

SA19: Land south of Crawley Down Road - Index by ID Number

ID	Respondent	Organisation	BehalfOf	Respondent Category	Participate
534	Mrs P Slatter	Felbridge Parish Council		Town & Parish Council	<input type="checkbox"/>
584	Mr R Whalley			Resident	<input type="checkbox"/>
602	Mr J Beale	East Grinstead Society		Organisation	<input type="checkbox"/>
666	Mrs J Holden	East Grinstead Town Council		Town & Parish Council	<input type="checkbox"/>
695	Mr P Allin	Boyer	Barratt - Crawley Down Road	Promoter	<input checked="" type="checkbox"/>
710	Mr N Burns	Natural England		Statutory Consultee	<input type="checkbox"/>
713	Mrs H Hyland	Environment Agency		Statutory Consultee	<input type="checkbox"/>
717	Mr R Tullett	Sussex Area Ramblers Association	Sussex Area Ramblers Association	Organisation	<input type="checkbox"/>
748	Ms L Brook	Sussex Wildlife Trust		Statutory Consultee	<input type="checkbox"/>
910	Ms V Riddle	Tandridge District Council		Local Authority	<input type="checkbox"/>
913	Mr J Greene	Surrey County Council		Local Authority	<input type="checkbox"/>
1420	Mr W Wickenden			Resident	<input type="checkbox"/>
1428	Mr F Smith			Resident	<input type="checkbox"/>
1433	Mr R King			Resident	<input type="checkbox"/>
1435	Mr R Clay			Resident	<input type="checkbox"/>
1436	Ms M Collins			Resident	<input type="checkbox"/>
1439	Mrs S Dennis			Resident	<input type="checkbox"/>
1440	Mr P Walker			Resident	<input type="checkbox"/>
1442	Ms M Baldwin			Resident	<input type="checkbox"/>
1472	Mr D Burke			Resident	<input type="checkbox"/>
1473	Mr G Morgan			Resident	<input type="checkbox"/>
1474	Mr A Morgan			Resident	<input type="checkbox"/>
1475	Ms B Peterson			Resident	<input type="checkbox"/>
1476	Ms E Kelly			Resident	<input type="checkbox"/>
1477	Ms L Kelly			Resident	<input type="checkbox"/>
1478	Ms J Holdaway			Resident	<input type="checkbox"/>
1487	Mr A Fennell			Resident	<input type="checkbox"/>
1488	Mr T Johnston			Resident	<input type="checkbox"/>
1560	Mr A Ward			Resident	<input type="checkbox"/>
1562	Mr F Lilley			Resident	<input type="checkbox"/>
1624	Mrs M Webber			Resident	<input type="checkbox"/>
1723	Mrs J Roberts			Resident	<input type="checkbox"/>
1726	Mrs B M Hollingsworth			Resident	<input type="checkbox"/>
1727	Mr B Hollingsworth			Resident	<input type="checkbox"/>
1735	Mr D Parkes			Resident	<input type="checkbox"/>
1799	Mrs N Ward			Resident	<input type="checkbox"/>

ID	Respondent	Organisation	BehalfOf	Respondent Category	Participate
2002	Mr R Burleigh			Resident	<input type="checkbox"/>
2062	Ms J Kenyon			Resident	<input type="checkbox"/>
2065	Mr A Black	Andrew Black consulting	Denton - Horsham Road	Promoter	<input type="checkbox"/>
2067	Mr A Black	Andrew Black consulting	Denton Homes - Butlers green	Promoter	<input type="checkbox"/>
2079	Mr A Black	Andrew Black consulting	Vanderbilt Homes - Hurstwood HH	Promoter	<input type="checkbox"/>
2080	Mr A Black	Andrew Black consulting	Vanderbilt homes - CDR	Promoter	<input type="checkbox"/>
2165	Mrs & Mr J & J Hayler			Resident	<input type="checkbox"/>
2361	J Drew			Resident	<input type="checkbox"/>
2401	Mrs G Jordan			Resident	<input checked="" type="checkbox"/>
2472	Ms C Bartlett			Resident	<input type="checkbox"/>

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 534

Response Ref: Reg19/534/3

Respondent: Mrs P Slatter

Organisation: Felbridge Parish Council

On Behalf Of:

Category: Town & Parish Council

Appear at Examination? x

FELBRIDGE PARISH COUNCIL | RESPONSE TO MSDC DPD SITE ALLOCATIONS 2020

Part A – Your Details

1. Personal Details

Title	MRS.
First Name	PATRICIA
Last Name	SLATTER
Job Title (where relevant)	PARISH CLERK
Organisation (where relevant)	FELBRIDGE PARISH COUNCIL
Respondent Ref. No. (if known)	
On behalf of (where relevant)	
Address Line 1	FELBRIDGE VILLAGE HALL
Line 2	CRAWLEY DOWN ROAD
Line 3	FELBRIDGE
Line 4	
Post Code	RH19 2NT
Telephone Number	01342-315661
E-mail Address	clerkfpc@aol.com



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

Part B Representation 1

Name or Organisation:

Felbridge Parish Council

3a. Does your comment relate to:

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

3b. To which part does this representation relate?

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

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

4b. Sound Yes ☐ No ☐

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

☒

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

☐

Yes, I wish to participate at the oral examination

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

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

10. Please notify me when:

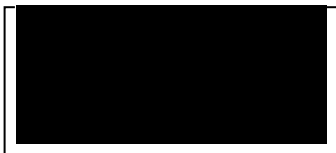
(i) The Plan has been submitted for Examination

☐

(ii) The publication of the recommendations from the Examination

☐

(iii) The Site Allocations DPD is adopted

☐

24th September 2020

Part B Representation 2

Name or Organisation:

Felbridge Parish Council

3a. Does your comment relate to:

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

3b. To which part does this representation relate?

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

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

4b. Sound Yes ☐ No ☒

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

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

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

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

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

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

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

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

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

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

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

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

Site SA19 should be withdrawn as it is not justified

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

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

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

☒

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

☐

Yes, I wish to participate at the oral examination

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

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

10. Please notify me when:

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

☐☐☐

Signature:



Date:

24th September 2020

Part B Representation 3

Name or Organisation:

Felbridge Parish Council

3a. Does your comment relate to:

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

3b. To which part does this representation relate?

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

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

4b. Sound Yes ☐ No ☒

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

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

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

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

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

Mid Sussex Baseline data

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

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

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

Tandridge¹

Table 1-1 – Baseline Assessment 2018 Baseline Scenario

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

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

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

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

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

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

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

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

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

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

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

² iTransport data submitted as evidence for this appeal.

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

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

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

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

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

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

☒

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

☐

Yes, I wish to participate at the oral examination

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

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

10. Please notify me when:

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

☐☐☐

24th September 2020

Part B Representation 4

Name or Organisation:

Felbridge Parish Council

3a. Does your comment relate to:

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

3b. To which part does this representation relate?

Paragraph

Policy SA

19

Draft Policies Map

4. Do you consider the Site Allocations DPD is:

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

Yes

☐

No

☐

4b. Sound

Yes

☐

No

☒

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

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

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

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

DP6 defines the settlement hierarchy as;

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

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

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

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

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

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

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

Analysis of the Sustainability Assessment Criteria as applied to SA19

Social Sustainability Objective No. 3

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

Indicators

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

Percentage of adults with poor literacy and numeracy skills

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

Stated Impact for SA19: Significant positive impact

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

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

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

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

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

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

Social Sustainability Objective No. 4

Objective: To improve access to retail and community facilities

Indicators

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

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

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

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

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

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

Environmental Sustainability Objective No. 11

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

Indicators

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

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

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

Proportion of journeys to work by public transport

Percentage of residents living and working within Mid Sussex

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

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

Stated Impact for SA19: Significant positive impact

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

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

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

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

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

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

Economic Sustainability Objective No. 14

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

Indicators

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

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

Stated Impact for SA19: Significant positive impact

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

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

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

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

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

Economic Sustainability Objective No. 15

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

Indicators

Percentage of Mid Sussex residents who are employed

Percentage of Mid Sussex residents who are economically active

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

Percentage of residents living and working within Mid Sussex

Job density (ratio of jobs to working age population)

Stated Impact for SA19: Positive impact

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

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

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

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

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

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

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

Economic Sustainability Objective No. 16

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

Indicators

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

Number of businesses within the District

Number of new businesses setting up in the District

Stated Impact for SA19: Positive impact

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

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

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

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

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

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

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

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

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

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

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

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

☒

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

☐

Yes, I wish to participate at the oral examination

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

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

10. Please notify me when:

(i) The Plan has been submitted for Examination

☐

(ii) The publication of the recommendations from the Examination

☐

(iii) The Site Allocations DPD is adopted

☐

Signature:



Date:

24th September 2020

Part B Representation 5

Name or Organisation:

Felbridge Parish Council

3a. Does your comment relate to:

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

3b. To which part does this representation relate?

Paragraph

Policy SA

19 & 20

Draft Policies Map

4. Do you consider the Site Allocations DPD is:

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

Yes ☐

No ☐

4b. Sound

Yes ☐

No ☒

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

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

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

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

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

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

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

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

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

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

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

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

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

Paragraph 194 of the NPPF states (our emphasis);

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

☒

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

☐

Yes, I wish to participate at the oral examination

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

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

10. Please notify me when:

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

☐☐☐

24th September 2020

Part B Representation 6

Name or Organisation:

Felbridge Parish Council

3a. Does your comment relate to:

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

3b. To which part does this representation relate?

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

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

4b. Sound Yes ☐ No ☒

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

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

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

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

Non-Sustainable Transport Impacts

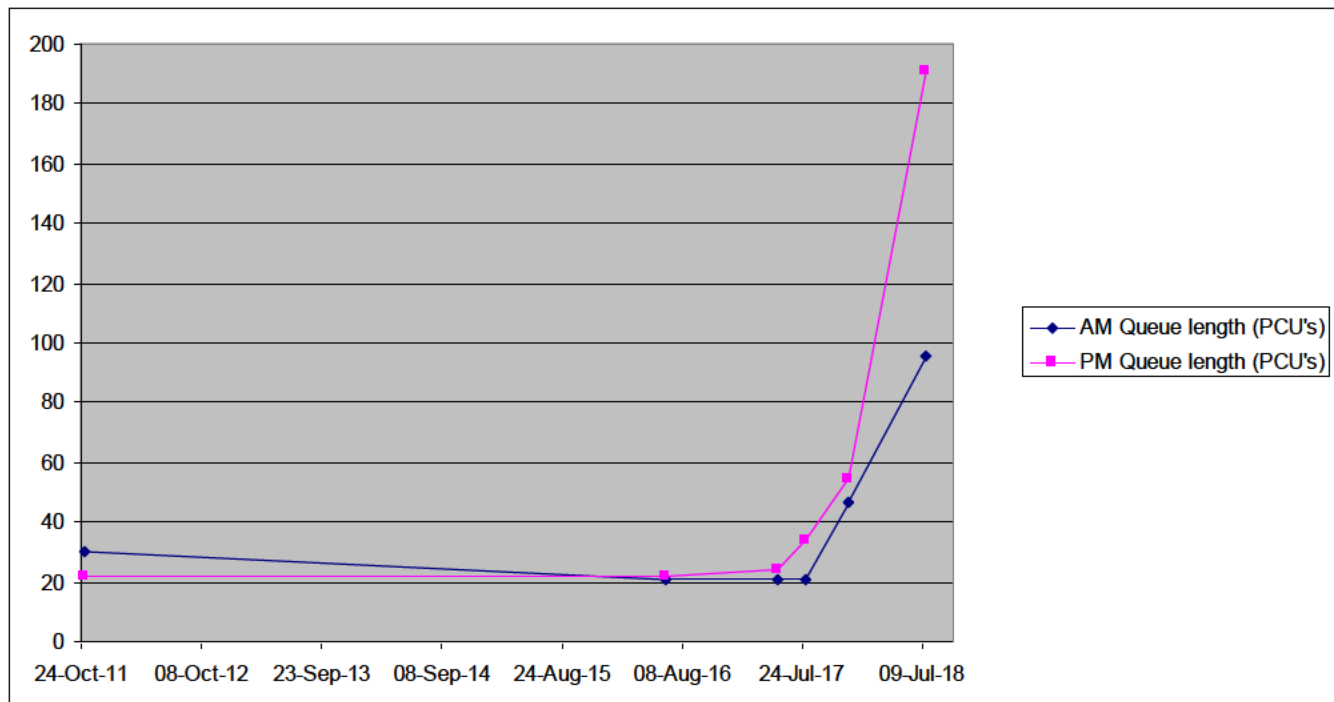
The local road network is already severe, and the impact of both sites (SA19 & SA20) will have a negative impact upon the junctions at The Star (A264/A22) and Imberhorne Lane/A22. The latest transport study jointly commissioned by MSDC and TDC identified that the A264/A22 junction is already operating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

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

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

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

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



The referenced surveys are;

Atkins³ baseline survey adopted by WSCC and SCC.

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

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

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

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

TDC survey 17-19th July 2018.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

High reliance upon car based transport

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

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

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

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

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

Lack of associated Employment space

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

DP1: Sustainable Economic Development Strategic Objectives:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

☒

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

☐

Yes, I wish to participate at the oral examination

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

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

10. Please notify me when:

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

☐☐☐

Signature:



Date:

24th September 2020

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 584

Response Ref: Reg19/584/2

Respondent: Mr R Whalley

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

Name	Robin Whalley
Address	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Name or Organisation	Robin Whalley
Which document are you commenting on?	Site Allocations DPD
Sites DPD Policy Number (e.g. SA1 - SA38)	SA19 - Land South of Crawley Down Road
Do you consider the Site Allocations DPD is in accordance with legal and procedural requirements; including the duty to cooperate	No
(1) Positively prepared	Unsound
(2) Justified	Unsound
(3) Effective	Unsound
(4) Consistent with national policy	Unsound

Please outline why you either support or object (on legal or soundness grounds) to the Site Allocations DPD

I would initially question the soundness of the very substantial allocation of housing to East Grinstead, bearing in mind the following:

- a) There has been no recent assessment of the true demand side of the equation, first of all by District (ie Mid Sussex) then specifically by smaller communities ie East Grinstead.
- b) The Mid Sussex District Plan is 2 years old (at least if you count the number of times it was issued and reissued), so should not the real current housing demand be reassessed?
- c) The economic climate following the COVID-19 pandemic has drastically altered, particularly in the Crawley-Gatwick area following the withdrawal of British Airways and Virgin Atlantic. This had led to substantial job losses both directly (over 5,000) and indirectly, which must affect the local housing needs.
- d) The lack of uptake of apartments and flats in East Grinstead (there are many which have been unsold for over two years) must indicate that the demand side analysis is grossly wrong and should be re-evaluated with development space allocated based on local demand not simply on a rule of thumb based on land availability!!
- e) Demand for housing still exists in the Crawley area and satisfying this demand in East Grinstead would lead to increased commuting on already congested roads adding to an increase in local emission of greenhouse gasses.
- f) The infrastructure in East Grinstead is already stretched, particularly the road system around the A264/A22 where traffic queuing is frequent throughout the day. Doctors' surgeries are similarly working at capacity.
- g) Many employment opportunity spaces have been lost in East Grinstead already by their conversion to apartments many of which remain unoccupied. Additional housing will lead to more external commuting and more emissions of greenhouse gasses.
- h) The number of dwellings envisaged in the Draft Sites Allocation is disproportionately large for East Grinstead's population when compared with elsewhere in the Mid Sussex area.
- i) The use of East Grinstead to satisfy the demand for Crawley's housing needs will lead to East Grinstead becoming a suburb of Crawley and losing its market town heritage.
- j) It is not clear why alternative sites in and around Crawley for Crawley's future housing needs have not been fully explored.

This proposal for SA 19, together with SA 20 will add even more traffic to the congested A264/A22 junction at Felbridge. Despite many traffic studies over the years, no satisfactory solution has emerged to the existing bottleneck here. The acute angled junction with Crawley Down Road and the A264 is already a most difficult one and there seems little opportunity to improve it to deal with the increased traffic generated from this proposed development. The fact that the development would be in Mid Sussex and the road junction is in Surrey, with the highway authority being West Sussex adds layers of inevitable consultation, which will be needed if any improvements are to be designed.

Policy DP 20 and 21 of the Mid Sussex District Plan "adopted" in March 2018 require adequate transport infrastructure to be provided "...in the right place at the right time that supports development...". It is clear that both SA 19 and SA 20 will create further pressure on the transport infrastructure such that the road system would not adequately support the proposed development.

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

a) Recalculate the true demand for housing in East Grinstead having first reassessed the economic climate in the Crawley/Gatwick area following the withdrawal of British Airways and Virgin Atlantic and the closure of related businesses. Make due allowance for those empty flats, apartments and shops currently available in East Grinstead.
 b) Properly consider development sites closer to Crawley where the demand is greater and which if taken up, would reduce commuting time and thus atmospheric pollution.
 c) Design and implement a sound traffic improvement scheme for the A264/A22 junction at Felbridge which reduces the currently queuing. This would need to be combined with improved traffic management at the A22/ Imberhorne junction and generally on the A22 approaches to East Grinstead from the north.

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

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

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

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

yes

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

yes

Please notify me when-The Site Allocations DPD is adopted

yes

Date

23/09/2020

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 602

Response Ref: Reg19/602/3

Respondent: Mr J Beale

Organisation: East Grinstead Society

On Behalf Of:

Category: Organisation

Appear at Examination? x

Site Allocations and Development Plan Document (DPD) - July 2020

Response by The East Grinstead Society

We commented on the Draft of this plan in November 2019 and regret that so little has been varied in the ensuing period to July 2020.

As before our comments relate to both the general context of East Grinstead and the three specific sites in the DPD, SA18, SA19 and SA20. We end with some general conclusions

Context

Our start point is that we see no evidence of unmet demand for housing in East Grinstead when there is so much unfilled accommodation. We believe that there is an overwhelming view in the Town that it is necessary to protect its unique market town heritage and not let it slip further into being a satellite of Crawley. This view is not simply an unnecessarily negative response but one underpinned by serious and long recognised issues around traffic congestion and an inadequate local road system.

Regarding the general situation SA35 – Safeguarding of land for and Delivery of Strategic Highway Improvements – is of particular relevance. This effectively concedes that the developments now proposed in the DPD will cause unacceptable road congestion throughout the East Grinstead area without major road improvements. It identifies the land that should be safeguarded to support the delivery of transport schemes, particularly the A22/A264 corridor upgrades at Felbridge, Imberhorne Lane and Lingfield Road. It goes on to suggest that there will be a need for further consultations between MSDC, WSCC, and other relevant parties, presumably Surrey County Council and Tandridge District Council but particularly East Grinstead Town Council.

Considering the long history of the congestion issue and its continuing impact on the issue of development in and around East Grinstead it is wishful thinking in the extreme to offer consultation as a key to unlock the issue without any evidence of any chance of success this time.

Thus until these consultations have taken place, a plan of action agreed and the works commenced it would appear to be imprudent to commence the housing developments envisaged in the DPD .

There is a major omission from the proposed list of safeguarded land in SA35. This is the junction of the Crawley Down Road and the A264. The two roads meet at a very acute angle and we are led to understand that the green space at this junction which would apparently allow expansion of the junction is protected by the terms of a gift to the people of Felbridge so this is a non-starter as congestion mitigation.

Specific Sites

SA18 Police Station East Court

The site is adjacent to the East Court Mansion which is a listed building with a large conservation area around it. The existing parking facilities relate to the needs of the council offices and the hirers of the public buildings on the site. The private road that services these buildings is narrow and is only provided for visitors and not for through traffic. The junctions for this private

road with the public road network are not suitable for significant extra traffic. Any parking facilities required for this proposed development will have to be within the site and not spill over into the Mansion parking facilities. There is a childrens' playground close by which must be protected from the potential threat of through traffic.

Furthermore, we think there are some important underlying questions. What are the implications for the Old Court House which is joined to the Police Station and could it be incorporated into the scheme? Have any surveys been undertaken to study the stability of the land to ensure that the development would not slip into Blackwell Hollow?

SA19 Backland along Crawley Down Road

This proposal is complicated by the fact that the 200 houses would be in Mid-Sussex but the road access would be in Surrey. There is a well-filled primary school in Felbridge and an indifferent bus service but for all other services the inhabitants would have to look to East Grinstead. It has been established that to prevent coalescence of communities there should be no internal routes to connect the site with East Grinstead so access to these services would have to be by road using the road network referred to earlier in this note which has been recognised as unsatisfactory and congested. This is another problem for the joint councils working party on traffic mitigation to resolve before the housing scheme could be commenced.

SA20 Imberhorne Farm

This scheme for 550 houses has major implications for the road network. The scheme would be accessed by a substantial roundabout opposite Heathcote Drive on Imberhorne Lane. Imberhorne Lane will have to bear the pressure of traffic from the Hill Place Farm development on the Turners Hill Road, the Imberhorne and Garden Wood estates, traffic to and from Hazelden crossroads and, of course, that accessing the enlarged secondary school.

Regarding the enlarged secondary school much has been made of the benefit of combining the upper and lower portions. We look for clarification as to whether the proposal merely provides space for a school that caters for today's population or will there be adequate facilities for the children of these new developments as well?

General Conclusions

We note that the DPD is based on the world as it existed when the District Plan was originally prepared and things have moved on since then. In consequence the needs of the area have altered substantially, the DPD has not.

We have little office space available due to permitted schemes (and do not know if such space will ever be in demand again), with office space changing into flats with further ones in prospect. Added to this may be redundant shops. Changing working practices may alter the demand and we cannot be certain that all the new housing is going to be filled, with current schemes yet to be filled.

We are concerned that the character of the Town will be sacrificed for an empty prize, leaving its residents with congestion and a Town that is a dormitory of Crawley but with a load of empty accommodation.

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 666

Response Ref: Reg19/666/2

Respondent: Mrs J Holden

Organisation: East Grinstead Town Council

On Behalf Of:

Category: Town & Parish Council

Appear at Examination? x



EAST GRINSTEAD TOWN COUNCIL

Council Offices, East Court, College Lane, East Grinstead, West Sussex, RH19 3LT

Web site: www.eastgrinstead.gov.uk E mail: townclerk@eastgrinstead.gov.uk

Tel: (01342) 323636

Town Clerk: Mrs J W Holden EDMS, IRRV (Hons), Cert HE Comm Gov, PSLCC



INVESTOR IN PEOPLE

Your Ref:

My Ref:

When calling please ask for: Mrs J Holden

24th September 2020

Site Allocation DPD – Regulation 19 consultation

Thank you for the opportunity to consider the draft DPD further. The Council wish to refer back to our response of 20th November 2019. In addition to those earlier comments we would add the following:

Site SA18 - The Council again refer to paragraph 4.18 of the East Grinstead Neighbourhood Plan and feel strongly that the erosion of the community feel of the estate must be resisted. The inclusion of a built up area boundary on East Court is the start of further creep where this former private estate will erode to development and we very much object to the stating of a built up area boundary on East Court.

Site SA19 – This site remains of great concern as to coalescence between the Parish of East Grinstead and the neighbouring villages (EGNP EG2A). Being part of East Grinstead but being wholly consumed within the community of Felbridge where there is no proposed additional infrastructure means this development will be to the detriment of both East Grinstead and Felbridge.

Site SA20 - The Council acknowledge that if designated as a strategic site this will override the East Grinstead Neighbourhood Plan policy for this site to remain an open site. It is also recognised that the a development of this size will have significant impacts on the traffic and community facilities that it must be a condition that the infrastructure elements are all complete in tandem with phase 1 of the development should this site go ahead. This will be in line with the precedent set by the Northern Arc development in Burgess Hill and must be applied to all strategic development of significant size.

The Council has concerns as to the soundness of the plan having considered the transport studies. The SYSTRA plan that was undertaken by MSDC determined that the junctions around East Grinstead (we are specifically referring to the A264/ A22 junctions which will bear the load of the development in SA19 and SA20) will be over capacity under the current planned build. However the SYSTRA report also refers to the current capacity as being at 61% (AM peak) and 65% (PM Peak). Whilst the WSP report (executive report is published on the Tandridge DC website) quotes the current capacity as 106.6% (Peak AM) and

101.4% (Peak PM). If the WSP figures are accurate with the additional builds significant road mitigation will be necessary to accommodate the proposed sites. SA35 identifies land to be protected for future traffic corridor upgrades. We would contend these need to be identified to come forward in the life of this plan to mitigate proposed developments and should include Imberhorne Lane as a whole.

The Council further acknowledge with thanks, the removal of the Old Court House from SA34 and Appendix A.

Yours sincerely

Julie Holden
Town Clerk
East Grinstead Town Council

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 695

Response Ref: Reg19/695/1

Respondent: Mr P Allin

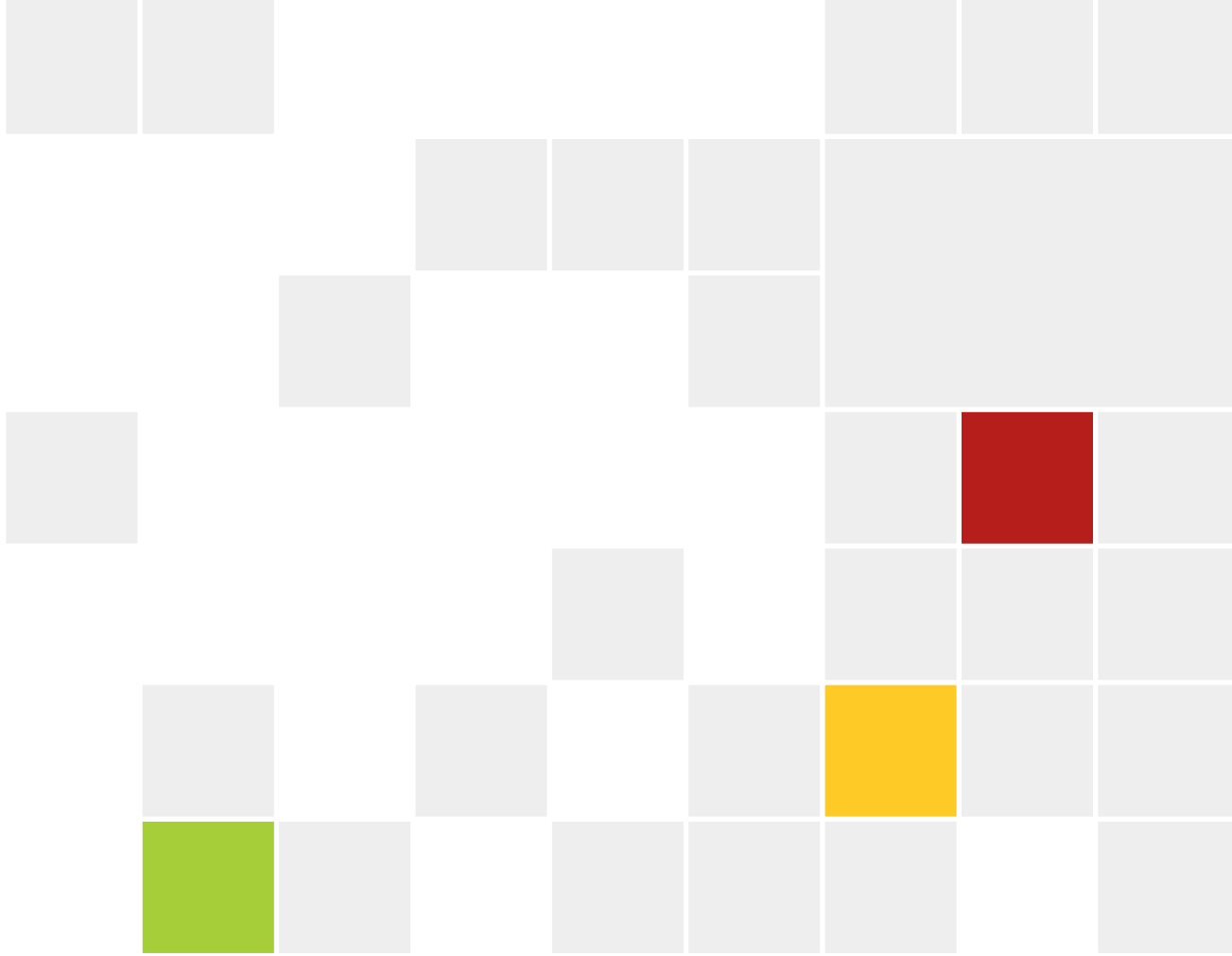
Organisation: Boyer

On Behalf Of: Barratt - Crawley Down Road

Category: Promoter

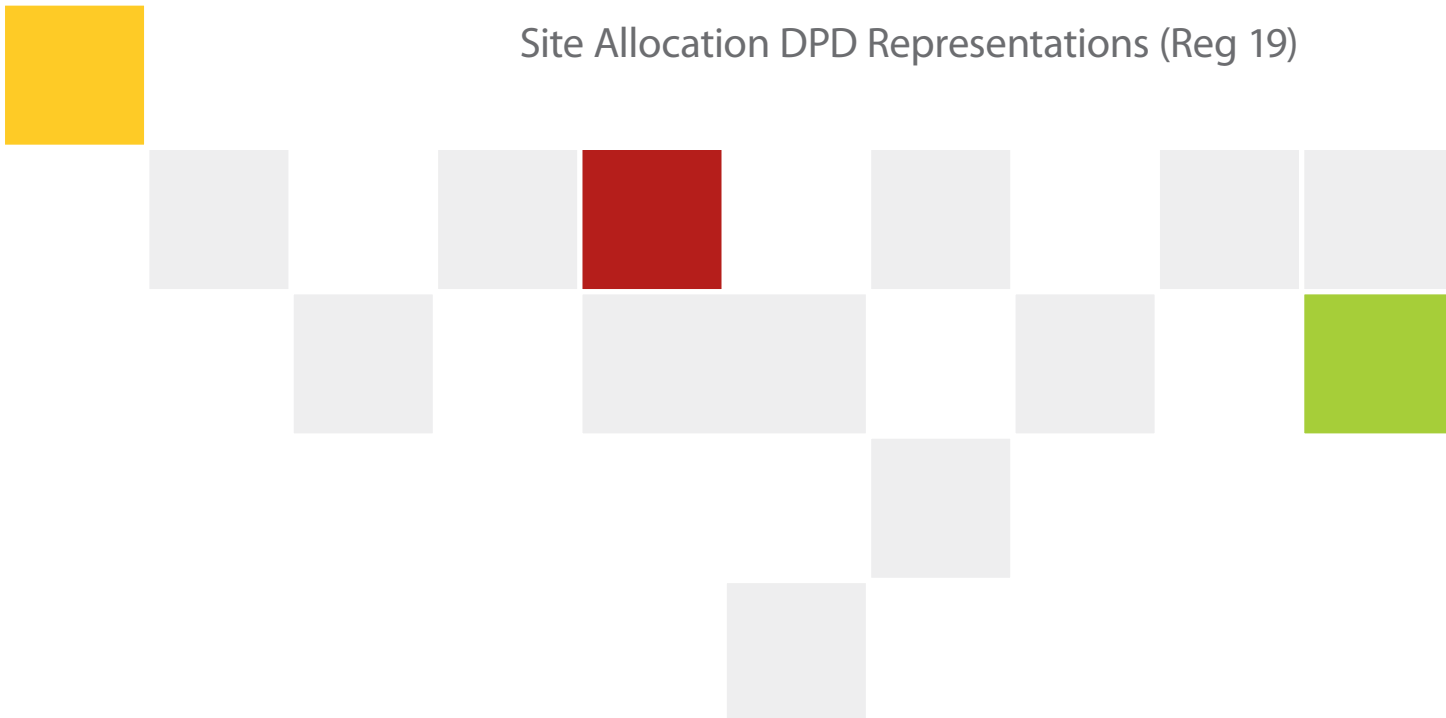
Appear at Examination? ✓

Name	Philip Allin
Job title	Associate Director
Organisation	Boyer
On behalf of	Barratt Developments Plc
Address	24 Southwark Bridge Road London SE1 9HF United Kingdom
Phone	07920-712277
Email	philipallin@boyerplanning.co.uk
Name or Organisation	Boyer on behalf of Barratt Developments Plc
Which document are you commenting on?	Site Allocations DPD
Sites DPD Policy Number (e.g. SA1 - SA38)	SA19
Do you consider the Site Allocations DPD is in accordance with legal and procedural requirements; including the duty to cooperate	Yes
(1) Positively prepared	Sound
(2) Justified	Sound
(3) Effective	Sound
(4) Consistent with national policy	Sound
Please outline why you either support or object (on legal or soundness grounds) to the Site Allocations DPD	Please see attached statement
Please set out what change(s) you consider necessary to make the Site Allocations DPD legally compliant or sound, having regard to the reason you have identified at question 5 above where this relates to soundness.	not applicable
If you wish to provide further documentation to support your response, you can upload it here	https://forms.midsussex.gov.uk/upload_dld.php?fileid=7ec56478d1c4361c549745e899ce8f9a
If your representation is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination	Yes, I wish to participate at the oral examination
If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary	Whilst we are supporting the Plan and in particular the proposed site allocation on land south of Crawley Down Road, Felbridge (SA19) we would wish to participate at the relevant hearing session in order to have the opportunity to respond to any points made by any objector.
Please notify me when-The Plan has been submitted for Examination	yes
Please notify me when-The publication of the recommendations from the Examination	yes
Please notify me when-The Site Allocations DPD is adopted	yes
Date	25/09/2020



Land South of Crawley Down Road, Felbridge

Site Allocation DPD Representations (Reg 19)



Boyer

Report Control

Project:	Land south of Crawley Down Road, Felbridge
Client:	Barratt Developments Plc
Reference:	17.5075
File Origin:	Document1
Primary Author	Philip Allin
Checked By:	Sean Breslin

<i>Issue</i>	<i>Date</i>	<i>Status</i>	<i>Checked By</i>
1	07/09/20	Draft	
2	25/09/20	Final	SB

TABLE OF CONTENTS

1.	Introduction	2
2.	Background	3
	Site and Surroundings	3
	Planning Context	3
3.	Site Allocation SA19	4
4.	Conclusions	7

1. INTRODUCTION

- 1.1 This document has been prepared on behalf of Barratt Developments Plc in respect of land south of Crawley Down Road, Felbridge. The site is identified as a proposed housing allocation within the Council's emerging Site Allocations DPD (Regulation 19) capable of delivering 200 new homes together with associated areas of open space (Policy SA19).
- 1.2 Barratt Developments has a controlling interest over the whole of the allocation site, extending to approximately 8.5Ha (20.4 acres). The site location is shown below. These representations follow those made at the Regulation 18 stage and demonstrate that the site's allocation would form part of a sound spatial strategy for Mid-Sussex.



2. BACKGROUND

Site and Surroundings

- 2.1 The site currently comprises of a series of 3 fields to the rear of existing residential development and sports fields that front onto Crawley Down Road. The boundaries of the site are formed by well-established landscaping whilst Felbridge Water runs along the site's southern boundary. An existing bridleway (40aEG) bisects the site in a north south direction and provides a connection between Crawley Down Road and other public rights of way to the south. Existing gated access is provided between the site and this bridleway. The site also includes no.71 Crawley Down Road which would provide the main point of access.
- 2.2 The majority of the site falls within Flood Zone 1 (lowest risk) whilst a small part of the southern part of the site, closest to Felbridge Water, falls within Flood Zones 2/3. In addition, it is not within a conservation area and does not include any heritage assets.
- 2.3 The main part of the site falls within Mid-Sussex District Council and West Sussex County Council whilst a small part, closest to Crawley Down Road, is within Tandridge District Council and Surrey County Council. The site is also within the administrative area of East Grinstead Parish Council.

Planning Context

- 2.4 We have promoted the site on behalf of Barratt Developments since 2017. In November 2019, we submitted representations to the Regulation 18 version of the Site Allocations Plan supporting the site's proposed allocation based on the technical work undertaken, which included a vision document for new development at the site. Since then we have continued our positive engagement with key stakeholders, most notably WSCC Highways, which has enabled us to further progress with preparing the supporting technical work. This work has been shared with MSDC and forms part of the library of documents supporting the site's allocation. These representations do not seek to repeat information contained within these documents or our earlier Regulation 18 representations, rather they seek to demonstrate that the site's inclusion as an allocation for 200 new homes forms part of a sound spatial strategy having regard to the relevant tests set out within the NPPF.

3. SITE ALLOCATION SA19

Positively Prepared

- 3.2 The District Plan identifies a minimum housing requirement of 16,874 for the Plan Period (2014-31), of which there is residual requirement of 1,280 homes to be met through the Site Allocations Plan. The spatial distribution is based on the Council's settlement hierarchy with East Grinstead, along with Burgess Hill and Haywards Heath, at the top of this hierarchy. In order to deliver sustainable development, a key aim of the NPPF, it is evident that new housing should be focused in and around these settlements.
- 3.3 Policy SA10 identifies a current residual housing requirement for these towns of 706 new homes with the Plan proposing the allocation of sites sufficient to deliver 1,409 new homes in and around these towns. All of the proposed allocations, as a whole, would deliver a total of 1,764 new homes.
- 3.4 As such the Site Allocations Plan would deliver approx. 500 more homes than required by the District Plan however for a variety of reasons this is considered entirely appropriate. The housing requirement set out in the District Plan is a minimum requirement and should therefore be seen as a 'floor', not a 'ceiling'. The provision of a buffer provides flexibility and certainty that the housing requirement can be met should, for unforeseen reasons, the delivery of housing from one or more allocated sites be delayed.
- 3.5 Mid-Sussex, in common with the majority of other authorities in the South East, has an increasing affordability issue. Home ownership in the District continues to be beyond the reach of many people with the price of new homes currently between 13-14 times average earnings (a rate double the average for England), as illustrated by data from the ONS contained within the following table:

House price to workplace earnings ratios ¹	2016	2017	2018	2019
Ratio of median house price to median gross annual workplace-based earnings (MSDC / England)	12.61 / 7.72	12.60 / 7.92	12.68 / 8.04	13.01 / 7.83
Ratio of lower quartile house price to lower quartile gross annual workplace-based earnings (MSDC / England)	13.95 / 7.16	13.19 / 7.26	12.98 / 7.34	13.80 / 7.27

¹<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian>

- 3.6 The continuing high cost of new homes is reflected in the latest SHMA (2014) which identifies an annual need of up to 474 new affordable homes. Even on the assumption that 30% of all new housing based on the annual requirement of 1,090 new homes (which applies from 2024/25) is affordable (327 homes per annum) then there will remain a considerable unmet need. This in large part explains why the proposed housing requirement for the District based on proposed changes to the standard methodology is expected to increase to 1,305 new homes per annum.
- 3.7 For all of the reasons set out above, it is evident that there is and continues to be a growing need for new homes in the District. The proposed allocation of sites in and around the District's main towns, exceeding the identified minimum housing requirement, is illustrative of the Council seeking to be positive in its planning for new homes.

Justified

- 3.8 A significant amount of work has been undertaken by both the Council and Barratt Developments to support the proposed allocation.
- 3.9 As set out within our previous representations, information was provided on the site sustainability whilst work had been undertaken to inform the proposed means of access and understand the associated highways impact. Since then, further engagement has taken place with the highway authority which has led to the assessment methodology being agreed. Based on this it is considered that the proposed development would have a negligible impact on the operation of the highway network. Furthermore, the proposed development provides an opportunity to improve public transport services in the local area. Improvements could include the funding to upgrade nearby bus stops near the site with real time information and contributions towards providing a new bus lane southbound along the A22 to give bus priority to East Grinstead (the scheme of which has already been designed). A safety audit of the proposed means of access has been carried out and proves that a safe access can be provided. This highways work forms part of the library of information published by the Council.
- 3.10 In light of the fact that the site currently comprises of open fields, ecological survey work has been undertaken which considers the potential impact on both site and off-site ecological receptors as well as addressing relevant comments made at the Regulation 18 stage. In summary, it is considered that the features of ecological interest are located around the site boundaries and so it is readily achievable to develop a sensitive layout which retains and buffers these areas. At this stage, effects of development on designations in the wider area are either unlikely or there are already measures in place to deliver mitigation (e.g. via SANG/SAMM developer contributions). Furthermore, significant opportunities exist for enhancements to biodiversity, in the form of habitat creation and enhancement measures, provision of additional opportunities for faunal species and by bringing the site into long-term management to benefit biodiversity. Likewise, the arboricultural and flood work prepared does not identify any issues that a sensitively designed layout couldn't overcome as illustrated by the concept layout contained within our supporting vision document.

