██████████ ██████████ ██████████</div>
Email	██████████

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD	<input checked="" type="checkbox"/>
Sustainability Appraisal	<input checked="" type="checkbox"/>

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?	<input type="checkbox"/> No	Failure to positively engage with landowners/developers offering large strategic sites such as Crabbet Park
Justified?	<input type="checkbox"/> No	Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable
Effective?	<input type="checkbox"/> No	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="checkbox"/> No	Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure **First group's activities**.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes ☒ No ☐

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 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

1. The Council has failed to consult properly with the wider public

Unsound because ...

☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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..."*
- ❖ MSDC's Statement of Community Involvement 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"*.
- ❖ MSDC claim to have met their obligation to consult with residents by; Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council's social media channels; posts on the Council's website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign** ... MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they *"were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation."* Just 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. 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.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"*.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.

- ❖ The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *"to promote a place which is attractive to a full range of businesses, and where local enterprise thrives"*.
- ❖ ***With Gatwick Airport in its current state and the associated local businesses suffering badly as a result of the severe down turn in air travel where are the jobs coming from for the residents these houses are apparently needed for.***

4. Allocation of sites SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*
- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating

sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.
- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

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

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ **The recent addition of so called 'pop up Covid cycle lanes' in addition to the proposed 'bus priority along the A22' is wholly unsustainable. The infrastructure is unable to absorb additional traffic in that area.**
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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 were two very serious road traffic accidents outside my house on Crawley Down Road earlier this year. One of them near fatal requiring the road to be closed for several hours with two or three fire engines in attendance. Traffic along this long straight stretch of road rarely keeps to the 30 MPH speed limit and requests for traffic calming/speed cameras has been ignored. The situation is of such a concern that young families are considering moving away from the area because they do not feel that their children are safe.**

- ❖ **Furnace Wood will become an additional 'rat run' along with Rowplatt Lane that already suffers at peak traffic times.**
- ❖ **The junction of Crawley Down Road and A264 can be a difficult one to manoeuvre at times and this is very close to Felbridge School. Currently at the start and finish of the school day there are so many cars parked for drop off and pick up it is dangerous for anyone coming along at those times. Putting more cars on the road will inevitably result in the children as well as other pedestrians being put at additional risk.**
- ❖ **Having made and broken promises within the Neighbourhood and District Plans it is impossible to accept any vague assurances regarding improvements to traffic congestion.**

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhome Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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."*
- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ 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 Imberhome 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 didn't have to accept housing allocations like these without 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”.*

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
 - ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13
-
- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
 - ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ... *“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”.*
 - ❖ The proposed site 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”.*

- ❖ The site allocation 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 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”.

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a ‘positive impact’ on the Landscape without any explanation or evidence to support the officers’ opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gulledge Farmhouse and Imberhome Farm Cottages
 - The 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
 - District Plan policy DP34 says that *“Special regard is given to protecting the setting of a listed building”*
- ❖ The proposed site also 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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location **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.
 - **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 is limited due to recreational disturbance.
 - NPPF paragraph 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.”**

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.
5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

2227

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2227

Response Ref: Reg19/2227/1

Respondent: Mr G Andrews

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: GORDON ANDREWS [REDACTED]
Sent: 28 September 2020 18:06
To: ldfconsultation
Subject: Objection to MSDC Site Allocation Consultation
Attachments: Site_Allocations_DPD_Regulation_19_Response.docx

Dear Sir/Madam,

I object in the strongest possible terms to the larger developments proposed in the consultation and fully support the views expressed in the attached completed pro-forma obtained from the Infrastructure First group.

Although you were kind enough to notify me of this consultation I agree that it has not been publicised widely enough. In particular I agree that the proposed larger sites are contrary to the East Grinstead Neighbourhood Plan, that there has been an unsound assessment of sites, and the Imberhorne Farm and Felbridge developments in particular would create totally unsustainable traffic congestion.