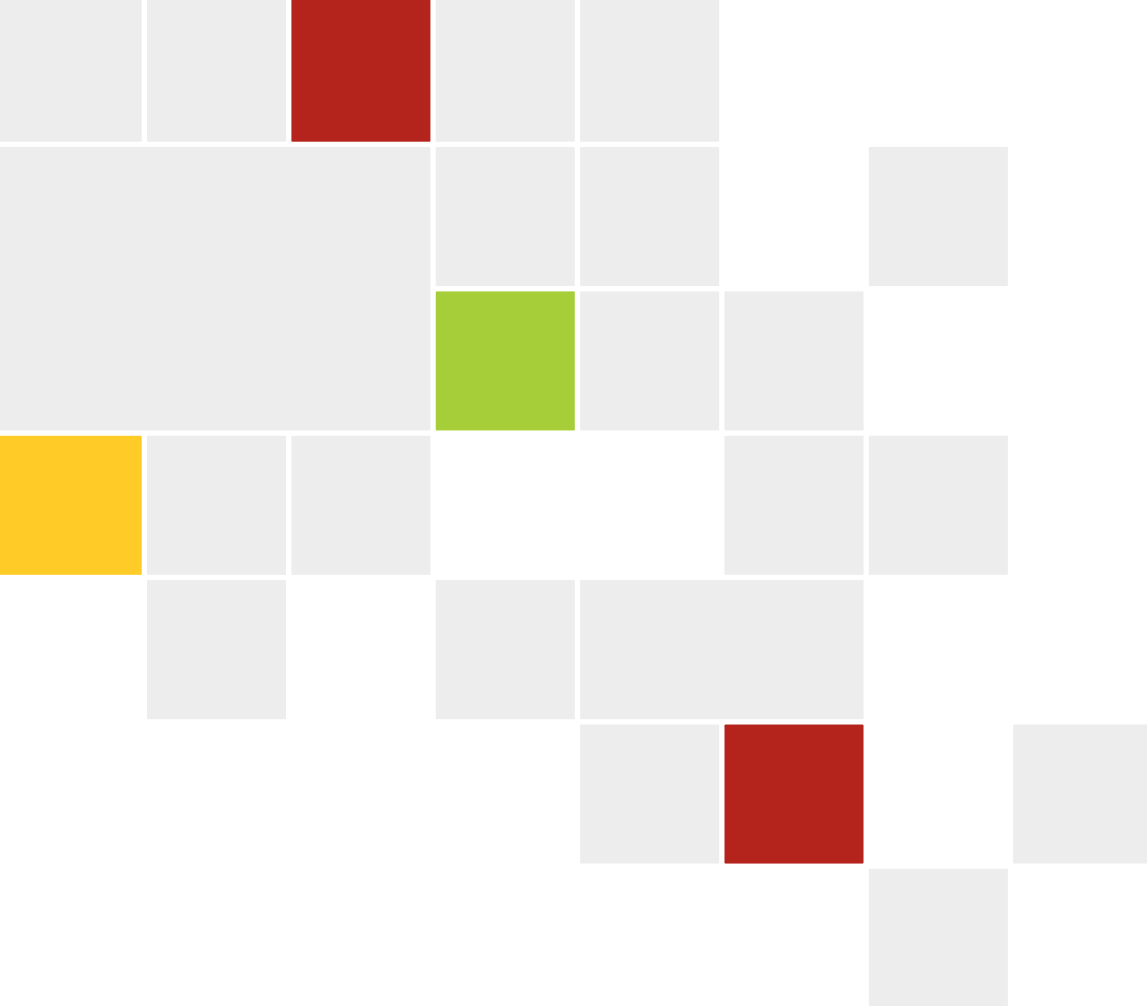
- 3.11 The site, along with SA20 to the south, represent the only proposed major growth area to East Grinstead. East Grinstead is a key town in the District providing a wide range of services and facilities whilst such facilities sufficient to meet the day to day needs of residents are also provided within Felbridge (as set out within chapter 3 and figure 3.3 of the supporting Transport Assessment). The surrounding footpath, cycle and bus network means that residents will be able to access these without relying on the private car. On this basis, it is considered that the site is a sustainable location for new residential development, the good accessibility of this general location being acknowledged by the Inspector considering a recent appeal approximately 150m east of the site (see paragraph 46, PINS ref: 3205537).
- 3.12 In summary, the proposed allocation has been clearly justified and would contribute towards the delivery of sustainable development, a key objective of the NPPF.

Effective

- 3.13 Barratt Developments, who have control of the whole site, are a recognised national housebuilder capable of implementing the subsequent planning permission at the site. A development of 200 new homes at the site is viable when taking into account the policy requirements of Policy SA19, other relevant policies (e.g. affordable housing) and contributions necessary to mitigate any impact of the development. On this basis, it is considered that new development is capable of being delivered within the first 5 years, following adoption.

4. CONCLUSIONS

- 4.1 Barratt Developments has a controlling interest over the whole of the SA19 allocation site, which extends to approximately 8.5Ha (20.4 acres).
- 4.2 The site has been promoted for residential development since 2017 with a significant amount of work undertaken to inform its proposed allocation for 200 new homes. This work is contained within the evidence base and library of documents supporting the site's allocation.
- 4.3 In line with tests set out within the NPPF, it is considered that the site's allocation would form part of a sound spatial strategy for new development in the District up to 2031 that is positively prepared, justified and effective.
- 4.4 In light of this, we fully support the continued inclusion of the site within the emerging Site Allocation Plan and its delivery within the first 5 years of the Plan period.



Boyer

24 Southwark Bridge Road, London, SE1 9HF | 0203 268 2018
london@boyerplanning.co.uk | boyerplanning.co.uk

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 710

Response Ref: Reg19/710/4

Respondent: Mr N Burns

Organisation: Natural England

On Behalf Of:

Category: Statutory Consultee

Appear at Examination? x

Date: 28 September 2020
Our ref: 324095



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

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Sir / Madam

Planning consultation: Mid Sussex District Council Site Allocations DPD - Regulation 19 Consultation

Thank you for your consultation on the above dated 03 August 2020 which was received by Natural England on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the approach taken by your authority to consult with Natural England at various stages in the preparation of the Site Allocations Development Plan Document. We are pleased that our engagement has resulted in our comments/concerns being addressed in this version of the plan. In particular, we welcome the positive engagement by Mid Sussex District Council with both Natural England and the High Weald AONB Unit in the assessment of the Regulation 19 proposed site allocations within the High Weald Area of Outstanding Natural Beauty (AONB).

From this assessment, we recognise and welcome that a conclusion has been reached that none of the proposed site allocations (Policies SA7, SA8, SA25, SA26, SA27, SA28, SA29, SA32) constitutes major development within the AONB.

Our comments on your Regulation 19 Site Allocations Development Plan Document (DPD) Site allocations and development policies, followed by general comments are as follows.

Comments on specific allocations

SA 7 - Cedars, Brighton Road, Pease Pottage

We support the requirement of this allocation to undertake a Landscape and Visual Impact Assessment (LVIA) to consider potential impacts on the special qualities of the High Weald AONB.

SA 8 - Pease Pottage Nurseries, Brighton Road, Pease Pottage

We support the requirement of this allocation to undertake a Landscape and Visual Impact Assessment (LVIA) to consider potential impacts on the special qualities of the High Weald AONB.

We also support the requirements regarding nearby ancient woodland in line with Natural England's [standing advice](#).

SA 18 - Former East Grinstead Police Station, College Lane, East Grinstead

We recommend a requirement be included for this development to contribute to the existing strategic solution in accordance with District Plan Policy **DP17: Ashdown Forest SPA and SAC**.

SA 19 – Land south of Crawley Down Road, Felbridge

We recommend a requirement be included for this development to contribute to the existing strategic solution in accordance with District Plan Policy **DP17: Ashdown Forest SPA and SAC**.

We support the requirement of this allocation to provide suitable SuDS and greenspace to address potential impacts on the Hedgecourt Lake SSSI.

SA 20 – Land south and west of Imberhorne Upper School, Imberhorne Lane, East Grinstead

We support the requirements of this allocation to provide an appropriately managed strategic Suitable Alternative Natural Greenspace (SANG) to mitigate increased recreational disturbance on Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC); such a SANG proposal must be considered in accordance with District Plan Policy **DP17: Ashdown Forest SPA and SAC**.

We also support the requirement for potential impacts of development on Hedgecourt Lake SSSI to be understood and adequately mitigated.

We also support the requirements regarding nearby ancient woodland in line with Natural England's [standing advice](#).

SA 22 – Land north of Burleigh Lane, Crawley Down

We recommend a requirement be included for this development to contribute to the existing strategic solution in accordance with District Plan Policy **DP17: Ashdown Forest SPA and SAC**.

SA 25 – Land west of Selsfield Road, Ardingly

We recommend a requirement be included for this development to contribute to the existing strategic solution in accordance with District Plan Policy **DP17: Ashdown Forest SPA and SAC**.

We support the requirements of this allocation to undertake a LVIA to consider potential impacts on the special qualities of the High Weald AONB.

SA 26 – Land south of Hammerwood Road, Ashurst Wood have

We recommend a requirement be included for this development to contribute to the existing strategic solution in accordance with District Plan Policy **DP17: Ashdown Forest SPA and SAC**.

We support the requirements of this allocation to undertake a LVIA to consider potential impacts on the special qualities of the High Weald AONB.

SA 27 – Land at St. Martin Close, Handcross

We support the requirements of this allocation to undertake a LVIA to consider potential impacts on the special qualities of the High Weald AONB.

SA 28 – Land South of The Old Police House, Birchgrove Road, Horsted Keynes

We recommend a requirement be included for this development to contribute to existing strategic solution in accordance with District Plan Policy **DP17: Ashdown Forest SPA and SAC**.

We support the requirements of this allocation to undertake a LVIA to consider potential impacts on the special qualities of the High Weald AONB.

SA 29 – Land south of St. Stephens Church, Hamsland, Horsted Keynes

We recommend a requirement be included for this development to contribute to the existing strategic solution in accordance with District Plan Policy **DP17: Ashdown Forest SPA and SAC**.

We support the requirements of this allocation to undertake a LVIA to consider potential impacts on the special qualities of the High Weald AONB.

SA 32 – Withypitts Farm, Selsfield Road, Turners Hill

We recommend a requirement be included for this development to contribute to the existing strategic solution in accordance with District Plan Policy **DP17: Ashdown Forest SPA and SAC**.

We support the requirements of this allocation to undertake a LVIA to consider potential impacts on the special qualities of the High Weald AONB.

Comments on Development Policies

SA38: Air Quality

Whilst we support the requirement of this policy for applicants to demonstrate there is not an unacceptable impact on air quality resulting from their proposals we recommend the following change in wording to strengthen the protection of designated sites.

*“Development proposals that are likely to have an impact on local air quality, including those in or within relevant proximity to existing or potential Air Quality Management Areas (AQMA)s or **designated nature conservation areas sensitive to changes in air quality**, will need to demonstrate measures/ mitigation that are incorporated into the design to minimise any impacts associated with air quality.*

We recognise there is specific wording established for air quality impacts for Ashdown Forest and this suggestion is additional for any other relevant sites which could be potentially impacted by changes to air quality.

General comments

Biodiversity net gain

We strongly support the requirements of all allocations to ensure there is a net gain to biodiversity as well as the general principle for site allocations to: *“Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity, using the most up-to-date version of the Biodiversity Metric. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where it is not possible, mitigate and as a last resort compensate for any loss. Achieve a net gain in biodiversity (measured in accordance with Government guidance and legislation), for example, by incorporating new natural habitats, appropriate to the context of the site, into development and designing buildings with integral bat boxes and bird nesting opportunities, green/brown roofs and green walling, in appropriate circumstances in accordance with District Plan Policy”.*

We would still however recommend that your DPD should include requirements to monitor biodiversity net gain. This should include indicators to demonstrate the amount and type of gain provided through development. The indicators should be as specific as possible to help build an evidence base to take forward for future reviews of the plan, for example the total number and type of biodiversity units created, the number of developments achieving biodiversity net gains and a record of on-site and off-site contributions.

We recommend that Mid Sussex District Council works with local partners, including the Local Environmental Record Centre and Wildlife Trusts, to share data and consider requirements for long term habitat monitoring. Monitoring requirements should be clear on what is expected from landowners who may be delivering biodiversity net gains on behalf of developers. This will be particularly important for strategic housing allocations, and providing as much information on monitoring upfront as possible will help to streamline the project stage.

Water efficiency

Your Authority contains areas of Serious Water Stress as designated by the Environment Agency. For developments in Southern Water Services drinking water supply area Natural England recommends water efficiency policies should be developed to support Southern Water's "Target 100".

This target, of 100 litres per person per day by 2040 has been identified by Southern Water to avoid the need for water supply options that are likely to damage biodiversity or/and effect protected landscapes. For development in other companies' supply areas Natural England supports the Environment Agency's recommendation of a maximum of 110 litres per person per day.

Water efficiency measures will help reduce the current impact of water resources on the natural environment and thereby contribute to more resilient landscapes and seas, one of the aims in Natural England's 'Building partnerships for nature's recovery: Action Plan 2020/21'¹. Reducing the water we use will also contribute to the Government's 25 Year Environment Plan aspirations for clean and plentiful water and to restore sustainable abstraction.

Soil

Soil is a finite resource, and fulfils many roles that are beneficial to society. As a component of the natural environment, it is important that soils are protected and used sustainably.

The DPD should recognise that development (soil sealing) has a major and usually irreversible adverse impact on soils. Mitigation should aim to minimise soil disturbance and to retain as many ecosystem services as possible through careful soil management during the construction process.

Soils of high environmental value (e.g. wetland and carbon stores such as peatland) should also be considered to contribute to ecological connectivity, as such these soils should be conserved and protected from negative impacts.

We recommend that allocation policies refer to the [Defra Code of practice for the sustainable use of soils on construction sites](#).

Comments on HRA

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of this DPD in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the implementation of this DPD will not result in adverse effects on the integrity of any of European sites in question.

Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, chiefly changes in air quality and increased recreational disturbance, Natural England advises that we concur with the assessment conclusions, providing that all required mitigation measures are appropriately secured in any future planning permissions given.

Comments on SA

We have no specific comments to make regarding our statutory remit and your sustainability appraisal.

If you have any queries relating to the advice in this letter please contact me on 07554226006 OR 02080266551.

¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/906289/natural-england-action-plan-2020-21.pdf

Should the DPD change significantly, please consult us again.

Yours faithfully

Nathan Burns
Area Team 14 - Kent and Sussex

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 713

Response Ref: Reg19/713/8

Respondent: Mrs H Hyland

Organisation: Environment Agency

On Behalf Of:

Category: Statutory Consultee

Appear at Examination? x

Name	Hannah Hyland
Job title	Planning Specialist
Organisation	Environment Agency
Address	Environment Agency Oving Road Chichester West Sussex PO20 0AG United Kingdom
Email	hannah.hyland@environment-agency.gov.uk
Name or Organisation	Environment Agency
Which document are you commenting on?	Site Allocations DPD
Sites DPD Policy Number (e.g. SA1 - SA38)	SA19 - Land south of Crawley Down, East Grinstead
Do you consider the Site Allocations DPD is in accordance with legal and procedural requirements; including the duty to cooperate	Yes
(1) Positively prepared	Sound
(2) Justified	Sound
(3) Effective	Sound
(4) Consistent with national policy	Sound
Please outline why you either support or object (on legal or soundness grounds) to the Site Allocations DPD	<p>We support the policy requirements that address issues of flood risk through the sequential approach and ensure environmental enhancements. Specifically:</p> <ul style="list-style-type: none"> - provision of onsite SuDS will need to contribute to green infrastructure - - the flood risk buffer along the Felbridge Water shall be used to maximise potential to enhance ecological connectivity, increase biodiversity and habitat creation.
If you wish to provide further documentation to support your response, you can upload it here	
If your representation is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination	No, I do not wish to participate at the oral examination
Date	23/09/2020

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 717

Response Ref: Reg19/717/1

Respondent: Mr R Tullett

Organisation: Sussex Area Ramblers Association

On Behalf Of: Sussex Area Ramblers Association

Category: Organisation

Appear at Examination? x

Comments on Mid Sussex DC draft Site Allocations DPD – September 2020

Submitted by Sussex Area Ramblers Association

These comments relate to East Grinstead Sites SA19 and SA20 only

Land south of Crawley Down Road (SA19)

Surface improvements are required to PROW 40aEG that passes through this site, to enable this route to provide access for walkers, cyclists and horseriders from Felbridge to Worth Way and East Grinstead. Permeability for non-car users will be key to delivering sustainable travel objectives.

Imberhorne Farmlands (SA20)

Sussex Ramblers strongly objects to the inclusion of this site in the Site Allocations DPD.

1. **Loss of valuable landscape** - An ancient bridleway (PROW 44bEG) runs through the open, historic arable landscape of this site, with extensive views over to the North Downs and Greensand ridge. While the impact on the site's Listed Buildings is acknowledged in the site assessment, the value of the wider historic landscape seems to be underappreciated.
2. **Loss of Biodiversity and other Sustainability issues** - This is the only development site in the DPD to involve significant loss of grade 3 arable land. Given the history of cropping on these fields, it is likely that at least some of the land is Grade 3a, and therefore should be protected from development under District Plan DP12 because of its "economic importance and geological value."
This is one of the best sites in north Mid Sussex to see and hear many farmland bird species, including Skylark and Yellowhammer, both currently Red List species. In terms of biodiversity, the draft DPD only seems to consider designated wildlife sites and protected landscapes as having value; this does not comply with the District Plan e.g. DP38 ... "The District Plan recognises the importance of protection and conservation of areas outside designated areas where they are of nature conservation value.....especially where they contribute to wider ecological networks."

Since 1990s, we believe Imberhorne Farm has benefitted from inclusion in the DEFRA Countryside Stewardship Scheme; the majority of this site comprises arable land with hedgerows, drainage ditches, wide field margins and it is bordered by ancient woodland to the north. Development of this site cannot be carried out in a way that accommodates the existing biodiversity, in particular the valuable farmland bird populations. This is indeed acknowledged in the Developer's own Ecological Report where it is accepted that if the development proceeds in this form, the loss of Skylark habitat cannot be prevented and cannot be mitigated. However, on page 59 of the MSDC Sustainability Appraisal, the impact on Biodiversity of the whole programme of sites is scored as "neutral", on the basis that the loss of biodiversity will be mitigated on all sites. Yet the addition of one more site, a redundant Golf course, is deemed to score a double negative for biodiversity loss, with no evidence of real threat provided.

On Page 88 of the Sustainability Appraisal, Site SA20 must surely be given a double negative score for biodiversity, and also a double negative score for countryside impact to reflect the value that local people attach to this landscape, which was set out in detail in the East Grinstead Neighbourhood plan policy SS8.

3. **Impact on Ashdown Forest** - This site lies within the Ashdown Forest 7km Zone of influence. The PROW network through SA20 is very well used by ramblers, dog walkers and cyclists from East Grinstead, providing a varied “all weather” circular route out to Gullege and back along Worth Way. The pleasure of the long, open views over the farmland to the North Downs will be lost through development – Sussex Ramblers believes that walkers may be diverted to other open landscape in the area, including the Ashdown Forest. This will of course involve a car journey rather than a walk.

The proposed SANG provision to the west of the site will not be conveniently located for existing East Grinstead residents, most of whom will be well over a 2km walk away. We think therefore that many residents will only visit by car, not meeting sustainable travel objectives, and for East Grinstead residents it will not replace the recreational opportunities lost by development of the site.

We do not believe that the effectiveness of SANG mitigation required by District Plan policy DP17 has been demonstrated by evidence that would allow the scale of development set out in SA20.

4. **Contrary to Existing policy**

The case against major development on the Imberhorne Farmlands is set out in some detail in the East Grinstead Neighbourhood Plan – Policy SS8 and para 9.16.in particular. We note that in the detailed assessment ID770 the existence of this NP policy is not even mentioned in the comment on the Neighbourhood Plan compliance!

The draft DPD therefore does not accord with the Neighbourhood plan.

The proposed development SA20 does not meet the requirements of District Plan policies DP12, DP13, DP17, DP22 and DP38 and others.

Conclusion

Sussex Ramblers believes that the negative impact of development of Site SA20 means that the Site should be withdrawn from the draft DPD. Alternative sites should be considered to meet the District Plan targets.

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 748

Response Ref: Reg19/748/6

Respondent: Ms L Brook

Organisation: Sussex Wildlife Trust

On Behalf Of:

Category: Statutory Consultee

Appear at Examination? x



Sussex
Wildlife Trust

Contact: Laura Brook
E-mail: swtconservation@sussexwt.org.uk
Date: 28 September 20

By email only
LDFconsultation@midsussex.gov.uk

Mid Sussex District Council Submission Draft Site Allocations Development Plan Document (DPD) (Regulation 19 Consultation August – September 2020)

The Sussex Wildlife Trust wish to submit the following comments to the Regulation 19 consultation for the - Mid Sussex District Council Submission Draft Site Allocations Development Plan Document (DPD)

Overview comments - Site Allocations

As stated in our Regulation 18 comments The Sussex Wildlife Trust (SWT) appreciates that the DPD site selection methodology led to the exclusion of sites that were likely to result in an impact on locally designated sites, as explained in figure 3.1 of the Site Selection Paper 3. This is very welcome and SWT considers this approach to be in line with the NPPF requirement to distinguish between the hierarchy of designated sites and allocate land with the least environmental or amenity value (paragraph 171). Local Wildlife Sites act as core areas within the district's ecological network and therefore should be maintained and enhanced.

That said, overall SWT is very concerned about the proportion of greenfield sites being allocated within the DPD, particularly given that no site specific ecological data appears to have been provided or considered in the site selection process.

The NPPF is clear that local authorities should make as much use as possible of previously developed land. However with over 60% of housing allocations obviously on greenfield, and another 18% appearing to contain some element of greenfield, SWT are particularly concerned

SWT therefore does not believe that the DPD is consistent with national policy as it does not comply with paragraph 118 of the NPPF.

In the Regulation 18 Consultation submitted by SWT, we highlighted that The NPPF is clear that plans and policies need to be justified – based on proportional and up-to date evidence (paragraphs 31 and 35). SWT acknowledge that we were given the opportunity in October 2018 to comment on a number of candidate sites which had the potential to impact on locally designated sites. In our letter to MSDC (dated 15/10/18) we stated that:

'Should MSDC decide that SHELAA sites proceed to allocation within the DPD, SWT recommends that they are subject to up to date ecological surveys. This will enable MSDC to evaluate each allocation's suitability for delivering sustainable development, in line with the Mid Sussex Local Plan evidence base and in particular, policies 37 (Trees woodland and Hedgerow) and 38 (Biodiversity).'

SWT note that all of the housing site allocation policies include requirements under 'Biodiversity and Green Infrastructure' which is welcome. However, these do not appear to be strategic in nature in terms of considering a robust evidence base. In particular, it appears that it is assumed that sites will be able to deliver both the number

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01273 492 630 | enquiries@sussexwt.org.uk | sussexwildlifetrust.org.uk

of dwellings allocated and net gains to biodiversity, when no evidence has been provided of the current biodiversity value or how this is likely to be impacted.

SWT is therefore disappointed that we are unable to identify any site-specific ecological evidence by this final round of consultation. Given the current uncertainty of the ecological value individually and cumulatively of the site allocations. **It is not clear how MSDC can ensure the net environmental gains will be delivered by the DPD as required by paragraphs 8, 32, 170 and 174 of the NPPF.**

Overview comments – Sustainability

We also see no evidence that consideration has been given to the capacity for the district's natural capital to absorb this level and location of development. The NPPF is clear that delivering sustainable development means meeting the needs of the present without compromising the ability of future generations to meet their own needs. In achieving this, local planning authorities must pursue all three objectives; economic, social and environmental, in mutually supportive ways ensuring net gains across all three.

It is not clear that any of the greenfield sites allocated meet the environmental objective. In Particular, none of the allocated greenfield sites are considered to have a positive impact on any of the 8 environmental objectives within the Sustainability Appraisal (SA). Many have negative or unknown impacts, and for biodiversity it appears that only formal designations have been considered.

Although the lack of ecological information available makes it very hard for SWT to assess the potential impact of any of the site allocations or the assessment of their suitability against the SA objectives, we are particularly concerned about additional sites that are not considered to be sustainable, namely SA12 and SA13.

The addition of these two 'marginal' sites takes the number of units allocated within Category 1 settlements to 1409, this is 703 units above the minimum residual housing figure for Category 1 as demonstrated in *Table 2.4: Spatial Distribution of Housing Requirement*. If you take account of the undersupply for some of the other sized settlements, there is still a total oversupply of 484 dwellings as demonstrated in *Table 2.5 Sites DPD housing Allocations*. This oversupply is not justified within the DPD or supporting evidence base. Removing these 'marginal' sites will still result in the DPD that delivers more than the minimum housing requirement in the lifetime of the local plan. We note that again the impacts on biodiversity for these sites are listed as unknown in the SA simply because no site specific ecological information has been assessed.

SWT asks MSDC to reduce the amount of greenfield land allocated within the DPD and consider the environmental capacity of the district in a more robust fashion. Any assessment of allocated sites should look at their individual, collective and multifunctional role in delivering connectivity and function for biodiversity. This would ensure the DPD reflects the requirements under sections 170 & 171 of the NPPF.

SA GEN: General Principles for Site Allocations

It appears that this policy has now been placed in the main body of the Draft Plan. SWT welcomes the inclusion of wording within this policy that recognises the importance of biodiversity informing planning applications. We also acknowledge that it highlights the importance of delivering biodiversity net gains through forthcoming development.

For clarity SWT would propose that there is an amendment to the wording relating to ecological information as we want to ensure that developers are aware that this information is required before validation/determination of the application, so earliest opportunity is not misunderstood as after permission has been approved.

SWT propose the following amendment to the first bullet point under the section references Biodiversity and Green Infrastructure (~~struck through~~ means a proposed deletion and **bolded text** references a proposed addition)

- Carry out **and submit** habitat and species surveys at the earliest opportunity in order **to inform the design and** ~~to~~ conserve important ecological assets from negative direct and indirect effects.

Comments for Site Allocations

As stated previously, without more detailed ecological information for each of the allocated sites it is difficult for SWT to assess their suitability for development. However, we will make some site specific comments based on the aerial photographs and desktop information available to us.

A lack of comments does not constitute support for the allocation.

SA12: Land South of 96 Folders Lane, Burgess Hill

As stated under our general comments, SWT does not believe that the allocation of this greenfield site is justified. It is not required to deliver the overall minimum residual housing requirement or that required for Category 1 settlements and is not considered sustainable within the SA. We acknowledge that the number of the dwellings for the site has been reduced by 3, however the biodiversity impacts for this site are still listed as unknown as no site specific ecological information has been provided. The site appears to contain hedgerow and trees and is clearly connected to a wider network of linear habitats.

SWT therefore does not believe that the Allocation is consistent with national policy as it does not comply with paragraph 171 of the NPPF.

SA13: Land East of Keymer Road and South of Folders Lane, Burgess Hill

As with SA12, SWT objects to the allocation of this greenfield site. It is not justified by MSDC's own evidence base and does not represent sustainable development. Again the biodiversity impacts for this site are still listed as unknown as no site specific ecological information has been provided. However, the site appears to contain rough grassland, hedgerows and trees and is clearly connected to a wider network of linear habitats and ponds with potential for priority species.

SWT therefore does not believe that the Allocation is consistent with national policy as it does not comply with paragraph 171 of the NPPF.

SA15: Land South of Southway, Burgess Hill

SWT objects to the allocation of a designated Local Green Space for housing. This is not compliant with NPPF paragraph 101 which states that policies for managing development within Local Green Space should be consistent with those for Green Belts i.e. in line with the requirements of chapter 13 of the NPPF.

We do not believe that MSDC have justified the 'inappropriate construction of new buildings' within a local green space. In particular, the fact that this area of the LGS is 'overgrown and inaccessible' does not negate its value. The Burgess Hill Neighbourhood Plan states that this LGS is an important "green lung" for the west of Burgess Hill, a function which does not require accessibility. The NPPF is clear that LGSs should only be designated where they are demonstrably special. The Planning Inspector who examined the Burgess Hill Neighbourhood Plan clearly felt that this had been demonstrated and therefore the site should be protected.

SWT therefore does not believe that the Allocation is consistent with national policy as it does not comply with paragraphs 99-101 of the NPPF.

SA19: Land south of Crawley Down Road, Felbridge

SWT is very concerned about this significant greenfield allocation given the lack of any baseline biodiversity data and its proximity to Hedgecourt Lake SSSI and The Birches ancient woodland. SWT would like to see much more evidence of the current value of the site, in particular in terms of ecosystem services delivery. There also needs to be further consideration of the cumulative impacts when combined with policy SA20.

SWT therefore does not believe that the Allocation is consistent with national policy as it does not comply with paragraph 171 & 175 of the NPPF.

SA20: Land south and west of Imberhorne Upper School, Imberhorne Lane, East Grinstead

SWT commented on this allocation in our letter dated (dated 15/10/18) and stated that up to date ecological surveys should be conducted in order to assess the site's suitability for delivering sustainable development. It is disappointing that this information has not been provided. Without it we cannot assess the ability of this site to meet the environmental objectives required by the NPPF. We note that the allocation boundary appears to be amended from the Regulation 18 consultation and that a section of the Worth Way LWS, namely part of Imberhorne Cottage Shaw ancient woodland, appears to no longer be within the allocation. We would ask MSDC to inform SWT if this is not the case.

SWT remain concerned that this Allocation is not consistent with national policy as it does not comply with paragraph 171 & 175 of the NPPF

SWT note the policy requirements under Biodiversity and Green Infrastructure heading includes a bullet point which states:

Potential impacts of the development on Hedgecourt Lake SSSI, which is accessible via existing PRoW to the north and the Worth Way LWS to the south should be understood and adequately mitigated.

SWT propose the following amendment to this bullet point to ensure clarity of the importance of avoid within the mitigation hierarchy is fulfilled as per 175 of the NPPF (~~struck through~~ means a proposed deletion and **bolded text** references a proposed addition)

*Potential impacts of the development on Hedgecourt Lake SSSI, which is accessible via existing PRoW to the north and the Worth Way LWS to the south should be understood **so they can be avoided and if this is not possible** adequately mitigated **or, as a last resort, compensated for.***

DEVELOPMENT POLICIES

SA35: Safeguarding of Land for delivery of Strategic Highways improvements

SWT acknowledges that the Regulation 19 consultation now includes maps of the broad locations for the safeguarding, which did not appear to be present in the main body of the Regulation 18 draft DPD.

We note that the policy refers to how new development in the area of safeguarding should be carefully designed. Given that the NPPF encourages a net gain to biodiversity through development, we would expect the policy wording to reflect that biodiversity gains are design carefully into the development to ensure they are not compromised by future schemes. We therefore propose the following amendments to the policy wording to ensure that it complies with sections 170 & 171 of the NPPF.

SWT propose the following amendment to the Policy Wording (~~struck through~~ means a proposed deletion and **bolded text** references a proposed addition)

*'New Development in these areas should be carefully designed having regard to matters such as building layout , noise insulation, landscaping , the historic environment, **biodiversity net gains** and means of access.'*

SA36: Wivelsfield Railway Station

While we support the integrated use of sustainable transport it is disappointing to see another area allocated as Local Green Space within a made Neighbourhood Plan being developed. As stated in our comments for policy SA15, the suitability of the LGS designation was assessed by a Planning Inspector and found sound. It should therefore be preserved through the DPD. SWT is particularly concerned as the Burgess Hill Neighbourhood Plan states that this Local Green Space is:

'Land immediately west of Wivelsfield Station, north and south of Leylands Road: The land parcel is rich in birdlife and reflective of the historic field pattern. The Land is an important open space that is particularly well used by dog walkers.'

Whilst it appears that not all of the LGS has been allocated for the upgrading of the station, we are not clear of the biodiversity value of the area that has been allocated. If MSDC are minded to retain the policy, SWT would like to see consideration of the compensation required for the loss of the LGS and in particular the rest of the LGS managed/enhanced in a way that benefits the assets lost.

SWT therefore does not believe that the Development Policy is consistent with national policy as it does not comply with sections 99-101 of the NPPF.

SA37: Burgess Hill /Haywards Heath Multifunctional Network

SWT remain supportive of measures to embed multifunctional networks in delivering non-motorised sustainable transport options, but remain concerned at the level of uncertainty from this policy. We appreciate that the regulation 19 consultation now embeds a map within the main document, which provides an indication of safeguarded routes for the cycleway. As stated in our Regulation 18 comments the creation of a network could aid or hinder connection and function in the natural environment, therefore the policy should be clear in its intention. In particular, we are unclear how this route has been selected and what ecological information has been considered. Any impacts on biodiversity should be avoided through good design and particular consideration should be given to the value of sensitive linear habitats such as hedgerows. Lighting and increased recreational use both have the potential to harm biodiversity and must be considered at an early stage. It would not be appropriate to safeguard a route that has not yet been assessed in terms of potential biodiversity impacts.

Yours sincerely,

Laura Brook
Conservation Officer
Sussex Wildlife Trust

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 910

Response Ref: Reg19/910/3

Respondent: Ms V Riddle

Organisation: Tandridge District Council

On Behalf Of:

Category: Local Authority

Appear at Examination? x

Planning Policy Team
Mid Sussex District Council
(via email)

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

E-mail: LocalPlan@tandridge.gov.uk

Date: 30 September 2020

Dear Planning Policy Team,

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

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

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

Highways

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

Site Allocations

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

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

Settlement Hierarchy

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

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

Health

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

SANG

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

Education

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

Flooding

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

Yours sincerely,

Sarah Thompson
Head of Strategy

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

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

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 913

Response Ref: Reg19/913/1

Respondent: Mr J Greene

Organisation: Surrey County Council

On Behalf Of:

Category: Local Authority

Appear at Examination? x

Email: planning.consultations@surreycc.gov.uk



Planning Policy and Economic Development
Oaklands
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Environment, Transport &
Infrastructure Directorate
Spatial Planning Team
Surrey County Council
County Hall
Kingston upon Thames
KT1 2DN

Sent by email to: LDFconsultation@midsussex.gov.uk

28 September 2020

Dear Sir/Madam

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

Thank you for consulting Surrey County Council on the Mid Sussex Planning Policy Draft Site Allocations DPD. We have responded to previous MSDC consultations to express our concerns regarding the potential cross-boundary impacts of proposed new development in Surrey. This response supports the signed Statement of Common Ground (SoCG) between our two authorities and sets out how we will work together on strategic matters.

Our response relates to two site allocations in the submission consultation DPD that are in close proximity to the boundary with Surrey. These are:

- SA19: Land south of Crawley Down Road, Felbridge; and
- SA20: Land south and west of Imberhorne Upper School, Imberhorne Land, East Grinstead

Highways

We are satisfied that both site allocations refer to working with Surrey County Council to mitigate the impact of the development, that sustainable transport enhancements will be sought wherever possible and that improvements to the A22/A264 corridor will be progressed. As the SoCG states, we look forward to working further with you (and Tandridge District Council where necessary) to mitigate the impact of these developments on the strategic highway network.

Education

Our education team have been in contact with Mid Sussex education colleagues regarding the impact that site allocations SA19 and SA20 may have on Felbridge Primary School. We look forward to further liaison between our two councils to ensure that cross boundary impacts in Surrey arising from these developments are mitigated.

If you have any queries, please do not hesitate to contact James Greene by email at james.greene@surreycc.gov.uk.

Yours sincerely



James Greene
Spatial Planning Officer

1420

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1420

Response Ref: Reg19/1420/1

Respondent: Mr W Wickenden

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: peter wickenden [REDACTED]
Sent: 08 August 2020 13:26
To: ldfconsultation
Subject: Mid Sussex District Council Consultation to Build 200 Properties off Crawley Down Road Felbridge SA19
Attachments: PW objection to 200 houses.docx
Categories: SiteDPD

I attach my objections in letter form, to the above proposal to Build 200 Houses off Crawley Down Road.

The points I raise I believe clearly spell out where I feel the Proposal impacts adversely on the Village of Felbridge.

Please take these points into consideration before moving forward with this contentious Proposal.

Thank you

Peter Wickenden
[REDACTED]



08.03.20

Re: Mid Sussex Council Consultation of Proposal to Build 200 Properties off Crawley Down Road and 500 Properties off Imberhorne Lane.

Specifically - MSDC SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT SA19 (Land South of Crawley Down Road, Felbridge) Felbridge

As a resident that will be detrimentally affected by the proposed development, I set out my objections below;

- 1) Has no suitable access.
- 2) Has a proposed housing density inappropriate to the locality.
- 3) Is inappropriate as it is upon land outside of the East Grinstead built up area that is designated as an 'area of development restraint'.
- 4) Is attaching to the village of Felbridge which has inadequate services to deem it a sustainable location,
- 5) Would add additional traffic into a local road network which is already severely congested and has significant limitations that prevent highway mitigation.

Access

Eastern access through to Crawley Down Road There is no access at this location. It is a historic field entrance to the land in question prior to the development of Oak Farm Place

Western Access through the access Oak Farm Place. This existing road has, as with the Eastern Access has sightline limitations to traffic leaving the Proposed developments.

In fact since the development of Oak Farm Place there have been a number of near misses at this junction. This being created by the sight line issues raised during Oak Farm Place development and never in practice being addressed.

Each of these accesses have limited width capability and would need significant widening which would impact on to Common ground

Housing Density

The proposed 200 dwellings on the developable part of the site equates to a net 31 dwellings per hectare (dph). The site abuts the southern edge of the village of Felbridge where the average

housing density south of Crawley Down Road varies between 14-24 dph. Therefore, the proposed density is inappropriate for this location, particularly as this will extend the bounds of the village further into the open countryside.

East Grinstead Development Plan

The site is designated a Countryside Area of Development Restraint this proposal is also contrary to policy EG2 of the adopted East Grinstead Neighbourhood Plan.

The Neighbourhood Plan was developed by East Grinstead Town Council after lengthy Consultation with local residents including those bordering East Grinstead's boundaries, namely Felbridge, among others.

There has been a long standing desire for East Grinstead and Felbridge to preserve "green" break between the two communities.

his proposal will completely undermine the previous aims and goes directly against the wishes of both local communities.

The Proposed Development Attaching to Felbridge Village

Felbridge is defined as a rural village within Tandridge District; it has no doctor surgeries, pharmacy, dentist, opticians or any other such infrastructure. The local School is heavily subscribed and may not be able to take an increase in the numbers of children that come with a development on this scale.

There have been a number of Planning approvals for land adjacent to Felbridge Village (120 houses) and Felbridge has received no funding contributed to any Surrey facilities or Infrastructure improvements.

Thus, whilst the proposed site SA19 will provide a significant financial contribution to Mid / West Sussex, it will not provide any improvement in infrastructure within the village that it states is being extended by the proposal.

Increased Traffic Density

The proposed site will give additional vehicular movements on Crawley Down Road which are likely to want to join the A264 (Cophorne Road) to head either east towards Godstone/Lingfield/East Grinstead or west towards Crawley via Rowplatt Lane.

Over the last number of years there has been a growing amount of Peak and Off Peak traffic delays in this area.

The pinch points are the Junction from Imberhorne Lane to A264, the A22 / A264 Jct and the Star PH, and access from Crawley Down Road to the A264.

Rowplatt Lane is a residential road that has existing problems from Residents parking thus preventing its practical use by HGVs. In fact Tandridge District Councils Waste collection service often has to cancel collections due to access problems

The proposed Development will only add to the traffic congestion in these areas, which very frequently is gridlocked for many hours at present.

It only needs a Utility Company to set up a planned or unplanned work site in any of the areas and the Village is gridlocked with no easy diversionary route available.

As with previous Developments on land adjoining Felbridge Village, but in Mid Sussex, the one and only result for Felbridge has been Traffic CHAOS

Peter Wickenden

1428

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1428

Response Ref: Reg19/1428/1

Respondent: Mr F Smith

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

Name	Fraser Smith
Address	[REDACTED]
Email	[REDACTED]
Which document are you commenting on?	Site Allocations DPD
Sites DPD Policy Number (e.g. SA1 - SA38)	SA19
Do you consider the Site Allocations DPD is in accordance with legal and procedural requirements; including the duty to cooperate	No
(1) Positively prepared	Unsound
(2) Justified	Unsound
(3) Effective	Unsound
(4) Consistent with national policy	Unsound

Please outline why you either support or object (on legal or soundness grounds) to the Site Allocations DPD

We object to the allocation of this site for the following reasons: It directly contravenes the East Grinstead Neighbourhood Plan which was democratically approved in a vote of 93% in favour. Specifically, this site is in the strategic gap between East Grinstead and Crawley Down, it goes against the adopted policy of preventing coalescence, it unacceptably erodes the perception of openness in the area as it is on open rolling pasture, and it is outside the boundary of the East Grinstead built-up area thus contributing to both ad-hoc development and linear development along Crawley Down Road.

The DPD states it is to be a 'sympathetic extension to Felbridge', and yet it will be in a totally different county and thus it must be part of East Grinstead and not Felbridge. East Grinstead will not allow internal connecting road from this site to the rest of East Grinstead. As such all traffic must travel via Surrey roads contributing towards the already overcongested highways in this area.

There is no doctors surgery, dentist or supermarket in Felbridge and the local school (in Surrey) is already at full capacity with no guarantee of entry to West Sussex pupils, feeding into ever greater traffic required to go via the A264 and A22. Recent traffic studies were carried out in much reduced traffic conditions due to COVID-19 and will not be relevant once the crisis eases. Previous traffic studies have shown that the A264/A22 junction is already at or over capacity and as these were undertaken prior to COVID-19 are a more accurate reflection of the current state of the highway infrastructure. Additionally there are already nearby areas of committed development which will only exacerbate the issue further. Felbridge is in greenbelt land, and should the boundary line between Surrey and West Sussex have been a hundred meters south surely this allocation would never have progressed as far as it has. There is definitely a perception of proposed overdevelopment of this area due to the change in boundary between Surrey and West Sussex.

There is no safe access into this site for the proposed development size. Visibility splays will not be wide enough for the speed of traffic and there is no possibility of widening the carriageway to allow for a ghost turn into the site.

Additionally, any attempt to connect to the privately owned and managed road of Oak Farm Place will be vigorously resisted, due to the unsafe nature of amending the shared road surface (we have a young child in the family) and the loss of amenity to the properties of Oak Farm Place.

The proposed housing density would be against good design principles, being far denser than the nearby existing housing stock, and instead of reducing density at the edge of the built-up area into open fields, this would almost double the surrounding density.

Developing this site would lead to a loss of green habitat; buzzards, owls, frogs and deer are all resident there, and would be lost should this site be developed.

Finally, as a resident who would be directly, and negatively impacted by any development of this site, I am hugely disappointed that absolutely no communication about the consideration of this site within the DPD has been sent to us, leaving us to find out about this site by chance. As such this would appear to be a case of trying to pass it through the process without adequately involving the local community who will be impacted by this. It does not meet the Statement of Community Involvement - no local advertising, notice boards, newsletters/leaflets or local exhibition stands, although in respect to the final point they would have to be in East Grinstead rather than Felbridge anyway thus highlighting the issue with adding West Sussex housing to a Surrey village.

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

This site should be removed from the Site Allocations DPD as it is against the democratically adopted neighbourhood plan in multiple ways. Overriding the plan will lead to a huge loss in confidence in our local democracy.

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

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

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

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

yes

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

yes

Please notify me when-The Site Allocations DPD is adopted

yes

Date

17/08/2020

1433

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1433

Response Ref: Reg19/1433/1

Respondent: Mr R King

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

Name	Robert King
Address	[REDACTED]
Email	[REDACTED]
Which document are you commenting on?	Site Allocations DPD
Sites DPD Policy Number (e.g. SA1 - SA38)	SA19 & SA20
Do you consider the Site Allocations DPD is in accordance with legal and procedural requirements; including the duty to cooperate	No
(1) Positively prepared	Unsound
(2) Justified	Unsound
(3) Effective	Unsound
(4) Consistent with national policy	Unsound
Please outline why you either support or object (on legal or soundness grounds) to the Site Allocations DPD	<p>I object to the inclusion of these two sites for the following reasons:</p> <p>There is no shortfall of housing in East Grinstead and the surrounding area, all needs being met by the East Grinstead Neighbourhood Plan. Mid Sussex has agreed to build additional homes for Crawley, an area outside the precepts of East Grinstead and Felbridge. The inclusion will cause a merging of the two areas.</p> <p>Other sites nearer to Crawley have been discarded without full and proper consideration.</p> <p>Infrastructure plan details are vague or non-existent. It is impossible to judge whether anything credible will be delivered (or is in fact deliverable).</p> <p>There is no proposal to address the existing traffic congestion problems. Mid Sussex are aware that traffic has reached saturation point along the A22 corridor but have no proposals to address the issue.</p> <p>The proposal to introduce bus priority along the A22 is vague and if delivered will inevitably cause more congestion for other road users and cause even more delays at the two critical junctions on the A22 (Star and Imberhorne Lane)</p> <p>The development sites are in direct contradiction of the East Grinstead Neighbourhood Plan. The Felbridge site is expressly described as an area of development restraint (policy EG2). Both sites encroach on the gap between the two areas making it likely that they will merge in the future (policy EGa). Developments are supported only where the likely increase in traffic congestion can be FULLY mitigated (policy EG5).</p>
Please set out what change(s) you consider necessary to make the Site Allocations DPD legally compliant or sound, having regard to the reason you have identified at question 5 above where this relates to soundness.	Remove SA19 from the Plan and reduce to capacity of SA20 or remove it completely. This will make the site allocation plan compliant with East Grinstead Local Plan policies and prevent further traffic congestion on the A22.
If you wish to provide further documentation to support your response, you can upload it here	

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

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

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

yes

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

yes

Please notify me when-The Site Allocations DPD is adopted

yes

Date

27/08/2020

1435

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1435

Response Ref: Reg19/1435/1

Respondent: Mr R Clay

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Richard Clay [REDACTED]
Sent: 29 August 2020 09:26
To: ldfconsultation
Subject: Consultation on Mid Sussex District Council's Site Allocations Development Plan Document

As a Felbridge resident, I would like to comment on the Mid Sussex District Council's Site Allocations Development Plan Document and in particular the two sites impacting on Felbridge and East Grinstead, being SA19, Land South of Crawley Down Road (200 properties) and SA20, Land South and West of Imberhorne Upper School (550 properties).

Firstly I note that the Mid Sussex Plan, concentrates the majority of its future housing provision, in terms of housing density, towards the edge of its border with Tandridge. The potential detrimental impact on Tandridge is far greater than for West Sussex, without any clear benefit to Tandridge or its residents.

Both of these proposed developments are far too dense and built on green field sites. They will dramatically alter the look and feel of the areas and increase coalescence, in contravention of development planning policies.

The impact on biodiversity and air quality appear to have been seriously underplayed within the proposals.

Both proposals will have a negative impact on already seriously congested roads and junctions, in particular Crawley Down Road J/W A246 Copthorne Road and Imberhorne Lane J/W A22 London Road. A conservative estimate would suggest 750 extra vehicles using these junctions at peak hours, based on one vehicle per property. Both the A246 and A22 are already busy roads, with frequent queues at the Felbridge traffic lights and the A22 into East Grinstead. The extra traffic will impact negatively on already poor air quality in these areas as a result of the increased vehicle emissions, as well as increased noise.

The increase in traffic will likely cause greater risk to pedestrians, cyclists and other road users, with both developments being close to existing schools.

The supporting infrastructure and local amenities will struggle to absorb this scale of additional housing in such a concentrated area, especially given other recent or proposed developments. The nearest major hospital is East Surrey which is already very busy and local GP Surgeries are over subscribed.

In the event of future droughts, will this additional housing put pressure on the water supply?

There are flood zones close to both proposed developments. Both developments are likely to increase the risk of flooding with less greenfield area to absorb heavy and persistent rainfall as recently experienced.

In summary, I understand the pressure on local authorities in respect of future housing provision, but these proposals will have serious long term negative implications.

Submitted for your consideration.

Richard Clay

1436

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1436

Response Ref: Reg19/1436/2

Respondent: Ms M Collins

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

Name	Margaret Collins
Job title	Local resident
Organisation	-
Respondent ref. number	-
On behalf of	Myself
Address	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Name or Organisation	Local resident
Which document are you commenting on?	Site Allocations DPD
Sites DPD Policy Number (e.g. SA1 - SA38)	SA18, SA19, SA 20, SA35
Do you consider the Site Allocations DPD is in accordance with legal and procedural requirements; including the duty to cooperate	Yes
(1) Positively prepared	Unsound
(2) Justified	Unsound
(3) Effective	Unsound
(4) Consistent with national policy	Sound
Please outline why you either support or object (on legal or soundness grounds) to the Site Allocations DPD	<p>SA18 - East Grinstead Police station site - 22 number of dwellings. How many parking slots per housing unit will be provided? Is it incorrectly anticipated there will be spare capacity in the current East Court car parks?</p> <p>The questions of the East Court through road ownership, maintenance & access at both ends of the through road have not been addressed in the document.</p> <p>SA 19 -Land south of Crawley Down Road - 200 dwellings. Access on to the A264 currently causes tailbacks at the junction with the Crawley Down Road. If it is acceptable that it is " not deemed appropriate to add capacity, solutions shall include measures to boost sustainable modes and/or re-route traffic" I think more information is required before decisions are taken re further additional vehicular movements.</p> <p>SA20 - I welcome the expansion of Imberhorne School which should as a consequence be able to house the whole school on one site.</p> <p>SA35 - Safeguarding of land and delivery of Strategic Highway improvements. I am concerned that finance will be wasted on further studies of the three junctions on the A22 - Felbridge, Imberhorne Lane & Lingfield Road. The need for a radical improvement for traffic flow on the A22 has been recognised in previous studies sponsored by West Sussex County Council.</p>

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

The problems of traffic flow on the A22 & A264 leading to the Felbridge junction and the London Road have been recognised for many years. Air quality issues need to be addressed and the considerable inconvenience to local residents, local businesses and through traffic have a detrimental effect. The traffic problems should be addressed and solutions implemented prior to any further dwellings in the area.

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

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

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

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

yes

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

yes

Please notify me when-The Site Allocations DPD is adopted

yes

Date

31/08/2020

1439

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1439

Response Ref: Reg19/1439/1

Respondent: Mrs S Dennis

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Sue Dennis [REDACTED]
Sent: 04 September 2020 17:41
To: ldfconsultation
Subject: Planning applications SA19 and SA 20

Dear MSDC I am writing in response to your proposals for development in the Felbridge area SA 19 & 20 I am a long standing resident of the Crawley Down/Felbridge area and have the following objections:

1.

This is currently a greenfield site and is a vital nesting area for birds, in particular skylarks. These iconic birds are in rapid decline in England. They are part of our cultural and natural heritage. Their conservation listing is : SPEC category 3 (depleted) with UK: red warning, and they are a priority species on the UK Biodiversity action plan. These are ground nesting birds and are dependent on arable fields for their habitat. Your proposal promises to "Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures". I cannot see how houses on this field will do anything other than totally destroy our local population of skylarks. Once their breeding ground disappears, they , and other species such as blackcaps, linnets, hedge sparrows which frequent this area , will be gone forever.

2.

The gaps between communities and villages in the East Grinstead- Copthorne- Crawley location are are rapidly disappearing, leaving a sprawling coalescence of suburbs, with fewer and fewer green spaces.. The value of the countryside cannot just be measured in economic terms- there is now a raft of evidence that access to green spaces(not just children's playgrounds) is vital for the physical and mental wellbeing of the human population. Neighbourhood plans from the villages affected have highlighted this need for the communities to retain their individual identities.

3. Traffic along the A264 at and around the Felbridge traffic light junction with the A22 is at a standstill on a daily basis. Anyone who lives here will confirm that. The roads cannot cope with any more traffic. Local infrastructure, schools, utilities etc are stretched to their limits already and cannot cope with an expanding population.

For these reasons, I object strongly to the 2 proposals set out above.

Yours sincerely

Susan Dennis (Mrs)

[REDACTED]

[REDACTED]

1440

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1440

Response Ref: Reg19/1440/1

Respondent: Mr P Walker

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Phil Walker [REDACTED]
Sent: 08 September 2020 09:14
To: planningpolicy
Subject: Imberhorne 550 homes & felbrodge

Hello

I live local to these proposed sites which I have just been made aware of through a local resident. I have not received any form of direct information about these developments or signs proposing the sites down Imberhorne or felbridge with a view to consultation. Whilst I agree housing may be an issue as a whole in the south I strongly disagree with the lack of infrastructure that accompanies it, and with regards to the roads around these proposed sites in particular, the a22 and a264 which cannot cope as they are, so I object whole heartedly with these sites. East grinstead as a whole is ruined by traffic, building more houses only adds to the misery for residents. This town needs a bypass or a better road network to ease the pressure on the multiple bottle necks in the area. I suggest building houses on sites away from the felbridge lights, Imberhorne junction and turners hill until a viable traffic plan is established.

Thank you

Philip Walker

Sent from my iPhone

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1442

Response Ref: Reg19/1442/2

Respondent: Ms M Baldwin

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: [REDACTED]
Sent: 07 September 2020 15:33
To: planningpolicy
Subject: SA20, SA19,SA22, SA18

Dear Sir/Madam,

I am writing to express my concerns over the above proposals. I believe that there isn't currently a housing shortfall in East Grinstead and the area is becoming more and more crowded. The traffic through East Grinstead and at the junctions of the A264 and Imberhorne Lane already struggles without adding more cars to the roads. It is already nearly impossible to get a doctors/dentist appointment in the area and adding more homes to the mix will only make the problem worse. Most of the land under consideration is a haven to wildlife and it would be tragic to lose this in the already overbuilt up South East. While I have no problem with builds on Brownfield sites or infilling between current properties I feel it would be detrimental to local people to lose any more green space especially in this time of climate change. Even if allocations are made for the wildlife after the houses are built, the damage will already be done during the development stages.

I am deeply disappointed that any of these are even being considered.

Yours Sincerely
Melanie Baldwin

1472

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1472

Response Ref: Reg19/1472/1

Respondent: Mr D Burke

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: [REDACTED]
Sent: 16 September 2020 15:23
To: ldfconsultation
Cc: Kym Hofmann; Ed Kolkin; Alison Kolkin
Subject: Objections to further development in Felbridge and East Grinstead.

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

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

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

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

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

Dirty tricks spring to mind.

Dennis Burke.

1473

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1473

Response Ref: Reg19/1473/1

Respondent: Mr G Morgan

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Gareth Morgan [REDACTED]
Sent: 16 September 2020 21:54
To: ldfconsultation
Subject: Proposed Planning -SA19

Dear sir / Madam,

I am writing to raise a formal objection in regards the proposed site allocation SA19 proposed in felbridge.

The proposal documented suggests a site to include 200 new dwellings on the Surrey and Mid-Sussex border and is described as 'delivering a sympathetic extension to the village of Felbridge'. Unfortunately on reading the proposal it seems that this statement could not be further from the truth and should planning be approved, the reality is that the already overly congested roads and facilities in Felbridge and Surrey would be overwhelmed with demand these services cannot take. We have already seen a number of new houses approved and built along the Crawley down road and this application may be a step too far.

Whilst I appreciate the Mid Sussex like all councils has planning demand to meet, new housing of this scale would have ever lasting ramifications for the area.

From a highways perspective the CrawleyDown Road already faces a number of issues. With the local primary School, Felbridge playing fields and the village hall and park, the road already faces significant parking problems and congestion particularly towards the A264 junction. Mid Sussex have recently approved application DM/18/3022 to erect 32 new dwellings via [11A Crawley Down road](#) which is directly opposite the Felbridge school on the Crawley Down road and will in itself compound this issue. With tight parking in this location, cars are often seen mounting the pavement to navigate congestion and I particularly fear for the safety of our children in and around this area due to the existing perils of crossing this road.

Access from the Crawley Down Road, onto the A264 Copthorne Road and again onto the A22 London Road remains horrendously busy and would be the core access point for the new house proposed. When most households have at least 2 cars, it needs to be considered that another 400 vehicles adding to this problem.

Access from the proposed site itself will create a hazard. The Crawley Down road does not have very good sight lines as it is when pulling out from junctions, so this will create a potential accident blackspot with often quite fast moving traffic coming past. As mentioned we have already seen a number of new homes built on the Crawley Down road in recent years and parking has caused accidents.

In regards to Local facilities, the Felbridge Primary School (Surrey) remains close to or at capacity, and has in recent years faced numerous staffing issues and teacher shortages. Our own children have had 3 teachers alone in the last school year prior to covid, so the extra demand for places will add to the issues this school can face. Competition for places is already high and some local parents are having to take children to separate primary schools across Surrey due to the lack of space. It is a similar situation with local secondary Schools. Where will children from the new dwelling go? If children from any new dwellings are to go to Mid Sussex schools, these are largely in East Grinstead are to attend again adding to traffic and road congestion. If we are to add more houses in general to the local area, what new schooling facilities are being created to match demand?

As you will be aware waiting times at most GP Surgery's are already extensive with so few facilities available. It is not uncommon for local residents to have to wait up 3- 4 weeks for an appointment with the local GPs and without new surgery's being introduced I struggle to understand where new residents of this scale will go.

When it comes to the location itself, it does seem to be curious that Mid Sussex are making a number of planning proposals (also including SA20 for 500 houses by Imberhorne Lane) which are right on the Surrey border. Whilst Mid Sussex may create new revenues from additional tax payers and meet possible housing targets, it is the residents

and Authorities in Surrey who will suffer. How is this being managed with Surrey County Council and Tandridge District Council?

Felbridge is a village by design, yet more and more it seems it is being consumed by Mid Sussex with the continuous development and planning from East Grinstead and CrawleyDown. Again I appreciate the need for new houses in general, but I would ask that new sites are added with pragmatism for the existing services and indeed to preserve the nature of the local area in general. Once our green spaces are gone, they are gone forever.

The joys of living in this part of England is the beautiful countryside we have, if we populate and build over this which new houses, what happens to the recreational areas and wildlife those who live here cherish?

May I ask for confirmation that objection has been received, registered and taken into account please.

Kind regards

Gareth Morgan

1474

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1474

Response Ref: Reg19/1474/1

Respondent: Mr A Morgan

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: [REDACTED]
Sent: 16 September 2020 21:55
To: ldfconsultation
Subject: Proposed development 200 homes Crawley Down Road

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: SiteDPD

Dear Sirs,

I am writing to raise objection to the planned development of 200 new homes situated on the Crawley Down Road.

We currently live on a road located close to the proposed site and we already have major issues with exiting our road safely due to volume of traffic on the Crawley Down Road. My children who attend Felbridge Primary School are unable to walk to school unsupervised because the traffic flow is so heavy along the road they are unable to cross safely.

The infrastructure of the village is already stretched we have no dedicated doctor or dentist and the local primary school is at capacity. The facilities we have are designed for 'village' living and are already under immense pressure with no doctors appointments available for weeks.

Since a number of new developments have appeared in Felbridge we are now subject to more localised flooding and drain issues which we feel is likely to be due to volume of homes being built.

I will strongly contest these homes which will take away the stunning countryside we have access to and also what we bought into when we paid a higher premium for our home because of its village setting.

I believe you have reached your quota for new build and this development is being driven by greed on your part with no thought to existing homeowners/residents within the community.

Yours faithfully,

Ashley Morgan
Sent from my iPhone

1475

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1475

Response Ref: Reg19/1475/1

Respondent: Ms B Peterson

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Becky Peterson [REDACTED]
Sent: 16 September 2020 22:03
To: ldfconsultation
Cc: [REDACTED]
Subject: Argument against planning consent

To whom it may concern,

As a long term resident of Felbridge I have looked at the consultation document for both sites SA19 and SA20.

Firstly Felbridge will receive no financial contributions from either the 120 houses recently granted consent off the Crawley Down Road or for the additional 200 houses in this proposal. Why is this?

The Independent Examiners Report of the East Grinstead Neighbourhood Plan states that to be approved:

e) The proposal provides a mix of tenure types including private, social rented and shared equity.

Is this the case, do the plans of both sites include social rented and shared equity?

It also states that the proposal must meet its own infrastructure needs. Our local infrastructure already sorely needs attention as raised by Sir Nicholas Soames when addressing the Minister for planning:

"I pointed out that we have hosepipe bans, embargoes from sewage authorities, road improvements to the M23 and A23 that have gone backwards and serious potential short-comings in health care and tertiary education."

Surely if we are struggling to supply infrastructure for our current population, it's clear that this proposal would add unnecessary strain on resources and infrastructure?

It states that in the regard of **Transport issues:**

application is supported by a robust assessment of the impact of the proposal upon the local highway network and it can be demonstrated that the proposal will not cause a severe cumulative impact in terms of road safety and increased congestion after proposed mitigation is taken into account.

Sir Nicholas Soames responded to traffic issues: *"I was very disappointed by the Minister's response. She was badly briefed and seemed to be unaware that in particular the rapid growth of traffic over the last 20 years has caused the most serious strain on existing infrastructure in East Grinstead."*

East Grinstead and surrounding areas, especially Felbridge, supply workforce to the Gatwick area and traffic over the past 10 years has created an overload on our

roads. They are often in need of repair and when this takes place, the whole area can become locked down.

East Grinstead and Felbridge are commuter areas and so this new proposal will cause massive strain and traffic in what is fundamentally country roads supplying the M23 and M25. In conclusion we do not have a road infrastructure that could accommodate this overload.

Access to these sites:

At the moment the traffic on the A264 and the London Road is horrendous, especially during rush hour. If there is any kind of problem this can come to a standstill. The Crawley down road, which would be the access for SA19, is often blocked during school drop off and pick up.

The access for SA20 would be Imberhorne lane which feeds into the main London road, therefor adding to the huge traffic problems we already have.

Density of proposed housing:

We will need at least a two form entry primary school, also what is the provision for secondary education, for what could potentially be 1600 children? This is not mentioned at all. There will definitely be the need for a GP surgery, the planning for which is ambiguous. How will they measure the need for this, there are already waiting times of up to 6 weeks for an appointment with a local GP?

Flooding:

Flood risk and damage for SA19: *'The Southern boundary of the site borders a watercourse and its associated flood zones. All development shall avoid the flood extent for the 1 in 100 year event + Climate Change allowances and shall include an additional buffer zone.'*

SA20 is very close to this too.

In the report Mid Sussex say that: *'Areas at risk of flooding should be avoided in the first instance.'*

How has this been taken into account?

Sustainability:

The report quotes:

'Design development to be resilient to climate change, minimise energy and water consumption and mitigate against flood risk in line with DP 39: Sustainable Design and Construction, DP41: Flood Risk and Drainage and DP42; Water Infrastructure and the Water Environment.'

Will this really be resilient to climate change with the amount of flooding that we had last year, which will only get worse?

Coalescence with East Grinstead:

Planning permission will not normally be granted for

a) results in the coalescence of East Grinstead with Crawley down,

B) Results in the perception of openness being unacceptably eroded within this area.

This is a vast open area that is used by huge numbers of the community for running, walking and cycling. It is a breathing space and an area of natural beauty. It provides a wildlife corridor, the fields contain huge biodiversity, including sky larks, bats, snakes and deer. It also includes areas of ancient woodland, some of which has already been destroyed to make way for housing developments in Felbridge.

Also how will these two housing developments not complete the coalescence of East Grinstead with Crawley Down?

Biodiversity and Green infrastructure: the report quotes:

'Undertake an holistic approach to Green Infrastructure and corridors, including biodiversity and landscape enhancements within the site connecting to the surrounding area.

• Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity. Avoid, mitigate and compensate for any loss to biodiversity through ecological protection, enhancement and mitigation measures.'

What exactly does this mean and how will this be done?

I don't understand how the biodiversity and wildlife can gain from 500 houses (plus another 320 on the other site), a school, a GP surgery and a playground being built, as well as the pollution from the potential of 1600 cars starting up and travelling around everyday?!

Contravention of Development Planning Policies and East Grinstead

Neighbourhood Plan:

(3) In the case of converted buildings, the new use has minimal impact on the openness of the countryside, in terms of the new curtilage, and parking; in the case of outdoor sport, recreation and community uses of land, the proposals support the objective of keeping land open;

These sites are both huge developments which do not comply with the above at all.

Impact on local amenities:

The extra housing would be a huge strain on our local amenities. We have a small park that is already busy with the local school children. If all these extra houses go ahead we could potentially have over 1600 extra children! We don't have enough shops, leisure facilities etc.. in the local area, this could potentially mean up to 1600 extra cars on the road travelling for shopping and leisure pursuits, in an already very busy area.

Finally I would argue that this ~~is~~an area of natural beauty, it certainly qualifies for this explanation from your report:

'Area of Outstanding Natural Beauty (AONB) – Areas designated to conserve and enhance natural beauty, wildlife and cultural heritage; and to meet the need for quiet enjoyment of the countryside and have regard for the interests of those who live and work within them.'

This area is extremely beautiful and is enjoyed widely by thousands of local residents of East Grinstead and Felbridge for walking, running, cycling and general well-being. A huge amount of wildlife lives in this area. The Gullege house and track dates back to the 1300's and is certainly local cultural heritage.

I would really appreciate any answers to my questions and comments.
Please could you let me know how I can keep up to date with any developments.
Also how can we, as a community, put objections against any of the plans for SA19
and SA20?

Many thanks,

Becky Peterson

Sent from my iPhone

1476

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1476

Response Ref: Reg19/1476/1

Respondent: Ms E Kelly

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: [REDACTED]
Sent: 16 September 2020 22:06
To: ldfconsultation
Subject: SA19/SA20 ID196/770

Dear Sir/Madam,

I would like to have my view included to oppose the new developments at Felbridge and Imberhorne Farm.

I am a resident of [REDACTED] Daily, I experience heavy traffic when leaving my road, both with school traffic and the heavily congested Star junction of the A22 and A264. Adding additional housing of this volume will make travel to East Grinstead even more difficult, especially since the road is already narrowed by pop up bicycle lane, which is making it difficult for buses and emergency vehicles to pass, without several hundred other cars on this already congested road.

I would also like to raise the fact that as residents, we were not properly consulted about the proposals. This clearly breaches regulations. We do not receive the newspaper where the advertisement was placed, since we don't live in Burgess Hill.

Another issue I have with these developments, is the fact that our local schools, doctors surgeries and dentists are already over subscribed without the additional pressure these homes will create. Since the office space availability has shrunk in East Grinstead, with many conversions to residential use, the majority of these houses will be for workers in Crawley, where there are alternative housing sites available. These developments effectively join Felbridge to East Grinstead and contravene the current housing plan.

I wish for these points to be considered in consultation.

Kind regards

Eliska Kelly

1477

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1477

Response Ref: Reg19/1477/1

Respondent: Ms L Kelly

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: [REDACTED]
Sent: 16 September 2020 22:12
To: ldfconsultation
Subject: Opposition to planned developments at Felbridge and Imberhorne Farm

Dear Sir/Madam,

I would like to have my view included to oppose the new developments at both Felbridge and Imberhorne Farm.

I am a resident of [REDACTED] Felbridge and have lived here happily for the past 6 years and am an active member of the community.

Daily, I experience heavy traffic when leaving my road, both with school traffic and the heavily congested Star junction of the A22 and A264. At points, it has taken me over 20 minutes to get out of my road! Adding additional housing of this volume will make travel to East Grinstead and surrounding areas even more difficult, especially since the road is already narrowed by a pop up bicycle lane, which alone is making it difficult for buses and emergency vehicles to pass, without several hundred other cars on this already congested road.

I would also like to raise the fact that as residents, we were not properly consulted about the proposals. This clearly breaches regulations. I was not aware of any plans for new housing developments until today (17th September 2020) and this was from an external source, not the developers.

Another issue I have with these developments, is the fact that our local schools, doctors surgeries and dentists are already over subscribed without the additional pressure these homes will create.

Since the office space availability has shrunk in East Grinstead, with many conversions to residential use, the majority of these houses will be for workers in Crawley, where there are alternative housing sites available. These developments effectively join Felbridge to East Grinstead and contravene the current housing plan.

The planned locations are green space, home to many species of wildlife and also provide space for walkers, runners and dog walkers alike. Taking these areas away will cause irreversible damage to the active community as well as the wildlife we share our village with.

I wish for these points to be considered in the consultation and hope that you come to the right decision for the current community.

Kind regards

Lauren Kelly

Sent from my iPhone

1478

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1478

Response Ref: Reg19/1478/2

Respondent: Ms J Holdaway

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Joyce Holdaway [REDACTED]
Sent: 17 September 2020 12:43
To: ldfconsultation
Subject: Proposed new developments east grinstead and felbridge

Follow Up Flag: Follow up
Flag Status: Completed

Categories: SiteDPD

I would like to register my disapproval of any housing development in these areas due to the fact that the present infrastructure is already at saturation point.

Get [Outlook for Android](#)

1487

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1487

Response Ref: Reg19/1487/2

Respondent: Mr A Fennell

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

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

Date: 18th September 2020

Dear Sir/Madam

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

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

550 homes at Imberhorne Farm

200 homes at Felbridge

50 homes at Crawley Down

22 homes at East Grinstead Police Station.

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

Failure to Consult

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Unsound Assessment of Sites Alternative sites unreasonably discarded

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

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

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

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

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

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

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

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

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

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

Site Selection Criteria ID 196 – Crawley Down Road Felbridge

Site Selection Criteria ID 770 - Imberhorne Farm

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

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

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

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

Unsustainable Traffic Congestion

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

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

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

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

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

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

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

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

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

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

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

The district council leadership must be aware of the flaws in their SYSTRA model but choose not to publish the findings of the more recent WSP traffic study (which they themselves jointly commissioned). Material evidence which could undermine the

suitability of the proposed site allocations in East Grinstead has been withheld from the consultation process.

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

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

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

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

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

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

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

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

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

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

improvements will be so successful that they will be able to accommodate the traffic from the extra 822 houses now proposed.

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

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

Contrary to Neighbourhood Plan

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

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

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

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

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

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

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

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

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

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

Policy EG11 fully supports the district council's own policy DP21 which requires that ... *"development is accompanied by the necessary infrastructure in the right place at the right time that supports development and sustainable communities. This includes the provision of efficient and sustainable transport networks"*

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

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

Yours Sincerely

Anthony Fennell

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

1488

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1488

Response Ref: Reg19/1488/1

Respondent: Mr T Johnston

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

Name	Tim Johnston
Address	[REDACTED]
Email	[REDACTED]
Which document are you commenting on?	Site Allocations DPD
Sites DPD Policy Number (e.g. SA1 - SA38)	SA19 - SA22
Do you consider the Site Allocations DPD is in accordance with legal and procedural requirements; including the duty to cooperate	No
(1) Positively prepared	Unsound
(2) Justified	Unsound
(3) Effective	Unsound
(4) Consistent with national policy	Unsound
Please outline why you either support or object (on legal or soundness grounds) to the Site Allocations DPD	<p>I object to sides SP19, SP20 and SP22 on several grounds.</p> <p>Firstly on public consultation, The district council leadership decided not to advertise either of the site allocation consultations in their own Mid Sussex Matters magazine, which is distributed at taxpayer expense by the council's communication team 3 times a year to 73,000 homes in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages. I was unaware of the consultation.</p> <p>Secondly on assessment of sites. All sites assessed in East Grinstead were evaluated as 'high performing sites' and therefore allocated in the draft development plan. However, the overall performance assessment did not adequately account for the widely reported traffic constraints or the relevant neighbourhood plan policies. The site assessment section on highways, arguably the most relevant to the sites in East Grinstead, was left blank. Traffic around the area of the A22, A264 and Imberhorne lane is too bad already - which should rule out sites SP19 and SP20.</p> <p>Thirdly, traffic considerations make them unsuitable. The congestion figures for the A264 approach arm were measured as 3 mins 2 secs queuing delay in the AM peak. THAT IS WITHOUT THE TRAFFIC FROM OTHER SITES ALREADY APPROVED - around 2,000 dwellings.</p> <p>Fourthly, all are Contrary to Neighbourhood Plan. For sites SP19 and SP20, Policy EG2 was designed to resist development outside the built-up boundary and "to ensure that development does not result in the gradual accretion of development at the urban fringe". These developments clearly break that policy. Policy EG11 was designed to ensure that East Grinstead didn't have to takemass housing allocations like these without the necessary improvements to the local highways network. Again, this policy is broken.</p> <p>Site SP18 is in contravention of the Crawley Down plan.</p> <p>Local residents do not want to live in "East Craw-Sham", an urban conglomeration stretching from East Grinstead through Crawley to Horsham. Protect the strategic gaps between towns and villages.</p>

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

The three sites should be scrapped.

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

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

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

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

yes

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

yes

Please notify me when-The Site Allocations DPD is adopted

yes

Date

18/09/2020

1560

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1560

Response Ref: Reg19/1560/1

Respondent: Mr A Ward

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

Name	Alan Ward
Address	[REDACTED]
Email	[REDACTED]
Name or Organisation	Alan Ward
Which document are you commenting on?	Site Allocations DPD
Sites DPD Policy Number (e.g. SA1 - SA38)	SA19 & SA20
Do you consider the Site Allocations DPD is in accordance with legal and procedural requirements; including the duty to cooperate	Yes
(1) Positively prepared	Unsound
(2) Justified	Unsound
(3) Effective	Unsound
(4) Consistent with national policy	Sound

Please outline why you either support or object (on legal or soundness grounds) to the Site Allocations DPD

The decision regarding the provision of housing within Mid Sussex has been ongoing for a number of years and consequently does not take into account the impact of Covid-19 on the area.

Previous guidance around the amount of new housing in the northern part of MSDC has been based upon continual growth at Gatwick Airport which as we are all too aware is now in serious decline. Unemployment is rising and will continue to grow as a consequence of major airlines either dramatically reducing or pulling out of the airport altogether e.g. Virgin and potentially BA. Companies that provide support services to the airport will also be heavily impacted.

Whilst Gatwick and Crawley may continue to grow in the future it is questionable whether or not the airline industry at Gatwick will ever go back to the glory days! Without this the draw for people to move to the surrounding towns will be restricted.

In terms of offices for businesses East Grinstead now has very little to offer meaning that people moving into these new houses will either:

1. Work from home
2. Commute by car, rail or bicycle

If commuting by car the impact upon the already gridlocked roads will intensify along with pollution and local residential roads will be used to bypass the main arterial routes. This will take place alongside Imberhorne Secondary School resulting in an increase in children suffering from lung conditions such as asthma. It cannot be highlighted enough that the existing road infrastructure cannot cope with a large increase in traffic.

For those who wish to utilise the nearest railway stations, East Grinstead or Three Bridges, there are minimal bus services that can be used. Car parking at the stations has been inappropriate for many years as commuters typically struggle with the costs involved. Walking to Three Bridges is totally impractical whilst East Grinstead station is a mile walk away. This is not practical for the infirm whilst many others would not be prepared to undertake this distance on foot.

That leaves cycling for those who are fit and able once they have managed to fight the congested roads. Some of these will be fair weather cyclists so heaven help them in the middle of a wet and windy winter!

It is noted under SA20 that "The development shall establish a strong sense of place and include a neighbourhood centre (the spelling mistake is contained within the document). With the development so far from the centre of East Grinstead it is questionable whether or not the new estate will feel that it is part of East Grinstead as it sits outside the natural boundary of Imberhorne Lane. The Sunday Times reports on the 20th September that "Waltham Forest may represent the future for many towns and suburbs grappling with the problems exposed in the past six months of living with Covid-19". It states that within a 20 minute walk that you need to have a children's play areas, amenity green space, bus stop, shops including bakery, butcher, cafes, nursery, pub, restaurant, hairdresser, primary school, community allotments, elderly day care centre, medical centre, employment opportunities, secondary school, gym/swimming pool, bank, post office, church and garden centre. Whilst some of these are met many are not so is the build at SA19 and SA20 the correct way forward?

SA20 gives much focus on how the look and feel of the development will be with tree lined boundaries etc which all sounds very good until the residents try to leave the estate. As previously mentioned the local roads are full. Imberhorne Lane has recently had to have traffic calming measures introduced due to the volume and speed of the existing traffic. Anyone trying to leave the new development during peak commuting periods morning and evening will be sitting in queues before they even reach the Imberhorne Lane which already backs up past the proposed entry / exit road. This will dramatically increase the chances of road traffic accidents and the potential for a student attending Imberhorne School to be injured.

For cars leaving the site and travelling towards the Turners Hill Road they will need to navigate the narrow bridge which has seen too many accidents over the years.

There is mention within SA20 of protecting existing woodland and wildlife but this will without doubt be negatively impacted by building noise and the increase of people within the area. The site is currently fortunate to benefit from wildlife such as Skylarks and bats which will be disrupted and perhaps frightened away from the area as they lose the existing habitat.

SA20 states "Ensure the design and layout of the development works with the natural grain of the landscape following the slope contours of the site, minimising cut and fill. I cannot see how this can be accommodated in any way. For anyone who walks across this area one of the many benefits are the far reaching views across to the North Downs. No matter how well the estate is designed this will be lost for good if the development goes ahead.

"Development proposals will need to protect the character and amenity of the existing PRoW which runs through the site and the Worth Way which runs adjacent to the southern boundary. How when open views are replaced by a housing estate? The planting of trees or hedges will only hide the development which fails to protect the existing character.

"Avoid any loss of biodiversity through ecological protection and enhancement, and Submission Draft Site Allocations DPD 61 good design. Where this is not possible, mitigate and as a last resort, compensate for any loss. Just how do you compensate for any loss? Wildlife albeit plants, birds or animals cannot just be moved and expected to continue in the same way as it currently does. Once land is lost it cannot be replaced, the damage has already been done. Wildlife will live where its needs can be met and not substituted with other areas where conflict with the same or other species can take place.

My family and I often take advantage of the local walks across Imberhorne Farm enjoying the open countryside and far reaching views. If this is replaced by a large development then we are far more likely to jump into the car and travel further afield to partake in walking activities. I am sure that this is not what the Council wants to hear but it will be the result if this building goes ahead.

"Provide a Sustainable Transport Strategy which identifies sustainable transport infrastructure improvements and demonstrates how the development will integrate with and enhance the existing sustainable transport network providing appropriate enhancements to the existing public transport networks and safe and convenient routes for walking and cycling to key destinations and links to the existing networks.