As I understand it, East Grinstead is being asked to bear the brunt of overflow from Crawley, as Crabtree Park has been ruled out? This is a nonsense! People working in the Crawley area need to live as close as possible to their work in order to reduce the burden of commuting. As East Grinstead has far fewer employment opportunities for work these days due to the conversion of many office blocks into flats, East Grinstead is essentially now a commuter town. With no train service to Crawley almost all commuters to Crawley would have to use cars, thus adding even more to the appalling congestion in the Felbridge area! Even with the impact of COVID-19, the Felbridge area regularly features as somewhere to avoid, but how? Traffic surveys at the moment would lead to misleading information as many people are still working from home, but previous surveys have confirmed significant overcapacity.

I would remind you that the previous 2004 Local Plan fully acknowledged the extreme congestion in this area, one of the largest bottlenecks in the south-east. That Plan specifically stated that no more than 193 homes should be built in East Grinstead until significant traffic relief could be obtained. The more recent District Plan has removed that contingency, but it does at least acknowledge that there are traffic problems, primarily because two major A roads share the same tarmac for a mile and a half.

Clearly the acknowledged traffic problems have been ignored by Council planners for decades. Since 2004, THOUSANDS of homes have been, or are being built, whilst NO EFFECTIVE traffic relief measures have been introduced. Indeed, the "COVID" cycle lane has created even further traffic congestion!

To continue dumping more and more homes in East Grinstead is TOTALLY UNSUSTAINABLE, either individually or collectively. It is about time that the Councils realised this and modified their plans accordingly. In particular, East Grinstead should not be subjected to providing overflow from Crawley, where much better and nearer sites are available!

Yours faithfully,

Gordon Andrews

2241

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2241

Response Ref: Reg19/2241/1

Respondent: Mr and Mrs Hazeldean

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: John Hazeldean [REDACTED]
Sent: 28 September 2020 13:13
To: ldfconsultation
Subject: Objections to Proposed site Allocations SA19 and SA20
Attachments: Site_Allocations_DPD_Regulation_19_Response.docx

Dear Sirs

Please find attached a letter detailing our objections to the proposed site allocations SA19 and SA20.

At this stage I am deeply concerned that the current elected representatives in Mid-Sussex are failing to take into account the needs and concerns of the electorate and that Mid-Sussex are pushing ahead to make our pleasant villages and towns into undesirable conurbations that go against the Sussex way of life.

Yours faithfully
John and Joanna Hazeldean

2270

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2270

Response Ref: Reg19/2270/1

Respondent: Mr J Webb

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts:

- Part A – Personal Details
- Part B – Representation
- Part C – Expanded Arguments to Support Representation
- Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name

Mr Joseph Webb

Address

[REDACTED]

Email

[REDACTED]

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD



Sustainability Appraisal



I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?



Failure to positively engage with landowners/developers offering large strategic sites. Access to SA22 requires access to land which legally be under control by Burleigh Woods RMC but is illegally retained by a Miller

Failure to properly take account of reasonable

Justified?

No

Failure to properly take account of reasonable alternatives, and failure to show sites SA19, SA20, SA22 to be sustainable or deliverable

Effective?

No

Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead

Consistent with National Policy?

No

Sites SA19, SA20 and SA22 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure First group's activities.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes



No



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 Imberhome Upper School
SA22 - Land off Burleigh Lane.

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 and SA22 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 and SA22 would ...

- 6) Represent an unacceptable extension to Crawley Down, Felbridge village and result in coalescence with East Grinstead

Allocation of site SA22 would ...

- 7) Result in loss of valued agricultural land, habitat and rural feel. And increase traffic and pressure on an already congested doctors surgery and does not take into consideration that Crawley Down has already met its development quota.

1. The Council has failed to consult properly with the wider public

Unsound because ...

- ☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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...”***
- ❖ MSDC’s Statement of Community Involvement 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”***.
- ❖ MSDC claim to have met their obligation to consult with residents by: Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council’s social media channels; posts on the Council’s website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ Ineffective Press Release Campaign ... MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they ***“were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation.”*** Just 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. 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.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that ***"planning policies should be flexible enough to accommodate needs not anticipated in the plan"***.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"***.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/ A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead, Crawley Down or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for sites in East Grinstead, Crawley Down and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.
- ❖ The proposed site allocations at East Grinstead, Crawley Down and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is ***"to provide opportunities for people to live and work in their communities, reducing the need for commuting"***.

- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is ***“to promote a place which is attractive to a full range of businesses, and where local enterprise thrives”***.

4. Allocation of sites SA19, SA20 and SA22 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that ***“The constrained nature of East Grinstead’s current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity.”***
- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.
- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

	SYSTRA Model		WSP Model	
	AM Peak	PM Peak	AM Peak	PM Peak
Junction Capacity	61%	65%	106.60%	101.40%

Vehicle Queue	2	3	48	33
Queuing Delay	15 secs	21 secs	3 mins 2 secs	1 min 55 secs

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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."*

5. Allocation of sites SA19, SA20 and SA22 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19, SA20 and SA22 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge, Imberhorne Farm and Crawley Down are outside the East Grinstead/Felbridge/Crawley Down built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead, Crawley Down and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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."*
- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead and Crawley Down and Turners Hill outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.

- ❖ The proposed site allocations SA19, SA20 and SA22 are outside the East Grinstead, Crawley Down & 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, SA20 and SA22
- ❖ Policy EG11 was designed to ensure that East Grinstead didn't have to accept housing allocations like these without 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"***.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ... ***"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”.

- ❖ The proposed site 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”.*
- ❖ The site allocation 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 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”.

7. Allocation of SA19, SA22 would result in loss of agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge and Crawley Down

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a ‘positive impact’ on the Landscape without any explanation or evidence to support the officers’ opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gullede Farmhouse and Imberhorne Farm Cottages
 - The 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
 - District Plan policy DP34 says that *“Special regard is given to protecting the setting of a listed building”*
- ❖ The proposed site also 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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location 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.
 - 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 is limited due to recreational disturbance.
 - NPPF paragraph 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."*

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead, Crawley Down and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabtree Park and Mayfield.
5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to **represent me at the Examination.**

2280

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2280

Response Ref: Reg19/2280/1

Respondent: Mrs E Russell

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts:

- Part A – Personal Details

- Part B – Representation

- Part C – Expanded Arguments to Support Representation

- Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name	Mrs Elizabeth Russell
Address	<div>██████████</div> <div>██████████</div> <div>██████████</div> <div>██████████</div>
Email	██████████

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD	<input checked="" type="checkbox"/>
Sustainability Appraisal	<input checked="" type="checkbox"/>

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?	<input type="checkbox"/> No	Failure to positively engage with landowners/developers offering large strategic sites. Access to SA22 requires access to land which legally be under control by Burligh
----------------------	-----------------------------	--

Justified?	<input type="checkbox"/> No	Failure to properly take account of reasonable alternatives, and failure to show sites SA19, SA20, SA22 to be sustainable or deliverable
Effective?	<input type="checkbox"/> No	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="checkbox"/> No	Sites SA19, SA20 and SA22 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure First **group's** activities.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes ☒ No ☐

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
 SA22 - Land off Burleigh Lane.

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 and surrounding residents. The website also does not mention on the original form talk of SA22, and only when raised by residents has this form been updated but still not on the website – giving SA22 unfair representation as there is no mention of this on the website for residents to object too.

2) The council have already exceeded their district plan target for Crawley Down Village which was supposed to last until 2031.

Allocation of sites SA19, SA20 and SA22 would ...

3) Negatively impact the already overstretched village infrastructure.

The primary school is vastly oversubscribed already with village residents living within 500m of the school not being offered a place. As well as waiting lists for the local doctors/dentists. SA22 would impact this even further.

Other amenities such as water/electricity are already under pressure to deal with the no. of additional houses built in the village which already has a negative impact on residents most weeks with power outages/burst pipes/blockages and water pressure issues. As well as connectivity to phone lines/internet already being over-whelmed.

4) Lead to unsustainable traffic congestion with local junctions already over capacity with the majority of all local roads displaying numerous cracks/potholes.

5) Be contrary to national planning policies & the Local Development Plan

Allocation of site SA19 and SA22 would ...

6) Represent an unacceptable extension to Crawley Down, Felbridge village and result in coalescence with East Grinstead

Allocation of site SA22 would ...

7) Result in loss of valued agricultural land, habitat and rural surroundings. Increased traffic and pressure on an already congested village amenities. This application does not take into consideration that Crawley Down has already met its development quota.