- Working collaboratively with Surrey and West Sussex County Council Highway Authorities mitigate development impacts by maximising sustainable transport enhancements; where additional impacts remain, highway mitigation measures will be considered.
- Taking account for sustainable transport interventions, contribute towards providing any necessary capacity and safety improvements to junctions impacted upon by the development in the vicinity of the site along the A22/A264 corridor.
- Vehicular access and necessary safety improvements will be provided on Imberhorne Lane; the access shall include footpaths to either side to connect with the existing pedestrian network along Imberhorne Lane.

The above paragraphs are quite shocking and indeed insulting for those who live in the areas impacted by SA19 and SA20. For decades there have been talks and discussions about how to alleviate the traffic congestion around East Grinstead. Nothing within the DPD document gives any constructive view on how this will be mitigated. I accept that tinkering with the existing road infrastructure may, or may not take place, but until an overriding traffic solution has been found, agreed and implemented by Kent, Surrey and Sussex Councils then no new major developments should be considered.

Finally SA20 is proposed to be built upon existing farmland. It has been reported recently that the UK is short of wheat this year as a consequence of the hot and dry weather. Whilst the UK is usually a net exporter of wheat this year there will not be sufficient for the home market with the expectation that bread prices will rise. Surely as the threat of global warming intensifies we should be protecting existing farmland to feed the nation.

I am sure that many of my above concerns will not be deemed as acceptable points under the remit of the DPD policy. However my hope is that some semblance of common sense will come into play. I note that local MPs in Kent have recently complained about the housing demands that they are seeing from above. The response to the BBC (on South East Today) from the relevant Government Department was that the local councils need to be sure that the housing numbers are correct and that any numbers from central Government were suggested and not final. Are you sure that this level of building is actually required?

<p>Please set out what change(s) you consider necessary to make the Site Allocations DPD legally compliant or sound, having regard to the reason you have identified at question 5 above where this relates to soundness.</p>	<p>A full post Covid-19 re-assessment of housing demand needs to take place to ensure that SA19 and SA20 are sound.</p> <p>A full review of the local traffic needs is needed to fully comprehend how SA19 and SA20 will impact the existing road network and what can actually be done to smooth traffic flow and not just blight the area.</p> <p>A full assessment of the local wildlife and the impact of major development is needed. A few new trees and bushes will not be enough to compensate for the damage to the areas surrounding the farm fields.</p> <p>An assessment needs to be undertaken to understand the impact upon local air quality for residents and school children (primary and secondary).</p> <p>People who currently use SA20 areas for recreation may well be driven away by the development resulting in a detrimental impact upon the Ashdown Forest.</p> <p>Is the SA20 land suitable for development or should the requirement to feed the nation override this?</p>
<p>If you wish to provide further documentation to support your response, you can upload it here</p>	
<p>If your representation is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination</p>	<p>No, I do not wish to participate at the oral examination</p>
<p>Please notify me when-The Plan has been submitted for Examination</p>	<p>yes</p>
<p>Please notify me when-The publication of the recommendations from the Examination</p>	<p>yes</p>
<p>Please notify me when-The Site Allocations DPD is adopted</p>	<p>yes</p>
<p>Date</p>	<p>20/09/2020</p>

Site Allocations DPD: Regulation 19 Consultation Response**Policy:** SA19**ID:** 1562**Response Ref:** Reg19/1562/1**Respondent:** Mr F Lilley**Organisation:****On Behalf Of:****Category:** Resident**Appear at Examination?** x

Name	Frank Lilley
Address	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Which document are you commenting on?	Site Allocations DPD
Sites DPD Policy Number (e.g. SA1 - SA38)	SA19 and SA20
Do you consider the Site Allocations DPD is in accordance with legal and procedural requirements; including the duty to cooperate	No
(1) Positively prepared	Unsound
(2) Justified	Unsound
(3) Effective	Unsound
(4) Consistent with national policy	Unsound
Please outline why you either support or object (on legal or soundness grounds) to the Site Allocations DPD	<p>I have a number of objections to the planned developments SA19 and SA20:</p> <ol style="list-style-type: none"> 1. The area put forward for development would ruin beautiful countryside. 2. The number of houses proposed is unsuitable to the area. Local facilities (schools, hospitals) would not be able to cope with such a new influx of people. 3. Similarly local traffic, already problematic in this area, would be unable to cope with the added number of vehicles and considerable disruption would occur. 4. There is no a supply of work for large numbers of new people entering the area. 5. Before putting forward plans to build on such countryside, the Council should explore seriously all possible brownfield sites. Given the impact of COVID-19, there may be considerable potential to redevelop commercial and office buildings that will no longer be required. 6. Finally, your consultation process is inadequate. Local residents have not been informed of the existence of a consultation (I discovered this by chance) and the timetable is too short.
If you wish to provide further documentation to support your response, you can upload it here	
If your representation is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination	No, I do not wish to participate at the oral examination
Please notify me when-The Plan has been submitted for Examination	yes
Please notify me when-The publication of the recommendations from the Examination	yes
Please notify me when-The Site Allocations DPD is adopted	yes
Date	21/09/2020

1624

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1624

Response Ref: Reg19/1624/1

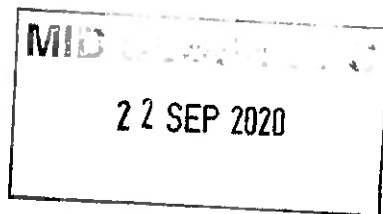
Respondent: Mrs M Webber

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x



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

19 - 9 - 2020

Re: Mid Sx Consultation to build 200
properties off Cransley Down Road

I am writing to lodge my disappointment at the 200 houses that are being considered to be built in Felbridge. We have had several small developments already in what is a small village which have fitted in well, but to think of building on this site which is ancient farmland and a local beauty spot where villagers and others can improve their physical and mental

Health with a carbon free walk is very, very good.

There are many reasons why this is an unbeatable plot to build on:

- 1) The field is higher than the houses along the Crawley Down Road and this causes a good deal of flooding in the gardens of these houses.
- 2) The field is an ancient field with the site of a Roman Road leading to a Roman Villa. Maybe this should be excavated?
The field has always been considered a Strategic Gap between Falbridge and E. Ginstead.
- 3) The field is perfect farmland which we should be preserving. With the world as it is, who knows how long we can import enough food from other countries?

3

- 4) The infrastructure cannot support the local population now. The schools are full. The Doctors are not taking on new patients as their lists are full. There will not be enough water unless new reservoirs are introduced.
- 5) Will there be enough jobs for people? With Gatwick Airport making numerous workers redundant there is already an increasing number of unemployed in the area.
- 6) The roads in the area are already at gridlock at busy times of day. Back in the 1950s they said the town needed a Bypass! This never happened and more and more houses have been built and in spite of so called "road improvements" it is still as bad. A high percentage of the cars travel to and from Crawley so surely it would be better for the environment

4

for the houses to be built nearer to
Crawley and Gatwick! There is no
train service to Crawley so no alternative
to using the roads.

I am sure in your Consultation you
will have the foresight to see that
this is not an appropriate development
and it will be refused



M.M-WEBBER.

1723

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1723

Response Ref: Reg19/1723/2

Respondent: Mrs J Roberts

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

Site Allocations and Development Plan Document (DPD) July 2020

I write to express my concern at aspects of the DPD proposed by M.S.D.C.

As a resident of East Grinstead, I am particularly concerned about the unacceptable increase in levels of traffic on roads in East Grinstead and feel that to add further major housing developments in the area will only exacerbate the situation. There have been many traffic studies on the local area, which conclude that the road network is already at capacity. In spite of proposals to improve the congestion at Felbridge, Imberhorne Lane and Lingfield Road there have been no significant road improvements. Until these are planned and carried out the proposed housing developments at Imberhorne Lane, Felbridge and Crawley Down would seem to be the height of folly.

I also feel that the development of sites at Felbridge and Imberhorne Lane goes against the Neighbourhood Plan, which in policy EG2 states that it “ensures that development does not result in the gradual accretion of development at the urban fringe”. The District Council’s own Plan says “The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing land, which does not need to be there.”

There does not appear to be a shortage of accommodation for people of East Grinstead, so why are these sites being proposed ? Many office blocks in East Grinstead have been converted to apartments, and the former site of Martell’s in the centre of the town now accommodates a large apartment block. There has also been a considerable amount of ‘infill’ with small building sites around the town. If the Felbridge and Imberhorne sites are being proposed to provide housing for people from Crawley, why not build housing on the edge of Crawley, which would obviate the need for unnecessary travel and protect the environment.

Considering the sites individually :

SA18 Police Station at East Court

This housing will occupy land on the only considerable parkland area in East Grinstead. The private road through the park is only meant to bring people to East Court and is not designed for use by housing residents. Any road extension or parking would seriously undermine the amenity for the rest of the population of East Grinstead and the junctions at the entrances to East Court are not suitable for increased traffic.

SA19 Crawley Down Road

Again, one of the major objections to this proposed site is the increase in traffic onto already overloaded roads. In addition the junction of the Crawley Down Road with the A264 forms a difficult junction at a green space, which is apparently protected for

the people of Felbridge and so unavailable for road improvements. This housing would also considerably increase the population of the village and with limited facilities available, residents would have to travel to East Grinstead for other services, increasing local traffic.

SA20 Imberhorne Farm

Once again the traffic implications of building an estate of 550 houses here are considerable. With an enlarged comprehensive school, and traffic using the junction at Felbridge, as well as joining the Turners Hill Road at the other end of Imberhorne Lane, where it would meet traffic from the Hill Place Farm development, the possibility of gridlock is considerable.

Environment

All these site allocations result in increased traffic and more pollution in our area. This, in spite of the fact that we are urged to cut car emissions to improve air quality. The improvement of air quality was particularly noticeable during the recent lockdown for Covid 19.

1726

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1726

Response Ref: Reg19/1726/1

Respondent: Mrs B M Hollingsworth

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

Barbara M Hollingsworth

[REDACTED]

[REDACTED]

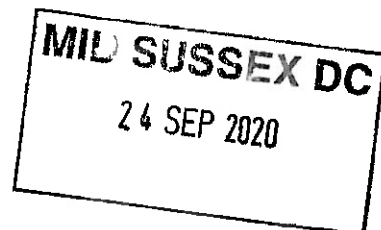
[REDACTED]

[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**



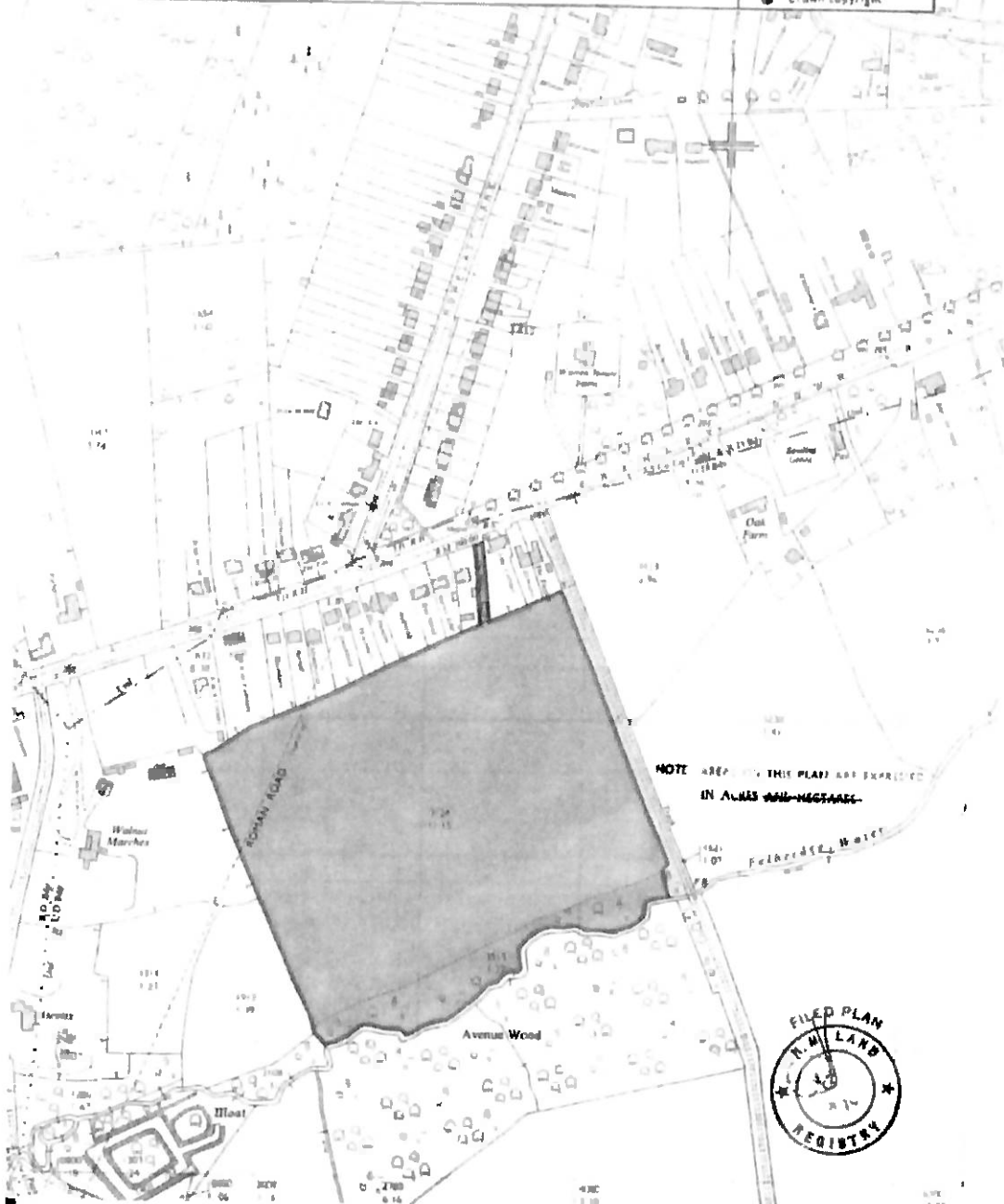
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DOCUMENT 2

H.M. LAND REGISTRY		TITLE NUMBER WSX 1783
ORDNANCE SURVEY PLAN REFERENCE	TQ 3639	Scale 1/2500
COUNTY 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]
[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

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
---------------	---------	---------	---------------	---------------

- ❖ 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

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]

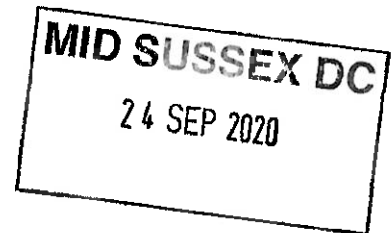
[REDACTED]

[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**



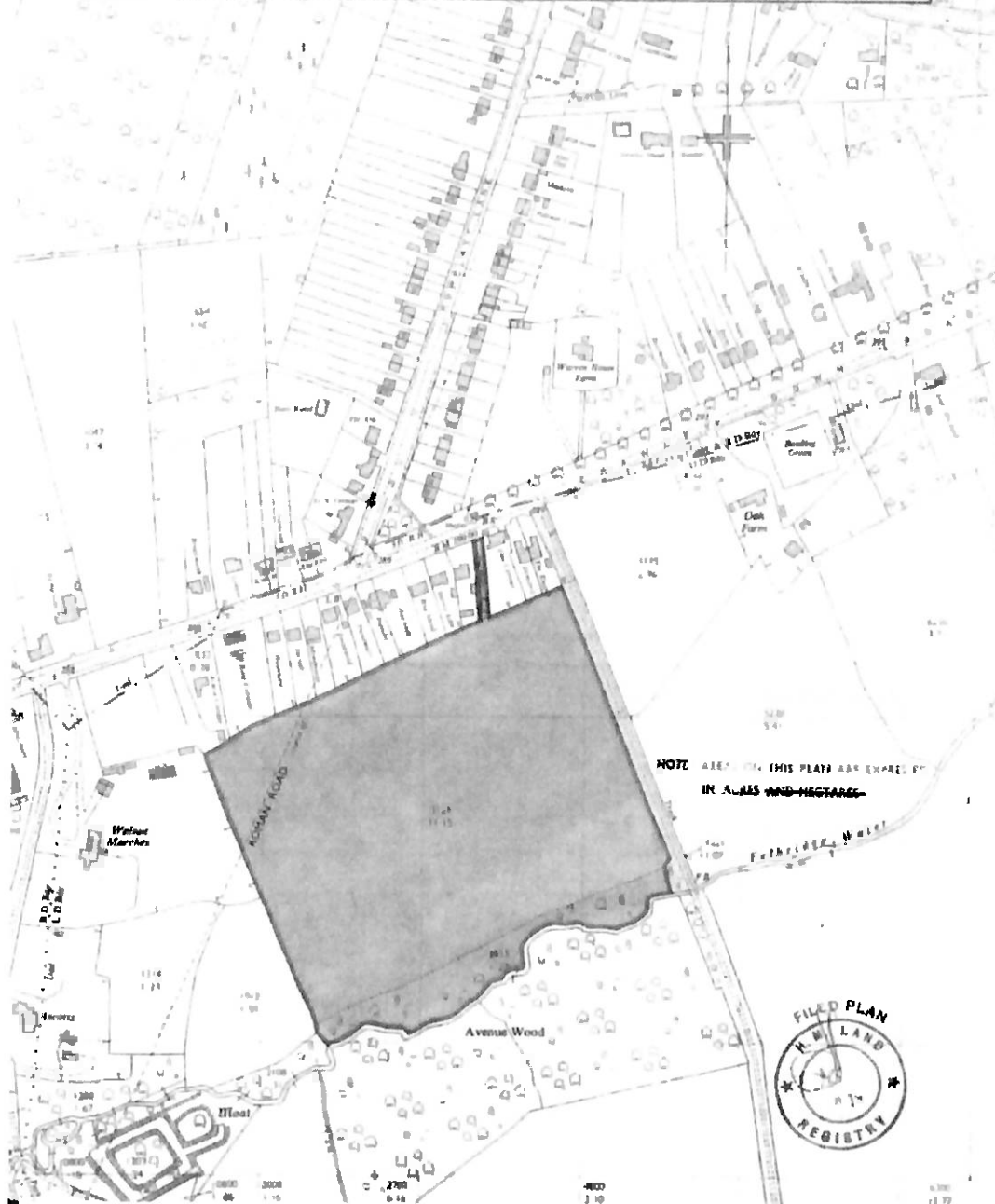
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Document 2

H.M. LAND REGISTRY		TITLE NUMBER WSX 1783
ORDNANCE SURVEY PLAN REFERENCE	TQ 3639	Scale 1/2500
EDINITY 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]
[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

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.

1735

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1735

Response Ref: Reg19/1735/2

Respondent: Mr D Parkes

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

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

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

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

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

1799

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 1799

Response Ref: Reg19/1799/1

Respondent: Mrs N Ward

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: nicola ward [REDACTED]
Sent: 25 September 2020 12:14
To: ldfconsultation
Subject: Development

MSDC SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT SA19 (Land South of Crawley Down Road, Felbridge)

Dear Sirs

I wish to have my objections to this development recorded on the following grounds. I would have objected previously but although I live in Felbridge, I was not made aware of any consultation process and this proposal has come as a complete shock to me.

The proposal to build 200 homes in this rural area does not fit in with the current density of the area and is outside the development area of East Grinstead. It is an area used by the local community of Felbridge including horse riders and dog walkers and this would be lost forever. It is on the Surrey-Sussex border and whilst the development is proposed by Sussex, it will affect Surrey residents the most.

The volume of traffic in the area is already congested and at a critical level and traffic generated from 200 more homes will add to the congestion significantly. There are no meaningful proposals to overcome this issue.

The development is close to Felbridge School and it is doubtful that it could accommodate more students from this development. Any places taken would mean other children being denied a place and having to travel further afield.

There are no doctor surgeries, dentists, pharmacy or opticians in Felbridge to service such a large development.

I feel that the scale of this development is totally unacceptable and it would be shameful if the proposal was granted approval

Yours faithfully

Mrs N Ward

Nicola Ward
Absolute plumbing and heating

2002

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 2002

Response Ref: Reg19/2002/2

Respondent: Mr R Burleigh

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

Name	Raymond Burleigh
Job title	Retired
Address	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Which document are you commenting on?	Site Allocations DPD
Sites DPD Policy Number (e.g. SA1 - SA38)	SA18, SA19, SA20
Do you consider the Site Allocations DPD is in accordance with legal and procedural requirements; including the duty to cooperate	No
(1) Positively prepared	Unsound
(2) Justified	Unsound
(3) Effective	Unsound
(4) Consistent with national policy	Unsound
Please outline why you either support or object (on legal or soundness grounds) to the Site Allocations DPD	I totally object to proposals SA18, SA19 and SA20 which are far too large for East Grinstead. The town is already overdeveloped and suffers from daily chronic traffic congestion on the A22 north of the town and on the A264 approaching Felbridge. The extra traffic generated by these three developments will simply contribute to bringing traffic to a standstill in the Felbridge and Imberhorne Lane areas at rush hour times. Plus we already have a situation where people wanting to go shopping always regularly avoid East Grinstead, preferring instead to drive to other centres. All to the detriment of our own shopkeepers in London Road and the High Street. Instead of developing the town more housing will, in fact, choke it to death. As it is the daily exhaust pollution from traffic fumes from tail backed vehicles in London Rd/ Felbridge is a disgrace and the air quality should be properly investigated against national and EU standards.
Please set out what change(s) you consider necessary to make the Site Allocations DPD legally compliant or sound, having regard to the reason you have identified at question 5 above where this relates to soundness.	Abandon SA18, SA19 and SA20 on environmental grounds as set out above.
If you wish to provide further documentation to support your response, you can upload it here	
If your representation is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination	No, I do not wish to participate at the oral examination
Please notify me when-The Plan has been submitted for Examination	yes
Please notify me when-The publication of the recommendations from the Examination	yes
Date	27/09/2020

2062

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 2062

Response Ref: Reg19/2062/1

Respondent: Ms J Kenyon

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: [REDACTED]
Sent: 27 September 2020 17:18
To: ldfconsultation
Subject: SA19 Land south of Crawley Down Road, Felbridge

Dear Sir

Re Proposal to build houses on land south of Crawley Down Road, Felbridge - SA19

Felbridge is a small village between East Grinstead and Crawley Down. There has been much development in Felbridge over the last few years.. With the addition of two hundred properties on land south of Crawley Down Road, this will be another step to becoming part of the town of East Grinstead (including the proposal of 500 properties at Imberhorne. These new houses will be detrimental to the area.

I have listed some questions which I would like answered:

Is the density of over 23 units per hectare compliant with planning policy for the area?

What is the intention with regards to tenure, affordable and social housing? – Presumably the council will have targets that need to be met and will the targets used comply with East Grinstead or Crawley targets?

Is it the intention to provide all dwellings as low rise properties of no more than 2 storeys?

Will the proposed Sustainable Transport Study include detailed traffic surveys on the existing road network at appropriate peak times, review public transport and take into account any planned road improvements in the area?

Is it the councils intention to carry out the various specialist investigations, surveys and reports that will be required before planning can be granted, or will it be left to the individuals seeking planning permission?

Is it the intention to provide an overall outline planning permission for the development proposals and then deal with detailed submissions for any individual phase, or to seek a detailed application for the whole site and allow phased delivery?

Has the Council considered strategic phasing of the proposed development at this stage, presumably the required infrastructure and any improvement works would need to be completed initially.

Is the council prepared to publish the basis for the rejection of other sites for development?

Is Mid – Sussex willing to expand on their view that the existing congestion on the A22 is not a reason to reject this development?

What is the envisaged for the play and equipment space?

Is it the intention for children from within the proposed new development to attend Felbridge Primary School, or the proposed new primary school on the Imberhorne Lane proposed development?

What consideration has been given to the increase of patients on the existing doctor's surgeries? It is noted as part of the Imberhorne Lane proposals new surgeries or improvements to existing surgeries are envisaged?

Would it be the intention of Mid – Sussex Council to safeguard any restrictions incorporated within any final masterplan developed, by using their powers under planning law during the detailed planning applications?

What timescales are envisaged for the delivery of these proposals?

I look forward to receiving your response to my questions.

Kind Regards

Jane Kenyon

2065

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 2065

Response Ref: Reg19/2065/9

Respondent: Mr A Black

Organisation: Andrew Black consulting

On Behalf Of: Denton - Horsham Road

Category: Promoter

Appear at Examination? x



Mid Sussex District Council

Draft Site Allocations DPD (Regulation 19)
Consultation

Representation on behalf of Denton Homes – Land
North of Horsham Road, Pease Pottage

September 2020

Project MSDC Draft Site Allocations DPD

ABC Reference ABC/0075/07a

Local Authority Mid Sussex District Council

Client Denton Homes

Issue Final

Author Andrew Black

Date September 2020

Disclaimer: This report has been prepared for the above named client for the purpose agreed in Andrew Black Consulting's (ABC) terms of engagement. Whilst every effort has been made to ensure the accuracy and suitability of the information contained in this report, the results and recommendations presented should not be used as the basis of design, management or implementation of decisions unless the client has first discussed with ABC their suitability for these purposes and ABC has confirmed their suitability in writing to the client. ABC does not warrant, in any way whatsoever, the use of information contained in this report by parties other than the above named client.

Contents

1. Introduction	4
2. Site and Surroundings	5
3. Housing Site Allocation Process	9
4. Sustainability Appraisal.....	13
5. Assessment of Proposed Sites.....	15
6. Conclusions	22
7. Appendix 1 – SHELAA Extract – February 2020	23
8. Appendix 2 – Site Selection Paper Extract	25

1. Introduction

- 1.1 These representations for the Draft Site Allocations DPD (Regulation 19) Consultation (Herein referred to as the 'SADPD') are submitted by Andrew Black Consulting on behalf of Denton Homes regarding two linked sites within their control at Horsham Road in Pease Pottage.
- 1.2 The two sites are known as *Land at former Driving Range, Horsham Road, Pease Pottage* (SHELAA ID 219) and *Land north of the Former Golf House, Horsham Road, Pease Pottage* (SHELAA ID 818)
- 1.3 It is understood that the SADPD has been produced in accordance with the Planning and Compulsory Purchase Act 2004, and other relevant regulations.
- 1.4 The NPPF states that Development Plan Documents should be prepared in accordance with the legal and procedural requirements. To be found to be 'sound', plans must be:
 - a) *positively prepared*
 - b) *justified*
 - c) *effective, and*
 - d) *consistent with national policy.*
- 1.5 It is with this in mind that these representations are made.
- 1.6 The draft SADPD has been prepared using an extensive and legally compliant evidence base including a Sustainability Appraisal, Habitat Regulations Assessment, Community Involvement Plan, Equalities Impact Assessment, and various technical reports and studies. Of particular note is the Built Up Area Boundary and Policies Map Topic Paper (TP1) produced in August 2020.
- 1.7 The Site Allocations DPD proposes to allocate 22 sites to meet this residual necessary to meet the overall agreed housing requirement for the plan period as reflected in the 'stepped trajectory' and in accordance with the District Plan.
- 1.8 These representations set out the detail of the Site and Surroundings and a response to the detailed parts of the SADPD.

2. Site and Surroundings

- 2.1 The two sites are located within close proximity of each other as highlighted in the below SHELAA map.

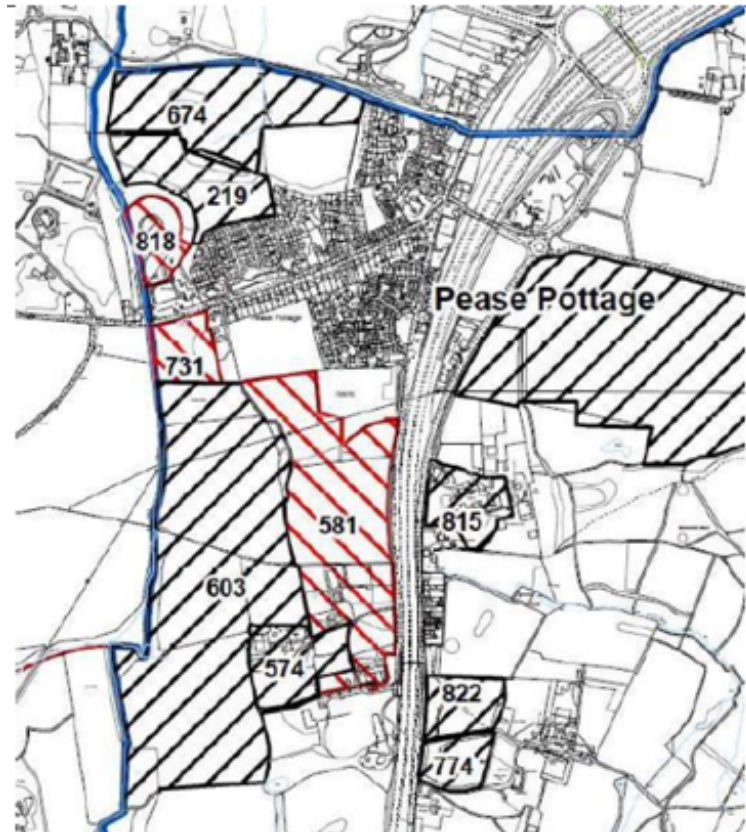


Figure 1 – SHELAA Extract

- 2.2 The sites were assessed in the most recent under SHELAA (Ref 219 and 818) as Suitable, Available and Achievable in the Medium to Long Term (The full extract of the SHELAA is set out in Appendix 1). Several constraints were noted within the HELAA form which are addressed below.

Surrounding Developments and Proposed Allocations

- 2.3 Both sites are in close proximity to areas which have been developed for housing in recent years.
- 2.4 To the south of the sites, permission was granted at appeal for the redevelopment of the former area of Golf Course for 95 dwellings which has been subsequently completed.
- 2.5 The application was submitted in 2013 (13/02994/OUT) and refused at local level before being allowed at appeal in 2014 (ref APP/D3830/A/2215289)



Figure 2 – Riverdale Homes site layout

- 2.6 The site directly to the west of the Golf Course site which comprised of the former club house and driving range was granted permission for the *demolition of existing buildings and redevelopment of the site to provide 25no. dwellings with associated access, parking and landscaping and other associated works* (Ref DM/17/0747).



Figure 3 – Approved layout on land to south (forming access road)

- 2.7 The site provides an access to the further parcels at the rear of the site (SHELAA ref 219 and 818)
- 2.8 The Proposals Map for the SADPD shows the significant growth forecasted in Pease Pottage in the lifetime of the plan.

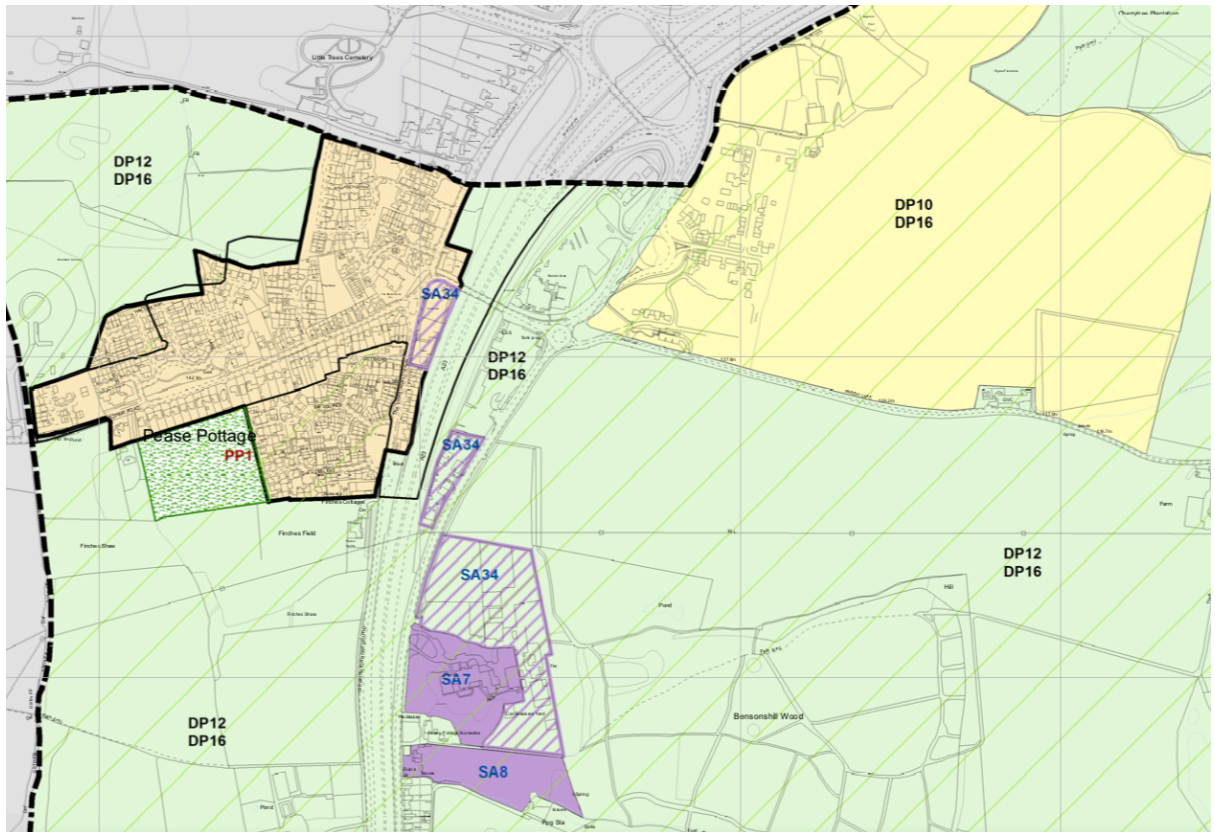


Figure 4 – SADPD Proposals Map

- 2.9 The large development to the East of Pease Pottage is being brought forward by Thakeham Homes and will deliver a substantial portion of housing together with new facilities for the Village including a new Primary School, Village Shop, Village Café and areas of open space.
- 2.10 The site was dismissed within the Site Selection Process for its lack of proximity to services

Part 3 - Sustainability / Access to Services

14 - Education	More than 20 Minute Walk
15 - Health	More than 20 Minute Walk
16 - Services	10-15 Minute Walk
17 - Public Transport	Poor

- 2.11 This may be the case at present but will substantially improve with the development of the Thakeham site.
- 2.12 Sites SA7 Cedars (Former Crawley Forest School) and SA8 Pease Pottage Nurseries are allocated within the SADPD for B1, B2 and B8 employment.

- 2.13 All of the new development coming forward with Pease Pottage is also within the AONB. It demonstrates that Pease Pottage will experience significant growth in the coming years and is able to support an uplift in housing which will be located alongside facilities and employment opportunities.

3. Housing Site Allocation Process

- 3.1 The District Plan 2014-2031 sets out the housing requirement for the district for the plan period of 16,390 dwellings. This meets the Objectively Assessed Need (OAN) for the district of 14,892 dwellings in full and makes provision for the agreed quantum of unmet housing need for the Northern West Sussex Housing Market Area, to be addressed within Mid Sussex, of 1,498 dwellings.
- 3.2 The District Plan 2014-2031 established a ‘stepped’ trajectory for housing delivery with an average of 876 dwellings per annum (dpa) between 2014/15 and 2023/24 and thereafter an average of 1,090 dpa between 2024/25 and 2030/31. This represents a significant increase in housing supply compared with historical rates within the district.
- 3.3 The latest data on completions from MSDC was published in *MSDC Housing Land Supply Position Statement* was published in August 2020 (Document H1) and shows a significant shortfall in delivery against the housing requirement since the start of the plan:

Category		Number of Dwellings
Housing Requirement for the full plan period (April 2014 to March 2031)		16,390
Housing Completions (April 2014 to March 2020)		4,917
Completions 2014/15		630
Completions 2015/16		868
Completions 2016/17		912
Completions 2017/18		843
Completions 2018/19		661
Completions 2019/20		1003
Housing Supply (April 2014 to March 2031)	Commitments (including District Plan Allocations)	9,689
	Site Allocations DPD - Allocations	1,764
	Windfalls	504
Total Supply (at 1 April 2019)		16,874

Figure 5 – Extract from MSDC Housing Land Supply Position Statement

- 3.4 The Housing Delivery Test was introduced in the July 2018 update to the NPPF. The Housing Delivery Test is an annual measurement of housing delivery for each local authority and the first results were published in February 2019 by the Ministry of Housing, Communities and Local Government (MHCLG). Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority’s housing requirement over the previous 3 years then it is required to prepare an action plan. Where delivery has fallen below 85% of the housing requirement a 20% buffer should be added to the five year supply of deliverable sites.
- 3.5 The result for Mid Sussex produced in February 2020 was 95%. This result is based on monitoring years 2016-17, 2017-18 and 2018-19. Mid Sussex is therefore not required to add 20% buffer for significant under delivery, or prepare an Action Plan. However, it is clear that under current performance the council will struggle when the housing target steps up to 1,090 in 2024.
- 3.6 Para 4.10 of the previous MSDC Housing Land Supply Position Statement (2019) sets out how the identified to the shortfall to calculate the five year supply requirement for the district:

Annual Requirement As set out in District Plan	876 x 5 years =	4,380
Shortfall spread over remaining plan period	466 divided by 12 remaining years x 5 years	194
Total		4,574
Buffer (see paras 2.4,4.9 above)	10%	457
Total five year supply requirement		5,032

Figure6 – Total Five Year Housing Requirement taken from MSDC Housing Land Supply Position Statement

- 3.7 MSDC is seeking to confirm the five year housing land supply under the terms of paragraph 74 of the NPPF through submission of the annual position statement to the secretary of state. Paragraph 74 of the framework states:

A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which:

- a) has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State; and*
- b) incorporates the recommendation of the Secretary of State, where the position on specific sites could not be agreed during the engagement process.*

- 3.8 The report on the Annual Position Statement was issued by the Planning Inspectorate on 13 January 2020. It was confirmed that as the council did not have a recently adopted plan in conformity with the definition of the NPPF then the correct process had not been followed and the inspector was unable to confirm that the council had a five year housing land supply.
- 3.9 It is therefore clear that the council does not currently have a five year housing land supply and the demonstration of sufficiently deliverable sites within the SADPD is of critical importance for MSDC.

Deliverability of Sites

- 3.10 Any sites that have been included in the final Sites DPD will need to pass the tests of deliverability as set out in the NPPF. This is defined within the glossary of the framework as follows:

Deliverable: *To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.*

- 3.11 The Planning Practice Guidance provides a further explanation on how the deliverability of sites should be considered:

A site can be considered available for development, when, on the best information available (confirmed by the call for sites and information from land owners and legal searches where appropriate), there is confidence that there are no legal or ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available.

The existence of planning permission can be a good indication of the availability of sites. Sites meeting the definition of deliverable should be considered available unless evidence indicates otherwise. Sites without permission can be considered available within the first five years, further guidance to this is contained in the 5 year housing land supply guidance. Consideration can also be given to the delivery record of the developers or landowners putting forward sites, and whether the planning background of a site shows a history of unimplemented permissions.

Paragraph: 019 Reference ID: 3-019-20190722

Revision date: 22 07 2019

- 3.12 It is with this in mind that the proposed sites within the Sites DPD are scrutinised within subsequent sections of this document. It is considered that many of the proposed sites do not fully accord with the definition of delivery and consideration of alternative sites is required.