1. The Council has failed to consult properly with the wider public

Unsound because ...

- ☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

2.

- ❖ 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..."*
- ❖ MSDC's Statement of Community Involvement 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"*.
- ❖ MSDC claim to have met their obligation to consult with residents by; Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council's social media channels; posts on the Council's website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign** ... MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they *"were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation."* Just 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. 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.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

3.

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents

ready access to **Crawley's** extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"*.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

4.

- ❖ There is no housing shortfall in East Grinstead, Crawley Down or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]

- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for sites in East Grinstead, Crawley Down and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.
- ❖ The proposed site allocations at East Grinstead, Crawley Down and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *"to promote a place which is attractive to a full range of businesses, and where local enterprise thrives"*.

4. Allocation of sites SA19, SA20 and SA22 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

5.

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*
- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

○

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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*

- The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.
- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

	SYSTRA Model		WSP Model	

- ❖
- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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."*

5. Allocation of sites SA19, SA20 and SA22 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19, SA20 and SA22 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge, Imberhorne Farm and Crawley Down are outside the East Grinstead/Felbridge/Crawley Down built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead, Crawley Down and Felbridge are in conflict with policies EG11 and DP21

6.

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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."*
- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead and Crawley Down and Turners Hill outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ The proposed site allocations SA19, SA20 and SA22 are outside the East Grinstead, Crawley Down & 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, SA20 and SA22
- ❖ Policy EG11 was designed to ensure that East Grinstead didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

7.

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ...*"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"*.
- ❖ The proposed site 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"*.
- ❖ The site allocation 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 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”.

7. Allocation of SA19, SA22 would result in loss of agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge and Crawley Down

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

8.

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a ‘positive impact’ on the Landscape without any explanation or evidence to support the officers’ opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gulledge Farmhouse and Imberhome Farm Cottages
 - The 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
 - District Plan policy DP34 says that *“Special regard is given to protecting the setting of a listed building”*
- ❖ The proposed site also 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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location 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.
 - 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 is limited due to recreational disturbance.
 - NPPF paragraph 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.**”*

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
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6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to **represent me at the Examination.**

2281

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2281

Response Ref: Reg19/2281/1

Respondent: Mrs J Groom

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Jane Groom [REDACTED]
Sent: 28 September 2020 20:13
To: ldfconsultation
Subject: Objection to local planning applications SA22, SA19 and SA20
Attachments: Site_Allocations_DPD_Regulation_19_Response (1)[100102].docx

Dear Sirs/Madam

Please find attached an objection to planning applications SA19, SA20 and SA22.

Regarding SA22, Crawley Down Village has now become greatly over developed with totally inadequate supporting Infrastructure. The GP surgeries are oversubscribed and unable to cope with new applications as they are at capacity, the school is hugely oversubscribed despite an increase in intake, and this scholastic year local children are having to attend schools as far away as Godstone, and being forced to drive to Turners Hill School rather than being able to walk through quiet roads to the local school. An outrage in these times of global warming concern.

The village cannot cope with a further increase in residents – the area has already become so congested with roads in and out of Turners Hill, Felbridge, East Grinstead and Crawley consistently queued for miles, even during the quieter lockdown period. This infrastructure is at breaking point. Locally Felbridge has already seen the impact of constant over development with a consistent traffic jam through the village day and night.

Please consider the attached as a strong objection to the proposed planning applications.

Sincerely yours

Jane Groom

Sent from [Mail](#) for Windows 10



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RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts:

- Part A – Personal Details

- Part B – Representation

- Part C – Expanded Arguments to Support Representation

- Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name	Mrs Jane Groom
Address	<div>██████████</div> <div>██████████</div> <div>██████████</div> <div>██████████</div> <div>██████████</div> <div>██████████</div>
Email	██████████

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD	<input checked="" type="checkbox"/>
Sustainability Appraisal	<input checked="" type="checkbox"/>

I consider the site Allocations DPD to be unsound in the following respects:

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Justified?	<input type="checkbox"/> No	Failure to properly take account of reasonable alternatives, and failure to show sites SA19, SA20, SA22 to be sustainable or deliverable
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Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure First **group's** activities.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes ☒ No ☐

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
 SA22 - Land off Burleigh Lane.

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 and surrounding residents.
- 2) The council have already exceeded their district plan target for Crawley Down Village which was supposed to last until 2031.

Allocation of sites SA19, SA20 and SA22 would ...

3) Negatively impact the already overstretched village infrastructure. The primary school is vastly oversubscribed already with village residents living within 500m of the school not being offered a place. SA22 would impact this even further.

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 and SA22 would ...

6) Represent an unacceptable extension to Crawley Down, Felbridge village and result in coalescence with East Grinstead

Allocation of site SA22 would ...

7) Result in loss of valued agricultural land, habitat and rural surroundings. Increased traffic and pressure on an already congested doctors surgery and school. This application does not take into consideration that Crawley Down has already met its development quota.

1. The Council has failed to consult properly with the wider public

Unsound because ...

- ☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

2.

- ❖ 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..."*
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local East Grinstead paper despite the DPD proposing over half of the homes to be allocated in East Grinstead and Felbridge.

❖ **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.

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- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

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- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents

ready access to **Crawley's** extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"*.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

4.

- ❖ There is no housing shortfall in East Grinstead, Crawley Down or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]

- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for sites in East Grinstead, Crawley Down and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.
- ❖ The proposed site allocations at East Grinstead, Crawley Down and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *"to promote a place which is attractive to a full range of businesses, and where local enterprise thrives"*.

4. Allocation of sites SA19, SA20 and SA22 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan

- ☒ There are no demonstrable highway mitigation proposals

5.

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*
- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

○

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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.

- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.
- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

	SYSTRA Model		WSP Model	

- ❖
- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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."*

5. Allocation of sites SA19, SA20 and SA22 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19, SA20 and SA22 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge, Imberhome Farm and Crawley Down are outside the East Grinstead/Felbridge/Crawley Down built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead, Crawley Down and Felbridge are in conflict with policies EG11 and DP21

6.

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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."*
- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead and Crawley Down and Turners Hill outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ The proposed site allocations SA19, SA20 and SA22 are outside the East Grinstead, Crawley Down & 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 Imberhome Farm and south of the Crawley Down Road ... precisely the location of the proposed sites SA19, SA20 and SA22
- ❖ Policy EG11 was designed to ensure that East Grinstead didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

7.

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
 - The strategic aims of policy DP6 are ...*"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"*.
- ❖ The proposed site 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"*.
- ❖ The site allocation 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 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”.

7. Allocation of SA19, SA22 would result in loss of agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge and Crawley Down

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

8.

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a ‘positive impact’ on the Landscape without any explanation or evidence to support the officers’ opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gulledge Farmhouse and Imberhome Farm Cottages
 - The 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
 - District Plan policy DP34 says that *“Special regard is given to protecting the setting of a listed building”*
- ❖ The proposed site also 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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location 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.
 - 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 is limited due to recreational disturbance.
 - NPPF paragraph 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.**”*

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead, Crawley Down and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.
5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to **represent me at the Examination.**

2284

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2284

Response Ref: Reg19/2284/1

Respondent: Ms C Hill

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts: Part A – Personal Details
 Part B – Representation
 Part C – Expanded Arguments to Support Representation
 Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name	Claire Hill
Address	<div>██████████</div> <div>██████████</div> <div>██████████████████</div>
Email	██████████████████

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD	<input checked="" type="checkbox"/>
Sustainability Appraisal	<input checked="" type="checkbox"/>

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?	<input type="checkbox"/> No	Failure to positively engage with landowners/developers offering large strategic sites such as Crabbet Park
Justified?	<input type="checkbox"/> No	Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable
Effective?	<input type="checkbox"/> No	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="checkbox"/> No	Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure **First group's activities**.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes

☒

No

☐

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 ...

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❖ **No alerts on the Council's website ...**

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- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to 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)"*.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
 - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

3. Allocation of sites SA19 & SA20 would lead to reduced opportunities for people to live and work within their communities

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

- ❖ There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
 - 270 allocated in the Neighbourhood Plan
 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.

- ❖ The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
 - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *"to promote a place which is attractive to a full range of businesses, and where local enterprise thrives"*.