Historic Environment

- 3.13 Several of the allocations within the DPD are in close proximity to heritage assets. Paragraph 193 of the framework sets out the approach to heritage assets as follows:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any

potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- 3.14 In many instances the council themselves suggest that the development of housing on the sites is likely to have ‘less than significant harm’ on the heritage assets in question. Paragraph 196 of the framework sets out the approach which should be taken in this instance:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable

- 3.15 The council has sought in their assessment of sites to grade the level of harm within the category of less than substantial harm. This is not appropriate way to suggest that this harm could be mitigated if it is at the lower end of ‘less than substantial harm’ is an incorrect interpretation of planning policy, legislation and guidance. The most recent authority on this matter is in the high court decision for *James Hall and Company Limited v City of Bradford Metropolitan District Council & Co-operative Group Limited & Dalehead Properties Limited* in a judgement handed down on 22 October 2019 ([2019] EWHC 2899) where the ruling confirmed that ‘negligible’ or ‘minimal’ harm still equates to ‘harm’ for the purposes of the heritage tests in the NPPF.
- 3.16 It is not considered that the harm caused to heritage assets has been adequately assessed within the Sustainability Appraisal for many of the proposed sites and further consideration is required of the sites in this regard. This would include assessing sites which would not have an impact on heritage assets through a robust application of reasonable alternatives within the Sustainability Appraisal.

4. Sustainability Appraisal

- 4.1 The SADPD is accompanied by a Sustainability Appraisal (SA) report which is a legal requirement derived from the Planning and Compulsory Purchase Act 2004 (Section 19). Section 39 of the Act requires documents such as the SADPD to be prepared with a view to contributing to the achievement of sustainable development.
- 4.2 The requirement for Strategic Environmental Assessment, in addition to the SA, is set out in the European Directive 2001/42/EC adopted into UK law as the “Environmental Assessment of Plans or Programmes Regulations 2004”.
- 4.3 In line with best practice the SEA has been incorporated into the SA of the SADPD.
- 4.4 The planning practice guidance sets out detailed consideration as to how any sustainability should assess alternatives and identify likely significant effects:

The sustainability appraisal needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic and social characteristics of the area and the likely situation if the plan were not to be adopted. In doing so it is important to:

- *outline the reasons the alternatives were selected, and identify, describe and evaluate their likely significant effects on environmental, economic and social factors using the evidence base (employing the same level of detail for each alternative option). Criteria for determining the likely significance of effects on the environment are set out in [schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004](#);*
- *as part of this, identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them;*
- *provide conclusions on the reasons the rejected options are not being taken forward and the reasons for selecting the preferred approach in light of the alternatives.*

Any assumptions used in assessing the significance of the effects of the plan will need to be documented. Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in the plan. They need to be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made.

The development and appraisal of proposals in plans needs to be an iterative process, with the proposals being revised to take account of the appraisal findings.

Paragraph: 018 Reference ID: 11-018-20140306

Revision date: 06 03 2014

- 4.5 In response to this guidance and requirement, paragraph 6.16 of the Sustainability Appraisal states that:

The Site Selection Paper 2 (paras 6.2 - 6.3) also recognises that, in order to meet the District Plan strategy, conclusions will be compared on a settlement-by-settlement basis with the most suitable sites at each settlement chosen in order to meet the residual needs of that settlement. This may result in some sites being chosen for allocation which have higher negative impact across all the objectives because this will be on the basis that the aim is to distribute allocations according to the District Plan strategy in the first instance; as opposed to simply selecting only

the most sustainable sites in the district (as this may not accord with the spatial strategy and would lead to an unequal distribution of sites across settlements). 20 sites that perform well individually and on a settlement basis, the residual housing need of 1,507 would be met with a small over-supply of 112 units.

- 4.6 Paragraph 6.45 recognises that this small over-supply *may not be a sufficient buffer should sites fall out of the allocations process between now and adoption (for example, due to delivery issues, reduction in yield, or any other reasons identified during consultation or the evidence base).*

- 4.7 The SA therefore considers reasonable alternatives of option A, B and C as follows:

Option A – 20 'Constant Sites' – 1,619 dwellings

Option B – 20 'Constant Sites' + Folders Lane, Burgess Hill (x3 sites) – 1,962 dwellings.

Option C – 20 'Constant Sites' + Haywards Heath Golf Court – 2,249 dwellings

- 4.8 Paragraph 6.52 of the SA concludes that:

Following the assessment of all reasonable alternative options for site selection, the preferred option is option B. Although option A would meet residual housing need, option B proposes a sufficient buffer to allow for non-delivery, therefore provides more certainty that the housing need could be met. Whilst option C also proposes a sufficient buffer, it is at the expense of negative impacts arising on environmental objectives. The level of development within option C is approximately 50% above the residual housing need, the positives of delivering an excess of this amount within the Site Allocations DPD is outweighed by the negative environmental impacts associated with it.

- 4.9 It is not considered that this assessment of Option A, B and C is a sufficient enough assessment of reasonable alternatives as required by guidance and legislation. All of the options contain the '20 Constant Sites' with no derivation of alternative options such as those which seek to divert housing growth away from the AONB or designated heritage assets.

- 4.10 It is apparent that other sites other than the 20 Constant Sites will need to be assessed if the council is to adequately demonstrate that reasonable alternatives have been considered as required.

5. Assessment of Proposed Sites.

- 5.1 This section analyses each of the proposed allocations against the tests of deliverability as set out in the NPPF and the potential shortcomings of several of the sites which require significant consideration. The findings of *Appendix B: Housing Site Proformas* of the *Site Selection Paper 3* (Appendix B) and the conclusions of the Sustainability Appraisal (SA) are considered in detail.

SA 12 Land South of 96 Folders Lane, Burgess Hill

- 5.2 Appendix B of the reg 18 SADPD set out that this site has *moderate landscape sensitivity and moderate landscape value. This site could be visible from the South Downs National Park*. The SA states that an LVIA is required to determine any impact on the national park. Given the weight that the NPPF requires to be placed on the protection of the national park, any impact must be measured prior to allocation. If it is deemed that mitigation would not minimise the harm caused, then the proposed allocation must fall away.
- 5.3 Appendix B of the reg 18 SADPD also set out that a TPO area lines the norther border and potential access route. It should be noted that an application was submitted in 2019 for the *erection of 43 dwellings and associated works* (DM/19/0276) but was withdrawn in September 2019 due to concerns over highways. The deliverability of this site is therefore not considered to be in accordance with the guidance set out in the framework.
- 5.4 Finally, whilst the priority for sites higher in the settlement hierarchy is acknowledged, this is site is very remote from the services offered by Burgess Hill. This is highlighted within the sustainability appraisal for the site which states that it is more than a 20 minute walk from the site to schools, GP and shops.

SA 13 Land East of Keymer Road and South of Folders Lane, Burgess Hill.

- 5.5 As with SA12, this site is in close proximity to the national park and the conclusions as set out above apply equally to this site.
- 5.6 The SA sets out that this is the only site within Burgess Hill to have any impact on listed buildings where it is stated that development of this site would cause *less than substantial harm (medium) on High Chimneys (Grade II listed)*. This is not mentioned within appendix B and this therefore calls into question the consistency of assessment of the sites in this regard.
- 5.7 Given that site SA12 and SA13 are in close proximity to one another it is notable that the cumulative impact of the development of both of these sites has not been assessed for a number of ‘in-combination’ impacts such as highways and landscape impact.

SA 14 Land to the south of Selby Close, Hammonds Ridge, Burgess Hill

- 5.8 There is a TPO at the front of this site which is potentially why access is proposed through the CALA Homes site (DM/17/0205). No evidence is submitted to suggest that this form of access is agreed or available. The section relating to Highways and Access within the SADPD simply states that this access *will need to be investigated further*.
- 5.9 The SA and appendix B both point towards the Southern Water Infrastructure which crosses the site. The wording in the DPD recommends that the layout of the development is considered to *ensure future access for maintenance and/or improvement work, unless diversion of the sewer is possible*. Given that the site is only 0.16ha it is therefore questionable whether there would be adequate space to develop the site for housing and provide accommodation for the sewage infrastructure crossing the site. The deliverability of this site has therefore not been adequately demonstrated.

- 5.10 As with SA12 and SA13 there are questions of the sustainability of the site given that the SA notes that it is more than a 20 minute walk to the school and GP.

SA 15 Land South of Southway, Burgess Hill

- 5.11 The SADPD describes the site as *overgrown and inaccessible land designated as a Local Green Space in the Burgess Hill Neighbourhood Plan*. It is unclear whether this site was ever previously in use as playing pitches and whether re-provision of this space would be required under Sport England policies.
- 5.12 Appendix B of the reg 18 SADPD points towards issues with relocation of existing parking on the site and states that:

Private parking areas would need to be removed to provide a suitable access point with sufficient visibility. The parking spaces are visitor spaces over which the owners/developers of the subject land have rights to access it to serve new development onto Linnet Lane. Accordingly, a new access into the site can be provided any new development would include two visitor spaces as close as reasonably possible to the existing visitor spaces.

- 5.13 It is clear that there are substantial issues with deliverability and availability of this site given these constraints and the site should be deleted as a proposed allocation until this can be adequately demonstrated.

SA 16 St. Wilfrids Catholic Primary School, School Close, Burgess Hill

- 5.14 The SADPD sets out that the satisfactory relocation of St Wilfrid's Primary School to St Paul's Catholic College site is required before development can commence on the school part of the site. There is also a requirement to re-provide the emergency services accommodation in a new emergency service centre either on this site or elsewhere in the town.
- 5.15 Given that the allocation is for 300 dwellings and requires this relocation first, it is considered that there is insufficient evidence to justify delivery of development of this site in the 6-10 year time period as set out.

SA 17 Woodfield House, Isaacs Lane, Burgess Hill

- 5.16 The SADPD sets out some significant landscape features on site which require retention and it is stated that:

There is a group Tree Preservation Order in the southern and western areas of the site. High quality substantial new planting of native trees is required, should these be lost to provide access from Isaac's Lane. All other TPO trees on the site are to be retained.

Retain and enhance important landscape features, mature trees, hedgerows and the pond at the south of the site and incorporate these into the landscape structure and Green Infrastructure proposals for the development. Open space is to be provided as an integral part of this landscape structure and should be prominent and accessible within the scheme.

- 5.17 Given that the site is only 1.4 hectares in size it is questionable whether there is adequate space on the site for 30 dwellings after retention of these landscape features.
- 5.18 It is clear from the Sites DPD that access to site is envisaged to be from the Northern Arc where it is stated that:

Integrated access with the Northern Arc Development is strongly preferred, the details of which will need to be investigated further.

- 5.19 This is also set out in appendix B of the reg 18 SADPD where it is stated that:

Entrance drive to house. Access on bend with limited visibility. 50 mph road. Would involve removal of trees that are subject to TPO. Objection for tree officer. However, future access is anticipated to be provided via the Northern Arc. Whilst the specific details of this remain uncertain on the basis that the enabling development is still at an early stage, it is considered that the identified constraints will no longer apply.

- 5.20 Given the uncertainty of the deliverability of the land immediately adjoining the site as part of the Northern Arc it is considered that the deliverability of this site is not clear enough to justify allocation within the sites DPD. The uncertainty of this deliverability also has an implication of the sustainability of the site and proximity to adequate services. This is highlighted within the SA where it is stated that:

The impact of option (h) on these objectives (Health/Retail/Education) is uncertain; currently the site is a long distance from local services, however, this will change once the Northern Arc is built out.

- 5.21 Overall it is not considered that this site is suitable for allocation and should be removed from the Sites DPD

SA 18 East Grinstead Police Station, College Lane, East Grinstead

- 5.22 We have no comments to make in relation to this allocation.

SA 19 Land south of Crawley Down Road, Felbridge

- 5.23 As set out, this allocation is directly to the west of the land under the control of Vanderbilt Homes which is also adjoined to the east by land with the benefit of planning permission for 62 dwellings.

- 5.24 Given that the entire area will be included within the revised Built Up Area Boundary, then it is considered logical that the adjoining sites are also identified for allocation within the SADPD.

SA 20 Land south and west of Imberhorne Upper School, Imberhorne Lane, East Grinstead

- 5.25 There is a requirement in the SADPD for this site to provide a detailed phasing plan with agreement from key stakeholders to secure:

- Land for early years and primary school (2FE) provision – 2.2 ha
- A land exchange agreement between WSCC and the developer to secure 6 ha (gross) land to create new playing field facilities in association with Imberhorne Secondary School (c.4 ha net - excluding land for provision of a new vehicular access onto Imberhorne Lane).

- 5.26 It is unclear when these requirements are to be provided by within the development of any site and whether it is considered that the site would be suitable for allocation should these uses not come forward.

- 5.27 There are clear concerns over the suitability of this site in terms of ecology as set out in appendix B of the reg 18 SADPD which states:

Natural England have concerns over the high density of housing south of Felbridge. Hedgecourt SSSI is accessible from the proposed site allocations via a network of Public Rights of Way. In

line with paragraph 175 of the NPPF, Mid Sussex District Council should determine if allocations are likely to have an adverse effect (either individually or in combination) on SSSI's. The NPPF states that "if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused." We would be happy to provide further advice if requested, although this may need to be on a cost recovery basis. The LWS adjacent to the site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. We are unable to advise you on specific impacts as we have no details of the scale or type of proposed development consider further impacts of disturbance of the LWS and Ancient woodland arising from people and domestic pets, connectivity, light and noise pollution, appropriate buffer and cumulative impact. This site is adjacent to the Worth Way. The SHELAA should be redrawn to remove the section of LWS. The site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. Further consideration be given to impacts of disturbance on LWS and Ancient Woodland from people and pets, impacts on connectivity, impacts of light and noise pollution, need for Ancient Woodland buffer. Cumulative impact with SHELAA 686 and 561.

- 5.28 It is clear that the impacts upon ecology and the SSSI have not been adequately addressed.
- 5.29 As with other sites there is potential for impact upon local heritage assets of Gullege Farm, Imberhorne Farm and Imberhorne Cottages as set out below. The harm in terms of less than strategic harm is inappropriately weighted in the assessment as a means for justification of allocation.

APPENDIX B : Gullege Farm, Imberhorne Lane

This isolated farmstead has historically had a rural setting and continues to do so today. The introduction of a substantial housing development to the north, east and south of the listed manor house would have a fundamental impact on the character of that setting and would detract from the way in which the special interest of this Grade II listed rural manor house and the of the historic farmstead is appreciated.

NPPF: LSH, high

Imberhorne Farm and Imberhorne Cottages

In its original incarnation Imberhorne Cottages was probably constructed as a dwelling providing accommodation between London and Lewes, on Lewes Priory lands. It may have acted as the manor house to the substantial manor of Imberhorne, which was owned by the Priory. It seems likely that the building became farm cottages when the new farmhouse (Imberhorne) was constructed in the early 19th century. The currently rural setting of both buildings within the Imberhorne farmstead informs an understanding of their past function and therefore contributes positively to their special interest.

The proposed development site would engulf the farmstead to the west, north and east and would have a fundamental impact on the character of the greater part of its existing of rural setting and on views from both listed buildings. It would adversely affect the manner in which the special interest of the two listed buildings within their rural setting is appreciated, including by those passing along the PROW to the north of the farmstead.

NPPF: LSH, high

- 5.30 The potential harm to heritage is also referred to in the SA which states that:

option (e) which is not constrained by a conservation area, but would have a less than substantial harm (high) on Gullege Farm (Grade II listed) and Imberhorne Farm and Imberhorne Cottages (Grade II listed). As this is a large site, there is potential to still achieve the yield whilst providing necessary mitigation to lower the impact on these heritage assets.*

- 5.31 Notwithstanding the significant constraints to delivery from this site it is notable that the delivery of 550 in 6-10 years as set out in the SADPD is particularly optimistic and would need to be revised in order to be realistic on the constraints to delivery including the requirement for provision of education on the site.

SA 21 Rogers Farm, Fox Hill, Haywards Heath

- 5.32 This site is also significantly constrained by the presence of heritage assets. This is referenced in the SA which states that:

Site option (b) is constrained in terms of impact upon a listed building; it would have a less than substantial harm (medium) on Cleavewater (Grade II listed) and The Old Cottage (Grade II listed).

- 5.33 Appendix B also references these heritage assets together with an assessment of the likely impact as follows:

*Cleavewaters, Fox Hill there would be a fundamental impact not only on views from the building and associated farmstead but on the context and manner in which the farmhouse and farmstead are appreciated by those travelling along the road which runs between the farmstead and the site. **NPPF: LSH, MID***

*Olde Cottage, there would be some potential impact on views from the Cottage and its garden setting. The belt of woodland between the asset and the site is relatively narrow and development on the site is likely to be visible, particularly in winter. There would also be an impact on the setting in which the Cottage is appreciated by those approaching along the access drive from Ditchling Road. **NPPF: LSH, MID***

- 5.34 The impact on heritage assets and character of the area has been assessed in an appeal decision on the site (APP/D3830/W/17/3187318) issued in January 2019 following an application for up to 37 dwellings on the site (DM/16/3998).

15 The combination of the buffer and local topography would mean that any development would be clearly visible on the approach down Lunce's Hill and perceived as a separate and distinct residential development. I am not persuaded that it would be seen within the context of an urban fringe setting as the appellant suggests. On the contrary it would be a harmful encroachment into the countryside and the rural character of the approach into the settlement would be irrevocably changed and harmed through the loss of this open land.

16 Overall, the proposal would result in an unacceptable suburbanisation of the appeal site that would fundamentally change the character and appearance of the rural setting of the settlement. The effects would also be exacerbated somewhat by the loss of part of the existing mature hedgerow for the access. Proposed mitigation, in the form of additional landscaping would restrict the visibility of the proposal from a number of viewpoints. However, it would take a substantial amount of time to mature and be dependent on a number of factors to be successful. Moreover, I am not persuaded that it would fully mitigate the visual impacts.

17 For these reasons, the proposal would not be a suitable site for housing in terms of location and would cause significant harm to the character and appearance of the area. It would therefore conflict with Policy C1 of the LP and Policies E5 and E9 of the HHNP. In addition to the requirements set out above, these policies also require new development to be permitted where it would protect, reinforce and not unduly erode the landscape character of the area. There would also be some conflict with Policies DP10 and DP24 which, seek to protect the countryside in recognition of its intrinsic character and beauty and promote well located and designed development.

- 5.35 Overall it is not considered that the site represents a logical, justified or deliverable site and should not be considered for allocation within the Sites DPD.

SA 22 Land north of Burleigh Lane, Crawley Down

- 5.36 As with other proposed sites, it has been identified that the development of this site would cause harm to adjoining heritage assets. Appendix B of the reg 18 SADPD sets out the following:

Burleigh Cottage is a Grade II listed 17th century building faced with weatherboarding and painted brick. Previously the building was the farmhouse for Sandhillgate Farm, and was renamed Burleigh Cottage in the mid 20th century. An outbuilding shown on historic maps dating from the mid 19th century appears to survive to the north east of the house, but otherwise the former farm buildings appear to have been lost. If in fact pre-dating 1948 this outbuilding may be regarded as curtilage listed. Sandhillgate Farm is recorded in the West Sussex Historic Farmstead and Landscape Character assessment, which is part of the HER, as an historic farmstead dating from the 19th century.

Burleigh Cottage is in a semi-rural location on the southern edge of Crawley Down. NPPF: LSH, MEDIUM

- 5.37 Conclusions in relation to heritage made for other proposed allocations apply equally to this site.

SA 23 Land at Hanlye Lane to the east of Ardingly Road, Cuckfield

- 5.38 No comments.

SA 24 Land to the north of Shepherds Walk, Hassocks

- 5.39 The access for this site is through an adjacent parcel of land which has a ransom strip over this land. The deliverability of this site is therefore in doubt unless a right of access can be confirmed by the site owners.

SA 25 Land west of Selsfield Road, Ardingly

- 5.40 No comments.

SA 26 Land south of Hammerwood Road, Ashurst Wood

- 5.41 The site is within the AONB and it is considered it is inappropriate to allocate this site for development without thorough appraisal of reasonable alternatives as previously set out.

SA 27 Land at St. Martin Close, Handcross

- 5.42 No comments.

SA28 Land South of The Old Police House, Birchgrove Road, Horsted Keynes

- 5.43 No comments.

SA 29 Land south of St. Stephens Church, Hamsland, Horsted Keynes

- 5.44 No comments.

SA 30 Land to the north Lyndon, Reeds Lane, Sayers Common

- 5.45 The sustainability of this site has been considered in the SA which sets out that the site is more than 20 minutes away from services such as GP and the School. It is therefore not considered that the development of this site would be justified in sustainability terms.
- 5.46 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 31 Land to the rear Firlands, Church Road, Scaynes Hill

- 5.47 The site is located within the Building Stone (Cuckfield) Mineral safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 32 Withypitts Farm, Selsfield Road, Turners Hill

- 5.48 No comments.
- 5.49 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 33 Ansty Cross Garage, Cuckfield Road, Ansty

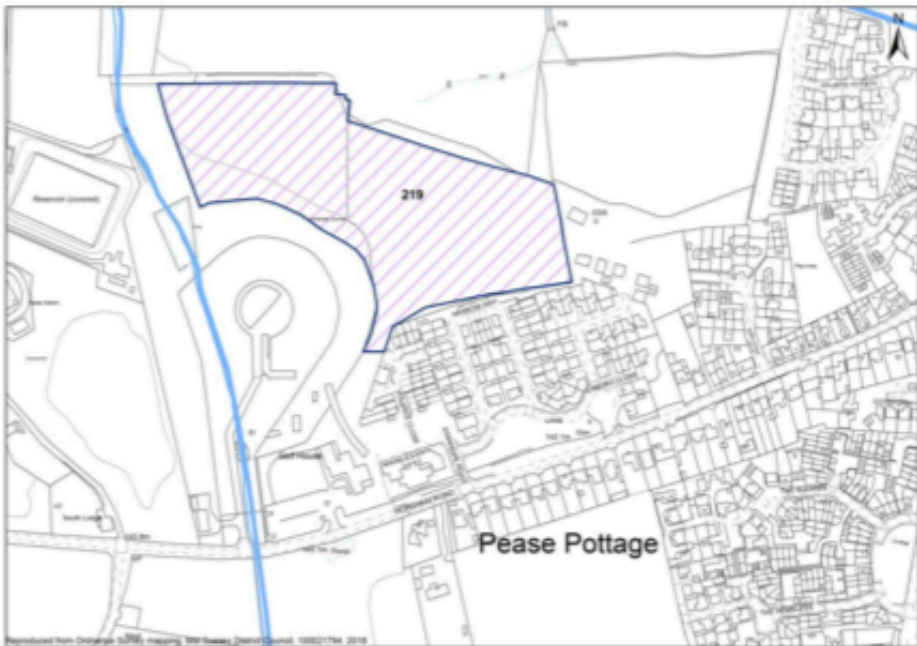
- 5.50 This site is not considered to be a sustainable location. A total of four separate sites were considered within Ansty with this being the only one accepted. The only difference between this and the other sites was that this scored slightly higher in the SA due to it being PDL. Whilst this is correct it is not considered that the PDL nature of this site makes it appropriate for allocation within the Sites DPD.

6. Conclusions


- 6.1 Detailed consideration of the sites identified for allocation within the SADPD show that there are some significant technical constraints and policy issues with many of the sites. These are matters which have been previously raised as part of regulation 18 representations and the council has done nothing to address these matters.
- 6.2 The analysis of the proposed allocations demonstrates there are some significant failings in the deliverability of the sites which requires reconsideration of the appropriateness of these allocations and selection of alternative sites.
- 6.3 The assessment of reasonable alternatives is significantly lacking and requires further retesting which would logically include this site. As a result, it is not considered that the SADPD is positively prepared or justified and therefore fails the test as set out in the NPPF as a result.
- 6.4 It is clear that the adoption of the SADPD is of significance importance to Mid Sussex in demonstrating a robust and deliverable five year housing land supply. It is therefore suggested that consideration is given to the allocation of the site as set out within these representations which can deliver much needed housing in the early part of the plan period.

7. Appendix 1 – SHELAA Extract – February 2020


Stage 1 Site Pro-Forma – All Sites

SHELAA Ref	219	Parish	Slaugham
Site Location	Land at former Driving Range, Horsham Road, Pease Pottage		
			
Site uses	Sports Facilities and Grounds		
Gross Site Area (ha)	3.97		
Potential Yield	75		
Site History			
Absolute Constraint	Flood Zone 2 or 3	✗	
	Site of Special Scientific Interest	✗	
Other Constraints	Ancient Woodland	✓	
	Area of Outstanding Natural Beauty	✓	
	Local Nature Reserve	✗	
	Conservation Area	Development would not have a negative impact on Conservation area and/or Area of Townscape Character	
	Scheduled Monument	✗	
	Listed Buildings	Development will not affect listed building/s	
	Access	Safe access to site already exists	
Suitable	Relatively unconstrained - assessed as Suitable at Stage 1, progress to Stage 2 assessment		
Availability	Site submitted by site proponent to the SHELAA for assessment - considered available		
Achievability	There is a reasonable prospect that site could be developed within the Plan period		
Timescale	Medium-Long Term		

Stage 1 Site Pro-Forma – All Sites

SHELAA Ref	818		Parish	Slaugham
Site Location	Land north of the Former Golf House, Horsham Road, Pease Pottage			
				
Site uses	Car Parks			
Gross Site Area (ha)	1.7			
Potential Yield	41			
Site History				
Absolute Constraint	Flood Zone 2 or 3	✗		
	Site of Special Scientific Interest	✗		
Other Constraints	Ancient Woodland	✗		
	Area of Outstanding Natural Beauty	✓		
	Local Nature Reserve	✗		
	Conservation Area	Development would not have a negative impact on Conservation area and/or Area of Townscape Character		
	Scheduled Monument	✗		
	Listed Buildings	Development will not affect listed building/s		
	Access	Safe access to site already exists		
Suitable	Relatively unconstrained - assessed as Suitable at Stage 1, progress to Stage 2 assessment			
Availability	Site submitted by site proponent to the SHELAA for assessment - considered available			
Achievability	There is a reasonable prospect that site could be developed within the Plan period			
Timescale	Medium-Long Term			

8. Appendix 2 – Site Selection Paper Extract

Site Selection - Housing		
Pease Pottage		
ID	818	Land north of the Former Golf House, Horsham Road, Pease Pottage
		
Site Details		
Units:	41	Site Area (ha): 1.4
Part 1 - Planning Constraints		
1 - AONB	Wholly within – Moderate Impact	Moderate impact on AONB due to potential impact on Ancient Woodland. Impact may be low for apartments on site of existing buildings. Pond within Ancient Woodland to the north of the site and a drain to the east of the site. On western edge of the main village of Pease Pottage, currently occupied by an office and car parking. Offices within the Golf House immediately to the east with modern in depth development beyond. Horsham Road is a historic routeway. Ancient Woodland surrounds the site on three sides and may reduce capacity due to need to retain 15m buffers. Twentieth century clearance of woodland. Site not visible from public vantage points.
2 - Flood Risk	None	The site lies entirely within Flood Zone 1, the area of lowest fluvial flood risk.
3 - Ancient Woodland	Adjacent	
4 - SSSI/SNCI/LNR	None	This site is not adjacent to any Sites of Special Scientific Interest or Local Wildlife Site
5 - Listed Buildings	None	There are no listed buildings within or adjacent to the site
6 - Conservation Area	None	There are no conservation areas within or adjacent to the site
7 - Archaeology	None	
8 - Landscape	AONB	Site is within the High Weald AONB (assessed under criterion 1)
9 - Trees/TPOs	Low/Medium	Trees along the south eastern boundary of the site.
Part 2 - Deliverability Considerations		
818 Land north of the Former Golf House, Horsham Road, Pease Pottage		

Site Selection - Housing

10 - Highways		
11 - Local Road/Access	None	Safe access to site already exists.
12 - Deliverability	Reasonable prospect developability	Housebuilder in an option agreement with the landowner. Intend to submit an application if the site is given a draft allocation in the Site Allocations Document.
13 - Infrastructure	Infrastructure capacity	Developer Questionnaire - normal contributions apply.

Part 3 - Sustainability / Access to Services

14 - Education	More than 20 Minute Walk
15 - Health	More than 20 Minute Walk
16 - Services	10-15 Minute Walk
17 - Public Transport	Poor

Part 4 - Other Considerations

Neighbourhood Plan Policy 1 Protecting AONB Policy 2 Protection of landscape Policy 3 Protection of the open countryside Aim 1 Preventing coalescence	Minerals Minerals considerations unnecessary as site does not progress past detailed assessment stage.
Waste Water and wastewater considerations unnecessary as site does not progress past detailed assessment stage.	Environmental Health Environmental health considerations unnecessary as site does not progress past detailed assessment stage.
Sustainability Appraisal Assessment indicates site is not a reasonable alternative and is therefore not tested through the SA.	Notes

Part 5 - Conclusion

Summary	The assessment finds that the site is not suitable for allocation.
Recommendation	Site is not proposed for allocation.

2067

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 2067

Response Ref: Reg19/2067/10

Respondent: Mr A Black

Organisation: Andrew Black consulting

On Behalf Of: Denton Homes - Butlers green

Category: Promoter

Appear at Examination? x



Mid Sussex District Council

Draft Site Allocations DPD (Regulation 19)
Consultation

Representation on behalf of Denton Homes – Land
North of Butlers Green Road, Haywards Heath

September 2020

Project	MSDC Draft Site Allocations DPD
ABC Reference	ABC/0075/07
Local Authority	Mid Sussex District Council
Client	Denton Homes
Issue	Final
Author	Andrew Black
Date	September 2020

Disclaimer: This report has been prepared for the above named client for the purpose agreed in Andrew Black Consulting's (ABC) terms of engagement. Whilst every effort has been made to ensure the accuracy and suitability of the information contained in this report, the results and recommendations presented should not be used as the basis of design, management or implementation of decisions unless the client has first discussed with ABC their suitability for these purposes and ABC has confirmed their suitability in writing to the client. ABC does not warrant, in any way whatsoever, the use of information contained in this report by parties other than the above named client.

Contents

1. Introduction			
Error! Bookmark not defined.			
2. Site and Surroundings			
Error! Bookmark not defined.			
3. Built up Area Boundary Review			
Error! Bookmark not defined.			
4. Housing Site Allocation Process			
Error! Bookmark not defined.			
5. Sustainability Appraisal			
Error! Bookmark not defined.			
6. Assessment of Proposed Sites.			
Error! Bookmark not defined.			
7. Conclusions			
Error! Bookmark not defined.			
8. Appendix 1 – SHELAA Extract – February 2020			
Error! Bookmark not defined.			

1. Introduction

- 1.1 These representations for the Draft Site Allocations DPD (Regulation 19) Consultation (Herein referred to as the 'SADPD') are submitted by Andrew Black Consulting on behalf of Denton Homes regarding a within their control in Haywards Heath.
- 1.2 The site is known as *Land north of Butlers Green Road, Haywards Heath* (SHELAA ID 673).
- 1.3 It is understood that the SADPD has been produced in accordance with the Planning and Compulsory Purchase Act 2004, and other relevant regulations.
- 1.4 The NPPF states that Development Plan Documents should be prepared in accordance with the legal and procedural requirements. To be found to be 'sound', plans must be:
 - a) *positively prepared*
 - b) *justified*
 - c) *effective, and*
 - d) *consistent with national policy.*
- 1.5 It is with this in mind that these representations are made.
- 1.6 The draft SADPD has been prepared using an extensive and legally compliant evidence base including a Sustainability Appraisal, Habitat Regulations Assessment, Community Involvement Plan, Equalities Impact Assessment, and various technical reports and studies. Of particular note is the Built Up Area Boundary and Policies Map Topic Paper (TP1) produced in August 2020.
- 1.7 The Site Allocations DPD proposes to allocate 22 sites to meet this residual necessary to meet the overall agreed housing requirement for the plan period as reflected in the 'stepped trajectory' and in accordance with the District Plan.
- 1.8 These representations set out the detail of the Site and Surroundings and a response to the detailed parts of the SADPD.

2. Site and Surroundings

2.1 The site is located to the North of Butlers Green Road in Haywards Heath.



Figure 1 – SHELAA Extract

2.2 The site was assessed as Suitable, Available and Achievable in the Medium to Long Term (The full extract of the SHELAA is set out in Appendix 1).

3. Housing Site Allocation Process

- 3.1 The District Plan 2014-2031 sets out the housing requirement for the district for the plan period of 16,390 dwellings. This meets the Objectively Assessed Need (OAN) for the district of 14,892 dwellings in full and makes provision for the agreed quantum of unmet housing need for the Northern West Sussex Housing Market Area, to be addressed within Mid Sussex, of 1,498 dwellings.
- 3.2 The District Plan 2014-2031 established a ‘stepped’ trajectory for housing delivery with an average of 876 dwellings per annum (dpa) between 2014/15 and 2023/24 and thereafter an average of 1,090 dpa between 2024/25 and 2030/31. This represents a significant increase in housing supply compared with historical rates within the district.
- 3.3 The latest data on completions from MSDC was published in *MSDC Housing Land Supply Position Statement* was published in August 2020 (Document H1) and shows a significant shortfall in delivery against the housing requirement since the start of the plan:

Category		Number of Dwellings
Housing Requirement for the full plan period (April 2014 to March 2031)		16,390
Housing Completions (April 2014 to March 2020)		4,917
Completions 2014/15		630
Completions 2015/16		868
Completions 2016/17		912
Completions 2017/18		843
Completions 2018/19		661
Completions 2019/20		1003
Housing Supply (April 2014 to March 2031)	Commitments (including District Plan Allocations)	9,689
	Site Allocations DPD - Allocations	1,764
	Windfalls	504
Total Supply (at 1 April 2019)		16,874

Figure 5 – Extract from MSDC Housing Land Supply Position Statement

- 3.4 The Housing Delivery Test was introduced in the July 2018 update to the NPPF. The Housing Delivery Test is an annual measurement of housing delivery for each local authority and the first results were published in February 2019 by the Ministry of Housing, Communities and Local Government (MHCLG). Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority’s housing requirement over the previous 3 years then it is required to prepare an action plan. Where delivery has fallen below 85% of the housing requirement a 20% buffer should be added to the five year supply of deliverable sites.
- 3.5 The result for Mid Sussex produced in February 2020 was 95%. This result is based on monitoring years 2016-17, 2017-18 and 2018-19. Mid Sussex is therefore not required to add 20% buffer for significant under delivery, or prepare an Action Plan. However, it is clear that under current performance the council will struggle when the housing target steps up to 1,090 in 2024.
- 3.6 Para 4.10 of the previous MSDC Housing Land Supply Position Statement (2019) sets out how the identified to the shortfall to calculate the five year supply requirement for the district:

Annual Requirement As set out in District Plan	876 x 5 years =	4,380
Shortfall spread over remaining plan period	466 divided by 12 remaining years x 5 years	194
Total		4,574
Buffer (see paras 2.4,4.9 above)	10%	457
Total five year supply requirement		5,032

*Figure6 – Total Five Year Housing Requirement taken from MSDC Housing Land Supply
Position Statement*

- 3.7 MSDC is seeking to confirm the five year housing land supply under the terms of paragraph 74 of the NPPF through submission of the annual position statement to the secretary of state. Paragraph 74 of the framework states:

A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which:

- a) has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State; and*
- b) incorporates the recommendation of the Secretary of State, where the position on specific sites could not be agreed during the engagement process.*

- 3.8 The report on the Annual Position Statement was issues by the Planning Inspectorate on 13 January 2020. It was confirmed that as the council did not have a recently adopted plan in conformity with the definition of the NPPF then the correct process had not been followed and the inspector was unable to confirm that the council had a five year housing land supply.
- 3.9 It is therefore clear that the council does not currently have a five year housing land supply and the demonstration of sufficiently deliverable sites within the SADPD is of critical importance for MSDC.

Deliverability of Sites

- 3.10 Any sites that have been included in the final Sites DPD will need to pass the tests of deliverability as set out in the NPPF. This is defined within the glossary of the framework as follows:

Deliverable: *To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.*

- 3.11 The Planning Practice Guidance provides a further explanation on how the deliverability of sites should be considered:

A site can be considered available for development, when, on the best information available (confirmed by the call for sites and information from land owners and legal searches where appropriate), there is confidence that there are no legal or ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available.

The existence of planning permission can be a good indication of the availability of sites. Sites meeting the definition of deliverable should be considered available unless evidence indicates otherwise. Sites without permission can be considered available within the first five years, further guidance to this is contained in the 5 year housing land supply guidance. Consideration can also be given to the delivery record of the developers or landowners putting forward sites, and whether the planning background of a site shows a history of unimplemented permissions.

Paragraph: 019 Reference ID: 3-019-20190722

Revision date: 22 07 2019

- 3.12 It is with this in mind that the proposed sites within the Sites DPD are scrutinised within subsequent sections of this document. It is considered that many of the proposed sites do not fully accord with the definition of delivery and consideration of alternative sites is required.

4. Sustainability Appraisal

- 4.1 The SADPD is accompanied by a Sustainability Appraisal (SA) report which is a legal requirement derived from the Planning and Compulsory Purchase Act 2004 (Section 19). Section 39 of the Act requires documents such as the SADPD to be prepared with a view to contributing to the achievement of sustainable development.
- 4.2 The requirement for Strategic Environmental Assessment, in addition to the SA, is set out in the European Directive 2001/42/EC adopted into UK law as the “Environmental Assessment of Plans or Programmes Regulations 2004”.
- 4.3 In line with best practice the SEA has been incorporated into the SA of the SADPD.
- 4.4 The planning practice guidance sets out detailed consideration as to how any sustainability should assess alternatives and identify likely significant effects:

The sustainability appraisal needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic and social characteristics of the area and the likely situation if the plan were not to be adopted. In doing so it is important to:

- *outline the reasons the alternatives were selected, and identify, describe and evaluate their likely significant effects on environmental, economic and social factors using the evidence base (employing the same level of detail for each alternative option). Criteria for determining the likely significance of effects on the environment are set out in [schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004](#);*
- *as part of this, identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them;*
- *provide conclusions on the reasons the rejected options are not being taken forward and the reasons for selecting the preferred approach in light of the alternatives.*

Any assumptions used in assessing the significance of the effects of the plan will need to be documented. Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in the plan. They need to be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made.

The development and appraisal of proposals in plans needs to be an iterative process, with the proposals being revised to take account of the appraisal findings.

Paragraph: 018 Reference ID: 11-018-20140306

Revision date: 06 03 2014

- 4.5 In response to this guidance and requirement, paragraph 6.16 of the Sustainability Appraisal states that:

The Site Selection Paper 2 (paras 6.2 - 6.3) also recognises that, in order to meet the District Plan strategy, conclusions will be compared on a settlement-by-settlement basis with the most suitable sites at each settlement chosen in order to meet the residual needs of that settlement. This may result in some sites being chosen for allocation which have higher negative impact across all the objectives because this will be on the basis that the aim is to distribute allocations according to the District Plan strategy in the first instance; as opposed to simply selecting only

the most sustainable sites in the district (as this may not accord with the spatial strategy and would lead to an unequal distribution of sites across settlements). 20 sites that perform well individually and on a settlement basis, the residual housing need of 1,507 would be met with a small over-supply of 112 units.

- 4.6 Paragraph 6.45 recognises that this small over-supply *may not be a sufficient buffer should sites fall out of the allocations process between now and adoption (for example, due to delivery issues, reduction in yield, or any other reasons identified during consultation or the evidence base).*

- 4.7 The SA therefore considers reasonable alternatives of option A, B and C as follows:

Option A – 20 'Constant Sites' – 1,619 dwellings

Option B – 20 'Constant Sites' + Folders Lane, Burgess Hill (x3 sites) – 1,962 dwellings.

Option C – 20 'Constant Sites' + Haywards Heath Golf Court – 2,249 dwellings

- 4.8 Paragraph 6.52 of the SA concludes that:

Following the assessment of all reasonable alternative options for site selection, the preferred option is option B. Although option A would meet residual housing need, option B proposes a sufficient buffer to allow for non-delivery, therefore provides more certainty that the housing need could be met. Whilst option C also proposes a sufficient buffer, it is at the expense of negative impacts arising on environmental objectives. The level of development within option C is approximately 50% above the residual housing need, the positives of delivering an excess of this amount within the Site Allocations DPD is outweighed by the negative environmental impacts associated with it.