4. Allocation of sites SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*

- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.

- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

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

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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.*"

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhome Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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.*"

- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ 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 Imberhome 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 didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
- The strategic aims of policy DP6 are ...*"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"*.
- ❖ The proposed site 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"*.
- ❖ The site allocation 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 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".

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a 'positive impact' on the Landscape without any explanation or evidence to support the officers' opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gullede Farmhouse and Imberhome Farm Cottages
 - The 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
 - District Plan policy DP34 says that *"Special regard is given to protecting the setting of a listed building"*

- ❖ The proposed site also **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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location **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.
 - **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 is limited due to recreational disturbance.**
 - NPPF paragraph 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."*

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.
5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to **represent me at the Examination.**

7. In addition to the above objections I find it laughable that the on the news tonight the Government is looking to protect green spaces but the MSDC is quite happy to decimate large areas of farmland, open green spaces that should be used for crops and retention of wildlife, this surely is now in contravention of the Government proposals.
8. How does the MSDC propose the massive influx of housing is going to be policed considering that SA18 completely wipes out the police station in East Grinstead. There is a woeful presence here as it is.

2306

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2306

Response Ref: Reg19/2306/1

Respondent: Mr D Murphy

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts: Part A – Personal Details
Part B – Representation
Part C – Expanded Arguments to Support Representation
Part D – Actions I am seeking

PART A – PERSONAL DETAILS

Name	Danny Murphy
Address	<div>██████████ ██████████ ██████████ ██████████</div>
Email	████████████████████

PART B – REPRESENTATION

My comments relate to the lack of legal compliance and the unsoundness of the:

Site Allocations DPD	<input checked="" type="checkbox"/>
Sustainability Appraisal	<input checked="" type="checkbox"/>

I consider the site Allocations DPD to be unsound in the following respects:

Positively Prepared?	<input type="checkbox"/> No	Failure to positively engage with landowners/developers offering large strategic sites such as Crabbet Park
Justified?	<input type="checkbox"/> No	Failure to properly take account of reasonable alternatives, and failure to show sites SA19 & SA20 to be sustainable or deliverable
Effective?	<input type="checkbox"/> No	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="checkbox"/> No	Sites SA19 & SA20 are not sustainable in accordance with policies in the framework

Please note that due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so. I have only become aware of this consultation from the Infrastructure **First group's activities**.

I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

Yes

☒

No

☐

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

SA22 – Land of Burleigh Lane

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 and SA22 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 and SA22 would ...

6) Represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Allocation of site SA22 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 Crawley Down. The current infrastructure **in the village can't** deliver key services to the village as it stands. The school and doctors are full, the roads leading into the proposed estate will cause so much more additional stress to the roads and the villagers. The forecasted times I have read also seem under given the demand that will go on to Turners Hill Road.

1. The Council has failed to consult properly with the wider public

Unsound because ...

☒ MSDC has failed to deliver on its Statement of Community Involvement strategy

- ❖ 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..."*
- ❖ MSDC's Statement of Community Involvement 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"*.
- ❖ MSDC claim to have met their obligation to consult with residents by; Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council's social media channels; posts on the Council's website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign ...** MSDC state 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 have failed to monitor whether the press release was used by these media outlets.
 - Officers can only say that they *"were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation."* Just 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. 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.

❖ **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.

❖ **No alerts in Mid Sussex Matters ...**

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- 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. The Council has failed to adequately assess all potential sites

Unsound because ...

- ☒ Alternative sustainable sites that would better meet Crawley's unmet need were summarily discarded without due consideration
- ☒ So-called 'High Performing Sites' were not adequately assessed against acknowledged Highway constraints or EGNP policies

- ❖ The purpose of the Site Allocations DPD is to meet the Inspector's requirement for MSDC to allocate sites to help accommodate Crawley's unmet need, which they had failed to take account of in their submitted District Plan.
- ❖ Deliverable sites nearer to Crawley have been dismissed without proper regard to their overall sustainability and without being assessed against any of the 17 planning considerations imposed on the sites allocated in the DPD.
- ❖ National planning policy (NPPF) says that development plans should be prepared on the basis that all reasonable alternatives are explored. Two significant deliverable and sustainable options were dismissed without due consideration.
- ❖ The site put forward at Crabbett Park (SHEELA Reference 18) could provide up to 2,300 homes close to the Crawley and could be linked into the Fastway public transport system. This would allow future residents ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*.
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- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
 - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
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Unsound because ...

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- ❖ There is no housing shortfall in East Grinstead or Felbridge where the housing need is fully satisfied by the 782 homes already completed since the start of the plan period together with the 1,238 homes already committed ...
 - 714 with permission as at April 2014
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 - 254 permitted since April 2020

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for two sites in East Grinstead and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.

- ❖ The proposed site allocations at East Grinstead and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *"to provide opportunities for people to live and work in their communities, reducing the need for commuting"*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of 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.
- ❖ 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 the 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
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- ❖ 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.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *"to promote a place which is attractive to a full range of businesses, and where local enterprise thrives"*.

4. Allocation of sites SA19 & SA20 would lead to unsustainable traffic congestion with local junctions already over capacity

Unsound because ...

- ☒ Material up-to-date traffic evidence is being withheld from the consultation process
- ☒ The MSDC strategic transport assessment understates baseline traffic conditions
- ☒ Despite this, the model highlights a severe cumulative impact in-combination with allocations in the adopted plan
- ☒ There are no demonstrable highway mitigation proposals

- ❖ Multiple traffic studies confirm that the local highways network is a significant constraint to development in East Grinstead and threatens its future economic sustainability. The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."*

- ❖ MSDC has published a revised transport study by SYSTRA as evidence to support the Site Allocations DPD. They have also jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion.

WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
 - *"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 in 2018 ...

	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

- ❖ The WSP Executive Summary confirms that their recommended option requires the compulsory purchase of 3rd party land and while it offers a temporary improvement over the 'do nothing' option, it was unable to prevent the junction becoming over capacity once again by the end of the plan period.

SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model 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."*
 - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District 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 is untenable.

- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

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

- ❖ MSDC have chosen not to publish the findings of the more recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... 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."*

5. Allocation of sites SA19 & SA20 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19 and SA20 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge and Imberhome Farm are outside the East Grinstead/Felbridge built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ 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."*

- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead, outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ 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 Imberhome 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 didn't have to accept housing allocations like these without 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"*.

6. Allocation of SA19 would represent an unacceptable extension to Felbridge village and result in coalescence with East Grinstead

Unsound because ...

- ☒ SA19 is contrary to the spatial housing objectives of policy DP6
- ☒ SA19 is contrary to Neighbourhood Plan policies EG2 and EG2a and corresponding District Plan policies DP12 and DP13

- ❖ 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 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 to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate 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.
- The strategic aims of policy DP6 are ...*"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"*.
- ❖ The proposed site 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"*.
- ❖ The site allocation 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 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".

7. Allocation of SA19 would result in loss of valued agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge

Unsound because ...

- ☒ SA19 landscape assessment not supported with evidence
- ☒ SA19 contrary to DP34 and NPPF paragraph 175

- ❖ Site allocations 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 reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
 - The planning assessment proforma rates the SA20 site location as having a 'positive impact' on the Landscape without any explanation or evidence to support the officers' opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gullede Farmhouse and Imberhome Farm Cottages
 - The 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
 - District Plan policy DP34 says that *"Special regard is given to protecting the setting of a listed building"*

- ❖ The proposed site also **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 paragraph 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.
- ❖ The farmlands at the proposed SA20 site location **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.
 - **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 is limited due to recreational disturbance.**
 - NPPF paragraph 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."***

PART D – ACTIONS I AM SEEKING

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

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 report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.
5. 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 the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to **represent me at the Examination.**

2427

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19 - SA20

ID: 2427

Response Ref: Reg19/2427/1

Respondent: Mr M McGregor-Temple

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Matt McGregor-Temple [REDACTED]
Sent: 28 September 2020 23:27
To: ldfconsultation
Subject: Draft Site Allocations - Regulation 19 Response
Attachments: Site_Allocations_DPD_Regulation_19_Response.pdf

To whom it may concern

Please find attached a copy of my response to the consultation for the Sites SA19 and SA20. The attached document forms a detailed and comprehensive summary of the main objections to these proposed sites.