- 4.9 It is not considered that this assessment of Option A, B and C is a sufficient enough assessment of reasonable alternatives as required by guidance and legislation. All of the options contain the '20 Constant Sites' with no derivation of alternative options such as those which seek to divert housing growth away from the AONB or designated heritage assets.

- 4.10 It is apparent that other sites other than the 20 Constant Sites will need to be assessed if the council is to adequately demonstrate that reasonable alternatives have been considered as required.

5. Assessment of Proposed Sites.

- 5.1 This section analyses each of the proposed allocations against the tests of deliverability as set out in the NPPF and the potential shortcomings of several of the sites which require significant consideration. The findings of *Appendix B: Housing Site Proformas* of the *Site Selection Paper 3* (Appendix B) and the conclusions of the Sustainability Appraisal (SA) are considered in detail.

SA 12 Land South of 96 Folders Lane, Burgess Hill

- 5.2 Appendix B of the reg 18 SADPD set out that this site has *moderate landscape sensitivity and moderate landscape value. This site could be visible from the South Downs National Park*. The SA states that an LVIA is required to determine any impact on the national park. Given the weight that the NPPF requires to be placed on the protection of the national park, any impact must be measured prior to allocation. If it is deemed that mitigation would not minimise the harm caused, then the proposed allocation must fall away.
- 5.3 Appendix B of the reg 18 SADPD also set out that a TPO area lines the norther border and potential access route. It should be noted that an application was submitted in 2019 for the *erection of 43 dwellings and associated works* (DM/19/0276) but was withdrawn in September 2019 due to concerns over highways. The deliverability of this site is therefore not considered to be in accordance with the guidance set out in the framework.
- 5.4 Finally, whilst the priority for sites higher in the settlement hierarchy is acknowledged, this is site is very remote from the services offered by Burgess Hill. This is highlighted within the sustainability appraisal for the site which states that it is more than a 20 minute walk from the site to schools, GP and shops.

SA 13 Land East of Keymer Road and South of Folders Lane, Burgess Hill.

- 5.5 As with SA12, this site is in close proximity to the national park and the conclusions as set out above apply equally to this site.
- 5.6 The SA sets out that this is the only site within Burgess Hill to have any impact on listed buildings where it is stated that development of this site would cause *less than substantial harm (medium) on High Chimneys (Grade II listed)*. This is not mentioned within appendix B and this therefore calls into question the consistency of assessment of the sites in this regard.
- 5.7 Given that site SA12 and SA13 are in close proximity to one another it is notable that the cumulative impact of the development of both of these sites has not been assessed for a number of ‘in-combination’ impacts such as highways and landscape impact.

SA 14 Land to the south of Selby Close, Hammonds Ridge, Burgess Hill

- 5.8 There is a TPO at the front of this site which is potentially why access is proposed through the CALA Homes site (DM/17/0205). No evidence is submitted to suggest that this form of access is agreed or available. The section relating to Highways and Access within the SADPD simply states that this access *will need to be investigated further*.
- 5.9 The SA and appendix B both point towards the Southern Water Infrastructure which crosses the site. The wording in the DPD recommends that the layout of the development is considered to *ensure future access for maintenance and/or improvement work, unless diversion of the sewer is possible*. Given that the site is only 0.16ha it is therefore questionable whether there would be adequate space to develop the site for housing and provide accommodation for the sewage infrastructure crossing the site. The deliverability of this site has therefore not been adequately demonstrated.

- 5.10 As with SA12 and SA13 there are questions of the sustainability of the site given that the SA notes that it is more than a 20 minute walk to the school and GP.

SA 15 Land South of Southway, Burgess Hill

- 5.11 The SADPD describes the site as *overgrown and inaccessible land designated as a Local Green Space in the Burgess Hill Neighbourhood Plan*. It is unclear whether this site was ever previously in use as playing pitches and whether re-provision of this space would be required under Sport England policies.
- 5.12 Appendix B of the reg 18 SADPD points towards issues with relocation of existing parking on the site and states that:

Private parking areas would need to be removed to provide a suitable access point with sufficient visibility. The parking spaces are visitor spaces over which the owners/developers of the subject land have rights to access it to serve new development onto Linnet Lane. Accordingly, a new access into the site can be provided any new development would include two visitor spaces as close as reasonably possible to the existing visitor spaces.

- 5.13 It is clear that there are substantial issues with deliverability and availability of this site given these constraints and the site should be deleted as a proposed allocation until this can be adequately demonstrated.

SA 16 St. Wilfrids Catholic Primary School, School Close, Burgess Hill

- 5.14 The SADPD sets out that the satisfactory relocation of St Wilfrid's Primary School to St Paul's Catholic College site is required before development can commence on the school part of the site. There is also a requirement to re-provide the emergency services accommodation in a new emergency service centre either on this site or elsewhere in the town.
- 5.15 Given that the allocation is for 300 dwellings and requires this relocation first, it is considered that there is insufficient evidence to justify delivery of development of this site in the 6-10 year time period as set out.

SA 17 Woodfield House, Isaacs Lane, Burgess Hill

- 5.16 The SADPD sets out some significant landscape features on site which require retention and it is stated that:

There is a group Tree Preservation Order in the southern and western areas of the site. High quality substantial new planting of native trees is required, should these be lost to provide access from Isaac's Lane. All other TPO trees on the site are to be retained.

Retain and enhance important landscape features, mature trees, hedgerows and the pond at the south of the site and incorporate these into the landscape structure and Green Infrastructure proposals for the development. Open space is to be provided as an integral part of this landscape structure and should be prominent and accessible within the scheme.

- 5.17 Given that the site is only 1.4 hectares in size it is questionable whether there is adequate space on the site for 30 dwellings after retention of these landscape features.
- 5.18 It is clear from the Sites DPD that access to site is envisaged to be from the Northern Arc where it is stated that:

Integrated access with the Northern Arc Development is strongly preferred, the details of which will need to be investigated further.

- 5.19 This is also set out in appendix B of the reg 18 SADPD where it is stated that:

Entrance drive to house. Access on bend with limited visibility. 50 mph road. Would involve removal of trees that are subject to TPO. Objection for tree officer. However, future access is anticipated to be provided via the Northern Arc. Whilst the specific details of this remain uncertain on the basis that the enabling development is still at an early stage, it is considered that the identified constraints will no longer apply.

- 5.20 Given the uncertainty of the deliverability of the land immediately adjoining the site as part of the Northern Arc it is considered that the deliverability of this site is not clear enough to justify allocation within the sites DPD. The uncertainty of this deliverability also has an implication of the sustainability of the site and proximity to adequate services. This is highlighted within the SA where it is stated that:

The impact of option (h) on these objectives (Health/Retail/Education) is uncertain; currently the site is a long distance from local services, however, this will change once the Northern Arc is built out.

- 5.21 Overall it is not considered that this site is suitable for allocation and should be removed from the Sites DPD

SA 18 East Grinstead Police Station, College Lane, East Grinstead

- 5.22 We have no comments to make in relation to this allocation.

SA 19 Land south of Crawley Down Road, Felbridge

- 5.23 As set out, this allocation is directly to the west of the land under the control of Vanderbilt Homes which is also adjoined to the east by land with the benefit of planning permission for 62 dwellings.

- 5.24 Given that the entire area will be included within the revised Built Up Area Boundary, then it is considered logical that the adjoining sites are also identified for allocation within the SADPD.

SA 20 Land south and west of Imberhorne Upper School, Imberhorne Lane, East Grinstead

- 5.25 There is a requirement in the SADPD for this site to provide a detailed phasing plan with agreement from key stakeholders to secure:

- Land for early years and primary school (2FE) provision – 2.2 ha
- A land exchange agreement between WSCC and the developer to secure 6 ha (gross) land to create new playing field facilities in association with Imberhorne Secondary School (c.4 ha net - excluding land for provision of a new vehicular access onto Imberhorne Lane).

- 5.26 It is unclear when these requirements are to be provided by within the development of any site and whether it is considered that the site would be suitable for allocation should these uses not come forward.

- 5.27 There are clear concerns over the suitability of this site in terms of ecology as set out in appendix B of the reg 18 SADPD which states:

Natural England have concerns over the high density of housing south of Felbridge. Hedgecourt SSSI is accessible from the proposed site allocations via a network of Public Rights of Way. In

line with paragraph 175 of the NPPF, Mid Sussex District Council should determine if allocations are likely to have an adverse effect (either individually or in combination) on SSSI's. The NPPF states that "if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused." We would be happy to provide further advice if requested, although this may need to be on a cost recovery basis. The LWS adjacent to the site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. We are unable to advise you on specific impacts as we have no details of the scale or type of proposed development consider further impacts of disturbance of the LWS and Ancient woodland arising from people and domestic pets, connectivity, light and noise pollution, appropriate buffer and cumulative impact. This site is adjacent to the Worth Way. The SHELAA should be redrawn to remove the section of LWS. The site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. Further consideration be given to impacts of disturbance on LWS and Ancient Woodland from people and pets, impacts on connectivity, impacts of light and noise pollution, need for Ancient Woodland buffer. Cumulative impact with SHELAA 686 and 561.

- 5.28 It is clear that the impacts upon ecology and the SSSI have not been adequately addressed.
- 5.29 As with other sites there is potential for impact upon local heritage assets of Gullege Farm, Imberhorne Farm and Imberhorne Cottages as set out below. The harm in terms of less than strategic harm is inappropriately weighted in the assessment as a means for justification of allocation.

APPENDIX B : Gullege Farm, Imberhorne Lane

This isolated farmstead has historically had a rural setting and continues to do so today. The introduction of a substantial housing development to the north, east and south of the listed manor house would have a fundamental impact on the character of that setting and would detract from the way in which the special interest of this Grade II listed rural manor house and the of the historic farmstead is appreciated.

NPPF: LSH, high

Imberhorne Farm and Imberhorne Cottages

In its original incarnation Imberhorne Cottages was probably constructed as a dwelling providing accommodation between London and Lewes, on Lewes Priory lands. It may have acted as the manor house to the substantial manor of Imberhorne, which was owned by the Priory. It seems likely that the building became farm cottages when the new farmhouse (Imberhorne) was constructed in the early 19th century. The currently rural setting of both buildings within the Imberhorne farmstead informs an understanding of their past function and therefore contributes positively to their special interest.

The proposed development site would engulf the farmstead to the west, north and east and would have a fundamental impact on the character of the greater part of its existing of rural setting and on views from both listed buildings. It would adversely affect the manner in which the special interest of the two listed buildings within their rural setting is appreciated, including by those passing along the PROW to the north of the farmstead.

NPPF: LSH, high

- 5.30 The potential harm to heritage is also referred to in the SA which states that:

option (e) which is not constrained by a conservation area, but would have a less than substantial harm (high) on Gullege Farm (Grade II listed) and Imberhorne Farm and Imberhorne Cottages (Grade II listed). As this is a large site, there is potential to still achieve the yield whilst providing necessary mitigation to lower the impact on these heritage assets.*

- 5.31 Notwithstanding the significant constraints to delivery from this site it is notable that the delivery of 550 in 6-10 years as set out in the SADPD is particularly optimistic and would need to be revised in order to be realistic on the constraints to delivery including the requirement for provision of education on the site.

SA 21 Rogers Farm, Fox Hill, Haywards Heath

- 5.32 This site is also significantly constrained by the presence of heritage assets. This is referenced in the SA which states that:

Site option (b) is constrained in terms of impact upon a listed building; it would have a less than substantial harm (medium) on Cleavewater (Grade II listed) and The Old Cottage (Grade II listed).

- 5.33 Appendix B also references these heritage assets together with an assessment of the likely impact as follows:

*Cleavewaters, Fox Hill there would be a fundamental impact not only on views from the building and associated farmstead but on the context and manner in which the farmhouse and farmstead are appreciated by those travelling along the road which runs between the farmstead and the site. **NPPF: LSH, MID***

*Olde Cottage, there would be some potential impact on views from the Cottage and its garden setting. The belt of woodland between the asset and the site is relatively narrow and development on the site is likely to be visible, particularly in winter. There would also be an impact on the setting in which the Cottage is appreciated by those approaching along the access drive from Ditchling Road. **NPPF: LSH, MID***

- 5.34 The impact on heritage assets and character of the area has been assessed in an appeal decision on the site (APP/D3830/W/17/3187318) issued in January 2019 following an application for up to 37 dwellings on the site (DM/16/3998).

15 The combination of the buffer and local topography would mean that any development would be clearly visible on the approach down Lunce's Hill and perceived as a separate and distinct residential development. I am not persuaded that it would be seen within the context of an urban fringe setting as the appellant suggests. On the contrary it would be a harmful encroachment into the countryside and the rural character of the approach into the settlement would be irrevocably changed and harmed through the loss of this open land.

16 Overall, the proposal would result in an unacceptable suburbanisation of the appeal site that would fundamentally change the character and appearance of the rural setting of the settlement. The effects would also be exacerbated somewhat by the loss of part of the existing mature hedgerow for the access. Proposed mitigation, in the form of additional landscaping would restrict the visibility of the proposal from a number of viewpoints. However, it would take a substantial amount of time to mature and be dependent on a number of factors to be successful. Moreover, I am not persuaded that it would fully mitigate the visual impacts.

17 For these reasons, the proposal would not be a suitable site for housing in terms of location and would cause significant harm to the character and appearance of the area. It would therefore conflict with Policy C1 of the LP and Policies E5 and E9 of the HHNP. In addition to the requirements set out above, these policies also require new development to be permitted where it would protect, reinforce and not unduly erode the landscape character of the area. There would also be some conflict with Policies DP10 and DP24 which, seek to protect the countryside in recognition of its intrinsic character and beauty and promote well located and designed development.

- 5.35 Overall it is not considered that the site represents a logical, justified or deliverable site and should not be considered for allocation within the Sites DPD.

SA 22 Land north of Burleigh Lane, Crawley Down

- 5.36 As with other proposed sites, it has been identified that the development of this site would cause harm to adjoining heritage assets. Appendix B of the reg 18 SADPD sets out the following:

Burleigh Cottage is a Grade II listed 17th century building faced with weatherboarding and painted brick. Previously the building was the farmhouse for Sandhillgate Farm, and was renamed Burleigh Cottage in the mid 20th century. An outbuilding shown on historic maps dating from the mid 19th century appears to survive to the north east of the house, but otherwise the former farm buildings appear to have been lost. If in fact pre-dating 1948 this outbuilding may be regarded as curtilage listed. Sandhillgate Farm is recorded in the West Sussex Historic Farmstead and Landscape Character assessment, which is part of the HER, as an historic farmstead dating from the 19th century.

*Burleigh Cottage is in a semi-rural location on the southern edge of Crawley Down.
NPPF: LSH, MEDIUM*

- 5.37 Conclusions in relation to heritage made for other proposed allocations apply equally to this site.

SA 23 Land at Hanlye Lane to the east of Ardingly Road, Cuckfield

- 5.38 No comments.

SA 24 Land to the north of Shepherds Walk, Hassocks

- 5.39 The access for this site is through an adjacent parcel of land which has a ransom strip over this land. The deliverability of this site is therefore in doubt unless a right of access can be confirmed by the site owners.

SA 25 Land west of Selsfield Road, Ardingly

- 5.40 No comments.

SA 26 Land south of Hammerwood Road, Ashurst Wood

- 5.41 The site is within the AONB and it is considered it is inappropriate to allocate this site for development without thorough appraisal of reasonable alternatives as previously set out.

SA 27 Land at St. Martin Close, Handcross

- 5.42 No comments.

SA28 Land South of The Old Police House, Birchgrove Road, Horsted Keynes

- 5.43 No comments.

SA 29 Land south of St. Stephens Church, Hamsland, Horsted Keynes

- 5.44 No comments.

SA 30 Land to the north Lyndon, Reeds Lane, Sayers Common

- 5.45 The sustainability of this site has been considered in the SA which sets out that the site is more than 20 minutes away from services such as GP and the School. It is therefore not considered that the development of this site would be justified in sustainability terms.
- 5.46 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 31 Land to the rear Firlands, Church Road, Scaynes Hill

- 5.47 The site is located within the Building Stone (Cuckfield) Mineral safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 32 Withypitts Farm, Selsfield Road, Turners Hill

- 5.48 No comments.
- 5.49 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 33 Ansty Cross Garage, Cuckfield Road, Ansty


- 5.50 This site is not considered to be a sustainable location. A total of four separate sites were considered within Ansty with this being the only one accepted. The only difference between this and the other sites was that this scored slightly higher in the SA due to it being PDL. Whilst this is correct it is not considered that the PDL nature of this site makes it appropriate for allocation within the Sites DPD.

6. Conclusions


- 6.1 Detailed consideration of the sites identified for allocation within the SADPD show that there are some significant technical constraints and policy issues with many of the sites. These are matters which have been previously raised as part of regulation 18 representations and the council has done nothing to address these matters.
- 6.2 The analysis of the proposed allocations demonstrates there are some significant failings in the deliverability of the sites which requires reconsideration of the appropriateness of these allocations and selection of alternative sites.
- 6.3 The assessment of reasonable alternatives is significantly lacking and requires further retesting which would logically include this site. As a result, it is not considered that the SADPD is positively prepared or justified and therefore fails the test as set out in the NPPF as a result.
- 6.4 It is clear that the adoption of the SADPD is of significance importance to Mid Sussex in demonstrating a robust and deliverable five year housing land supply. It is therefore suggested that consideration is given to the allocation of the site as set out within these representations which can deliver much needed housing in the early part of the plan period.

7. Appendix 1 – SHELAA Extract – February 2020

Stage 1 Site Pro-Forma – All Sites

SHELAA Ref	673	Parish	Haywards Heath
Site Location	Land north of Butlers Green Road, Haywards Heath		
			
Site uses	Agriculture		
Gross Site Area (ha)	1.5		
Potential Yield	5		
Site History			
Absolute Constraint	Flood Zone 2 or 3	✗	
	Site of Special Scientific Interest	✗	
Other Constraints	Ancient Woodland	✗	
	Area of Outstanding Natural Beauty	✗	
	Local Nature Reserve	✗	
	Conservation Area	Development would not have a negative impact on Conservation area and/or Area of Townscape Character	
	Scheduled Monument	✗	
	Listed Buildings	Development may potentially affect listed building/s - mitigation may be necessary	
	Access	Safe access is not available but potential exists to easily gain access	
Suitable	No known constraints - assessed as Suitable at Stage 1, progress to Stage 2 assessment		
Availability	Site submitted by site proponent to the SHELAA for assessment - considered available		
Achievability	There is a reasonable prospect that site could be developed within the Plan period		
Timescale	Medium-Long Term		

8. Appendix 2 – Site Selection Paper Extract

Site Selection - Housing		
Haywards Heath		
ID	673 Land north of Butlers Green Road, Haywards Heath	
		
Site Details		
Units:	45	Site Area (ha): 1.5
Part 1 - Planning Constraints		
1 - AONB	N/A	The site is remote from the High Weald AONB
2 - Flood Risk	None	The site lies entirely within Flood Zone 1, the area of lowest fluvial flood risk.
3 - Ancient Woodland	None	The site is not affected by Ancient Woodland
4 - SSSI/SNCI/LNR	Local Wildlife Site - SWT Mitigation	
5 - Listed Buildings	Listed Building - Less Than Substantial Harm (High)	Butlers Green House, Grade II* Development would have a fundamental impact on the currently rural character of the setting of the house and listed structures. The existing degree of separation between the heritage assets and the eastern edge of the Cuckfield would be reduced, and the open and verdant nature of the house's setting eroded. NPPF:LSH, HIGH
6 - Conservation Area	None	There are no conservation areas within or adjacent to the site
7 - Archaeology	None	
8 - Landscape	Low/Medium	
9 - Trees/TPOs	None	Site is not affected by trees
Part 2 - Deliverability Considerations		
10 - Highways		
11 - Local Road/Access	Moderate - Improve	Safe access likely to be gained from Butlers Green road either from the roundabout or from the road itself.
673 Land north of Butlers Green Road, Haywards Heath		

Site Selection - Housing		
12 - Deliverability	Developable	Site is owned by housebuilder. Outline application March 2019.
13 - Infrastructure	Infrastructure capacity	Developer Questionnaire - normal contributions apply.
Part 3 - Sustainability / Access to Services		
14 - Education	15-20 Minute Walk	
15 - Health	Less Than 10 Minute Walk	
16 - Services	10-15 Minute Walk	
17 - Public Transport	Fair	
Part 4 - Other Considerations		
Neighbourhood Plan		Notes

2079

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 2079

Response Ref: Reg19/2079/11

Respondent: Mr A Black

Organisation: Andrew Black consulting

On Behalf Of: Vanderbilt Homes - Hurstwood HH

Category: Promoter

Appear at Examination? x



Mid Sussex District Council

Draft Site Allocations DPD (Regulation 19)
Consultation

Representation on behalf of Vanderbilt Homes –
Land at Junction of Hurstwood Lane and Colwell
Lane, Haywards Heath

September 2020

Project	MSDC Draft Site Allocations DPD
ABC Reference	ABC/0072/07b
Local Authority	Mid Sussex District Council
Client	Vanderbilt Homes
Issue	Final
Author	Andrew Black
Date	September 2020

Disclaimer: This report has been prepared for the above named client for the purpose agreed in Andrew Black Consulting's (ABC) terms of engagement. Whilst every effort has been made to ensure the accuracy and suitability of the information contained in this report, the results and recommendations presented should not be used as the basis of design, management or implementation of decisions unless the client has first discussed with ABC their suitability for these purposes and ABC has confirmed their suitability in writing to the client. ABC does not warrant, in any way whatsoever, the use of information contained in this report by parties other than the above named client.

Contents

1. Introduction	4
2. Site and Surroundings	5
3. Housing Site Allocation Process	9
4. Sustainability Appraisal.....	13
5. Assessment of Proposed Sites.....	15
6. Conclusions	21
7. Appendix 1 – SHELAA Extract – February 2020	22
8. Appendix 2 – Site Selection Paper 3: Housing (SSP3) Extract	23

1. Introduction

- 1.1 These representations for the Draft Site Allocations DPD (Regulation 19) Consultation (Herein referred to as the ‘SADPD’) are submitted by Andrew Black Consulting on behalf of Vanderbilt Homes regarding a site within their control in Haywards Heath.
- 1.2 The site under the control of Vanderbilt Homes is Land at Junction of Hurstwood Lane and Colwell Lane, Haywards Heath and was previously considered in the SHELAA (ref 508) as Available, Achievable and Deliverable.
- 1.3 It is understood that the SADPD has been produced in accordance with the Planning and Compulsory Purchase Act 2004, and other relevant regulations.
- 1.4 The NPPF states that Development Plan Documents should be prepared in accordance with the legal and procedural requirements. To be found to be ‘sound’, plans must be:
 - a) *positively prepared*
 - b) *justified*
 - c) *effective, and*
 - d) *consistent with national policy.*
- 1.5 It is with this in mind that the representations are made.
- 1.6 The draft SADPD has been prepared using an extensive and legally compliant evidence base including a Sustainability Appraisal, Habitat Regulations Assessment, Community Involvement Plan, Equalities Impact Assessment, and various technical reports and studies. Of particular note is the Built Up Area Boundary and Policies Map Topic Paper (TP1) produced in August 2020.
- 1.7 The Site Allocations DPD proposes to allocate 22 sites to meet this residual necessary to meet the overall agreed housing requirement for the plan period as reflected in the ‘stepped trajectory’ and in accordance with the District Plan.
- 1.8 These representations set out the detail of the Site and Surroundings and a response to the detailed parts of the SADPD.

2. Site and Surroundings

- 2.1 The Site is located to the at the Junction of Hurstwood Lane and Colwell Lane in Haywards Heath.



Figure 1 – SHELAA Extract

- 2.2 The site was assessed in the most recent SHELAA (Ref 508) as Suitable, Available and Achievable in the Medium to Long Term (The full extract of the SHELAA is set out in Appendix 1). Several constraints were note within the HELAA form which are addressed below.
- 2.3 The SHELAA Appraisal of the site confirms that there are no constraints to the development of the site in terms of Flooding, SSSIs, Ancient Woodland, AONB, Local Nature Reserves, Heritage Assets or Access.

Planning History

- 2.4 The site does not have any planning history.
- 2.5 The site is in close proximity to a site which was allocated under the District Plan (H1) and has a current application for a substantial application. An application was submitted in 2017 (DM/17/2739) with the following description:
- Outline application for development of up to 375 new homes, a 2 form entry primary school with Early Years provision, a new burial ground, allotments, Country Park, car parking, 'Green Way', new vehicular accesses and associated parking and landscaping. All matters are to be reserved except for access.*
- 2.6 A resolution to grant planning permission was made by planning committee in August 2018. A formal planning decision is yet to be issued as further negotiations are taking place regarding the s106 agreement. However, the allocation of the site and the resolution to grant planning

permission is considered as a strong indicator that development of the site is highly likely to take place and will result in substantial change in the immediate context of the area.

- 2.7 The proximity of the site to the site under control of Vanderbilt Homes (shown in red) is set out below:

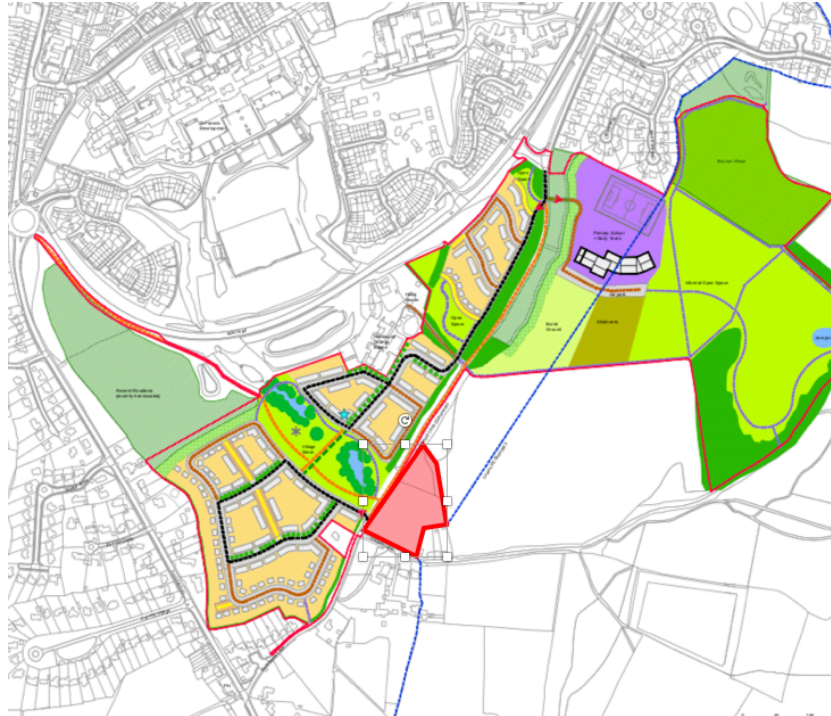


Figure 2 – Proximity of Site to significant application

- 2.8 The proposed policies map shows the extent of the built up area boundary, the proposed allocation of the site to the north (H1) and the proposed allocated site SA21 to the south-west.

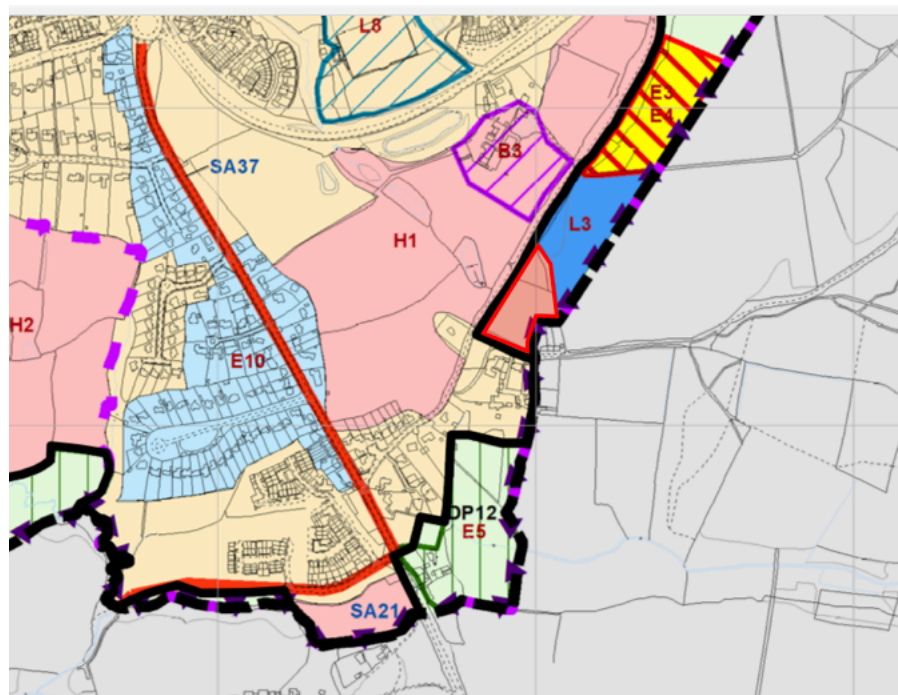


Figure 3 – Proposed Site Allocations Proposals Map

- 2.9 Specific representations are made against each of the allocated sites in subsequent sections of these representations. However, of specific focus is the allocation of Rogers Farm on Fox Hill in Haywards Heath. Significant concerns are raised as part of these representations as to why the Rogers Farm site has been allocated instead of the more obvious site under the control of Vanderbilt Homes at Hurstwood Lane.

SA 21 Rogers Farm, Fox Hill, Haywards Heath

- 2.10 This site is significantly constrained by the presence of heritage assets. This is referenced in the SA which states that:

Site option (b) is constrained in terms of impact upon a listed building; it would have a less than substantial harm (medium) on Cleavewater (Grade II listed) and The Old Cottage (Grade II listed).

- 2.11 Appendix B of the reg 18 SADPD also references these heritage assets together with an assessment of the likely impact as follows:

*Cleavewaters, Fox Hill there would be a fundamental impact not only on views from the building and associated farmstead but on the context and manner in which the farmhouse and farmstead are appreciated by those travelling along the road which runs between the farmstead and the site. **NPPF: LSH, MID***

*Olde Cottage, there would be some potential impact on views from the Cottage and its garden setting. The belt of woodland between the asset and the site is relatively narrow and development on the site is likely to be visible, particularly in winter. There would also be an impact on the setting in which the Cottage is appreciated by those approaching along the access drive from Ditchling Road. **NPPF: LSH, MID***

- 2.12 The impact on heritage assets and character of the area has been assessed in an appeal decision on the site (APP/D3830/W/17/3187318) issued in January 2019 following an application for up to 37 dwellings on the site (DM/16/3998).

15 The combination of the buffer and local topography would mean that any development would be clearly visible on the approach down Lunce's Hill and perceived as a separate and distinct residential development. I am not persuaded that it would be seen within the context of an urban fringe setting as the appellant suggests. On the contrary it would be a harmful encroachment into the countryside and the rural character of the approach into the settlement would be irrevocably changed and harmed through the loss of this open land.

16 Overall, the proposal would result in an unacceptable suburbanisation of the appeal site that would fundamentally change the character and appearance of the rural setting of the settlement. The effects would also be exacerbated somewhat by the loss of part of the existing mature hedgerow for the access. Proposed mitigation, in the form of additional landscaping would restrict the visibility of the proposal from a number of viewpoints. However, it would take a substantial amount of time to mature and be dependent on a number of factors to be successful. Moreover, I am not persuaded that it would fully mitigate the visual impacts.

17 For these reasons, the proposal would not be a suitable site for housing in terms of location and would cause significant harm to the character and appearance of the area. It would therefore conflict with Policy C1 of the LP and Policies E5 and E9 of the HHNP. In addition to the requirements set out above, these policies also require new development to be

permitted where it would protect, reinforce and not unduly erode the landscape character of the area. There would also be some conflict with Policies DP10 and DP24 which, seek to protect the countryside in recognition of its intrinsic character and beauty and promote well located and designed development.

- 2.13 In addition to consideration of heritage matters it would appear that the consideration of Sustainability / Access to Services is inconsistent between the Site Selection Paper (SSP3) and the Sustainability Appraisal.
- 2.14 In the Site Selection Paper (SSP3) the Sustainability / Access to Services of Rogers Farm is assessed as follows:

Part 3 - Sustainability / Access to Services	
14 - Education	More than 20 Minute Walk
15 - Health	15-20 Minute Walk
16 - Services	15-20 Minute Walk
17 - Public Transport	Fair

- 2.15 However, this differs from the assessment of these matters within the Sustainability Appraisal where the following conclusions are reached.

Objective	A - Oaklands	B - Rogers Farm	C - HH Golf Course	D - N. Old Wickham	Assessment
1 - Housing	+	+	++	+	All site options have demonstrated their deliverability; options (a), (b) and (d) make a contribution to the residual housing need, while (c) makes a significant contribution to the need.
2 - Health	++	0	++	-	Site options (a) and (c) are located a 10-15 minute walk from the nearest GP surgery, while option (b) is a 15-20 minute walk. Option (d) is more than a 20 minute walk.
3 - Education	+	-	++	+	Site option (c) is located less than a 10 minute walk from the nearest primary school, options (a) and (d) are a 10-15 minute walk, while option (b) is more than a 20 minute walk.
4 - Retail	++	+	++	+	Site options (a) and (c) is located less than a 10 minute walk from the nearest convenience store, while options (b) and (d) are a 10-15 minute walk.

- 2.16 The site is assessed positively for its access to retail and it is stated that they are a 10-15 minute walk when the SA correctly identifies that they are a 15-20 minute walk.
- 2.17 The Site Selection Paper (SSP3) for the Land at Hurstwood Lane makes it clear that whilst connectivity is currently poor, facilities will be provided at the Hurst Farm development and it is therefore considered that the SA would rate these as positive.
- 2.18 It is therefore clear that the Hurstwood Lane site has been overlooked in favour of the less suitable site at Rogers Farm.
- 2.19 It is apparent that the heritage constraints and poor sustainability for Rogers Farm weigh heavily against the allocation of the site and this should be readdressed within the final version of the SADPD.

3. Housing Site Allocation Process

- 3.1 The District Plan 2014-2031 sets out the housing requirement for the district for the plan period of 16,390 dwellings. This meets the Objectively Assessed Need (OAN) for the district of 14,892 dwellings in full and makes provision for the agreed quantum of unmet housing need for the Northern West Sussex Housing Market Area, to be addressed within Mid Sussex, of 1,498 dwellings.
- 3.2 The District Plan 2014-2031 established a ‘stepped’ trajectory for housing delivery with an average of 876 dwellings per annum (dpa) between 2014/15 and 2023/24 and thereafter an average of 1,090 dpa between 2024/25 and 2030/31. This represents a significant increase in housing supply compared with historical rates within the district.
- 3.3 The latest data on completions from MSDC was published in *MSDC Housing Land Supply Position Statement* was published in August 2020 (Document H1) and shows a significant shortfall in delivery against the housing requirement since the start of the plan:

Category		Number of Dwellings
Housing Requirement for the full plan period (April 2014 to March 2031)		16,390
Housing Completions (April 2014 to March 2020)		4,917
Completions 2014/15		630
Completions 2015/16		868
Completions 2016/17		912
Completions 2017/18		843
Completions 2018/19		661
Completions 2019/20		1003
Housing Supply (April 2014 to March 2031)	Commitments (including District Plan Allocations)	9,689
	Site Allocations DPD - Allocations	1,764
	Windfalls	504
Total Supply (at 1 April 2019)		16,874

Figure 4 – Extract from MSDC Housing Land Supply Position Statement

- 3.4 The Housing Delivery Test was introduced in the July 2018 update to the NPPF. The Housing Delivery Test is an annual measurement of housing delivery for each local authority and the first results were published in February 2019 by the Ministry of Housing, Communities and Local Government (MHCLG). Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority’s housing requirement over the previous 3 years then it is required to prepare an action plan. Where delivery has fallen below 85% of the housing requirement a 20% buffer should be added to the five year supply of deliverable sites.
- 3.5 The result for Mid Sussex produced in February 2020 was 95%. This result is based on monitoring years 2016-17, 2017-18 and 2018-19. Mid Sussex is therefore not required to add 20% buffer for significant under delivery, or prepare an Action Plan. However, it is clear that under current performance the council will struggle when the housing target steps up to 1,090 in 2024.
- 3.6 Para 4.10 of the previous MSDC Housing Land Supply Position Statement (2019) sets out the five year supply requirement for the district as follows:

Annual Requirement As set out in District Plan	876 x 5 years =	4,380
Shortfall spread over remaining plan period	466 divided by 12 remaining years x 5 years	194
Total		4,574
Buffer (see paras 2.4,4.9 above)	10%	457
Total five year supply requirement		5,032

Figure 5 – Total Five Year Housing Requirement taken from MSDC Housing Land Supply Position Statement

- 3.7 MSDC is seeking to confirm the five year housing land supply under the terms of paragraph 74 of the NPPF through submission of the annual position statement to the secretary of state. Paragraph 74 of the framework states:

A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which:

- a) has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State; and*
- b) incorporates the recommendation of the Secretary of State, where the position on specific sites could not be agreed during the engagement process.*

- 3.8 The report on the Annual Position Statement was issued by the Planning Inspectorate on 13 January 2020. It was confirmed that as the council did not have a recently adopted plan in conformity with the definition of the NPPF then the correct process had not been followed and the inspector was unable to confirm that the council had a five year housing land supply.
- 3.9 It is therefore clear that the council does not currently have a five year housing land supply and the demonstration of sufficiently deliverable sites within the SADPD is of critical importance for MSDC.

Deliverability of Sites

- 3.10 Any sites that have been included in the final Sites DPD will need to pass the tests of deliverability as set out in the NPPF. This is defined within the glossary of the framework as follows:

Deliverable: *To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.*

- 3.11 The Planning Practice Guidance provides a further explanation on how the deliverability of sites should be considered:

A site can be considered available for development, when, on the best information available (confirmed by the call for sites and information from land owners and legal searches where appropriate), there is confidence that there are no legal or ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available.

The existence of planning permission can be a good indication of the availability of sites. Sites meeting the definition of deliverable should be considered available unless evidence indicates otherwise. Sites without permission can be considered available within the first five years, further guidance to this is contained in the 5 year housing land supply guidance. Consideration can also be given to the delivery record of the developers or landowners putting forward sites, and whether the planning background of a site shows a history of unimplemented permissions.

Paragraph: 019 Reference ID: 3-019-20190722

Revision date: 22 07 2019

- 3.12 It is with this in mind that the proposed sites within the Sites DPD are scrutinised within subsequent sections of this document. It is considered that many of the proposed sites do not fully accord with the definition of delivery and consideration of alternative sites is required.

Area of Outstanding Natural Beauty

- 3.13 A significant number of the proposed sites are located within, or close to, the High Weald AONB. Paragraph 172 sets out the significant protection which should be afforded to the AONB in planning terms and states that:

Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife

and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

3.14 It is part b of paragraph 172 that is of particular importance in this instance. It is not considered that MSDC has considered sites outside of the AONB which could be used to meet the identified residual housing requirement. It would appear that sites have been selected because of their conformity to the spatial strategy and hierarchy without the proper application of the ‘great weight’ required to protect the AONB.

3.15 The approach of allocating sites within the AONB as opposed to ‘outside the designated area’ should have been tested through a robust analysis of reasonable alternatives within the Sustainability Appraisal. The failure to do this adequately is a matter of soundness and it is considered that the Sites DPD fails the tests within the NPPF on this basis alone.