In addition I wish to add my personal thoughts particularly relating to site SA20, I had seen an early proposal for this site a few years ago, but was unaware of the consultation carried out previously so up to now have not had an opportunity to comment. The land at Imberhorne Farm in particular the bridleway/track (PRoW) leading to Gullege is a very valuable and well used local asset. The views looking north from that path provide an expansive panorama towards the North Downs. Having lived in the Crawley Down and East Grinstead area for over 10 years this land has been a favourite spot to walk, cycle and escape to in times of stress when the fresh air, open space and wide expanses of sky never fail to lift my spirits and restore balance. I have dozens of photos of this view taken over the years, and during the Covid-19 lockdown period there has not been a time when there aren't at least a few others out enjoying the same space no matter what the weather or time of day.

From reading the summary documents relating to site SA20 I fail to see how the objectives or principles set out can possibly be met, the character and amenity of this PRoW will never be the same again if the open fields change to contain roads and 550 homes. The current view when facing north is comprised of agricultural fields with an ancient woodland in the near distance, framing glimpses of the North Downs. The view to the south of the PRoW which appears to be left undeveloped (for now) in the plan is far less attractive and due to the sloping nature of the land a far less pleasing vista than looking north. When looking north the only buildings visible are parts of Imberhorne Upper School, with the Crest Nicholson development 'The Oaks' remaining invisible, entirely screened behind the mature trees surrounding the site. This proposed new development will not be invisible, with 3-4 storey buildings being proposed near to the village centre/Imberhorne School.

From a personal perspective the northern of the two access roads for the new site will run directly behind my back garden, which currently offers a pleasant view through trees to open school playing fields, with agricultural fields and woodland beyond when looking north west. The proposed neighbourhood centre is located just beyond the trees surrounding 'The Oaks' development, and is likely to lead to increased noise, and diminished views particularly when the proposed 4 storey buildings will be likely to extend higher than the tree line or block the afternoon/evening sun. The other access road approaching from the south is shown to follow the line of the footpath that runs along the western boundary of The Oaks and will meet the other access road at the neighbourhood centre.

I'm concerned that these two access roads will in effect surround The Oaks on three sides and mean that any access to the PRoW to the west will no longer be via a scenic rural path and instead residents (many with young children) will have to cross these new roads to reach the open spaces. Similarly residents wishing to exit on foot to reach Imberhorne Lane via the path that follows the school boundary will have a new road crossing their route.

My final comment relates to the existing traffic using the roads and how the access onto Imberhorne Lane will result in further congestion. Imberhorne Lane is already regularly queued up from the A22 all the way back to the junction with Heathcote Drive and beyond. Similarly the A264 is queued back from the A22 sometimes as far as Doves Barn Nursery during both morning and evening rush hours. Whenever an incident occurs or another road has roadworks or diversions these queues become even more unacceptable and it leads to gridlock in the entire area. For example when roadworks took place on the A22 near the junction with A264 last year, the gridlock meant that a journey of less than a mile - from Imberhorne Lane to the A264 adjacent to Felbridge Primary School took well over an hour.

The existing roads and junctions are not capable of handling any further increase in traffic. It should also be noted that at least one traffic survey carried out on the A22/Imberhorne Lane junction was carried out during the Covid-19 lockdown when many people were not travelling to work and the schools were closed. This should also be considered in any ongoing measurement of traffic in the area, offices are closed and many are working from home or worse furloughed/made redundant due to the severe impact on major local employers such as Gatwick Airport. Traffic levels in 2020 are not representative of the normal levels on these roads and any resident of this area will be able to confirm that. Ordinarily the routes to the west via A264 or Turners Hill are very busy and other rat runs are sought out including West Park Road and Crawley Down Road. Similarly during the evening rush hour many eastbound vehicles leave the A264 and travel down Rowplatt Lane and then Crawley Down Road to rejoin the A264 and attempt to jump the queue. The fact that this is possible, despite the tricky junction exiting Crawley Down Road and cutting across the westbound lane shows that the current road is operating above capacity.

I hope my concerns along with those of many other local residents are considered and the sites discounted accordingly.

Yours sincerely
Matt Temple