Historic Environment

3.16 Several of the allocations within the DPD are in close proximity to heritage assets. Paragraph 193 of the framework sets out the approach to heritage assets as follows:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

3.17 In many instances the council themselves suggest that the development of housing on the sites is likely to have ‘less than significant harm’ on the heritage assets in question. Paragraph 196 of the framework sets out the approach which should be taken in this instance:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the

3.18 It is not considered that the harm caused to heritage assets has been adequately assessed within the Sustainability Appraisal for many of the proposed sites and further consideration is required of the sites in this regard. This would include assessing sites which would not have an impact on heritage assets through a robust application of reasonable alternatives within the Sustainability Appraisal.

4. Sustainability Appraisal

- 4.1 The SADPD is accompanied by a Sustainability Appraisal (SA) report which is a legal requirement derived from the Planning and Compulsory Purchase Act 2004 (Section 19). Section 39 of the Act requires documents such as the SADPD to be prepared with a view to contributing to the achievement of sustainable development.
- 4.2 The requirement for Strategic Environmental Assessment, in addition to the SA, is set out in the European Directive 2001/42/EC adopted into UK law as the “Environmental Assessment of Plans or Programmes Regulations 2004”.
- 4.3 In line with best practice the SEA has been incorporated into the SA of the SADPD.
- 4.4 The planning practice guidance sets out detailed consideration as to how any sustainability should assess alternatives and identify likely significant effects:

The sustainability appraisal needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic and social characteristics of the area and the likely situation if the plan were not to be adopted. In doing so it is important to:

- *outline the reasons the alternatives were selected, and identify, describe and evaluate their likely significant effects on environmental, economic and social factors using the evidence base (employing the same level of detail for each alternative option). Criteria for determining the likely significance of effects on the environment are set out in [schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004](#);*
- *as part of this, identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them;*
- *provide conclusions on the reasons the rejected options are not being taken forward and the reasons for selecting the preferred approach in light of the alternatives.*

Any assumptions used in assessing the significance of the effects of the plan will need to be documented. Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in the plan. They need to be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made.

The development and appraisal of proposals in plans needs to be an iterative process, with the proposals being revised to take account of the appraisal findings.

Paragraph: 018 Reference ID: 11-018-20140306

Revision date: 06 03 2014

- 4.5 In response to this guidance and requirement, paragraph 6.16 of the Sustainability Appraisal states that:

The Site Selection Paper 2 (paras 6.2 - 6.3) also recognises that, in order to meet the District Plan strategy, conclusions will be compared on a settlement-by-settlement basis with the most suitable sites at each settlement chosen in order to meet the residual needs of that settlement. This may result in some sites being chosen for allocation which have higher negative impact across all the objectives because this will be on the basis that the aim is to distribute allocations according to the District Plan strategy in the first instance; as opposed to simply selecting only

the most sustainable sites in the district (as this may not accord with the spatial strategy and would lead to an unequal distribution of sites across settlements). 20 sites that perform well individually and on a settlement basis, the residual housing need of 1,507 would be met with a small over-supply of 112 units.

- 4.6 Paragraph 6.45 recognises that this small over-supply *may not be a sufficient buffer should sites fall out of the allocations process between now and adoption (for example, due to delivery issues, reduction in yield, or any other reasons identified during consultation or the evidence base).*

- 4.7 The SA therefore considers reasonable alternatives of option A, B and C as follows:

Option A – 20 'Constant Sites' – 1,619 dwellings

Option B – 20 'Constant Sites' + Folders Lane, Burgess Hill (x3 sites) – 1,962 dwellings.

Option C – 20 'Constant Sites' + Haywards Heath Golf Court – 2,249 dwellings

- 4.8 Paragraph 6.52 of the SA concludes that:

Following the assessment of all reasonable alternative options for site selection, the preferred option is option B. Although option A would meet residual housing need, option B proposes a sufficient buffer to allow for non-delivery, therefore provides more certainty that the housing need could be met. Whilst option C also proposes a sufficient buffer, it is at the expense of negative impacts arising on environmental objectives. The level of development within option C is approximately 50% above the residual housing need, the positives of delivering an excess of this amount within the Site Allocations DPD is outweighed by the negative environmental impacts associated with it.

- 4.9 It is not considered that this assessment of Option A, B and C is a sufficient enough assessment of reasonable alternatives as required by guidance and legislation. All of the options contain the '20 Constant Sites' with no derivation of alternative options such as those which seek to divert housing growth away from the AONB or designated heritage assets.

- 4.10 It is apparent that other sites other than the 20 Constant Sites will need to be assessed if the council is to adequately demonstrate that reasonable alternatives have been considered as required.

5. Assessment of Proposed Sites.

- 5.1 This section analyses each of the proposed allocations against the tests of deliverability as set out in the NPPF and the potential shortcomings of several of the sites which require significant consideration. The findings of *Appendix B: Housing Site Proformas* of the *Site Selection Paper 3* (Appendix B) and the conclusions of the Sustainability Appraisal (SA) are considered in detail.

SA 12 Land South of 96 Folders Lane, Burgess Hill

- 5.2 Appendix B of the reg 18 SADPD set out that this site has *moderate landscape sensitivity and moderate landscape value. This site could be visible from the South Downs National Park*. The SA states that an LVIA is required to determine any impact on the national park. Given the weight that the NPPF requires to be placed on the protection of the national park, any impact must be measured prior to allocation. If it is deemed that mitigation would not minimise the harm caused, then the proposed allocation must fall away.
- 5.3 Appendix B of the reg 18 SADPD also set out that a TPO area lines the norther border and potential access route. It should be noted that an application was submitted in 2019 for the *erection of 43 dwellings and associated works* (DM/19/0276) but was withdrawn in September 2019 due to concerns over highways. The deliverability of this site is therefore not considered to be in accordance with the guidance set out in the framework.
- 5.4 Finally, whilst the priority for sites higher in the settlement hierarchy is acknowledged, this is site is very remote from the services offered by Burgess Hill. This is highlighted within the sustainability appraisal for the site which states that it is more than a 20 minute walk from the site to schools, GP and shops.

SA 13 Land East of Keymer Road and South of Folders Lane, Burgess Hill.

- 5.5 As with SA12, this site is in close proximity to the national park and the conclusions as set out above apply equally to this site.
- 5.6 The SA sets out that this is the only site within Burgess Hill to have any impact on listed buildings where it is stated that development of this site would cause *less than substantial harm (medium) on High Chimneys (Grade II listed)*. This is not mentioned within appendix B and this therefore calls into question the consistency of assessment of the sites in this regard.
- 5.7 Given that site SA12 and SA13 are in close proximity to one another it is notable that the cumulative impact of the development of both of these sites has not been assessed for a number of ‘in-combination’ impacts such as highways and landscape impact.

SA 14 Land to the south of Selby Close, Hammonds Ridge, Burgess Hill

- 5.8 There is a TPO at the front of this site which is potentially why access is proposed through the CALA Homes site (DM/17/0205). No evidence is submitted to suggest that this form of access is agreed or available. The section relating to Highways and Access within the SADPD simply states that this access *will need to be investigated further*.
- 5.9 The SA and appendix B both point towards the Southern Water Infrastructure which crosses the site. The wording in the DPD recommends that the layout of the development is considered to *ensure future access for maintenance and/or improvement work, unless diversion of the sewer is possible*. Given that the site is only 0.16ha it is therefore questionable whether there would be adequate space to develop the site for housing and provide accommodation for the sewage infrastructure crossing the site. The deliverability of this site has therefore not been adequately demonstrated.

- 5.10 As with SA12 and SA13 there are questions of the sustainability of the site given that the SA notes that it is more than a 20 minute walk to the school and GP.

SA 15 Land South of Southway, Burgess Hill

- 5.11 The SADPD describes the site as *overgrown and inaccessible land designated as a Local Green Space in the Burgess Hill Neighbourhood Plan*. It is unclear whether this site was ever previously in use as playing pitches and whether re-provision of this space would be required under Sport England policies.
- 5.12 Appendix B of the reg 18 SADPD points towards issues with relocation of existing parking on the site and states that:

Private parking areas would need to be removed to provide a suitable access point with sufficient visibility. The parking spaces are visitor spaces over which the owners/developers of the subject land have rights to access it to serve new development onto Linnet Lane. Accordingly, a new access into the site can be provided any new development would include two visitor spaces as close as reasonably possible to the existing visitor spaces.

- 5.13 It is clear that there are substantial issues with deliverability and availability of this site given these constraints and the site should be deleted as a proposed allocation until this can be adequately demonstrated.

SA 16 St. Wilfrids Catholic Primary School, School Close, Burgess Hill

- 5.14 The SADPD sets out that the satisfactory relocation of St Wilfrid's Primary School to St Paul's Catholic College site is required before development can commence on the school part of the site. There is also a requirement to re-provide the emergency services accommodation in a new emergency service centre either on this site or elsewhere in the town.
- 5.15 Given that the allocation is for 300 dwellings and requires this relocation first, it is considered that there is insufficient evidence to justify delivery of development of this site in the 6-10 year time period as set out.

SA 17 Woodfield House, Isaacs Lane, Burgess Hill

- 5.16 The SADPD sets out some significant landscape features on site which require retention and it is stated that:

There is a group Tree Preservation Order in the southern and western areas of the site. High quality substantial new planting of native trees is required, should these be lost to provide access from Isaac's Lane. All other TPO trees on the site are to be retained.

Retain and enhance important landscape features, mature trees, hedgerows and the pond at the south of the site and incorporate these into the landscape structure and Green Infrastructure proposals for the development. Open space is to be provided as an integral part of this landscape structure and should be prominent and accessible within the scheme.

- 5.17 Given that the site is only 1.4 hectares in size it is questionable whether there is adequate space on the site for 30 dwellings after retention of these landscape features.
- 5.18 It is clear from the Sites DPD that access to site is envisaged to be from the Northern Arc where it is stated that:

Integrated access with the Northern Arc Development is strongly preferred, the details of which will need to be investigated further.

- 5.19 This is also set out in appendix B of the reg 18 SADPD where it is stated that:

Entrance drive to house. Access on bend with limited visibility. 50 mph road. Would involve removal of trees that are subject to TPO. Objection for tree officer. However, future access is anticipated to be provided via the Northern Arc. Whilst the specific details of this remain uncertain on the basis that the enabling development is still at an early stage, it is considered that the identified constraints will no longer apply.

- 5.20 Given the uncertainty of the deliverability of the land immediately adjoining the site as part of the Northern Arc it is considered that the deliverability of this site is not clear enough to justify allocation within the sites DPD. The uncertainty of this deliverability also has an implication of the sustainability of the site and proximity to adequate services. This is highlighted within the SA where it is stated that:

The impact of option (h) on these objectives (Health/Retail/Education) is uncertain; currently the site is a long distance from local services, however, this will change once the Northern Arc is built out.

- 5.21 Overall it is not considered that this site is suitable for allocation and should be removed from the Sites DPD

SA 18 East Grinstead Police Station, College Lane, East Grinstead

- 5.22 We have no comments to make in relation to this allocation.

SA 19 Land south of Crawley Down Road, Felbridge

- 5.23 As set out, this allocation is directly to the west of the land under the control of Vanderbilt Homes which is also adjoined to the east by land with the benefit of planning permission for 63 dwellings.

- 5.24 Given that the entire area will be included within the revised Built Up Area Boundary, then it is considered logical that the adjoining sites are also identified for allocation within the SADPD.

SA 20 Land south and west of Imberhorne Upper School, Imberhorne Lane, East Grinstead

- 5.25 There is a requirement in the SADPD for this site to provide a detailed phasing plan with agreement from key stakeholders to secure:

- Land for early years and primary school (2FE) provision – 2.2 ha
- A land exchange agreement between WSCC and the developer to secure 6 ha (gross) land to create new playing field facilities in association with Imberhorne Secondary School (c.4 ha net - excluding land for provision of a new vehicular access onto Imberhorne Lane).

- 5.26 It is unclear when these requirements are to be provided by within the development of any site and whether it is considered that the site would be suitable for allocation should these uses not come forward.

- 5.27 There are clear concerns over the suitability of this site in terms of ecology as set out in appendix B of the reg 18 SADPD which states:

Natural England have concerns over the high density of housing south of Felbridge. Hedgecourt SSSI is accessible from the proposed site allocations via a network of Public Rights of Way. In

line with paragraph 175 of the NPPF, Mid Sussex District Council should determine if allocations are likely to have an adverse effect (either individually or in combination) on SSSI's. The NPPF states that "if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused." We would be happy to provide further advice if requested, although this may need to be on a cost recovery basis. The LWS adjacent to the site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. We are unable to advise you on specific impacts as we have no details of the scale or type of proposed development consider further impacts of disturbance of the LWS and Ancient woodland arising from people and domestic pets, connectivity, light and noise pollution, appropriate buffer and cumulative impact. This site is adjacent to the Worth Way. The SHELAA should be redrawn to remove the section of LWS. The site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. Further consideration be given to impacts of disturbance on LWS and Ancient Woodland from people and pets, impacts on connectivity, impacts of light and noise pollution, need for Ancient Woodland buffer. Cumulative impact with SHELAA 686 and 561.

- 5.28 It is clear that the impacts upon ecology and the SSSI have not been adequately addressed.
- 5.29 As with other sites there is potential for impact upon local heritage assets of Gullege Farm, Imberhorne Farm and Imberhorne Cottages as set out below. The harm in terms of less than strategic harm is inappropriately weighted in the assessment as a means for justification of allocation.

APPENDIX B : Gullege Farm, Imberhorne Lane

This isolated farmstead has historically had a rural setting and continues to do so today. The introduction of a substantial housing development to the north, east and south of the listed manor house would have a fundamental impact on the character of that setting and would detract from the way in which the special interest of this Grade II listed rural manor house and the of the historic farmstead is appreciated.

NPPF: LSH, high

Imberhorne Farm and Imberhorne Cottages

In its original incarnation Imberhorne Cottages was probably constructed as a dwelling providing accommodation between London and Lewes, on Lewes Priory lands. It may have acted as the manor house to the substantial manor of Imberhorne, which was owned by the Priory. It seems likely that the building became farm cottages when the new farmhouse (Imberhorne) was constructed in the early 19th century. The currently rural setting of both buildings within the Imberhorne farmstead informs an understanding of their past function and therefore contributes positively to their special interest.

The proposed development site would engulf the farmstead to the west, north and east and would have a fundamental impact on the character of the greater part of its existing of rural setting and on views from both listed buildings. It would adversely affect the manner in which the special interest of the two listed buildings within their rural setting is appreciated, including by those passing along the PROW to the north of the farmstead.

NPPF: LSH, high

- 5.30 The potential harm to heritage is also referred to in the SA which states that:

option (e) which is not constrained by a conservation area, but would have a less than substantial harm (high) on Gullege Farm (Grade II listed) and Imberhorne Farm and Imberhorne Cottages (Grade II listed). As this is a large site, there is potential to still achieve the yield whilst providing necessary mitigation to lower the impact on these heritage assets.*

- 5.31 Notwithstanding the significant constraints to delivery from this site it is notable that the delivery of 550 in 6-10 years as set out in the SADPD is particularly optimistic and would need to be revised in order to be realistic on the constraints to delivery including the requirement for provision of education on the site.

SA 22 Land north of Burleigh Lane, Crawley Down

- 5.32 No comments.

SA 23 Land at Hanlye Lane to the east of Ardingly Road, Cuckfield

- 5.33 The site is within close proximity to the High Weald AONB. Previous comments made in relation to the requirements of the NPPF in relation to AONB for other allocations apply equally to this site.

SA 24 Land to the north of Shepherds Walk, Hassocks

- 5.34 The access for this site is through an adjacent parcel of land which has a ransom strip over this land. The deliverability of this site is therefore in doubt unless a right of access can be confirmed by the site owners.

SA 25 Land west of Selsfield Road, Ardingly

- 5.35 This site is located within the AONB and comments made in this regard to other proposed allocations apply to this site. The SA references this impact as follows:

There is a 'Very Negative' impact against objective (9) due to its location within the High Weald AONB, however the AONB unit have concluded that there is Moderate Impact as opposed to High Impact

- 5.36 The conclusions of the AONB unit have not been provided as part of the evidence base and requires further scrutiny in order to assess the impact of development of this site in this regard.

SA 26 Land south of Hammerwood Road, Ashurst Wood

- 5.37 The site is within the AONB and it is considered it is inappropriate to allocate this site for development without thorough appraisal of reasonable alternatives as previously set out.

SA 27 Land at St. Martin Close, Handcross

- 5.38 No comments.

SA28 Land South of The Old Police House, Birchgrove Road, Horsted Keynes

- 5.39 No comments.

SA 29 Land south of St. Stephens Church, Hamsland, Horsted Keynes

- 5.40 The site is within the AONB and it is considered it is inappropriate to allocate this site for development without thorough appraisal of reasonable alternatives as previously set out.

SA 30 Land to the north Lydon, Reeds Lane, Sayers Common

- 5.41 The sustainability of this site has been considered in the SA which sets out that the site is more than 20 minutes away from services such as GP and the School. It is therefore not considered that the development of this site would be justified in sustainability terms.
- 5.42 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 31 Land to the rear Firlands, Church Road, Scaynes Hill

- 5.43 The site is located within the Building Stone (Cuckfield) Mineral safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 32 Withypitts Farm, Selsfield Road, Turners Hill

- 5.44 The site is within the AONB and it is considered it is inappropriate to allocate this site for development without thorough appraisal of reasonable alternatives as previously set out.
- 5.45 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 33 Ansty Cross Garage, Cuckfield Road, Ansty


- 5.46 This site is not considered to be a sustainable location. A total of four separate sites were considered within Ansty with this being the only one accepted. The only difference between this and the other sites was that this scored slightly higher in the SA due to it being PDL. Whilst this is correct it is not considered that the PDL nature of this site makes it appropriate for allocation within the Sites DPD.

6. Conclusions


- 6.1 Detailed consideration of the sites identified for allocation within the SADPD show that there are some significant technical constraints and policy issues with many of the sites. These are matters which have been previously raised as part of regulation 18 representations and the council has done nothing to address these matters.
- 6.2 The analysis of the proposed allocations demonstrates there are some significant failings in the deliverability of the sites which requires reconsideration of the appropriateness of these allocations and selection of alternative sites.
- 6.3 The selection of sites with significant heritage constraints and also location within the AONB is not considered to be a sound approach. The assessment of reasonable alternatives is significantly lacking and requires further retesting which would logically include this site. As a result, it is not considered that the SADPD is positively prepared or justified and therefore fails the test as set out in the NPPF as a result.
- 6.4 It is clear that the adoption of the SADPD is of significance importance to Mid Sussex in demonstrating a robust and deliverable five year housing land supply. It is therefore suggested that consideration is given to the allocation of the site as set out within these representations which can deliver much needed housing in the early part of the plan period.

7. Appendix 1 – SHELAA Extract – February 2020

Stage 1 Site Pro-Forma – All Sites

SHELAA Ref	508	Parish	Haywards Heath
Site Location	Land at Junction of Hurstwood Lane and Colwell Lane, Haywards Heath		
			
Site uses	Agriculture		
Gross Site Area (ha)	1		
Potential Yield	30		
Site History			
Absolute Constraint	Flood Zone 2 or 3	x	
	Site of Special Scientific Interest	x	
Other Constraints	Ancient Woodland	x	
	Area of Outstanding Natural Beauty	x	
	Local Nature Reserve	x	
	Conservation Area	Development would not have a negative impact on Conservation Area and Areas of Townscape Character	
	Scheduled Monument	x	
	Listed Buildings	Development will not affect listed building/s	
	Access	Safe access to site already exists	
Suitable	No known constraints - assessed as Suitable at Stage 1, progress to Stage 2 assessment		
Availability	Controller of site has expressed intention to make the site available		
Achievability	There is a reasonable prospect that site could be developed within the Plan period		
Timescale	Medium-Long Term		

8. Appendix 2 – Site Selection Paper 3: Housing (SSP3) Extract

Site Selection - Housing		
Haywards Heath		
ID	508	Land at Junction of Hurstwood Lane and Colwell Lane, Haywards Heath
		
Site Details		
Units:	25	Site Area (ha): 0.85
Part 1 - Planning Constraints		
1 - AONB	N/A	The site is remote from the High Weald AONB
2 - Flood Risk	None	The site lies entirely within Flood Zone 1, the area of lowest fluvial flood risk.
3 - Ancient Woodland	None	The site is not affected by Ancient Woodland
4 - SSSI/SNCI/LNR	None	This site is not adjacent to any Sites of Special Scientific Interest or Local Wildlife Site
5 - Listed Buildings	None	There are no listed buildings within or adjacent to the site
6 - Conservation Area	None	There are no conservation areas within or adjacent to the site
7 - Archaeology	None	
8 - Landscape	Low/Medium	Development would have a significant and detrimental effect on the character of the landscape as a whole
9 - Trees/TPOs	None	Site is not affected by trees
Part 2 - Deliverability Considerations		
10 - Highways		
11 - Local Road/Access	None	Safe access to site already exists
12 - Deliverability	Reasonable prospect developability	No housebuilder in control of site. Advanced discussions with potential developers/Contractors. Pre application submission within a couple of months.
13 - Infrastructure	Infrastructure capacity	Developer Questionnaire - normal contributions apply.

Site Selection - Housing**Part 3 - Sustainability / Access to Services**

14 - Education	More than 20 Minute Walk	Note: facilities are likely to be provided at Hurst Farm
15 - Health	More than 20 Minute Walk	
16 - Services	15-20 Minute Walk	
17 - Public Transport	Poor	

Part 4 - Other Considerations

Neighbourhood Plan	Minerals
None	Minerals considerations unnecessary as site does not progress past detailed assessment stage.
Waste	Environmental Health
Water and wastewater considerations unnecessary as site does not progress past detailed assessment stage.	Environmental health considerations unnecessary as site does not progress past detailed assessment stage.
Sustainability Appraisal	Notes
Assessment indicates site is not a reasonable alternative and is therefore not tested through the SA.	

Part 5 - Conclusion

Summary	The assessment finds that the site is not suitable for allocation.
Recommendation	Site is not proposed for allocation.

2080

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 2080

Response Ref: Reg19/2080/12

Respondent: Mr A Black

Organisation: Andrew Black consulting

On Behalf Of: Vanderbilt homes - CDR

Category: Promoter

Appear at Examination? x



Mid Sussex District Council

Draft Site Allocations DPD (Regulation 19)
Consultation

Representation on behalf of Vanderbilt Homes –
Land South of 61 Crawley Down Road, Felbridge

September 2020

Project	MSDC Draft Site Allocations DPD
ABC Reference	ABC/0072/07
Local Authority	Mid Sussex District Council
Client	Vanderbilt Homes
Issue	Final
Author	Andrew Black
Date	September 2020

Disclaimer: This report has been prepared for the above named client for the purpose agreed in Andrew Black Consulting's (ABC) terms of engagement. Whilst every effort has been made to ensure the accuracy and suitability of the information contained in this report, the results and recommendations presented should not be used as the basis of design, management or implementation of decisions unless the client has first discussed with ABC their suitability for these purposes and ABC has confirmed their suitability in writing to the client. ABC does not warrant, in any way whatsoever, the use of information contained in this report by parties other than the above named client.

Contents

1. Introduction	4
2. Site and Surroundings	5
3. Built up Area Boundary Review	12
4. Housing Site Allocation Process	14
5. Sustainability Appraisal.....	18
6. Assessment of Proposed Sites.....	20
7. Conclusions	27
8. Appendix 1 – SHELAA Extract – February 2020	28

1. Introduction

- 1.1 These representations for the Draft Site Allocations DPD (Regulation 19) Consultation (Herein referred to as the ‘SADPD’) are submitted by Andrew Black Consulting on behalf of Vanderbilt Homes regarding a site within their control at Crawley Down Road in Felbridge.
- 1.2 The site under the control of Vanderbilt Homes is known as Land South of 61 Crawley Down Road, Felbridge and was previously considered in the SHELAA as Available, Achievable and Deliverable.
- 1.3 It is understood that the SADPD has been produced in accordance with the Planning and Compulsory Purchase Act 2004, and other relevant regulations.
- 1.4 The NPPF states that Development Plan Documents should be prepared in accordance with the legal and procedural requirements. To be found to be ‘sound’, plans must be:
 - a) *positively prepared*
 - b) *justified*
 - c) *effective, and*
 - d) *consistent with national policy.*
- 1.5 It is with this in mind that these representations are made.
- 1.6 The draft SADPD has been prepared using an extensive and legally compliant evidence base including a Sustainability Appraisal, Habitat Regulations Assessment, Community Involvement Plan, Equalities Impact Assessment, and various technical reports and studies. Of particular note is the Built Up Area Boundary and Policies Map Topic Paper (TP1) produced in August 2020.
- 1.7 The Site Allocations DPD proposes to allocate 22 sites to meet this residual necessary to meet the overall agreed housing requirement for the plan period as reflected in the ‘stepped trajectory’ and in accordance with the District Plan.
- 1.8 These representations set out the detail of the Site and Surroundings and a response to the detailed parts of the SADPD.

2. Site and Surroundings

- 2.1 The Site is located to the South of Crawley Down Road and is in an area that has experienced significant housing growth in recent years.



Figure 1 – SHELAA Extract

- 2.2 The site was assessed in the most recent SHELAA (Ref 676) as Suitable, Available and Achievable in the Medium to Long Term (The full extract of the SHELAA is set out in Appendix 1). Each of the constraints within the SHELAA for are taken in turn below:

Flood Risk

- 2.3 Whilst the location of the site in flood zone 2/3 is noted within the SHELAA Proforma, the extract from the Environment Agency Flood Risk Map shows this to be negligible. It is only the very southern extent of the site that is potentially within an area of flood risk. In any event, the site can clearly demonstrate the ability to provide a safe access and egress to any housing on site which can equally be located well outside of any areas prone to flooding.

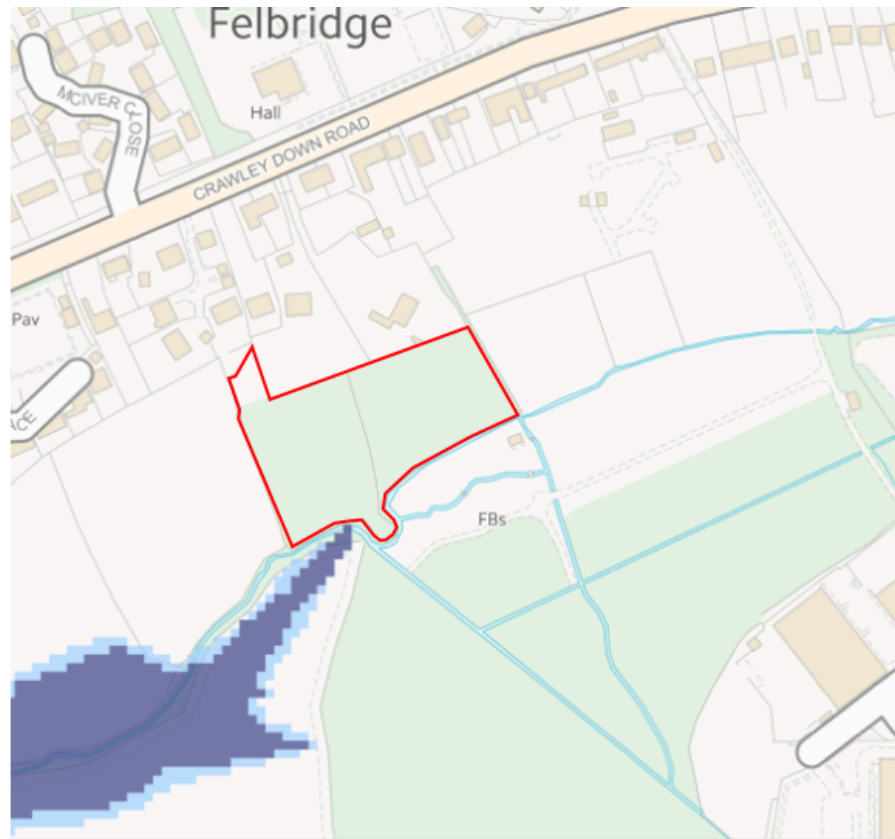


Figure 2 – Extract from Environment Agency Flood Risk Map

Ancient Woodland

- 2.4 The SHELAA report also makes reference to proximity to Ancient Woodland. The map below shows the extent of the nearby ancient woodland which is to the south of the existing site.

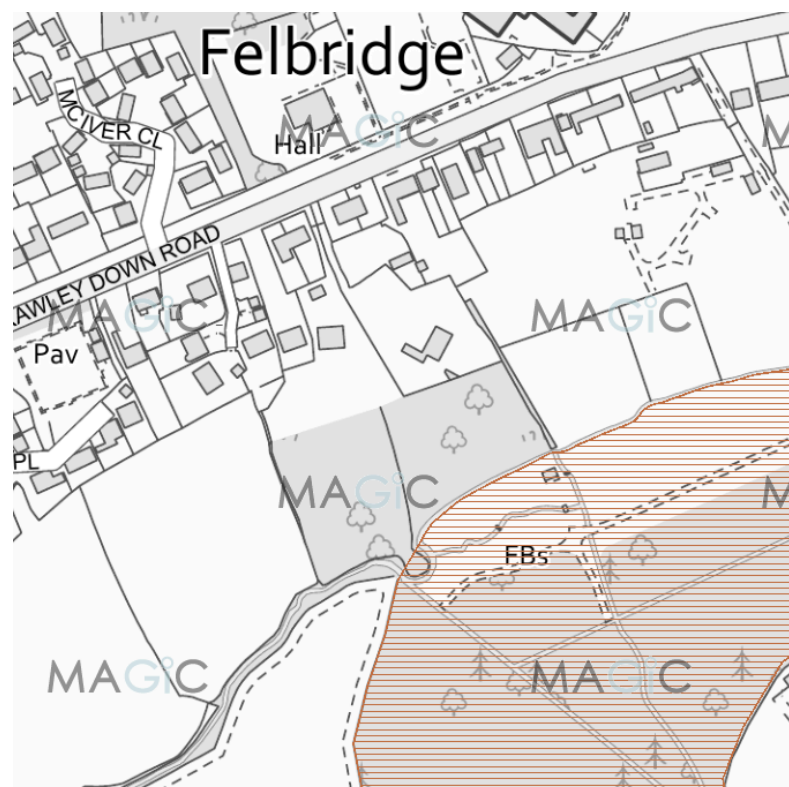


Figure 3 – Location of Ancient Woodland

- 2.5 It is evident that development could be incorporated on the site without any impact on the Ancient Woodland and that an adequate buffer could be provided between any proposed houses and the ancient woodland to the south.

Site of Special Scientific Interest

- 2.6 The site is not within, nor in proximity to, a SSSI

Area of Outstanding Natural Beauty

- 2.7 The site is not within, nor in proximity to, an AONB

Local Nature Reserve

- 2.8 The site is not within, nor in proximity to, a Local Nature Reserve

Conservation Area

- 2.9 The SHELAA specifically states that *development would not have a negative impact on Conservation area and /or Area of Townscape*

Scheduled Monument

- 2.10 There are no scheduled monuments in proximity to the site.

Listed Buildings

- 2.11 The SHELAA confirms that *development will not affect listed buildings*.

Access

- 2.12 The SHELAA sets out that *safe access to the site already exists*.
- 2.13 As set out the site directly adjoins the land to the east which has the benefit of outline planning permission for residential development. This land is also in the control of Vanderbilt Homes and it is possible that access could be provided through this land into this site as indicated below:



Figure 4 – Potential Access.

- 2.14 If the site was assessed against the criteria for Reasonable Alternatives as set out in the Sustainability Appraisal then it would perform identically to the adjoining allocated site. Furthermore it performs better against each of the criteria than the sites at ‘Land south and west of Imberhorne Upper School, Imberhorne Lane’ for 550 dwellings and ‘East Grinstead Police Station, College Lane’ for 12 dwellings. It is therefore entirely logically that this site should be allocated for development within the Site Allocations DPD.

Planning History

- 2.15 The site itself has been subject to a number of previous applications which are set out below:

App Ref	App Date	Description of Development	Decision
12/02577	Jul 2012	Residential development comprising 7 dwellings (3 detached properties and 2 pairs of semi-detached houses) with associated garaging, new road layout and landscaping.	Refused / Appeal Withdrawn
13/02528	Jul 2013	Residential development comprising 5 detached dwellings with associated garaging, new road layout and landscaping	Refused / Appeal Dismissed
16/5662	Dec 2016	Residential development comprising 4 no. detached dwellings.	Refused / Appeal Dismissed.

- 2.16 The previous applications were refused on the basis of the site being outside of the settlement boundary and therefore any development would have been considered to be in direct conflict with the adopted District Plan at the time of determination. The outcome of these applications would clearly have been different had the sites been within the Built Up Area Boundary
- 2.17 No other issues were identified which would warrant refusal of an application if the site was within the Built Up Area Boundary as proposed within the draft SADPD.

Surrounding Developments and Proposed Allocations

- 2.18 The site located directly to the east has the benefit of an outline planning permission for the *erection of 63 dwellings and new vehicular access onto Crawley Down Road required [sic] the demolition of existing buildings and structures at no's 15 and 39 Crawley Down Road (DM/17/2570)*
- 2.19 The access to the site is located within Tandridge District Council which was granted under application TA/2017/1290.



Figure 5 – Approved Parameters Plan of adjoining site – Outline Planning Application

- 2.20 Reserved matters applications have been made against both of the outline applications. The reserved matters application for the access was approved by Tandridge Council in July 2020 (TA/2020/555).
- 2.21 At the time of submission of these representations, the reserved matters application for the housing within the Mid Sussex element of the site for the housing is still under determination (DM/20/1078).
- 2.22 It is therefore highly likely that the development of the land directly adjoining the site subject to these representations will come forward in the immediate short term.



Figure 6 – Reserved Matters Plan for adjoining site.

- 2.23 The site (yellow) is therefore directly between the allocated site SA19 for 196 dwellings to the east (pink) and the site subject to approval for 63 dwellings (blue).

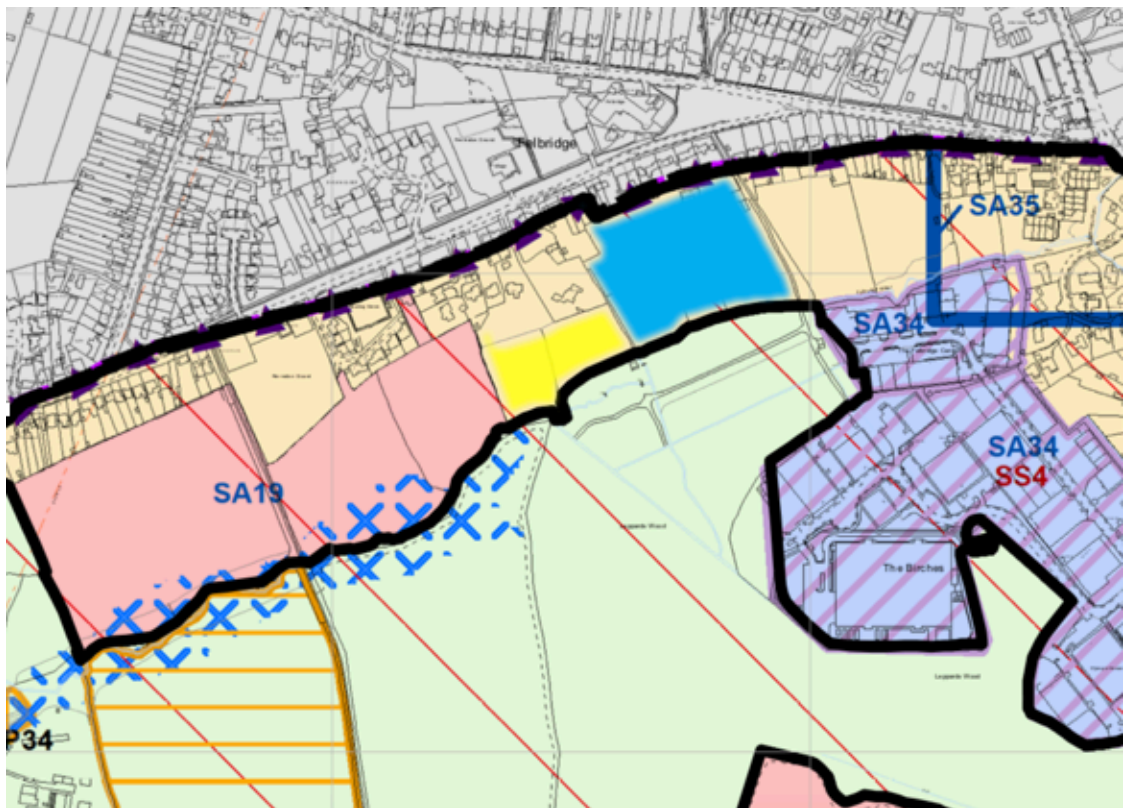


Figure 7 – Map of proposed allocation SA19, BUAB, Consented Land and Proposed Site

- 2.24 Overall, it is considered that the immediate context of this site makes it highly appropriate for allocations within the SADPD.

3. Built up Area Boundary Review

- 3.1 In addition to the allocation of sites for development the SADPD seeks to make changes to the existing Built Up Area Boundary (BUAB) as established under the District Plan Process. The Built Up Area Boundary and Policies Map Topic Paper (TP1) produced in August 2020 forms a vital part of the evidence base for the SADPD.
- 3.2 Paragraph 2.4 of TP1 sets out that the purpose of the review as part of the SADPD is to:
- *Assess areas that have been built since the last review, which logically could be included within the BUA.*
 - *Assess areas that have planning permission which have not yet commenced/completed, which logically could be included within the BUA.*
- 3.3 TP1 goes on to set out the criteria for consideration of changes to the boundary.
- 3.4 Within the adopted District Plan proposals map, the site is outside of the Built Up Area Boundary as illustrated in the extract below:



Figure 8 – Existing District Plan Proposals Map

- 3.5 Within the draft SADPD, it is proposed that the site, and all adjoining land will be now set within the BUAB as highlighted below.

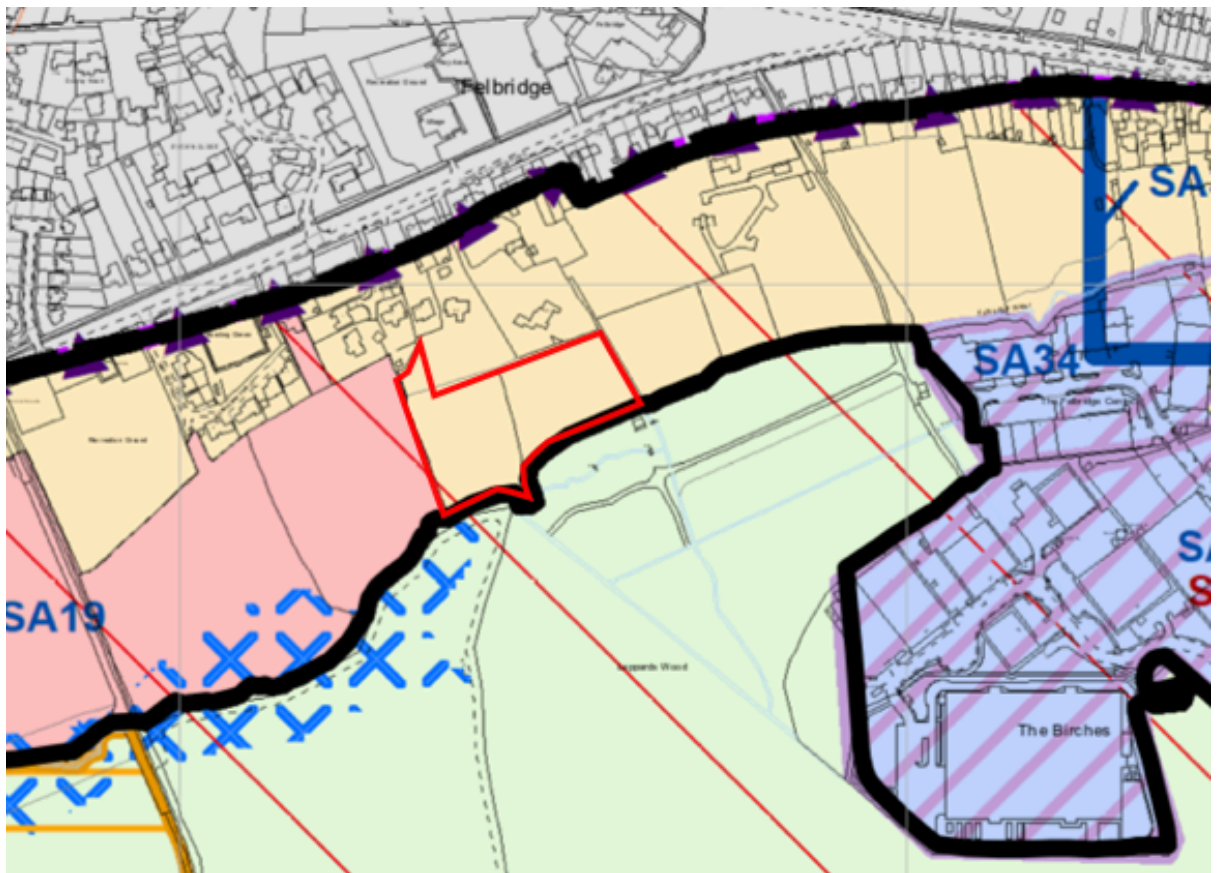


Figure 9 – Proposed BUAB

- 3.6 The principle of including this site within the BUAB is logical and supported. However, for reasons as set out in subsequent sections of these representations, it is considered that it would be appropriate for the site to be allocated for development.

4. Housing Site Allocation Process

- 4.1 The District Plan 2014-2031 sets out the housing requirement for the district for the plan period of 16,390 dwellings. This meets the Objectively Assessed Need (OAN) for the district of 14,892 dwellings in full and makes provision for the agreed quantum of unmet housing need for the Northern West Sussex Housing Market Area, to be addressed within Mid Sussex, of 1,498 dwellings.
- 4.2 The District Plan 2014-2031 established a ‘stepped’ trajectory for housing delivery with an average of 876 dwellings per annum (dpa) between 2014/15 and 2023/24 and thereafter an average of 1,090 dpa between 2024/25 and 2030/31. This represents a significant increase in housing supply compared with historical rates within the district.
- 4.3 The latest data on completions from MSDC was published in *MSDC Housing Land Supply Position Statement* was published in August 2020 (Document H1) and shows a significant shortfall in delivery against the housing requirement since the start of the plan:

Category		Number of Dwellings
Housing Requirement for the full plan period (April 2014 to March 2031)		16,390
Housing Completions (April 2014 to March 2020)		4,917
Completions 2014/15		630
Completions 2015/16		868
Completions 2016/17		912
Completions 2017/18		843
Completions 2018/19		661
Completions 2019/20		1003
Housing Supply (April 2014 to March 2031)	Commitments (including District Plan Allocations)	9,689
	Site Allocations DPD - Allocations	1,764
	Windfalls	504
Total Supply (at 1 April 2019)		16,874

Figure 10 – Extract from MSDC Housing Land Supply Position Statement

- 4.4 The Housing Delivery Test was introduced in the July 2018 update to the NPPF. The Housing Delivery Test is an annual measurement of housing delivery for each local authority and the first results were published in February 2019 by the Ministry of Housing, Communities and Local Government (MHCLG). Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority’s housing requirement over the previous 3 years then it is required to prepare an action plan. Where delivery has fallen below 85% of the housing requirement a 20% buffer should be added to the five year supply of deliverable sites.
- 4.5 The result for Mid Sussex produced in February 2020 was 95%. This result is based on monitoring years 2016-17, 2017-18 and 2018-19. Mid Sussex is therefore not required to add 20% buffer for significant under delivery, or prepare an Action Plan. However, it is clear that under current performance the council will struggle when the housing target steps up to 1,090 in 2024.
- 4.6 Para 4.10 of the previous MSDC Housing Land Supply Position Statement (2019) sets out the five year supply requirement for the district as follows:

Annual Requirement As set out in District Plan	876 x 5 years =	4,380
Shortfall spread over remaining plan period	466 divided by 12 remaining years x 5 years	194
Total		4,574
Buffer (see paras 2.4,4.9 above)	10%	457
Total five year supply requirement		5,032

Figure 11 – Total Five Year Housing Requirement taken from MSDC Housing Land Supply Position Statement

- 4.7 MSDC is seeking to confirm the five year housing land supply under the terms of paragraph 74 of the NPPF through submission of the annual position statement to the secretary of state. Paragraph 74 of the framework states:

A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which:

- a) has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State; and*
- b) incorporates the recommendation of the Secretary of State, where the position on specific sites could not be agreed during the engagement process.*

- 4.8 The report on the Annual Position Statement was issued by the Planning Inspectorate on 13 January 2020. It was confirmed that as the council did not have a recently adopted plan in conformity with the definition of the NPPF then the correct process had not been followed and the inspector was unable to confirm that the council had a five year housing land supply.
- 4.9 It is therefore clear that the council does not currently have a five year housing land supply and the demonstration of sufficiently deliverable sites within the SADPD is of critical importance for MSDC.

Deliverability of Sites

- 4.10 Any sites that have been included in the final Sites DPD will need to pass the tests of deliverability as set out in the NPPF. This is defined within the glossary of the framework as follows:

Deliverable: *To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.*

- 4.11 The Planning Practice Guidance provides a further explanation on how the deliverability of sites should be considered:

A site can be considered available for development, when, on the best information available (confirmed by the call for sites and information from land owners and legal searches where appropriate), there is confidence that there are no legal or ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available.

The existence of planning permission can be a good indication of the availability of sites. Sites meeting the definition of deliverable should be considered available unless evidence indicates otherwise. Sites without permission can be considered available within the first five years, further guidance to this is contained in the 5 year housing land supply guidance. Consideration can also be given to the delivery record of the developers or landowners putting forward sites, and whether the planning background of a site shows a history of unimplemented permissions.

Paragraph: 019 Reference ID: 3-019-20190722

Revision date: 22 07 2019

- 4.12 It is with this in mind that the proposed sites within the Sites DPD are scrutinised within subsequent sections of this document. It is considered that many of the proposed sites do not fully accord with the definition of delivery and consideration of alternative sites is required.

Area of Outstanding Natural Beauty

- 4.13 A significant number of the proposed sites are located within, or close to, the High Weald AONB. Paragraph 172 sets out the significant protection which should be afforded to the AONB in planning terms and states that:

Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife

and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

4.14 It is part b of paragraph 172 that is of particular importance in this instance. It is not considered that MSDC has considered sites outside of the AONB should be used to meet the identified residual housing requirement. It would appear that sites have been selected because of their conformity to the spatial strategy and hierarchy without the proper application of the ‘great weight’ required to protect the AONB.

4.15 The approach of allocating sites within the AONB as opposed to ‘outside the designated area’ should have been tested through a robust analysis of reasonable alternatives within the Sustainability Appraisal. The failure to do this adequately is a matter of soundness and it is considered that the Sites DPD fails the tests within the NPPF on this basis alone.

Historic Environment

4.16 Several of the allocations within the DPD are in close proximity to heritage assets. Paragraph 193 of the framework sets out the approach to heritage assets as follows:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

4.17 In many instances the council themselves suggest that the development of housing on the sites is likely to have ‘less than significant harm’ on the heritage assets in question. Paragraph 196 of the framework sets out the approach which should be taken in this instance:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable

4.18 It is not considered that the harm caused to heritage assets has been adequately assessed within the Sustainability Appraisal for many of the proposed sites and further consideration is required of the sites in this regard. This would include assessing sites which would not have an impact on heritage assets through a robust application of reasonable alternatives within the Sustainability Appraisal.

5. Sustainability Appraisal

- 5.1 The SADPD is accompanied by a Sustainability Appraisal (SA) report which is a legal requirement derived from the Planning and Compulsory Purchase Act 2004 (Section 19). Section 39 of the Act requires documents such as the SADPD to be prepared with a view to contributing to the achievement of sustainable development.
- 5.2 The requirement for Strategic Environmental Assessment, in addition to the SA, is set out in the European Directive 2001/42/EC adopted into UK law as the “Environmental Assessment of Plans or Programmes Regulations 2004”.
- 5.3 In line with best practice the SEA has been incorporated into the SA of the SADPD.
- 5.4 The planning practice guidance sets out detailed consideration as to how any sustainability should assess alternatives and identify likely significant effects:

The sustainability appraisal needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic and social characteristics of the area and the likely situation if the plan were not to be adopted. In doing so it is important to:

- *outline the reasons the alternatives were selected, and identify, describe and evaluate their likely significant effects on environmental, economic and social factors using the evidence base (employing the same level of detail for each alternative option). Criteria for determining the likely significance of effects on the environment are set out in [schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004](#);*
- *as part of this, identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them;*
- *provide conclusions on the reasons the rejected options are not being taken forward and the reasons for selecting the preferred approach in light of the alternatives.*

Any assumptions used in assessing the significance of the effects of the plan will need to be documented. Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in the plan. They need to be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made.

The development and appraisal of proposals in plans needs to be an iterative process, with the proposals being revised to take account of the appraisal findings.

Paragraph: 018 Reference ID: 11-018-20140306

Revision date: 06 03 2014

- 5.5 In response to this guidance and requirement, paragraph 6.16 of the Sustainability Appraisal states that:

The Site Selection Paper 2 (paras 6.2 - 6.3) also recognises that, in order to meet the District Plan strategy, conclusions will be compared on a settlement-by-settlement basis with the most suitable sites at each settlement chosen in order to meet the residual needs of that settlement. This may result in some sites being chosen for allocation which have higher negative impact across all the objectives because this will be on the basis that the aim is to distribute allocations according to the District Plan strategy in the first instance; as opposed to simply selecting only

the most sustainable sites in the district (as this may not accord with the spatial strategy and would lead to an unequal distribution of sites across settlements). 20 sites that perform well individually and on a settlement basis, the residual housing need of 1,507 would be met with a small over-supply of 112 units.

- 5.6 Paragraph 6.45 recognises that this small over-supply *may not be a sufficient buffer should sites fall out of the allocations process between now and adoption (for example, due to delivery issues, reduction in yield, or any other reasons identified during consultation or the evidence base).*

- 5.7 The SA therefore considers reasonable alternatives of option A, B and C as follows:

Option A – 20 ‘Constant Sites’ – 1,619 dwellings

Option B – 20 ‘Constant Sites’ + Folders Lane, Burgess Hill (x3 sites) – 1,962 dwellings.

Option C – 20 ‘Constant Sites’ + Haywards Heath Golf Court – 2,249 dwellings

- 5.8 Paragraph 6.52 of the SA concludes that:

Following the assessment of all reasonable alternative options for site selection, the preferred option is option B. Although option A would meet residual housing need, option B proposes a sufficient buffer to allow for non-delivery, therefore provides more certainty that the housing need could be met. Whilst option C also proposes a sufficient buffer, it is at the expense of negative impacts arising on environmental objectives. The level of development within option C is approximately 50% above the residual housing need, the positives of delivering an excess of this amount within the Site Allocations DPD is outweighed by the negative environmental impacts associated with it.

- 5.9 It is not considered that this assessment of Option A, B and C is a sufficient enough assessment of reasonable alternatives as required by guidance and legislation. All of the options contain the ‘20 Constant Sites’ with no derivation of alternative options such as those which seek to divert housing growth away from the AONB or designated heritage assets.

- 5.10 It is apparent that other sites other than the 20 Constant Sites will need to be assessed if the council is to adequately demonstrate that reasonable alternatives have been considered as required.

6. Assessment of Proposed Sites.

- 6.1 This section analyses each of the proposed allocations against the tests of deliverability as set out in the NPPF and the potential shortcomings of several of the sites which require significant consideration. The findings of *Appendix B: Housing Site Proformas* of the *Site Selection Paper 3* (Appendix B) and the conclusions of the Sustainability Appraisal (SA) are considered in detail.

SA 12 Land South of 96 Folders Lane, Burgess Hill

- 6.2 Appendix B of the reg 18 SADPD set out that this site has *moderate landscape sensitivity and moderate landscape value. This site could be visible from the South Downs National Park*. The SA states that an LVIA is required to determine any impact on the national park. Given the weight that the NPPF requires to be placed on the protection of the national park, any impact must be measured prior to allocation. If it is deemed that mitigation would not minimise the harm caused, then the proposed allocation must fall away.
- 6.3 Appendix B of the reg 18 SADPD also set out that a TPO area lines the norther border and potential access route. It should be noted that an application was submitted in 2019 for the *erection of 43 dwellings and associated works* (DM/19/0276) but was withdrawn in September 2019 due to concerns over highways. The deliverability of this site is therefore not considered to be in accordance with the guidance set out in the framework.
- 6.4 Finally, whilst the priority for sites higher in the settlement hierarchy is acknowledged, this is site is very remote from the services offered by Burgess Hill. This is highlighted within the sustainability appraisal for the site which states that it is more than a 20 minute walk from the site to schools, GP and shops.

SA 13 Land East of Keymer Road and South of Folders Lane, Burgess Hill.

- 6.5 As with SA12, this site is in close proximity to the national park and the conclusions as set out above apply equally to this site.
- 6.6 The SA sets out that this is the only site within Burgess Hill to have any impact on listed buildings where it is stated that development of this site would cause *less than substantial harm (medium) on High Chimneys (Grade II listed)*. This is not mentioned within appendix B and this therefore calls into question the consistency of assessment of the sites in this regard.
- 6.7 Given that site SA12 and SA13 are in close proximity to one another it is notable that the cumulative impact of the development of both of these sites has not been assessed for a number of ‘in-combination’ impacts such as highways and landscape impact.

SA 14 Land to the south of Selby Close, Hammonds Ridge, Burgess Hill

- 6.8 There is a TPO at the front of this site which is potentially why access is proposed through the CALA Homes site (DM/17/0205). No evidence is submitted to suggest that this form of access is agreed or available. The section relating to Highways and Access within the SADPD simply states that this access *will need to be investigated further*.
- 6.9 The SA and appendix B both point towards the Southern Water Infrastructure which crosses the site. The wording in the DPD recommends that the layout of the development is considered to *ensure future access for maintenance and/or improvement work, unless diversion of the sewer is possible*. Given that the site is only 0.16ha it is therefore questionable whether there would be adequate space to develop the site for housing and provide accommodation for the sewage infrastructure crossing the site. The deliverability of this site has therefore not been adequately demonstrated.

- 6.10 As with SA12 and SA13 there are questions of the sustainability of the site given that the SA notes that it is more than a 20 minute walk to the school and GP.

SA 15 Land South of Southway, Burgess Hill

- 6.11 The SADPD describes the site as *overgrown and inaccessible land designated as a Local Green Space in the Burgess Hill Neighbourhood Plan*. It is unclear whether this site was ever previously in use as playing pitches and whether re-provision of this space would be required under Sport England policies.
- 6.12 Appendix B of the reg 18 SADPD points towards issues with relocation of existing parking on the site and states that:

Private parking areas would need to be removed to provide a suitable access point with sufficient visibility. The parking spaces are visitor spaces over which the owners/developers of the subject land have rights to access it to serve new development onto Linnet Lane. Accordingly, a new access into the site can be provided any new development would include two visitor spaces as close as reasonably possible to the existing visitor spaces.

- 6.13 It is clear that there are substantial issues with deliverability and availability of this site given these constraints and the site should be deleted as a proposed allocation until this can be adequately demonstrated.

SA 16 St. Wilfrids Catholic Primary School, School Close, Burgess Hill

- 6.14 The SADPD sets out that the satisfactory relocation of St Wilfrid's Primary School to St Paul's Catholic College site is required before development can commence on the school part of the site. There is also a requirement to re-provide the emergency services accommodation in a new emergency service centre either on this site or elsewhere in the town.
- 6.15 Given that the allocation is for 300 dwellings and requires this relocation first, it is considered that there is insufficient evidence to justify delivery of development of this site in the 6-10 year time period as set out.

SA 17 Woodfield House, Isaacs Lane, Burgess Hill

- 6.16 The SADPD sets out some significant landscape features on site which require retention and it is stated that:

There is a group Tree Preservation Order in the southern and western areas of the site. High quality substantial new planting of native trees is required, should these be lost to provide access from Isaac's Lane. All other TPO trees on the site are to be retained.

Retain and enhance important landscape features, mature trees, hedgerows and the pond at the south of the site and incorporate these into the landscape structure and Green Infrastructure proposals for the development. Open space is to be provided as an integral part of this landscape structure and should be prominent and accessible within the scheme.

- 6.17 Given that the site is only 1.4 hectares in size it is questionable whether there is adequate space on the site for 30 dwellings after retention of these landscape features.
- 6.18 It is clear from the Sites DPD that access to site is envisaged to be from the Northern Arc where it is stated that:

Integrated access with the Northern Arc Development is strongly preferred, the details of which will need to be investigated further.

- 6.19 This is also set out in appendix B of the reg 18 SADPD where it is stated that:

Entrance drive to house. Access on bend with limited visibility. 50 mph road. Would involve removal of trees that are subject to TPO. Objection for tree officer. However, future access is anticipated to be provided via the Northern Arc. Whilst the specific details of this remain uncertain on the basis that the enabling development is still at an early stage, it is considered that the identified constraints will no longer apply.

- 6.20 Given the uncertainty of the deliverability of the land immediately adjoining the site as part of the Northern Arc it is considered that the deliverability of this site is not clear enough to justify allocation within the sites DPD. The uncertainty of this deliverability also has an implication of the sustainability of the site and proximity to adequate services. This is highlighted within the SA where it is stated that:

The impact of option (h) on these objectives (Health/Retail/Education) is uncertain; currently the site is a long distance from local services, however, this will change once the Northern Arc is built out.

- 6.21 Overall it is not considered that this site is suitable for allocation and should be removed from the Sites DPD

SA 18 East Grinstead Police Station, College Lane, East Grinstead

- 6.22 We have no comments to make in relation to this allocation.

SA 19 Land south of Crawley Down Road, Felbridge

- 6.23 As set out, this allocation is directly to the west of the land under the control of Vanderbilt Homes which is also adjoined to the east by land with the benefit of planning permission for 63 dwellings.

- 6.24 Given that the entire area will be included within the revised Built Up Area Boundary, then it is considered logical that the adjoining sites are also identified for allocation within the SADPD.

SA 20 Land south and west of Imberhorne Upper School, Imberhorne Lane, East Grinstead

- 6.25 There is a requirement in the SADPD for this site to provide a detailed phasing plan with agreement from key stakeholders to secure:

- Land for early years and primary school (2FE) provision – 2.2 ha
- A land exchange agreement between WSCC and the developer to secure 6 ha (gross) land to create new playing field facilities in association with Imberhorne Secondary School (c.4 ha net - excluding land for provision of a new vehicular access onto Imberhorne Lane).

- 6.26 It is unclear when these requirements are to be provided by within the development of any site and whether it is considered that the site would be suitable for allocation should these uses not come forward.

- 6.27 There are clear concerns over the suitability of this site in terms of ecology as set out in appendix B of the reg 18 SADPD which states:

Natural England have concerns over the high density of housing south of Felbridge. Hedgecourt SSSI is accessible from the proposed site allocations via a network of Public Rights of Way. In

line with paragraph 175 of the NPPF, Mid Sussex District Council should determine if allocations are likely to have an adverse effect (either individually or in combination) on SSSI's. The NPPF states that "if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused." We would be happy to provide further advice if requested, although this may need to be on a cost recovery basis. The LWS adjacent to the site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. We are unable to advise you on specific impacts as we have no details of the scale or type of proposed development consider further impacts of disturbance of the LWS and Ancient woodland arising from people and domestic pets, connectivity, light and noise pollution, appropriate buffer and cumulative impact. This site is adjacent to the Worth Way. The SHELAA should be redrawn to remove the section of LWS. The site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. Further consideration be given to impacts of disturbance on LWS and Ancient Woodland from people and pets, impacts on connectivity, impacts of light and noise pollution, need for Ancient Woodland buffer. Cumulative impact with SHELAA 686 and 561.

- 6.28 It is clear that the impacts upon ecology and the SSSI have not been adequately addressed.
- 6.29 As with other sites there is potential for impact upon local heritage assets of Gullege Farm, Imberhorne Farm and Imberhorne Cottages as set out below. The harm in terms of less than strategic harm is inappropriately weighted in the assessment as a means for justification of allocation.

APPENDIX B : Gullege Farm, Imberhorne Lane

This isolated farmstead has historically had a rural setting and continues to do so today. The introduction of a substantial housing development to the north, east and south of the listed manor house would have a fundamental impact on the character of that setting and would detract from the way in which the special interest of this Grade II listed rural manor house and the of the historic farmstead is appreciated.

NPPF: LSH, high

Imberhorne Farm and Imberhorne Cottages

In its original incarnation Imberhorne Cottages was probably constructed as a dwelling providing accommodation between London and Lewes, on Lewes Priory lands. It may have acted as the manor house to the substantial manor of Imberhorne, which was owned by the Priory. It seems likely that the building became farm cottages when the new farmhouse (Imberhorne) was constructed in the early 19th century. The currently rural setting of both buildings within the Imberhorne farmstead informs an understanding of their past function and therefore contributes positively to their special interest.

The proposed development site would engulf the farmstead to the west, north and east and would have a fundamental impact on the character of the greater part of its existing of rural setting and on views from both listed buildings. It would adversely affect the manner in which the special interest of the two listed buildings within their rural setting is appreciated, including by those passing along the PROW to the north of the farmstead.

NPPF: LSH, high

- 6.30 The potential harm to heritage is also referred to in the SA which states that:

option (e) which is not constrained by a conservation area, but would have a less than substantial harm (high) on Gullege Farm (Grade II listed) and Imberhorne Farm and Imberhorne Cottages (Grade II listed). As this is a large site, there is potential to still achieve the yield whilst providing necessary mitigation to lower the impact on these heritage assets.*

- 6.31 Notwithstanding the significant constraints to delivery from this site it is notable that the delivery of 550 in 6-10 years as set out in the SADPD is particularly optimistic and would need to be revised in order to be realistic on the constraints to delivery including the requirement for provision of education on the site.

SA 21 Rogers Farm, Fox Hill, Haywards Heath

- 6.32 This site is also significantly constrained by the presence of heritage assets. This is referenced in the SA which states that:

Site option (b) is constrained in terms of impact upon a listed building; it would have a less than substantial harm (medium) on Cleavewater (Grade II listed) and The Old Cottage (Grade II listed).

- 6.33 Appendix B also references these heritage assets together with an assessment of the likely impact as follows:

*Cleavewaters, Fox Hill there would be a fundamental impact not only on views from the building and associated farmstead but on the context and manner in which the farmhouse and farmstead are appreciated by those travelling along the road which runs between the farmstead and the site. **NPPF: LSH, MID***

*Olde Cottage, there would be some potential impact on views from the Cottage and its garden setting. The belt of woodland between the asset and the site is relatively narrow and development on the site is likely to be visible, particularly in winter. There would also be an impact on the setting in which the Cottage is appreciated by those approaching along the access drive from Ditchling Road. **NPPF: LSH, MID***

- 6.34 The impact on heritage assets and character of the area has been assessed in an appeal decision on the site (APP/D3830/W/17/3187318) issued in January 2019 following an application for up to 37 dwellings on the site (DM/16/3998).

15 The combination of the buffer and local topography would mean that any development would be clearly visible on the approach down Lunce's Hill and perceived as a separate and distinct residential development. I am not persuaded that it would be seen within the context of an urban fringe setting as the appellant suggests. On the contrary it would be a harmful encroachment into the countryside and the rural character of the approach into the settlement would be irrevocably changed and harmed through the loss of this open land.

16 Overall, the proposal would result in an unacceptable suburbanisation of the appeal site that would fundamentally change the character and appearance of the rural setting of the settlement. The effects would also be exacerbated somewhat by the loss of part of the existing mature hedgerow for the access. Proposed mitigation, in the form of additional landscaping would restrict the visibility of the proposal from a number of viewpoints. However, it would take a substantial amount of time to mature and be dependent on a number of factors to be successful. Moreover, I am not persuaded that it would fully mitigate the visual impacts.

17 For these reasons, the proposal would not be a suitable site for housing in terms of location and would cause significant harm to the character and appearance of the area. It would therefore conflict with Policy C1 of the LP and Policies E5 and E9 of the HHNP. In addition to the requirements set out above, these policies also require new development to be permitted where it would protect, reinforce and not unduly erode the landscape character of the area. There would also be some conflict with Policies DP10 and DP24 which, seek to protect the countryside in recognition of its intrinsic character and beauty and promote well located and designed development.

- 6.35 Overall it is not considered that the site represents a logical, justified or deliverable site and should not be considered for allocation within the Sites DPD.

SA 22 Land north of Burleigh Lane, Crawley Down

- 6.36 No comments.

SA 23 Land at Hanlye Lane to the east of Ardingly Road, Cuckfield

- 6.37 The site is within close proximity to the High Weald AONB. Previous comments made in relation to the requirements of the NPPF in relation to AONB for other allocations apply equally to this site.

SA 24 Land to the north of Shepherds Walk, Hassocks

- 6.38 The access for this site is through an adjacent parcel of land which has a ransom strip over this land. The deliverability of this site is therefore in doubt unless a right of access can be confirmed by the site owners.

SA 25 Land west of Selsfield Road, Ardingly

- 6.39 This site is located within the AONB and comments made in this regard to other proposed allocations apply to this site. The SA references this impact as follows:

There is a 'Very Negative' impact against objective (9) due to its location within the High Weald AONB, however the AONB unit have concluded that there is Moderate Impact as opposed to High Impact

- 6.40 The conclusions of the AONB unit have not been provided as part of the evidence base and requires further scrutiny in order to assess the impact of development of this site in this regard.

SA 26 Land south of Hammerwood Road, Ashurst Wood

- 6.41 The site is within the AONB and it is considered it is inappropriate to allocate this site for development without thorough appraisal of reasonable alternatives as previously set out.

SA 27 Land at St. Martin Close, Handcross

- 6.42 No comments.

SA28 Land South of The Old Police House, Birchgrove Road, Horsted Keynes

- 6.43 No comments.

SA 29 Land south of St. Stephens Church, Hamsland, Horsted Keynes

- 6.44 The site is within the AONB and it is considered it is inappropriate to allocate this site for development without thorough appraisal of reasonable alternatives as previously set out.

SA 30 Land to the north Lydon, Reeds Lane, Sayers Common

- 6.45 The sustainability of this site has been considered in the SA which sets out that the site is more than 20 minutes away from services such as GP and the School. It is therefore not considered that the development of this site would be justified in sustainability terms.
- 6.46 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 31 Land to the rear Firlands, Church Road, Scaynes Hill

- 6.47 The site is located within the Building Stone (Cuckfield) Mineral safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 32 Withypitts Farm, Selsfield Road, Turners Hill

- 6.48 The site is within the AONB and it is considered it is inappropriate to allocate this site for development without thorough appraisal of reasonable alternatives as previously set out.
- 6.49 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

SA 33 Ansty Cross Garage, Cuckfield Road, Ansty


- 6.50 This site is not considered to be a sustainable location. A total of four separate sites were considered within Ansty with this being the only one accepted. The only difference between this and the other sites was that this scored slightly higher in the SA due to it being PDL. Whilst this is correct it is not considered that the PDL nature of this site makes it appropriate for allocation within the Sites DPD.

7. Conclusions

- 7.1 Overall, the principle of extending the Built Up Area Boundary to the south of Crawley Down Road to include the site within the control of Vanderbilt Homes is logical and supported.
- 7.2 The site has been identified within the SHELAA as being Suitable, Available and Achievable. However, given that the site is adjoined on one side by an allocated site and on another side by a site with the benefit of planning permission, it is considered that it would be entirely appropriate for the site to be allocated for development.
- 7.3 Detailed consideration of the sites identified for allocation within the SADPD show that there are some significant technical constraints and policy issues with many of the sites. These are matters which have been previously raised as part of regulation 18 representations and the council has done nothing to address these matters.
- 7.4 The analysis of the proposed allocations demonstrates there are some significant failings in the deliverability of the sites which requires reconsideration of the appropriateness of these allocations and selection of alternative sites.
- 7.5 The selection of sites with significant heritage constraints and also location within the AONB is not considered to be a sound approach. The assessment of reasonable alternatives is significantly lacking and requires further retesting which would logically include this site. As a result, it is not considered that the SADPD is positively prepared or justified and therefore fails the test as set out in the NPPF as a result.
- 7.6 It is clear that the adoption of the SADPD is of significance importance to Mid Sussex in demonstrating a robust and deliverable five year housing land supply. It is therefore suggested that consideration is given to the allocation of the site as set out within these representations which can deliver much needed housing in the early part of the plan period.

8. Appendix 1 – SHELAA Extract – February 2020

Stage 1 Site Pro-Forma – All Sites

SHELAA Ref	676		Parish	East Grinstead
Site Location	Land south of 61 Crawley Down Road, Felbridge			
				
Site uses	Dwellings			
Gross Site Area (ha)	1.6			
Potential Yield	6			
Site History	Planning Application - Refused			
Absolute Constraint	Flood Zone 2 or 3	✓		
	Site of Special Scientific Interest	✗		
Other Constraints	Ancient Woodland	✓		
	Area of Outstanding Natural Beauty	✗		
	Local Nature Reserve	✗		
	Conservation Area	Development would not have a negative impact on Conservation area and/or Area of Townscape Character		
	Scheduled Monument	✗		
	Listed Buildings	Development will not affect listed building/s		
	Access	Safe access to site already exists		
Suitable	Relatively unconstrained - assessed as Suitable at Stage 1, progress to Stage 2 assessment			
Availability	Recent relevant planning history shows the site is considered available			
Achievability	There is a reasonable prospect that site could be developed within the Plan period			
Timescale	Medium-Long Term			

2165

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 2165

Response Ref: Reg19/2165/2

Respondent: Mrs & Mr J & J Hayler

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
28th September 2020

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

Re: Consultations on Proposals SA20, SA19, SA18 & SA22 – East Grinstead, Felbridge and Crawley Down

Dear Sirs

We wish to register our objection to the above proposals - for the building of 500 houses on Imberhorne Farm, 200 houses in Felbridge, development of housing at East Court at the former East Grinstead police station and 50 houses on farmland on the southern edge of Crawley Down - for the following reasons:

There has been a failure to consult the local community. Most local residents have only been made aware of this consultation following local posters attached to trees adjacent to the areas concerned, on the local footpaths and bridleways.

Development of housing of this magnitude within the locality to East Grinstead will have a major impact on the local infrastructure, roads, schools and health provision. It is already challenging to get registered with a GP in East Grinstead as their list are regularly closed due to capacity. The A22 and A264 are roads with major congestion due to the amount of local and through traffic. We believe this proposal is contrary to the neighbourhood plan.

As a frequent user of the Worth Way and connecting bridleways and footpaths between East Grinstead, Felbridge and Crawley Down, we know these areas well. These proposals will have an unacceptable impact on the area. Since the lockdown in March the usage of these areas by local walkers, runners, cyclists and horse riders has increased substantially. We need areas of open land between East Grinstead and the nearby villages more than there is a demand for housing. The area has diverse flora and fauna which will be directly impacted and this area is very close to the 7km zone of influence of Ashdown Forest.

Please consider this letter as an objection to this consultation and we call on the council to reject the proposals.

Yours sincerely

Judy F Hayler

John D Hayler

2361

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 2361

Response Ref: Reg19/2361/1

Respondent: J Drew

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x

[REDACTED]

From: Rev Jo Drew [REDACTED]
Sent: 28 September 2020 11:29
To: planningpolicy
Subject: DPD section 19 - Draft site allocations - SA20 land south and west of Imberhorne upper school (Imberhorne Farm and School Field)

Categories: [REDACTED]

Dear Sir/Madam

I wish to state my objections to the propped development on Imberhorne Farm and School field site.

This area is of environmental and natural conservation importance. It is historic farming land and hosts a wealth of wildlife and fauna.

As i understand it there is not the NEED for the proposed 550 houses which will put pressure on the already over stretched roads and utilities. I therefore kindly ask that you drop the proposed development. Our world needs to maintain its greenspace and clean air for the sake of generations to come.

Thank you so much for considering my request which I am aware supports many others fears and concerns.

Yours faithfully,

Jo Drew

Sent from Samsung Mobile on O2

2401

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 2401

Response Ref: Reg19/2401/1

Respondent: Mrs G Jordan

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? ✓

Name	Gillian Jordan
Address	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Which document are you commenting on?	Site Allocations DPD
Sites DPD Policy Number (e.g. SA1 - SA38)	SA19
Do you consider the Site Allocations DPD is in accordance with legal and procedural requirements; including the duty to cooperate	No
(1) Positively prepared	Unsound
(2) Justified	Unsound
(3) Effective	Unsound
(4) Consistent with national policy	Unsound

Please outline why you either support or object (on legal or soundness grounds) to the Site Allocations DPD

MSDC has failed to consult fully, widely and publicly with the communities that are directly and indirectly affected by the proposed 200 houses south of Crawley Down Road, Felbridge Surrey and West Sussex. The impacted road, Crawley Down Road has the county boundary running across and down it such that it sits in two counties.

Publicity that it had undertaken was inadequate for the following reasons;

Limited public communication, some of which involved passive optional third party methods, the onward communication of which was not assured or monitored.

No direct personal communications to impacted residents, lack of insertion into the Council's own relevant newsletter 'MidSussex Matters' and misleading information regarding dates of plans (i.e.2021).

No local explanatory exhibition in an easy to access public space like the village primary school or village hall.

Allocation of site SA19 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- Sites SA19 is in conflict with Neighbourhood and District Plan policies
- Proposed site allocations at Felbridge is 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

It also seems that the rationale for the housing development proposal is to meet a shortfall in Crawley housing - it is totally unclear why this village location is allocated for Crawley overspill housing when there are many closer areas to Crawley than one has to East Grinstead.

The plan for SA19 is not legally compliant due to the failure to properly consult, communicate and consider the protected nature of land which is suggested can be used to make safe access and egress. The playing field, bowling green and the strip of land to the northern edge of Crawley Down Road containing the Evelyn Chestnuts, the village green land where Crawley Down Road joins Copthorne Road ('the fork') are all subject to protections which can and should not be overturned - they collectively make Felbridge the village it is. A village which is mostly in Tandridge a Surrey Council district.

The local village school roadside parking and pick up vehicles and traffic along the Crawley Down and Copthorne Road heading into or through the village, already make this area congested with lengthy delays throughout the day - particularly at school times and peak commuter times. Increased traffic, school children, commuter traffic will render this difficult and intolerable for village residents.

The current plan intends to wantonly disrupt a long established bridle path Gullege lane which has and is used frequently by pedestrians, cyclists dogs and horses.

I also refer you to the very well thought out response from Felbridge Parish council - attached to this response - with which I very much agree.

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

Legal access and egress to Crawley Down Road SA19 consider legal access (not just some desire without properly understanding land ownership/restrictions that are in place in perpetuity). I do not have sufficient knowledge of all the land to know what might be possible - but it is clear that what is planned is not legally possible.

The proposed building in the field to the west of Gullege Lane should be removed from the development plan; it is an established natural meadow (of many years if not hundreds, and is still producing hay today) it suffers significant regular flooding in itself - central parts and towards the Crawley Down Road field side and causes flooding into gardens along its length due to the field elevation being higher than gardens in several places.

The Development plans should be urgently reviewed in the light of the significant impact of COVID-19 upon the operations of one of the largest employers in the Mid Sussex area - Gatwick Airport. Felbridge is inside the 'Gatwick Diamond', many airlines are either not now operational from Gatwick or are on reduced timetables for the foreseeable future and the airport itself has laid off many workers - it is hard to imagine that there is a growing need when jobs are reducing not expanding and many people will or have become unemployed.

The village has no doctor's surgery, pharmacy, dentist, opticians and only a small convenience store, of which opening hours are subject to change without notice. The plan has failed to address the needs of existing or potential new local people. Without nearby facilities, a culture of increased frequent local trips would further increase traffic, pollution and congestion - any plans should consider the needs of existing and potential populations - of which this plan seeks to increase village residency significantly (over 25% I understand).

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

- a. 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.
- b. The WSP transport report should be published in full and its findings submitted for consultation.
- c. A proper assessment of residents needs and impacts - as stated by residents - not planners who do not live there.

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

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

Yes, I wish to participate at the oral examination

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

My family have long been part of this village, I do not believe that sufficient consideration has been given to understanding what lands are under permanent protection - telling West Sussex and Surrey councils to just sort out the access/egress issues clearly demonstrates that they have not properly understood. They only have to read the Felbridge Parish Council response to the plan to find out.

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

yes

Please notify me when-The publication of the recommendations from the Examination	yes
Please notify me when-The Site Allocations DPD is adopted	yes
Date	28/09/2020

Christine Bartlett

I am **OBJECTING** to the Site Allocations DPD and Sustainability Appraisal, and to the following proposed allocation being included in the Site Allocations DPD:

SA19 – Land South of Crawley Down Road

I consider it 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 and to adequately assess all potential sites.

Allocation of site SA19 would:

Be contrary to national planning policies & the Local Development Plan – MSDC has not fully consulted and respected the wishes and opinions of the village of Felbridge and its Local Councils.

- Under the East Grinstead Neighbourhood Plan, this site is designated as a Countryside Area of Development Restraint. Why are you therefore accommodating the unmet need of Crawley's housing requirement, when the UK Government has stated that Neighbourhood Plans should remain at the heart of the Planning system?

Lead to unsustainable traffic congestion with local junctions already over capacity

- Traffic is already seriously congested along the A264/A22 corridor (Copthorne Road and London Road) and with the new Copthorne development at Heathy Wood on the A264, this is only due to get worse. Please refer to the WSP Model, published in October last year, which shows the junction at Felbridge lights is already at and above capacity, with unacceptable queuing times.
- Rowplatt Lane is already designated as being unsuitable for HGVs and it is difficult to exit Crawley Down Road on the junction with the A264 when turning left at the Village Green, back towards Copthorne and Crawley, as the angle of the road turning is so acute. If turning right here, one joins the already queuing traffic towards the A22 and The Star Public House.
- Allocation of site SA19 would mean that Crawley Down Road itself would become much busier, endangering the young children attending Felbridge Primary School.

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

- There are inadequate services within the village to provide for further housing development – there are no Doctor’s surgeries, dentists or opticians and the village school is at capacity (214 pupils), with just 4 places in year 5 being available at 16 September 2020, according to their website.
- Felbridge Water runs through this site and the land is a flood risk buffer zone. Any interference with the watercourse risks impacting areas further up/downstream, such as Felbridge Court, the businesses on The Birches Industrial Estate, Standen Close, The Moorings, Fel Water Court, Stream Park, The Feld and other properties along the London Road.
- Having studied the draft plan for the site itself, neither of the proposed access points are suitable, as they are both far too narrow and constrained.

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 allocation at Felbridge should be withdrawn as it 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. If the Inspector decides the DPD should progress to Examination, then any allocation at Felbridge should be made contingent on delivering the junction improvements identified in Atkins 3 and the WSP studies.

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 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.

2472

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA19

ID: 2472

Response Ref: Reg19/2472/1

Respondent: Ms C Bartlett

Organisation:

On Behalf Of:

Category: Resident

Appear at Examination? x